

TOWN OF STERLING
ZONING BOARD OF APPEALS MINUTES
Butterick Municipal Building, Room 205 6:00 p.m.
December 11, 2018

MEETING:	Chairman Fox called the Zoning Board of Appeals to order at 6:03pm. Present were members Diana Baldarelli, Pat Fox, Matt CampoBasso, Jerry Siver and Joe Curtin.
Minutes Approval	Joe Curtin moved to approve the minutes of November 13, 2018, Matt CampoBasso seconded. All in favor, 5-0.
Agenda	<p>6:00 pm – Review and vote on Comprehensive Permit Rules & Regulations</p> <p>6:10 pm – SPECIAL PERMIT (cont.) – Thomas & AnneMarie Rhodes for the purposes of building an 800 s.f. accessory apartment addition. Property is located at 37 Maple Street, Parcel ID 106-67 and is zoned Neighborhood Residential.</p> <p>6:20 pm – SPECIAL PERMITS (2) <i>continued</i> - 150 Clinton, LLC for the development of 5 commercial structures to be used for a self-storage facility, as well as an additional structure to be used as a manager's office and residence. Property is located at 150 Clinton Road, Parcel IDs 69-1 and 69-2.</p> <p>6:45 pm – Discussion – Affordable housing; housing production goals</p> <p>7:10 pm – Earth Removal</p> <p>7:20 pm – Discussion Corner Lots</p> <p>7:25 pm – Review minutes from November 13, 2018 meeting</p>
Comprehensive Permit Rules & Regulations	Joe Curtin made a motion to adopt the Comprehensive Rules and Regulations as drafted with amendments suggested and subject to further review by town counsel. Matt CampoBasso seconded, all in favor, 5-0.
Special Permit Accessory Apartment <u>CONTINUED</u> 37 Maple Street Parcel ID 106-67	<p>Petitioners Thomas and AnneMarie Rhodes of 37 Maple Street submitted revised plans on their application for an 800 s.f. accessory apartment. The revised plans eliminate one bedroom from the house and there is only one bedroom in the proposed apartment for a total of 3 bedrooms. Therefore, no increase in bedroom count to the existing 3 bedroom septic design. (BOH will require a 3 bedroom deed restriction to be in place prior to the issuance of a building permit).</p> <p>Abutters on Shady Lane expressed some concerns regarding the driveway which is located on Shady Lane. Mr. & Mrs. Rhodes confirmed that there would be no changes to the entrance of the driveway.</p> <p>Joe Curtin made a motion to grant the Special Permit for Thomas & AnneMarie Rhodes for the purposes of building an 800 s.f. accessory apartment located at 37 Maple Street on the condition that the driveway opening remain the same. Additionally, compliance with all terms and conditions of section 2.3.5 and other applicable sections of the Sterling Protective Bylaws. Jerry Siver seconded. All in favor, 5-0.</p>
Special Permits (2) – 150 Clinton Road <u>CONTINUED</u> Parcel IDs 69-01, 69-02	Attorney Melissa Robbins and Civil Engineer Matt Waterman were present for the continuance of the hearing for 150 Clinton Road. Ms. Robbins updated the board in regards to conditions of approval from the Planning Board and the Conservation Commission. Also discussed were hours of operations, driveway width and right hand turns for large trucks, lighting, dumpster, limits of work on the easterly property line and permanent marking of the buffer zone. The Board and abutters wanted to publicly commend the applicant on its professionalism as well as recognize that it has worked with the abutters on their concerns and requests.

Special Permits
(2) – 150 Clinton
Road CONTINUED
Parcel IDs 69-01,
69-02 (**Cont.**)

Joe Curtin made a motion to grant the Special Permits for 150 Clinton LLC for the development of 5 commercial structures to be used as a self storage facility as well as an additional structure to be used a manager's office and residence located at 150 Clinton Road with the following conditions:

1. The site shall be designed in conformance with the Site Plans entitled: "Sterling Storage Solutions Site Plan 150 Clinton Road, Sterling, MA" prepared by LandTech Consultants Inc.; Prepared for 150 Clinton, LLC, dated August 31, 2018 and revised through December 3, 2018.
2. The petitioner shall not cut, damage, or otherwise disturb all trees within thirty feet of the easterly property line of the premises.
3. The Petitioner shall install and maintain the landscaping and fence as shown on the plan as amended and revised.
4. The proposed limits of work along the easterly property line (N/F Mello) shall be marked by wooden stakes and maintained until construction is completed. Additionally, permanent markers consisting of pressure-treated wooden posts 4"x4"x48" labeled "Tree Buffer Zone - Do Not Disturb" shall be installed prior to Occupancy with a minimum 24" reveal, set 25 feet apart along this limit of work as shown on the approved Site Plan of Record.
5. The dumpster as shown on the plan will be enclosed with a fence and properly maintained, clean and free of debris.
6. The Business shall only operate between the hours of 6:00 A.M to 10:00 P.M.
7. Petitioner shall maintain Police detail during the demolition of the structures on site for traffic control as detailed in the letter from the Police Department dated October 2018. The Petitioner shall coordinate these services with the Town of Sterling Police Department prior to commencement of construction.
8. Petitioner shall obtain, in writing, all required approval or waivers from all state and local agencies having jurisdiction over the development.
9. Copies of all written approvals or waivers shall be filed with the Office of the Building Inspector for the Town of Sterling.
10. All proposed lighting shall be contained onsite and shall not overspill onto adjacent properties.
11. The applicant shall consult the Water Department prior to any changes to the water service line or changes to the location of the fire hydrant on the property.
12. The Applicant shall place a hydrant on the site in a location approved by the Town of Sterling Fire Department.
13. The use shall be operated and utilized in accordance with the Special Permit Findings of Fact and in compliance with all governmental codes.

(The final signed decision for the petition was filed at the office of the Town Clerk on December 18, 2018.)

Motion was seconded by Matt CampoBasso, Diana Baldarelli aye, Pat Fox aye, Joe Curtin aye. Vote 4-0. (Jerry Siver abstained).

Discussion:
Affordable
Housing/Housing
Production Goals

Sterling does have an Affordable Housing Plan that was written in March 2006, but has since expired. Chairman Fox contacted the author of the original plan and was told that it would be \$7500 to update the plan. Montachusett Regional Planning Commission (MRPC) was also contacted and felt that Sterling would be eligible for a grant that would absorb the entire cost of updating our plan. As of now, we are waiting to hear back from MRPC.

Earth Removal

The Board is concerned that the revised Earth Removal Bylaw may not be ready in time for the 2019 Town Meeting. In October the ZBA sent a letter to the Board of Selectmen expressing concern about the delay in addressing revisions to the Earth Removal Bylaw. In November the board sent a request to the Town Administrator that discussion regarding the Earth Removal Bylaw be placed on the agenda of a future Board of Selectman meeting. The board believes that these concerns have not been adequately addressed. Areas of contention are who would be the Special Permit Granting Authority, as well as two grandfathered businesses. The Board feels that we should move forward with one of the formats and have Town Counsel review the areas in question.

Corner Lots

There was discussion as to whether a corner lot has two frontages or not. Joe Curtin remembers this issue coming up in the past and was going to do some research and report back to the Board. Discussion tabled for now.

Adjourn

Joe Curtin made a motion to adjourn. Matt CampoBasso seconded. All in favor. 5-0.