

TOWN OF STERLING
ZONING BOARD OF APPEALS MINUTES
Butterick Municipal Building, Room 205 6:00 p.m.
March 10, 2020

MEETING:	<p>Chairman Fox called the Zoning Board of Appeals to order at 6:00 pm. Present were members Pat Fox, Diana Baldarelli, Matt CampoBasso, Joe Curtin and associate member Charlie Conroy. Absent was Jerry Siver.</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, Almik 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 located at 81 Chace Hill Road and is zoned Rural Residential and Farming.</p>
Minutes	<p>Joe Curtin made a motion to table the minutes of 1/28/2020. Charlie Conroy seconded. 5 aye, 0 opposed.</p>
Comprehensive Permit (40B) 81 Chace Hill Rd Parcel ID 150-21	<p>The comprehensive permit for 81 Chace Hill Road continued.</p> <p>Mr. Dean Harrison, consultant to petitioner reviewed peer review memos with the Board. In reference to Haley & Ward's March 2, 2020 letter, Mr. Harrison stated that they basically concur and accept the conditions. An outstanding item is street lighting. They also agree to a condition to provide a street light at the intersection of Chace Hill Road and the driveway. All proposed lighting in the lighting plan will be dark sky compliant. Their supplier has not yet provided a plan. Again, the lighting will be a light at the front door and back door. Flood lights at the garage and back of home – all to be downward facing and most likely motion activated. Applicant will provide lighting plan with final set plans.</p> <p>General open items: will be providing a tree planting plan and trees will be 2 ½" in diameter. The Board asked that the applicant provide the letter from the DPW agreeing to all conditions in relation to municipal water supply. Applicant has asked that the town waive the \$1000 hook-up fee to affordable units. Mr. Haverty stated that the Housing Appeals Committee recommends waiving fees, but not required as long as the fees do not make the project Uneconomic. The Board voted not to waive hook-up fees for the affordable units. Applicant agreed to condition. An easement will be required for water and electric.</p> <p>A fireflow test was performed and there are no issues with water flow in that area.</p> <p>Peer traffic review engineer wanted the sight triangles recalculated using different approach speeds. These calculations will be part of the final plans. Areas will be cleared for a sight distance of 325 feet each way.</p> <p>The applicant will provide a 4 foot side walk on the side of the duplexes and design will be included in the final set of plans. The edge of the roadway will be a Cape Cod bern with a minimum 2' grass strip. Board wants a condition that there will be enough space for cars in the driveway without blocking the sidewalks.</p> <p>Mr. Haverty provided a draft decision to provide the framework for further discussion. He still needs to include the waiver requests from the applicant in the decision.</p>

(Comprehensive
Permit Cont.)

The Board then reviewed the draft decision with the applicant and Mr. Haverty. Below are some highlights of the discussion:

- The project is a Limited Liability Dividend corporation. The Project Eligibility Letter was issued and requires them to organize as such.
- There is a limited return on investment as determined by the subsidizing agency. The maximum is 20%.
- The subsidizing agency will look to the Board to sign a Regulatory Agreement. A Regulatory agreement is a document memorialize the rights and responsibilities of the parties, including the provisions that qualify a Developer as a limited dividend entity under chapter 40B, if applicable. The Regulatory Agreement also provides for monitoring of the project throughout the term of affordability.
- Add language regarding screening and lighting – minimize the impact of density without decreasing number of units.
- The affordable units are designated by the subsidizing agency during final approval process.
- Applicant to review plan list in draft decision for accuracy.
- Roadway is designated as private. If the Homeowners Association wanted to get the road accepted as public, they would be required to go before the Zoning Board of Appeals to request a modification of the permit. They have the right to make the request even if the road does not meet requirements.
- Discuss with DPW regarding trash pick-up.
- “Local Preference” for affordable units is Federally regulated to a maximum of 70%. It is up to the regulatory agency on the percentage of preference. The Housing Production Plan has local need and the agency uses it to establish need.
- Water lines and electric to remain public.
- The Board would like language and plans that show “no disturb” areas to maintain buffer between abutters.
- A Monitoring Services Agreement will make sure that the designated units stay affordable.
- Will need a Monitoring Agent.
- Will refer back to engineer regarding maintenance of catchbasins.
- Any signage would require a waiver, but applicant stated that they will meet bylaws.
- Mr. Harrison will provide Mr. Haverty with some language for the draft decision revision.

Joe Curtin made a motion to continue the meeting until April 14, 2020 at 6 pm in the Butterick Municipal building, room 205. Charlie Conroy seconded. All in favor, 5-0.

Adjourn

Joe Curtin made a motion to adjourn, Charlie Conroy seconded. All in favor, 5-0.
Motion to adjourn.