

## STERLING PLANNING BOARD MINUTES – October 12, 2016

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**Present:** John Santoro ~ Chairman  
Michael Pineo ~ Clerk  
Russ Philpot ~ ANR Agent  
Betty Kazan ~ Administrative Assistant

**Absent:** David Shapiro ~ Member  
Charles Hajdu ~ Vice Chairman

Mr. Santoro called the meeting to order at 7:05 PM in Room 202 of the Butterick Building.

### Minutes

Mr. Pineo moved that the Board approve the minutes for September 28, 2016 as corrected. Mr. Santoro seconded the motion. The motion passed with two in favor and one abstain (Mr. Philpot was not present at this meeting).

### Warrants & Payroll

Board members reviewed a voucher for payroll. The Board signed vouchers for Petty Cash, Kopelman & Paige (Legal Invoice) and CPTC (Workshop Registration).

### Hearings/Other Scheduled Matters

#### Patrick Printz, Lot 1 Tuttle Road, Assessors Map 43, Lot 19, Curb Cut/Tree Removal/Stonewall Removal

Mr. & Mrs. Patrick Printz explained that stones and trees along the front of their property had been removed to gain access to their lot for purposes of clearing a building site for their new home. They mentioned that they had no knowledge of the By-Laws on this matter prior to the removals. Mr. Philpot thanked Mr. & Mrs. Printz for being conscientious and honest for admitting their concerns when submitting their Curb Cut application.

Mr. Philpot explained that the way the Bylaw works, it is up to the Tree Warden Bill Tuttle to make the determination as to whether a 'Tree Removal' Application would be required. The Tree Warden stated that the Town line goes up to the telephone pole and there is just no space for any town trees. Any trees that were cut are not on Town property. Thus, no application is required.

Mr. Philpot further explained that the stonewall removal jurisdiction is also under Bill Tuttle as DPW Superintendent. It is the opinion of the DPW Superintendent and this Board that there is no stonewall on the property, just a pile of rocks. Thus no application is required.

Mr. & Mrs. Printz explained that they spoke with the Building Inspector Culgin telling her they were building a new house on a new lot and asked her advice/direction. They were given a Residential Building Permit Application – that was all. Only when they returned their completed application did they then learn from Inspector Culgin of the Curb Cut Application and By-Laws regarding stone walls and trees.

Mr. Philpot continued that there is a lesson for us (Planning Board) to learn, we have a loophole in the system. The loophole is that you do not need a permit of any sort to go through what you

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did on your property. So, because of that no department has any official knowledge of your activities. It would be nice if we could provide a little heads up. When Mr. Philpot spoke with Bill Tuttle earlier this week, they agreed that there was a loophole in the system. Mr. Philpot explained that the way it used to work was the applicant got a packet when they picked up their building permit. The fee for this packet was between \$400 and \$500 (This was applied to the permit fee). In this packet was everything you needed to know in order to build a house. The packet included information on all the permits (building, curb cut, etc.) along with Bylaws, Rules & Regulations, septic related issues, etc. It seems evident that this packet no longer exists or at least it wasn't handed out to you.

The Board agreed to also include the following on their revised ANR Rules & Regulations under "the plan including":

Landowners should be aware of the requirements and limitations of the "Regulations for the designation of Scenic Roads and Alterations of Trees and Stone Walls Thereon".  
Adopted on March 31, 2004.

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

#### **Further discussion regarding Scenic Roads Regulations**

Mr. Philpot offered to draft a memo to the Building Commissioner in response to her email regarding Curb Cut Permits as they relate to the Regulations for the designation of Scenic Road and Alterations of Trees and Stonewalls, indicating that the Planning Board in a pro-active manner will add the following words to our ANR process to be included on all endorsed plans:

Landowners should be aware of the requirements and limitations of the "Regulations for the designation of Scenic Roads and Alternations of Trees and Stone Walls Thereon".  
Adopted on March 31, 2004.

The memo will also address a question to 'whatever happened to the packet that used to be given out with everything you need to build a house'.

### **Administrative Assistant's Report/Notices**

#### **A Drone Vision**

Mr. Michael Conn, President of 'A Drone Vision' dropped by the office to leave a brochure of information regarding his company. Board members will keep this information in mind should the need for his services arise.

#### **IT Support**

Ms. Kazan informed the Board that she had received a memo from Acting Town Administrator Anne Cervantes regarding IT support. Effective October 11, 2017 the Town will be using Guardian Information Technologies of its IT support needs. Anne will be Guardian's point of contact for Town Hall and all IT issues should be forwarded to her via email.

#### **ANR Procedures & possible future public hearing**

Mr. Philpot reviewed a portion of the comments from Town Counsel regarding the changes to the ANR Procedures and application.

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It was agreed to continue the discussion at their next meeting and in the meantime, Mr. Philpot will forward a copy of all recommended changes to the Board Members.

### **Discussion regarding relocating the Planning Board Office**

Mr. Philpot agreed to develop a plan for the next meeting.

### **Condition of General Bylaws**

The Board agreed to postpone this discussion until a future meeting.

### **9:05 P.M. MOTION TO ADJOURN**

Mr. Philpot moved that the Board adjourn. Mr. Santoro seconded the motion. The motion passed unanimously.

### **APPROVED BY:**

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