

FINAL

**STERLING PLANNING BOARD
MEETING MINUTES**

November 30, 2011 – Rm. 202 Butterick Bldg.

Present: Robert Protano – Chairman
Kenneth Williams – Clerk
Charles Hajdu
Melissa French – Administrative Assistant

Absent: Michael Radzicki – Vice Chairman, MRPC Rep. (Attending Govt.
Study Meeting)
Ronald Pichierri – ANR Agent

Chairman Protano calls the meeting to order at 7:00 PM.

ANR's.

North Cove Road and Swett Hill Road
Book 19053 Page 291, Worcester South District Registry of Deeds
Assessor Map 129, Lot 25
Owner(s): Andre and Maureen Brouillard
Edward and Patricia Thomas

Continued from 10-26-11 and 11-09-11.

Jamie Rheault, Whitman & Bingham Associates, LLC, and Patrick McCarty, McCarty Engineering, are present this evening to continue the review of an ANR Plan on Kendall Hill Road, Swett Hill Road and North Cove Road, the latter being a private way.

Also present are Daniel Kloczkowski, 55 N. Cove Road and Joan & Gary Kranich, 26 N. Cove Road.

Rheault submits the Agent for Application form to complete the application for formal submission. The Board has been holding the Form A and a check for \$175.00.

As discussed at the Planning Board meeting of 11-09-11 McCarty was to prepare a Brief of the proposed project for the purpose of obtaining a legal opinion regarding the development of lots with frontage on a private way. In addition to the Brief, the Board and the applicants were planning on developing a list of questions to prepare a packet to send to Town Counsel, or other attorney deemed appropriate, for their legal opinion.

Rheault states that the Brief has not been completed at this time and will be ready for the next Planning Board meeting scheduled for December 14, 2011.

Rheault recognizes that there is a time frame of 21 days for the Board to make a decision after formal submission of the ANR plan. Rheault states that he will submit a letter granting the Board an extension of time to allow for legal counsel.

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McCarty states that the Brief should be completed in time to submit prior to the next meeting, giving the Board members time to review it.

Kloczkowski asks to speak, stating that he has several concerns that he would like to see considered when the Board prepares questions for legal counsel. Kloczkowski will submit his concerns in writing to the Board for their consideration.

Rheault and McCarty would like a copy of Kloczkowski's concerns, when submitted. In turn, Kloczkowski would like a copy of McCarty's Brief, once it is submitted. The Board agrees that these items will be distributed accordingly upon receipt.

The discussion for this ANR will resume on December 14, 2011.

MINUTES APPROVED

Williams moves to approve the minutes of November 9, 2011, as submitted. The motion is seconded by Hajdu, there is no discussion and all are in favor, approved by the Board, 3-0.

DISCUSSIONS/REPORTS

MEMO FROM TERRI ACKERMAN Re: Budget reduction and non-criminal disposition – Ackerman has asked all Departments to take some time to consider the issue of non-criminal disposition and of the Board of Selectmen's goal to reduce the FY13 Budget. The discussion will continue at the next Department Head meeting on December 6, 2011. French has asked the Board for their feedback, as she is the representative at the Department Head Meeting. Williams suggests that the Community Preservation Act be suggested as a way to raise revenue for the town and Hajdu suggests an increase in the Commercial Tax rate. French is reviewing the Planning Board Fee Schedule to see how it compares to other towns, as a possible area to increase revenue. With regard to the non-criminal disposition there is little discussion.

DEBBIE DUPUIS'S LAND ON REDEMPTION ROCK TRAIL - Debbie Dupuis and her son, David Dupuis, are present this evening, following a phone call from Debbie, who was interested in finding out if the topic of her land for sale would be on the agenda. Chairman Protano, at the last meeting, mentioned that he had been approached by someone who is possibly interested in the land for commercial use, being that it is zoned Performance Zone I. D. Dupuis is concerned that there has been negative talk regarding her land for sale in this zone. Chairman Protano states that he has not heard anything negative.

PERSONNEL BOARD – STEP INCREASES – Chairman Protano reads into the minutes a memo from T. Ackerman which states that the Personnel Board has approved a

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one step increase for all employees who are not on probationary or suspended status, or subject to pending discipline. This applies to employees with at least one year of service and who have received a satisfactory performance review.

CODIFICATION OF TOWN BY-LAWS: ACTION STEPS - The Board has received a copy of the report, from Attorney Patrick Fox, outlining his findings in the action steps taken towards codification of the Town's By-Laws.

STATE ETHICS COMMISSION'S TEST RENEWAL – The Board members are reminded that their renewal of the State mandated Ethics Tests are due.

DECEMBER MEETING SCHEDULE - The Board will hold only one meeting in the month of December, on December 14, 2011. The December 28th meeting will be cancelled.

Chairman Protano moves to eliminate the 2nd meeting of December and hold one meeting on December 14, 2011. Seconded by Hajdu, there is no discussion, all in favor, approved by the Board, 3-0.

HOLIDAY GATHERING – The Board of Selectmen are holding a Holiday Gathering at the Town Hall offices on December 23, 2011 from 8:30 AM to 11:00 AM.

ZBA

The Board reviews a notice, from the Zoning Board of Appeals, that an application has been filed, by Robert and Krista Naugler, for a Special Permit for purposes of building an accessory addition to an existing garage at 2 Albright Road. The Hearing will be held on Tuesday, December 13, 2011 at 6:35 PM.

CHAIRMAN'S REPORT

Chairman Protano reports that he visited the Dunkin Donuts plaza at 50 Leominster Road. Chairman Protano reports that he sat in the parking lot long enough to see that the flow in the parking lot works well, the upper lot has been done well and the addition to the building has not been started.

ADMINISTRATIVE ASSISTANT REPORT

The Administrative Assistant has nothing to report.

MAIL

There was no mail for review.

NOTICES FROM OTHER TOWNS

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

INVOICES

The board members sign invoices and payroll.

MOTION TO ADJOURN

Chairman Protano makes a motion to adjourn the Planning Board Meeting at 8:22 PM. Seconded by Williams no discussion, all in favor, motion approved.

The next regularly scheduled Planning Board Meeting is December 14, 2011 at 7:00 PM.

APPROVED BY:
