



Town of Sterling Planning Board

1 Park Street
Sterling, MA 01564
Telephone: 978-422-8111 extension 2320

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TOWN OF STERLING
TOWN CLERK

STERLING PLANNING BOARD PUBLIC HEARING NOTICE ZONING AMENDMENTS

Per MGL, Ch. 40A, §5, the Sterling Planning Board will hold a public hearing on Thursday, February 25, starting at 7:15 PM, to consider proposed amendments to the Protective Bylaws (Zoning Bylaws) and Zoning Map. This hearing will be conducted via remote participation. To attend and participate in this public hearing via computer/tablet/smartphone, visit www.zoom.com, click Join a Meeting, and enter Webinar ID: 219 650 1026, passcode 1Parkst1. To participate via telephone, dial 1-646-558-8656 and enter the following Meeting ID: 219 650 1026, Passcode: 01070114. If you are unable to participate by those means, but would like to comment or have questions, or would like to request text of the proposed amendment, please email dtatasciore@sterling-ma.gov or call 978-422-8111 x2332.

The subject matter of the proposed amendments are as follows:

1. Pertaining to Aquifer and Water Resource Protection Districts/Groundwater Protection Districts:
 - a. To amend Article 4, Section 4.6, Aquifer and Water Resource Protection Districts, by deleting this section in its entirety and replacing it with a new Section 4.6, entitled "Groundwater Protection Districts" including provisions for the purpose of the bylaw, scope of authority, definitions, establishing and delineating Groundwater Protection Districts, process for addressing District boundary disputes, use regulations, additional requirements for permitted uses, pre-existing uses and structures, special permit procedures and enforcement.
 - b. To amend the Table of Contents by deleting "Aquifer and Water Resource Protection Districts" and existing subsections 4.6.1-4.6.9 and replacing that with "Groundwater Protection Districts" and new subsections 4.6.1-4.6.11, to Amend Article 4.6 to rename, reorganize and renumber all the related subsections accordingly and to renumber all subsequent pages thereafter.
 - c. To amend Article 2, Section 2.1.1. Establishment, by deleting the words "Aquifer and Water Resource Protection District" and replacing it with "Groundwater Protection Districts."
2. Pertaining to Earth Removal/Quarrying or Mining:
 - a. To amend Article 2, Use, Dimensional and Timing Regulations, Section 2.3.1.D. (Table of Principal Uses) to delete the following use #7 "Earth removal" and to replace therewith with a new use, #7 "Quarrying or Mining" with no alteration of use in the zoning districts; it would remain permitted in the LI zoning district and would not be permitted in the RR, NR, C and TC zoning districts. The existing footnote #1 would remain;
 - b. To amend Article 5, Definitions, by inserting, in alphabetical order, a new definition for "Quarrying or Mining" and by deleting the existing definition of "Earth Removal".
 - c. To amend Article 3, Site Development Requirements, Section 3.3.2, Erosion Control, subsection 3.3.2.2 by inserting at the beginning of the subsection the following new text: "With the exception of where an Earth Removal permit has been issued,";
 - d. To amend Article 6, Administration and Procedures, Section 6.2, Board of Appeals, by deleting subsection 6.2.2.2.a.4. in its entirety, thereby deleting the current requirement to obtain a use variance from the Board of Appeals for earth removal in the RR and NR zoning districts.

3. Pertaining to the Town Center & Mixed Use:

- a. To amend Article 2 Use, Dimensional and Timing Regulations, Section 2.5.1 (Table of Dimensional Controls) by reducing the dimensional requirements in the Town Center zoning district for front yard to 0 feet, side yard to 5 feet and rear yard to 5 feet; adding a footnote that refers to an existing section and adding another footnote that permits a greater front yard setback in the TC district by Special Permit by the ZBA;
- b. To amend Article 2, Use, Dimensional and Timing Regulations, Section 2.3.1.A. (Table of Principal Uses) to include a new use, #8 "Mixed Use Building with Residential Unit(s)" which would be permitted as a Special Permit in the C district and would be allowed by-right in the TC district and would be prohibited in the RR, NR or LI districts;
- c. To amend Article 5, Definitions, by inserting, in alphabetical order, a new definition "Mixed Use Building with Residential Unit(s)";
- d. To amend Article 2, Section 2.5.4 Free Standing Uninhabited Buildings by allowing all uninhabited buildings, located in the Town Center zoning district, to be setback a minimum of 5 feet from both the side and rear yard setbacks and that it shall be aligned within 5 feet of the inhabited structure for the front yard setback so long as it complies with said setback.

4. Pertaining to Site Plan Review:

- a. To amend Article 6, Section 6.4 Site Plan Review, as follows:
 - i. Section 6.4.1.1. by replacing "500 square feet" with "1,200 square feet";
 - ii. Section 6.4.1.2. by correcting the typo to read "multi";
 - iii. Section 6.4.2. by adding a new subsection to the Exemptions to include construction or enlargement of any non-residential building, structures or use not exceeding 1,200 sf or will not generating more than 5 parking spaces;
 - iv. Section 6.4.3.1. by making it applicable to Special Permits, by making changes to the application requirements and process, and by providing for action by the Planning Board after a public hearing including requiring notification for parties of interest via mail and to be published in a newspaper in each of two consecutive weeks;
 - v. Section 6.4.3.2. by deleting the subsection in its entirety;
 - vi. Section 6.4.6. by deleting the Waiver of Technical Compliance section and amend the Table of Contents pertaining to said subsection by deleting said subsection and to renumber all subsequent pages thereafter.
 - b. To amend Section 4.6.5 (e), Section 4.7.5.5 (h), Section 4.7.6.2 and Section 4.7.6.4 by replacing the incorrect site plan review citations with the correct one, being Section 6.4.
5. To delete Article 4, Section 4.3 Rate of Development and amend the Table of Contents pertaining to said section by replacing "Rate of Development" with "Reserved" and renumber all subsequent pages thereafter.
6. To delete Article 4, Section 4.3A Subdivision Phasing and amend the Table of Contents pertaining to said section by deleting "Subdivision Phasing" and all its related subsections and to renumber all subsequent pages thereafter.
7. To amend Article 2, Section 2.2.1. General, by deleting the words "PB – A use authorized under special permit from the Planning Board as provided under Section 6.3".
8. To amend the Zoning Map by rezoning the following 13 parcels, located southerly of Dana Hill Road & Legg Road, from Performance Zone 1 to Commercial zoning district relating to the following parcels:
11 Dana Hill Rd (Parcel #144-1), 9 Dana Hill Rd (Parcel #159-1), 43 Redemption Rock Trail (Parcel #159-2), 41 Redemption Rock Trail (Parcel #159-3), 37 Redemption Rock Trail (Parcel #159-4), 35 Redemption Rock Trail (Parcel #159-5), Redemption Rock Trail (Parcels #159-6 & 7), 32 Redemption Rock Trail (Parcel #159-8), 44 Redemption Rock Trail (Parcel #159-9), 0 Redemption Rock Trail (Parcel #159-10), 4 Legg Rd (Parcel #159-11), 6 Legg Rd (Parcel #159-12)

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The full text of the proposed zoning amendments are on file with the office of the Town Clerk and can be viewed at Town Hall during regular business hours. The full text and map are also available at the Town's website at <https://www.sterling-ma.gov>.

Carl Corrinne, Chair

Sterling Planning Board

Worcester Telegram & Gazette, February 10, 2021 & February 17, 2021