

FINAL

**STERLING PLANNING BOARD
MEETING MINUTES**

May 30, 2012 – Rm. 202 Butterick Bldg.

Present: Ronald Pichierri – ANR Agent
Kenneth Williams – Clerk
John Santoro
Melissa French – Administrative Assistant
Absent: Michael Radzicki – Vice Chairman, MRPC Rep.
Charles Hajdu

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

John Santoro is welcomed to the Planning Board, having been elected to the vacant seat, at the town election on May 21, 2012.

The reorganization of Board Members has been tabled until such time that all members are present.

ANR's.

There are no ANR's

MINUTES APPROVED

The approval of the minutes of May 9, 2012 has been tabled due to lack of a quorum of Board Members that were present at the May 9th meeting.

DISCUSSIONS/REPORTS/FYI

Davis Dairy Solar Project – Review of Approval Letter/ Order of Conditions

Williams has drafted an approval letter/order of conditions and suggests that they review the letter to see if he or Pichierri have any concerns or amendments they would like to see made. Atty. Mark Bobrowski had asked for a copy of the draft letter and submitted to the Board his suggestions for two revisions. Williams would like to review these with Pichierri. Santoro was not on the Board during any of the Site Plan Review and will not participate in the review, other than to listen. Without a quorum, no final decision will be made tonight to accept the draft as a final copy.

Pichierri reads the draft letter, not yet dated, into the minutes. Williams explains that the Site description is vague, due to having not yet received the metes and bounds for the land to be involved in the project. Atty. Bobrowski has suggested different wording in this section, which Williams feels should not be finalized until the metes and bounds are received.

Atty. Bobrowski also suggested that, with regard to condition #2, the surety or performance guaranty to protect Wiles Road should read; “the amount of \$5,000” rather than “at least \$5,000”. Williams and Pichierri feel it should be left as “at least \$5,000”.

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Williams and Pichierri feel the approval letter and conditions are all inclusive and fine as drafted. A vote will be taken at a later meeting, when a quorum of Board Members is present.

(Note added after the meeting; copies of the approval letter were distributed to the Building Inspector and all persons and departments to be copied. The letter is clearly marked as a DRAFT copy.)

Executive Minutes – 1998, 2011; vote to release

The vote to approve executive session minutes from 1998 and more recent ones, from a meeting between the Planning Board and Sean Hamilton, SMLD, was tabled until a quorum of Board Members, familiar with the minutes, is present.

Sterling Ice Cream Bar

Acting Chairman Pichierri reads into the minutes a letter, dated May 15, 2012, from Mark Brodeur, Building Inspector, to Russell Philpot, architect for the proposed addition to the Sterling Ice Cream Bar. The letter is as follows;

May 15, 2012

*Russell Philpot
72 Heywood Road
Sterling, MA. 01564*

RE: 167 Clinton Road, proposed addition

Dear Mr. Philpot,

As you know we have agreed to issue a Building Permit for foundation only in regards to the above referenced project. A further permit will be available for the shell only once the foundation is installed, approved and an As-Built Plan is submitted to this office.

As we discussed, please insure that a Plumbing Permit is secured for the placement of underground piping and an Electrical Permit for bonding work.

The “shell only” permit cannot include any wall finishes or insulation as we have no plans for Electrical, Plumbing, Fire Alarm, Suppression, HVAC or any other mechanical as required. While I realize that this is not contractual obligation you understand the dilemma this shortcoming presents to the Building Department in issuing a full permit for the project.

As we discussed the Board of Health has determined that the proposed kitchen layout must include a grease trap connection as well as a separation between the 3 bay sink, hand wash and preparation sink and a set of drawings will be required in order for this work to proceed. A stamped drawing will be required for the new grill hood system with suppression as well. The floor frame plan does not illustrate a separation between the hood venting and the wood frame.

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Section 1003.4 of the IEBC discusses increased snow problems with potential drifting issues. Is that situation being looked at in the plans with regard to the roof slope and height differences between the existing and proposed?

I am also forwarding a copy of this letter to the building owner in order to inform them of the much needed work on this project in order to proceed.

Please remember, a copy of the Board of Appeals decision that is certified to have been recorded at the Registry of Deeds must be provided prior to the Permit being issued for the next phase of this project.

Respectfully,

*Mark E. Brodeur, CBO
Inspector of Buildings*

CC: File, BOH, FD, Building Owner

FOIA Request, John Nyberg, Redstone Hill Road

John Nyberg, 58 Redstone Hill Road, has requested information from the Planning Board regarding a tree easement on his property adjacent to Chad Lane. Nyberg has asked if trees should be cut on this easement and research shows that Condition #19 in the Order of Conditions for the Redstone Heights Definitive Subdivision, dated July 29, 2005, states that “the trees planted therein will not be cut down or otherwise destroyed or damaged without the expressed approval of the Tree Warden and the Planning Board”. Nyberg has asked if such permission was asked for or granted. No approval for tree cutting has been issued by the Planning Board and Nyberg asked for a letter stating such. The Board reviews this letter now. During discussion tonight, the Board realizes that Condition #19 refers to trees that are to be planted as part of the final stages of development of the subdivision, not existing trees that require removal to develop and grade the site.

Days Way

The Board members are informed for informational purposes that the land for sale by Donna Day, and in dispute between Donna Day and Corinne Mongiat, is under agreement.

Sterling Inn

The Board members are informed that the Planning Board has received a call from a person interested in buying and renovating the Sterling Inn, for use as an Inn and Restaurant. She is doing her due diligence to determine what roadblocks might be in place, i.e. loss of grandfathering for a business in a “neighborhood residential” zone.

Health & Dental Insurance

The Board has received a memo regarding the open enrollment period for health and dental insurance.

Procurement

The Board acknowledges receipt of the letter from the Inspector General, dated May 11, 2012, to Russell Philpot, chair of the Board of Selectmen. This letter states that nine of

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the eleven procurement issues have been deemed to have no deficiencies and commends Terri Ackerman for her cooperation and understanding of procurement law.

ZBA

There is no ZBA business to review.

CHAIRMAN'S REPORT

There is no chairman's report.

ADMINISTRATIVE ASSISTANT REPORT

French informs the Board, in writing, of her notice to terminate employment, effective June 30, 2012.

MAIL

Miscellaneous mail was reviewed.

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

**Williams makes a motion to adjourn the Planning Board Meeting at 7:52 PM.
Seconded by Pichierri, no discussion, all in favor, motion approved 5-0.**

**The next regularly scheduled Planning Board Meeting is June 13, 2012 at 7:00 PM.
APPROVED BY:**
