

STERLING PLANNING BOARD MINUTES – December 14, 2016

~~~~~

**Present:** John Santoro ~ Chairman  
Charles Hajdu ~ Vice Chairman  
Russ Philpot ~ ANR Agent  
David Shapiro ~ Member  
Betty Kazan ~ Administrative Assistant

**Absent:** Michael Pineo ~ Clerk & E. D. C. Member

Mr. Santoro called the meeting to order at 7:07 PM in Room 202 of the Butterick Building.

### **Minutes**

Mr. Philpot moved that the Board approve the minutes for November 30, 2016. Mr. Santoro seconded the motion. The motion passed with three in favor and one abstain (Mr. Hajdu was not present at this meeting).

### **E.D.C. Recommendations**

Mr. Philpot suggested that it would be fair and prudent of the Board to draft a memo to the E.D.C. thanking them for their recommendations relating to the Route 12 corridor. In order to keep the progress rolling, Mr. Philpot felt that the Board should have a discussion about these recommendations and formulate a response.

The Board members agreed to have a discussion and formulate a response at their next meeting scheduled for January 11, 2017.

In the interim Mr. Santoro agreed to send an email to the E.D.C. thanking them for their recommendations at the joint meeting and that the Planning Board will respond at their first opportunity.

### **Warrants & Payroll**

Board members reviewed a voucher for payroll.

### **Proposed Site Plan Review Modification~ BTB, LLC 180 Pratts Junction Road**

Mrs. Erin Smith was present to explain the proposed site plan modification for 180 Pratts Junction Road. She stated that the proposed building depicted on the proposed plan revised 12/2/216 has been shifted approximately 3.8 feet to the northwest in order to accommodate the proposed roof overhang within the building setback.

Mr. Philpot moved that the Board approve the proposed modification to the site plan for 180 Pratts Junction Road. Sterling, MA, Assessors Map 67, Lot 6, submitted by BTB, LLC, PO Box 256, Sterling, MA, prepared by Quinn Engineering, Inc., PO Box 107, Paxton, MA, dated October 14, 2016 (Revision #2 dated December 2, 2016), Plan #16BTB01, finding that:

- The proposed change moved the building approximately 24 inches away from the boundary to meet zoning setback requirements.
- The proposed modification was minor in nature owing to the facts that:
  - It did not affect any proposed drainage designs

## **STERLING PLANNING BOARD MINUTES – December 14, 2016**

~ ~ ~ ~ ~

- It did not change the size of the building
- It did not affect the size or design of the parking lot
- It did not affect impervious surface areas
- It did not affect any proposed screening along Pratts Junction Road
- It did not affect the impact to the neighborhood

Administrative fees in the amount of \$200, Check #1024 were received. Mr. Shapiro seconded the motion. The motion passed unanimously.

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

Mr. Santoro acknowledged a letter from DHCD Dated November 29, 2016 regarding 40B housing.

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

#### **MRPC Annual Assessment**

Ms. Kazan distributed an email dated December 8, 2016 from Glenn Eaton, MRPC. The email explains that local assessments funds that are paid to MRPC each year ensure the Town has access to a variety of services that are available from MRPC.

### **December 28<sup>th</sup> Meeting**

The Board agreed to cancel their regularly scheduled meeting for December 28<sup>th</sup>. It was also noted that Mr. Hajdu would not be able to attend the Planning Board meeting scheduled for January 11, 2017.

### **Annual Town Report**

The Board agreed to review the Planning Board's Annual Town Report at their January 11, 2017 meeting.

### **Certified Copies of Protective Bylaws and General Bylaws**

Ms. Kazan informed the Board that per their request, the Town Clerk provided True Copy Attests of the Protective Bylaws (Inclusive of ATM May 13, 2013) and General Bylaws (dated December 12, 2016). The Town Clerk also provided recent changes to the General Bylaws (Pages 1 of 5 dated December 12, 2016) that will be inserted into the Code in January 2017 online.

### **KP Law ~ Medical Marijuana Act Information**

Ms. Kazan distributed a memo from KP Law regarding the new law passed on November 8, 2016 legalizing the recreational use of marijuana. Mr. Philpot had a conversation with one of the Lunenburg Planning Board members where he learned KP Law was at a recent Lunenburg Board of Selectmen's meeting at which the Attorney told the Board of Selectmen that KP Law had already written an opinion on moratoriums and that several municipalities are going to a moratorium route to forestall marijuana dispensaries in their Towns.

The Board agreed they need to modify the 'table of principal uses' to include marijuana facilities. They can also differentiate between a growth facility and a dispensary/sale/retail facility.

## STERLING PLANNING BOARD MINUTES – December 14, 2016

~ ~ ~ ~ ~

The Board agreed to continue their discussion at their next meeting on January 11, 2017.

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

The Board reviewed the revised updated ANR Procedures/documents from KP Law. There were discrepancies in what Attorney Quirk (KP Law) suggested at the Planning Board's meeting of November 7, 2016 and the documents that were received from Amy Kwesell (KP Law) on December 13, 2016. The Board asked Mr. Philpot to work with KP Law to resolve these issues.

### **Performance Evaluation ~ Administrative Assistant**

The Board reviewed their performance evaluation for Ms. Kazan. Each Board Member present submitted their evaluation and comments on Ms. Kazan's performance. The scores of each member were summed to determine an overall rating of 3.81 out of a possible 4.0 which confirmed the Board's opinion that her performance has been "outstanding". A copy of this evaluation will be sent to the Treasurer/Collector's office for inclusion in Ms. Kazan's personnel file.

### **9:30 P.M. MOTION TO ADJOURN**

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

### **APPROVED BY:**

---

---

---

---

---

---