

TOWN OF STERLING  
ZONING BOARD OF APPEALS MINUTES  
Butterick Municipal Building, Room 205 6:00 p.m.  
June 11, 2019

MEETING:	Chairman Fox called the Zoning Board of Appeals to order at 6:00pm. Present were members, Pat Fox, Matt CampoBasso, Joe Curtin, Jerry Siver and alternate member Charles Conroy. Absent was Diana Baldarelli.
Minutes Approval	Joe Curtin moved to approve the minutes of April 9 and April 29, 2019 as revised, Charlie Conroy seconded. All in favor, 5-0.
Agenda	<p>6:00 pm - <b>SPECIAL PERMIT</b> – Hearing on the petition of NEADS, Inc. to allow a Commercial Kennel, Animal Hospital, Veterinarian's Office in the Commercial zoning district. Property is located at 104-106 Leominster Road, Parcel ID 65-31.</p> <p>6:20 pm - <b>VARIANCE</b> – Hearing on the petition of Serrato Signs to allow the installation of signs within the Display Setback and to exceed a size greater than 40 square feet in the Commercial zoning district. Property is located at 100 Leominster Road, Parcel ID 72-5/6.</p> <p>6:40 pm - Northgate Meadows – presentation of final plans.</p> <p>7:00 pm - Discussion of involvement in Master Plan Committee.</p> <p>7:10 pm - Review minutes from April 9 &amp; 29, 2019 meetings.</p>
Special Permit – NEADS, Inc. Commercial Kennel 104-106 Leominster Road Parcel ID 65-31	<p>Petitioner NEADS, Inc. has submitted an application for a special permit to allow a commercial kennel at 104-106 Leominster Road (vacant and formerly a medical office use). The property is located within the Commercial Zoning District.</p> <p>Attorney Peter Barbieri of Fletcher/Tilton represented NEADS. Gerry LaRoche, CEO of NEADS spoke to the proposed operations. NEADS was established in 1992 and they have now run out of room at their current location in Princeton. They will be creating a “breeding colony” – while technically called a commercial kennel, it is not a conventional kennel. Puppies would be raised until 8 weeks of age and then transferred back to the Princeton location. The first 4 weeks of life the puppies would be keep indoors and supervised at all times. The facility would not attract a lot of attention and would have low staff and low traffic. The number of adult dogs on site would be no more 3-4 broods and one stud who is only there a short period time. There are 3 proposed outside areas. The desire is to have one quarantine space and one non-quarantined because puppies are born without a fully developed immune system. The stud in the rear, the brood in the front and puppies on the side.</p> <p>With the property in the aquifer protection zone, the dog waste would be handled in house and removed off site.</p> <p>The hearing was opened to the public and Mr. Jeffrey Aveni representing TPNG, Inc (Chocksett Inn – John Moorshead) spoke. Abutter states that TPNG would be adversely affected by the application if approved as it relates to the parking (based on a reciprocal parking easement) and the use. They also expressed concerns about the potential noise.</p> <p>Mark Meola of 110 Leominster Road also spoke against the project having concerns over snow removal/storage, barking, parking and wetlands impact.</p> <p>At 6:50 pm the hearing was closed to the public. After some discussion, the board voted to DENY the application unanimously (5-0) citing that the board cannot conclude that the adverse effects do not outweigh the beneficial impacts.</p>

Variance –  
Serrato Signs for  
Sterling Crossing  
100 Leominster  
Road  
Parcel ID 72-5 & 6

Petitioner Serrato Signs has submitted an application for a variance to allow the installation of a sign within the display setback and to exceed a size greater than 40 square feet at 100 Leominster Road. The property is located within the Commercial Zoning District.

Andy Serrato of Serrato Signs and Nick Chacharone of Sterling Crossing LLC were available to present their petition.

There is a 20 foot "buffer zone" along Leominster Road which is owned by the Commonwealth of Massachusetts. The rear of the property borders Laurelwood Road. The petitioner stated he wishes to install a 40 square foot sign 21 feet from Leominster Road and 1 foot from the front property line and a similar 40 square foot sign 25 feet from Laurelwood Road (which has approximately a 12' buffer). The use of the property is a business or professional office. The petitioner seeking a variance from the setback and size requirements to enhance visibility of the business to clients and customers. He stated his request also would enhance public safety on Leominster Road, which is a busy, heavily traveled street. Laurelwood Road is a secondary road with commercial properties on the easterly side and residences on the westerly side.

Ellen Kosewski of 51 Laurelwood Road, appeared at the hearing. She did not oppose the petitioner's request in general, but expressed concern about the size of the proposed sign on Laurelwood Road.

The Board voted unanimously (5-0) to GRANT the variance, subject to the following conditions:

1. The sign on Leominster Road shall not exceed 40 square feet and shall be located not less than 21 feet from the back of the sidewalk along the roadway.
2. The sign on Laurelwood Road shall not exceed 28 square feet, shall be perpendicular to the roadway and shall be located not less than 25 feet from the roadway.
3. The sign on Laurelwood Road shall not be lighted before 3:00 pm or after 6:00 pm.

Northgate  
Meadows – 40B  
Presentation of  
Final Plans

Attorney Thomas Bovenzi and James Whitney were on hand to discuss final plan submission/presentation for Northgate Meadows. Provided was architectural drawings, phase plan and an ANR.

Mr. Whitney anticipates applying for a foundation permit in as little as 3 weeks. The apartment building would be built as 2-36 unit buildings under one shell. He stated that they would build one side (36 units) and separate the two sections with a firewall. After completion of the first 36, they would begin the remaining 36. The plan is to have the first phase done in the next 6 months, with the remaining units to be started in the spring of 2020. There will be 72 rental units with 25% (18) being affordable.

The following will be required for the building permit: final regulatory agreement (completed), final plans (submitted tonight), ANR Plan (submitted tonight), water distribution upgrade (completed), accepted wastewater with Leominster (completed), and the completion of the subdivision – Research Drive in Leominster (completed).

Joe Curtin made a motion to endorse the ANR plan from Hannigan Engineering dated 6/10/2019 as well as a motion to accept the final Northgate Meadows architectural drawings for the apartments, plans dated 6/7/2019, revised site plan dated 6/7/2019 as applies to the proposed apartment buildings. Matt CampoBosso seconded. All in favor, 5-0.

Master Plan

Continue to next meeting.

Adjourn

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