

STERLING PLANNING BOARD MINUTES – September 12, 2018

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

Mr. Pineo called the meeting to order at 7:00 P.M. in Room 202 of the Butterick Building.

Minutes

Mr. Miller moved that the Board approve the minutes for August 29, 2018 as written. Mr. Shapiro seconded the motion. The motion passed unanimously.

Warrants & Payroll

Board members reviewed a payroll warrant.

ZBA Notices

Mr. Pineo acknowledged a notice was received regarding a hearing scheduled on October 9th for two special permits for 150 Clinton Road. The ZBA has asked for the Planning Board's feedback by October 1st. The Board will be considering an application for a site plan for this applicant at their September 26, 2018 and will provide any comments to the ZBA after that meeting.

Administrative Assistant's Report/Notices

Vacation

Ms. Kazan reminded the Board that she would not be in office on September 17, and 18, 2018. She would post the office being closed from September 13th until September 23rd and re-open on September 24, 2018 at 9 am.

Sterling Ice Cream Bar Update

Mr. Miller reported that he had met with the owner of the Sterling Ice Cream Bar and he had assured Mr. Miller that he was going to get in touch with his engineer and get back to the Board but at this time he has not contacted anyone on the Planning Board. The Board agreed to put this as an agenda item for the next meeting to discuss further.

ANR ~ 38 Clinton Road, Map 86, Lot 4, Brian Foley, LCM Realty Trust & TCF Holdings

LLC

Mr. Foley was on hand to request approval of his ANR to combine five lots in two lots on 38 Clinton Road.

Mr. Shapiro voiced concern over whether the ANR plan should reflect the concerns of the Fire Department memo relative to the driveways to be built to meet all of the requirements listed on the driveway permit form.

Attorney Carolyn Murray indicated it is entirely up to the Board. You could vote to approve the plan subject to the notation #3 be added to the plan or it would still be a requirement of the driveway permit.

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After a discussion in which the Board agreed this was a complete application and satisfied the three requirements of the Mass General Laws; vital access standard, conditional lot, and frontage to issue an approved ANR.

Mr. Miller moved that the Board approve the ANR application for LCM Realty Trust & TCF Holdings, LLC for 38 Clinton Road, Map 86, Parcels 4, 51, 52, 53, and 54 that will be combined in to two lots identified as Lots 1 and 2. Plans dated August 31, 2018, Job No. 18019. Plans prepared by Graz Engineering, LLC, 323 West Lake Road, Fitzwilliam, NH 03447. Mr. Shapiro seconded the motion. The motion passed unanimously.

### **Chad Lane Subdivision**

A discussion is scheduled for the Planning Board meeting of September 26, 2018 with Mr. Jamie Rheault of Whitman & Bingham to discuss several questions he has on the Chad Lane Subdivision.

**Continuance of Primrose Lane Subdivision** ~ Scott G. & Donna M. Charette, 1 Primrose Lane, Ronald F. Pichierri, 3 Primrose Lane, and Robert K. & Gail E. Lent, 35 Heywood Road, for approval of a Definitive Subdivision Plan entitled “PRIMROSE LANE” located on the westerly side of Heywood Road, Sterling, MA, Assessors Map 10, Parcels 6, 7, and 7.1.

Jamie Rheault was on hand to review the various changes in the plans.

The following are the comments from Haley & Ward dated August 24, 2018 with the applicant’s responses provided:

*Haley and Ward has completed a review of the definitive subdivision and site plan for Primrose Lane. The plans were prepared by Whitman and Bingham Associates, LLC. and are dated July 9, 2018 with revisions through August 21, 2018. This is a new subdivision application for a prior approval of the same roadway that was rescinded by your Board. We offer the following comments. The applicant’s responses are provided. Outstanding items are shown in bold font.*

*1. The following items are not included in the subdivision application*

- a. Profile sheet. As the road is substantially completed, your Board may consider waiving this item and rely upon as built plans previously submitted or to be submitted upon the completion of the proposed subdivision.*
- b. Erosion and Dust Control Plan. As no significant road work is expected, your Board may consider waiving this requirement with the understanding that sound erosion and dust control methods are used for the development of Lot 2 and miscellaneous outstanding work on the roadway and drainage system.*
- c. Storm water management calculations. Stormwater calculations were submitted and reviewed by our office for the 2005 subdivision approval. Your Board may consider waiving new calculations and rely upon the previous calculations to show appropriate run off control. Those calculations included the following mitigation measures that should be shown on the current plans.*
  - 1. Details of roof infiltration structures for homes built on Lots 1 and 2. A requirement to install and maintain the roof drain recharge trenches should be included in the individual property deeds. Your Board should*

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include this requirement as a condition of approval. One SC-740 Stormtech infiltration chamber is required for every 500 square feet of building footprint.

2. Sodded drainage swales along the northern side of the paved driveway on lot 2, from the outlet of the drain under that driveway to the stormwater management pond (SMP) and along the property line between lots 2 and 3 to the SMP.
3. Check dams at the two swale entrances to the SMP
4. An outlet control for the SMP to include three (3) 8-inch diameter outlet pipes set at a slope of 0.023 from the bottom of the pond. The inlets should be cut to match the slope and a 5x5x2- foot rip rap pad at the outlet.

Response: Items c (1) through (4) have been added to the plan.

2. The project is not served by a public water supply. A fire cistern should be provided as outlined in the Subdivision Rules and Regulations. Alternatively, your Board should consider a condition of approval requiring the installation of residential fire sprinklers meeting NFPA 13D for homes on Lots 1, 2 and 3.

*Response: Notes requiring sprinklers at the existing home on Lot 1 and the proposed home on Lot 2 have been added to the plan. It is our understanding that the Lot 3 home is already fitted with automatic fire sprinklers. **Your Board may consider including a condition of approval stating: Residential structures on Lots 1 and 2 shall be fitted with automatic fire sprinklers meeting NFPA 13D prior to occupancy.***

3. A paved apron should be provided at the gravel driveway from the edge of the paved roadway to the property frontage. The apron should be sloped to direct street run off to the adjacent drainage swale.

Response: A note has been added to the plan showing the apron placement

4. At the time of our 2017 punch list review of the prior subdivision, the inlet outlet flares for the drain under the gravel driveway were damaged and deformed. The proposed plans should replace these flares as appropriate.

Response: A note has been added to the plan calling for the replacement of the flares and extension of the drain under the driveway.

5. A property line pin should be provided where the Lot 2/3 property line meets the roadway frontage.

Response: An existing pin has been noted on the plan.

6. Your Board should determine if additional street trees are required beyond the existing vegetation retained.

Response: Your Board should make this determination prior to final acceptance of the completed subdivision.

7. Your Board should determine if a sidewalk is warranted for this roadway.

Response: This determination should be made prior to subdivision approval.

Mr. Rheault explained that there was only one outstanding issue in the letter from Haley & Ward (Item #2) in which Mr. Miller states that the Board may consider including a condition of

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approval stating: Residential structures on Lots 1 and 2 shall be fitted with automatic fire sprinklers meeting NFPA 13D prior to occupancy.

Mr. Rheault indicated he received a short list of items remaining to be addressed; revised plan (has been submitted), feedback from the Police (they have no concerns), determination from the Tree Warden as to whether additional trees are (There are plenty of trees on Primrose, no new street trees are needed), written agreement regarding the driveway and written response to Haley & Ward.

Mr. Rheault requested that that the Board close the public hearing and have a vote. After the Board votes to approve the subdivision with conditions, the next step is going to be writing that approval permit and submit it to the Town Clerk so they can stamp it for a 20 day appeal process. When the appeal period expires, Whitman & Bingham will prepare the mylar plan and will bring it to the Town Clerk who will sign the plan indicating the 20 day appeal process has been satisfied. The mylar plan will then be submitted to the Planning Board and scheduled for the next meeting. Mr. Rheault will also have a surety bond ready which will already have been reviewed by Scott Miller.

Mr. Shapiro moved to close the hearing on the Definitive Subdivision and Site Plan for Primrose Lane. Mr. Miller seconded the motion. The motion passed unanimously.

Mr. Shapiro moved to approve the Definitive Subdivision for Primrose Lane, owners Scott G. & Donna M. Charette, 1 Primrose Lane, Ronald F. Pichierri, 3 Primrose Lane, and Robert K. & Gail E. Lent, 35 Heywood Road, located on the westerly side of Heywood Road, Sterling, MA, Assessors Map 10, Parcels 6, 7, and 7.1. with the condition that residential structures on Lots 1 and 2 shall be fitted with automatic fire sprinklers meeting NFPA 13D prior to occupancy. Mr. Miller seconded the motion. The motion passed unanimously.

The Board agreed to have Town Counsel Carolyn Murray draft an approval letter for the Board's review.

Mr. Miller moved that the Board approve Ms. Murray's offer to help draft an approval letter after the Board gets approval from the Town Administrator. Mr. Shapiro seconded the motion. The motion passed unanimously.

### **8:05 P.M. MOTION TO ADJOURN**

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

### **APPROVED BY:**

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