

FINAL

**STERLING PLANNING BOARD
MEETING MINUTES**

March 30, 2011 – Rm. 202 Butterick Bldg.

Present: Robert Protano – Chairman
Ronald Pichierri – ANR Agent
Kenneth Williams – Clerk
Melissa French – Administrative Assistant
Michael Radzicki – Vice Chairman
Charles Hajdu – MRPC Rep.

Chairman Protano calls the meeting to order at 7:02 PM.

ANR's.

There are no ANR's.

MINUTES APPROVED

Pichierri moves to approve the minutes of March 09, 2011, as submitted. Seconded by Radzicki, no discussion, all in favor, approved by the Board.

DISCUSSIONS

Chad Lane –

See Minutes of July 28, 2010, August 18, 2010, September 8, 2010, September 29, 2010, October 13, 2010, October 27, 2010, December 22, 2010, January 26, 2011, February 9, 2011 and February 23, 2011 for a history. Present at tonight's meeting are Patricia Santoro, 12 Lesley Lane, and Jane Alessandrini, 8 Country Club Road.

Chairman Protano reads into the minutes a letter from Haley & Ward, Inc., dated March 7, 2011, in which Scott Miller states that he has prepared the cost to complete the remaining work at Chad Lane. As per the summary attached to the letter, the cost to complete the remaining work is \$46,129, which includes a 30% regulatory mark up.

Chairman Protano reads into the minutes an email from Miller, dated March 9, 2011, in which he states that Corrine "has looked at the outfall area with the current flows from snow melt. The flow through the stone wall continues to be somewhat concentrated at one area. He plans to install an elbow, pipe length and flare from the existing outlet head wall. This pipe will run parallel with the stone wall with the intent of carrying the storm water down the slope to the property corner prior to discharge. Should this approach improve the flows, a more permanent installation will be completed". At this time Corrine has not contacted the Board with regards to his proposed plan.

Chairman Protano reads into the minutes an email from Corrine to Miller, dated March 18, 2011, in which Corrine is requesting a discussion with Miller regarding the previously stated cost to cure. Corrine writes "I still have an issue with this bond amount, specifically the regulatory adjustment. The bonding company as well". Miller responds, in an email dated March 21, 2011 and read into these minutes by Chairman Protano, with

Sterling Planning Board Minutes March 30, 2011

FINAL

a breakdown and explanation of the costs and the regulatory mark up. Miller states “I do not think it would be beneficial for us to get together to talk about the application of this mark up. It would be best to address it directly with the Planning Board”. At this time Corrine has not contacted the Board to discuss this topic.

Williams moves to approve Scott Miller’s estimated cost to complete, seconded by Radzicki, no discussion, all in favor, approved by the Board.

Patricia Santoro, 12 Lesley Lane, asks to speak to the Board. She asks why the Board is allowing the developer to continue with the project when they still have problems with the drainage system. Chairman Protano responds that what they have voted on is the contingency money that has to be left. Santoro states that they are still having problems with the level spreader. She states that on March 10, 2011 a water expert was there to install a PVC pipe with electrical tape, claiming that she could have done a better job herself and that water is continuing to pour onto her land. Santoro states that they have sand and silt and dirt and a river running onto their property. Pichierri asks if there is a change from the original area that was wet and Santoro responds that absolutely it has. Santoro reiterates that the PVC pipe and elbow that has been installed “is a joke” and that it is not efficient. Chairman Protano explains that this is not meant to be permanent; it is being used as a trial test. Jane Alessandrini, 8 Country Club Lane, adds that the water is still flowing just as hard as if it was coming out straight, but now it is travelling 12 feet and then pouring out.

Chairman Protano states that he was in the Santoro’s yard (on March 9, 2011) to check the area where the water comes through the stonewall and was looking to see where the flow from the suspected curtain drain on the Santoro’s property came out, claiming that it apparently comes out about 20 – 25 feet to the right, when looking at the outflow pipe from the Santoro’s yard. Chairman Protano states that this is the same area that he said was mushy when questioned by Mike Pineo, at a previous meeting, explaining that the curtain drain surfaces and joins with the water that accumulates on the property, possibly coming from the outflow pipe. Chairman Protano re-reads Corrine’s letter stating that Corrine intends to install an elbow, pipe length and flare as a test, prior to a more permanent solution. Santoro states that the flare has not been attached.

Chairman Protano invites Alessandrini to show the Board a video that she has from the area showing the pipe and water flow. Alessandrini claims that the level spreader is non-existent, that they have had an engineer up there who stated that it is not there, it’s not working.

Chairman Protano asks the Board if they would like to schedule a site visit, stating that the Santoros have previously given permission for the Board to enter their property. Chairman Protano informs both Hajdu and Radzicki that one of the reasons he was on the Santoro property was that he was told that the property was designed with a curtain drain to catch the water that was coming off the natural hill (pre-existing) prior to developing Lesley Lane. Chairman Protano states that no one previously mentioned the curtain drain and he was concerned about being mistaken about water coming out 20 – 30 feet which prompted him to check into it.

FINAL

Chairman Protano reiterates that Corrine is trying to make an effort to satisfy all persons and that is why the elbow was put in place as a trial. Corrine is supposed to be watching it.

The Board sets a time for a visit to the site, via Santoro's yard, for Sunday, April 3rd at 11:00 AM.

(Note added after the meeting; Chairman Protano, Radzicki, Williams and Hajdu visited the site at the time noted above.)

Chairman Protano reads into the minutes an email from Miller, dated March 28, 2011, in which Miller discloses that his company purchased a truck from Gervais Ford in Ayer, MA, in which John Santoro, 12 Lesley Lane, is the Business Manager. The Board feels that there is no issue with Miller's purchase of the truck from Gervais Ford.

Radzicki moves that the Board take no further action on the potential conflict, seconded by Pichierri, no further discussion, four in favor, Williams abstains, the motion is approved.

Kathleen Lane –

A warrant article for the acceptance of Kathleen Lane as a town road has been placed on the warrant for the upcoming annual town meeting. In the process of working with the developer towards this goal, some revisions and clarification were needed to the plans and legal descriptions of Kathleen Lane and Drainage Easement "A" and Drainage Easement "B"; see minutes of March 9, 2011. On March 14, 2011 Scott Miller, Haley & Ward, Inc. met with Pichierri and French to address the concerns the Board had. The developer has submitted revised plans and legal descriptions to comply with the items noted in a letter from Miller, dated March 14, 2011, resulting from the meeting on the same day. French has reviewed the plans and legal descriptions and submitted copies to the Board of Selectmen and the Town Clerk for the upcoming Public Hearing with the Board of Selectmen, scheduled for April 13, 2011. At this time Chairman Protano reads into the minutes the letter from Miller, dated March 14, 2011.

The Board has a final visit to Kathleen Lane scheduled for Monday, April 11, 2011 at 4:30 PM.

Primrose Lane –

Chairman Protano reads into the minutes a letter from Ron Pichierri, dated March 30, 2011, in which Pichierri requests an extension of time to complete the Definitive Subdivision, Primrose Lane, from May 12, 2011 to May 12, 2013.

Williams moves that the Board grant the request, Radzicki seconds the request. Pichierri recuses himself from the Board. No discussion, all in favor, approved by the Board, 4-0.

NOTICES/FYI

FINAL

4 Campground Road – The Board was contacted by the Post Office for clarification of the address of a property located on Campground Road, the former Sterling Lancaster Lumber Yard. After researching the history of the property, Williams feels that #4 is the logical address and composes a letter describing his reasoning and declaring the address to be 4 Campground Road. Chairman Protano reads into the minutes this letter, dated March 21, 2011 and sent to the Post Office, Verizon and all pertinent departments within the town. It is noted that this site is undergoing new ownership and that the Building Inspector does not feel there is a change of use, being that the use will still be commercial.

Wood Burning Furnace – Chairman Protano reads into the minutes an email between the Building Inspector and a resident of the town, Charla Kroll, of which the Planning Board has been copied. This correspondence is in regard to outdoor wood burning furnaces. At this time there is no action needed or taken by the Planning Board.

FIN COM Operating Budget – The finance committee has submitted their Preliminary votes for Operating Budget Article #2 for all line items for depts/committees. The Board reviews this budget, with no concerns noted on the proposed Planning Board budget.

ZBA NOTICES

Chairman Protano reads the notice from the Zoning Board of Appeals stating that an application has been filed by Harold T. Smith and Cynthia E. Cannon with regards to constructing a house at 5 Chestnut Ave. The ZBA will hear the subject at 6:35 PM on Tuesday, April 12, 2011.

CHAIRMAN'S REPORT/NOTICES

Chairman Protano reports that he and Pichierri attended the Citizen Planner Training Collaborative “Advanced Tools and Techniques for Planning and Zoning” 10th Annual Conference on Saturday, March 19, 2011 at the Hogan Center, Holy Cross College in Worcester, MA .

Chairman Protano also attended a function at the Doyle Center, including a tour of the building. The function was a mini seminar centered on wind turbines. At this seminar Chairman Protano received a copy of the wind energy by-laws from the Town of Savoy, which he shares with the other Board member, for their review.

Chairman Protano noted that both events were enjoyable and beneficial.

Chairman Protano invites Pichierri to speak on a workshop that he recently attended, also at the Doyle Center. Pichierri stated that his workshop was with Ed Himlan, with the topic being storm water management. Himlan’s group is focused on encouraging towns to reach levels of re-charging 1 billion gallons of water each year, through various

FINAL

projects. Pichierri stated that both this workshop and the conference at the Hogan Center were positive experiences.

Chairman Protano noted the timber cutting being done in West Boylston by the DCR, commenting on what a nice job they have done cleaning up. Chairman Protano feels that, in the future, should the DCR do the same in Sterling, the town should insist on similar results.

ADMINISTRATIVE ASSISTANT'S REPORT/NOTICES

The Administrative Assistant has nothing to report.

MAIL

Various items of mail were noted and made available for Board members to review.

NOTICES FROM OTHER TOWNS

Notices from other towns were made available for review and passed to the Zoning Board of Appeals.

INVOICES

The board members sign invoices and payroll.

MOTION TO ADJOURN

**Williams makes a motion to adjourn the Planning Board Meeting at 8:43 PM.
Seconded by Radzicki, no discussion, all in favor, motion approved.**

The next regularly scheduled Planning Board Meeting is April 13, 2011 at 7:00 PM.

APPROVED BY:
