

TOWN OF STERLING
ZONING BOARD OF APPEALS MINUTES
Butterick Municipal Building, Room 205 6:00 p.m.
MONDAY December 9, 2019

MEETING:	<p>Chairman Fox called the Zoning Board of Appeals to order at 6:04 pm. Present were members Pat Fox, Diana Baldarelli, Matt CampoBasso and associate member Charlie Conroy. Absent were members Jerry Siver and Joe Curtin.</p> <p>Also present was Paul Haverty of Blatman, Bobrowski & Haverty, LLC as the technical review consultant to the Zoning Board of Appeals.</p>
Agenda	<p>6:00 pm – COMPREHENSIVE PERMIT (Continued) – Petitioner Taniel Bedrosian, Almick Construction Inc. (applicant) and Doris E. Bedrosian (owner) have applied to the Zoning Board of Appeals for a Comprehensive Permit pursuant to Massachusetts General Laws, Chapter 40B, Section 21, to construct 8 duplexes for a total of 16 3-bedroom units, with 4 units being affordable. The property is zoned Rural Residential and Farming.</p> <p>7:30 pm – Minutes – Review minutes from October 8, 2019 and November 12, 2019 meetings</p> <p>7:35 pm – Recommendation of appointment of Scott Eddy as an Associate Member.</p> <p>7:40 pm – Discussion of snow policy.</p> <p>7:45 pm – Discussion regarding proposed amendments to the Table of Principal Uses and the Table of Dimensional Controls.</p> <p>Next scheduled meeting: Tuesday, January 14, 2020 @ 6:00 pm</p>
Minutes Approval	<p>Charlie Conroy made a motion to approve the minutes of 10/8//2019. Matt CampoBasso seconded. 3 aye, 0 opposed, 1 abstain (Diana Baldarelli). 11/12/2019 minutes continued to next meeting.</p>
Comprehensive Permit (40B) 81 Chace Hill Rd Parcel ID 150-21	<p>Chairman Fox announced that member Joe Curtin would not be available for tonight's meeting, but per MGL Chapter 39 §23D will be eligible to vote at future meetings as he will certify in writing that he has examined all evidence received at the missed session. Consultant to the project, Dean Harrison stated that he has no concerns with a member being absent from the hearing.</p> <p>The comprehensive permit for 81 Chace Hill Road continued. On hand were Bethany Ordnung of Haley & Ward for the peer review of stormwater and civil engineering. Jeffrey Dirk of Vanasse & Associates Inc. was on hand to discuss the traffic study.</p> <p>Ms. Ordnung provided a review letter dated 12/6/2019 and the applicant provided comments on 12/9/2019. During her presentation, she identified a number of areas that require additional information or comment from the applicant.</p> <ul style="list-style-type: none">• Mounding analysis – plans showing different infiltration rates – she will need a narrative and sketch for this.• Concerns about the drainage currently sloping down from the roadway over the septic – it may be too much pressure on the system.• The gravel access road is 10' wide, has sharp turns, and slopes (10-15%). Additional information is required.• Maintenance plan• Subdivision regulations require curved curbs• Applicant should do a flow test for water pressure whether or not buildings will be sprinklered• Where will electric service go – will it be in the roadway or thru lots. If in lots, they need an easement. <p>The applicant responded to a number of the questions. The applicant will update plans and drawings in regards to stormwater management, engineer will work with Haley &</p>
Comprehensive Permit Cont.	

Ward in regards to the easements, they will perform a water flow analysis. Maintenance of the catch basin will be the responsibility of the Condominium Owners Association unless it is in the public way, then it would be the responsibility of the town.

Mr. Haverty (consultant to the ZBA) indicated that the Board will need to review the subdivision rules and regulations as the Board will be the permit granting authority. DPW may have concerns about the cape cod berms. Since this will need subdivision approval, the applicant needs to submit a plan with the proper legal description for acceptance.

The hearing was open to the public for questions.

An abutter expressed some concerns regarding the 100-year "design storm." Ms. Ordnung stated that the applicant should provide soil testing in the event of a 100-year storm with peak rates, etc. showing that it will not increase run-off issues. Mr. Truax, engineer to the applicant stated that the natural flow of water across the properties to the north would be handled by a culvert under the roadway, therefore diverting water without damming it and causing issues to abutters.

There were concerns about lighting. Per subdivision rules and regulations, there will be two streetlights. One at the beginning of the roadway and one in the cul-de-sac. The individual condominiums are expected to have a light post at each driveway and possibly lighting at the back for security reasons. The applicant assured the resident that there would be no spillover of lighting. They will look into dark sky lighting – downward facing. Mr. Haverty requested that the applicant provide a lighting plan.

Another resident had additional questions about drainage and the septic system. Ms. Ordnung responded that a mounding analysis (how the water empties within 72 hours) would need to be clarified.

Mr. Haverty then stated that the Board should do a more in-depth review of the waiver list and the subdivision rules and regulations. He also wanted to remind the Board that the applicant is only required to submit preliminary plans. Mr. Harrison stated that his engineers would meet with the peer review consultants. Ms. Ordnung also stated that she would have no problem providing an updated review memo prior to the next meeting.

Mr. Jeffrey Dirk of Vanasse & Associates Inc. presented his review of the traffic study. His study indicates that the new development would only add 1 additional vehicle per hour. Chace Hill Road sees approximately 1500 vehicles per day and the new development will increase that by approximately 80 "daily trips." A road like Chace Hill should be able to handle 3-5000 cars per day. There are virtually no reported accidents on the roadway and Mr. Dirk feels that the applicant's traffic study may report the traffic a little higher than what he observed.

Although the posted speed limit on Chace Hill Road is 35 mph, it was observed most cars travel 40 to 42 mph. When they do their study they take in account the actual speed traveled, not the posted. At 40 mph, a sight line of 305' is needed. At 42 mph, a sight line of 325' is needed. Mr. Dirk requested that the applicant draw sight triangles. This will determine vegetation clearing with in the property or with in the town property. Sight lines cannot cross property lines.

Mr. Dirk also stated that a truck/vehicle turning analysis is required. This includes fire trucks and single unit vehicles (maintenance trucks, snowplows). They cannot travel over curbs and the ladder, bumper and overhangs need to make the turn. This will need to be completed before approval of the project.

A sidewalk on one side is recommended – this is critical for safety (i.e. schoolchildren), not recreation. There should be a vertical curb against the sidewalk and at least 2' green strip. Driveway dimensions need to be sufficiently long – not overhanging onto the sidewalk or roadway.

Mr. Haverty also provided a letter in response to some abutter concerns and or requests. There was a request to reduce the density of the project. Density reduction cannot be discussed at this stage of the process. It would automatically be deemed “uneconomic” if the review process has not been completed. He also went on to explain that there is not a lot of value in hiring a peer review consultant for the pro forma (a financial document that shows the costs and revenues of the development.) The applicant is not required to extend the 180-day time frame to allow for such a review. He also goes on to recommend that the Board draft conditions and waivers and assume it would automatically make the development uneconomic and formulate the reasons for the conditions with that in consideration.

Another resident asked if there could be a roadmap put together with the process of the hearing. Mr. Haverty stated that the peer reviews will continue to identify areas that need to be addressed and we have plenty of time to do another peer review. The roadmap will be just that – the Board drilling down on areas of concern and drafting conditions to address them.

There was also a question about design/density of the development. Mr. Haverty stated that the design requirements in 760 CMR 56.05 are usually used for large rental projects. Not small condominium developments.

Charlie Conroy made a motion to continue the hearing to January 14, 2020. Diana Baldarelli seconded. All in favor. 4-0.

Recommend
Scott Eddy

Charlie Conroy made a motion to recommend Scott Eddy for appointment to the Zoning Board of Appeals as an associate member. Diana Baldarelli seconded. All in favor. 4-0.

Inclement
Weather Policy

Charlie made a motion that if the Butterick Building is closed due to inclement weather, that the ZBA meeting/hearing will be rescheduled for the week following the date of closure. Diana Baldarelli seconded. All in favor. 4-0.

Table of Principal
Uses

The board agreed to table the discussion on proposed amendments to the Table of Principal Uses until the January 14, 2020 meeting.

Adjourn

Matt CampoBasso made a motion to adjourn. Charlie Conroy seconded. All in favor. 4-0.

Materials: No additional materials were used at this meeting.