

Final

**STERLING PLANNING BOARD  
MEETING MINUTES**

December 12, 2012 – Rm. 202 Butterick Bldg.

**Present:** Ronald Pichierri – Chairman, ANR Agent  
Kenneth Williams – Clerk  
Charles Hajdu  
John Santoro  
Lucinda Oates – Administrative Assistant

**Absent** Michael Radzicki – Vice Chairman, MRPC Rep

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

**ANR's.**

There are no ANR's

**MINUTES**

**Motion: Ken Williams**

**Second: Charles Hajdu**

Motion made to approve November 28, 2012 minutes with corrections, there was no further discussion, motion carried.

**Solar Panel Array off Wiles Road**

**Davis Dairy, INC**

**Re: Modification of Site Plan**

Jamie Rheault, consultant Whitman & Bingham, presented five copies of the revised Proposed Solar Panel Array to the board; the following modifications were revised dated December 10, 2012:

- Total reduction in size of project
- Panels are smaller and more efficient
- Two fence lines have been moved (away from Wiles Road)
- Panels are now less obtrusive, all panels will be on the south of easement
- Electrical engineer redesigned the layout of panels
- No change in access to the site

Conservation Commission will also receive a plan which will show slight modifications to the original plan presented.

Charles Hajdu stated that he felt that the modifications were beneficial to the abutters and also provided further distance from the wetlands.

Ken Williams requested that an itemized account of revisions to plan be provided to the Planning Board, which would include the following:

- Number amount of panel decreased
- Fencing change location
- Landscape change to conform to new modifications

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Jamie Rheault will provide copies of the plan modifications on Whitman & Bingham letterhead for distribution to the various town boards, on Monday, December 17, 2012, along with a written summary of proposed modifications of work to be completed.

**Motion: Charles Hajdu**

**Second: John Santoro**

Motion made to approve the revised amended copy presented by Whitman & Bingham, for the proposed Solar Panel Array located in Sterling, as amended 12/10/12, and shown on Plan #4 - L-844, pending approval from Conservation Commission for revision, all in favor, all members in favor, motion carried.

This revised proposal required an administration fee associated with the review of seventy-five dollars. Whitman & Bingham will submit a fee of \$75.00 to the Planning Board on Monday, December 17, 2012, for administrative work.

Note after meeting, it was noted at the January 9, 2013 meeting, there has been no submission or submittal fee received from Whitman & Bingham. Jamie Rheault has been contacted three times with no return calls or messages received at this time.

**DISCUSSIONS/REPORTS/FYI**

The Board of Selectmen invited all town employees, board committees and volunteers to the Butterick Building on Friday, December 21, 2012 for a time of fellowship with coffee and Danish.

Fiscal Year Budget 2014 was given to board members for review. FY14 is due to the town account by January 11, 2013 and the Planning Board will make a decision with a vote on the budget at their next regularly scheduled meeting of January 9.

An email was received from Mark Brodeur, Sterling Building Inspector, concerning water flow calculations at Laddawn on Northeast Boulevard. Mark Brodeur stated that the calculations are part of the Building Permit Application and will be handed by his department in their normal course of business.

**Corrinne / Chad Lane**

**RE: Extension of Permit**

John Santoro rescued himself from discussion, as he is an abutter.

Mr. Corrinne questioned why the extension for Chad Lane Subdivision which will expire December 28, 2012 was not given a four year extension instead of three year granted.

As per Mr. Corrinne, "According to the Permit Extension Act signed by Governor Duval Patrick, the Subdivision can be extended four years from the expiration date. The act automatically extends, for four years beyond its otherwise applicable expiration date, any permit or approval that was "in effect or existence" during the qualifying period beginning on August 15, 2008 and extending through August 15, 2012."

## Final

At its posted meeting of November 28, 2012, the Sterling Planning Board voted to grant the request to extend the time for completion of the construction of the way and installation of services shown on the Definitive Plan, as required by Conditions of Approval for Chad Lane from 28 December 2012 to 28 December 2015. This is a three (3) year extension for a total of ten (10) years from the date of endorsement of the Definitive Plan.

Ken Williams told Mr. Corrinne that the Planning Board extended the date for three years in keeping with past practices in regards to the Chad Lane project.

Mr. Corrinne questioned if the board could go against the Permit Extension Act signed by Governor Duval Patrick. Ken Williams suggested the recourse would be to submit the question to a lawyer, which would be at the expense of applicant, Mr. Corrinne.

### **Corrinne / Chad Lane**

#### **Re: Engineering Invoices**

Mr. Corrinne asked if the Planning Board has an established list for review fees charged by consultants, and if not, he felt that one should be in place. Invoices received for Chad Lane Subdivision appears to be beyond what Mr. Corrinne felt were reasonable.

Although Mr. Corrinne questioned a number of charges from Haley & Ward, the Planning Board stated that an understanding of the charges would need to come from the consultant working at the site, Scott Miller. After some discussion, Ron Pichierri suggested that Mr. Corrinne generate a list of what charges he is in disagreement with; those charges that he is in agreement with; and those that he somewhat agrees with. A meeting will be held in the future to address the billing concerns with Scott Miller (Haley & Ward).

Ron Pichierri suggested that once the list is complete that Mr. Corrinne, Scott Miller and Ron Pichierri meet together to go over the charges.

Note after meeting, as of January 9, 2013 there has been no response back from Mr. Corrinne.

## **ZBA**

There were no Board of Appeals notices received.

## **CHAIRMAN'S REPORT**

There is no chairman's report.

## **ADMINISTRATIVE ASSISTANT REPORT**

The Administrative Assistant will be taking the Oath of Office on December 18 @ 9:00 am in the Leominster Town Hall for Notary Public.

## **MAIL**

Miscellaneous mail was reviewed.

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**NOTICES FROM OTHER TOWNS**

There were no notices from other towns.

**INVOICES**

The board members signed payroll.

**Motion: Ken Williams**

**Second: John Santoro**

Motion made to cancel the regularly scheduled Planning Board meeting of December 26, 2012, there was no further discussion, motion carried.

**MOTION TO ADJOURN**

**Motion: Ken Williams**

**Second; John Santoro**

Motion made to close meeting, there was no further discussion, meeting adjourned at 8:40 pm.

**The next regularly scheduled Planning Board Meeting is January 9, 2013 at 7:00 PM.**

**APPROVED BY:**

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