

## STERLING PLANNING BOARD MINUTES – January 25, 2017

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**Present:** John Santoro ~ Chairman  
Michael Pineo ~ Clerk & E. D. C. Member  
David Shapiro ~ Member  
Betty Kazan ~ Administrative Assistant  
**Absent:** Charles Hajdu ~ Vice Chairman  
Russ Philpot ~ ANR Agent

Mr. Santoro called the meeting to order at 7:03 PM in Room 202 of the Butterick Building.

### ANR

Matt Marro, on behalf of the Town of Sterling Board of Selectmen submitted plans for 19 Hardscrabble Road, Sterling, MA. , to subdivide this property into two lots; Lot #1 consisting of approximately 7.63 acres and Parcel 'A' a non-buildable lot consisting of approximately 1.67 acres. Mr. Marro further explained that the purpose of this ANR was so that the Town would have access (only) on Parcel 'A' to connect to other Town owned property.

Mr. Shapiro moved that the Board endorse ANR Plan, Map 42, Lot #1 & Parcel A, 19 Hardscrabble Road, Sterling, MA. Plan submitted by the Town of Sterling prepared by Whitman & Bingham Associates, LLC, 510 Mechanic Street, Leominster, MA 01453, Plan #5-G-153, dated December 21, 2016. Form A completed, with four copies of plan. Additional copy will be dropped off at the Planning Board office on Monday, January 30<sup>th</sup>. Mr. Pineo seconded the motion. The motion passed unanimously. The Board agreed to waive ANR fees.

### Minutes

Mr. Shapiro moved that the Board approve the minutes for December 14, 2016. Mr. Santoro seconded the motion. The motion passed with two in favor and one abstain (Mr. Pineo was not in attendance at this meeting.).

Mr. Pineo moved that the Board approve the minutes for January 11, 2017 as corrected. Mr. Shapiro seconded the motion. The motion passed unanimously.

### Bond & Review Fees for Simpson Projects

Jim Simpson was on hand to discuss with the Board his request to return monies for; Performance Bonds for Michael Lane, a Performance Bond reduction for Homestead Lane and Review Fees for Flanagan Farms, Wicka Picket Knoll, Pheasant Hill Lane, Greenland Road, and Homestead Lane/Off Osgood Road.

**Michael Lane Performance Bond** ~ Ms. Kazan mentioned that at a November 4, 1991 Town Meeting Article 12 passed as follows: 'Voted to accept Michael Lane as a public way in its entirety, together with easements as laid out and shown on the "As Built" plan; such acceptance will not be final until the "As Built" plan and the deed(s) to the aforesaid have been recorded in the Worcester Registry of Deeds by the Developer and duly delivered to the Board of Selectmen'. Mr. Simpson agreed to research this and get back to the Board.

**Homestead Lane Performance Bond** ~ Mr. Simpson requested a reduction in the Performance Bond being held for Homestead Lane. The Board asked Ms. Kazan to contact Haley & Ward to review Mr. Simpson's request for a Performance Bond reduction on Homestead Lane.

## STERLING PLANNING BOARD MINUTES – January 25, 2017

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**Homestead Lane Review Fee Account** ~ Ms. Kazan mentioned to the Board that the Homestead Lane has no review fee funds in their account for any future incurred engineering fees. The Board agreed to address this at their February 22, 2017 meeting.

**Off Osgood** ~ Ms. Kazan inquired as to whether the Board would like to request review fee money for this account as this project is still active. At present, there are no pending invoices from Haley & Ward; however they (Haley & Ward) will have to go out again to look at the project. The Board will address this with Mr. Simpson at the February 22<sup>nd</sup> meeting.

Mr. Simpson requested that even though Haley & Ward do not work directly for him, he would like to see a time sheet on these invoices. The Board agreed to discuss further at their next meeting.

**Flanagan Farms** (Country Club and Samuels Road) ~ The November 8, 2006 Planning Board Minutes indicated that the Board was still trying to verify the recording of the As Built and Deed. Mr. Simpson will check to see if it has been recorded at the Registry of Deeds.

**Wicka Picket** ~ the balance in the account is interest only.

**Pheasant Hill Lane** ~ Ms. Kazan has not had a chance to do any accounting of the balance.

**Greenland Road** ~ Mr. Simpson confirmed that this project (East side) is completed. The Board confirmed that an As Built is not required. The balance on the review fee account has not been reconciled to Treasurer/Town Accountant's balance.

Mr. Simpson indicated that he would like to get on the agenda for the Spring Town meeting for Homestead Lane (Sterling Heights Builders) to be an accepted Road. He mentioned that he still needed to plant trees and turn in an As Built plan to the Planning Board.

Mr. Santoro agreed that any monies owed on these projects should be returned to the applicant. He also expressed a concern that there is enough time allowed to properly reconcile to the Treasurer/Town Accountants' records.

All agreed to continue this discussion to the February 22<sup>nd</sup> Planning Board meeting with hopes of finalizing pending items. The Board asked Ms. Kazan to make this her top priority.

### **Warrants & Payroll**

Board members reviewed vouchers for payroll, Quill, and Haley & Ward (Homestead Lane). The KP Law invoice will be held pending Mr. Philpot's discussion with KP Law.

### **Chairman Report/Notices/Discussions**

Mr. Santoro acknowledged an email from Sterling Industrial Land Inventory and Site Readiness Program.

## STERLING PLANNING BOARD MINUTES – January 25, 2017

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### Administrative Assistant's Report/Notices

#### Fee Schedule

Ms. Kazan reported that the last time the Planning Board's fee schedule was updated was August 21, 2013. The Board asked Ms. Kazan to prepare information about fees charged by surrounding towns in the area.

#### CPTC Workshop

The CPTC Workshop will be held on March 18<sup>th</sup> at Holy Cross College. Ms. Kazan will inform the Board when registration is open for this event.

#### Ricoh

Ms. Kazan mentioned that she and Mr. Philpot had a conference call with representatives from Ricoh regarding scanning of the office files. A representative will be coming out to the office on Monday to review the files and prepare a quote based on this information.

#### ANR Procedures & possible future public hearing

The Board agreed to postpone discussions until Mr. Philpot has gotten answers to discrepancies in the revised ANR Procedures/documents updated by KP Law.

#### Condition of General Bylaws

The Board agreed to discuss at their next meeting scheduled for February 8, 2017.

#### E.D.C. Recommendations

The Board agreed to postpone having a discussion to formulate a response until their next meeting scheduled for February 8, 2017.

#### Discussion ~ Medical Marijuana Dispensaries

The Board agreed to discuss at their next meeting scheduled for February 8, 2017.

#### Discussion ~ Timing and conditions of releasing bonds for new roads

The Board agreed to discuss at their next meeting scheduled for February 8, 2017.

#### 9:24 P.M. MOTION TO ADJOURN

Mr. Pineo moved that the Board adjourn. Mr. Shapiro seconded the motion. The motion passed unanimously.

#### **APPROVED BY:**

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