



TOWN OF STERLING
ZONING BOARD OF APPEALS MINUTES
Butterick Municipal Building, Room 205 6:00 p.m.
April 12, 2022

MEETING:

Chairman Patrick Fox called the meeting of the ZBA to order at 6:00 pm. Present were members Diana Baldarelli, Matthew CampoBasso, Joseph Curtin, Gail Bergeron, Patrick Fox and associate member Everett Pierce (Mr. Pierce did not participate in Cider Hill Estates hearing continuation).

Agenda

- 6:00 pm – Special Permit Modification (Continued)** - Cider Hill Condominium Trust seeks a Special Permit Modification for a permit issued in September 2016. Applicant wishes to modify the permit by elimination or modification of condition #4, which requires a no-touch buffer on a portion of the property. The property in question is Shamrock Way, Sterling, MA, Parcel ID 91-30 which is off of Redstone Hill Road, and is located in the Neighborhood Residential zoning district with a small portion in Rural Residential and Farming district. The premises is currently occupied by multi-family development.
- 6:15 pm** – Animal Control Advisory Board Subcommittee – Discussion/presentation of proposed kennel bylaw changes for Annual Town Meeting 2022.
- 6:30 pm** – South Meadow Village (81 Chace Hill Road), updates on plans and engineering.
- 6:35 pm** – Discussion and possible vote on whether to support or oppose Town meeting warrant articles related to zoning.
- 6:40 pm – Minutes** - Review minutes from March 8, 2022

Cider Hill
Condominium
Trust CONT. –
Shamrock Way
– Special Permit
Modification,
Parcel 91-30

Chairman Fox opened the meeting at 6pm. Prior to starting the continuation of the hearing for Cider Hill Estates he read in a couple of statements from arborist Mr. Brian Favreau. One was discussing screening, he state that although the trees are tall, the screening is only as wide as the stem of the hazardous tree proposed for removal. The other statement was Mr. Favreau discussing his impressive credentials that were questioned at a previous meeting.

The hearing regarding tree removal and the modification and or elimination of a condition requiring a 25 foot buffer continued from the March 8, 2022 meeting. Chairman Fox opened the floor to the abutters for discussion as some had drafted suggested conditions for the tree removal. At 6:15 pm public comment was closed. The Board discussed the condition amongst themselves. Chairman Fox believes that the condition should be removed in its entirety. A couple of members were in favor of some sort of modification of the condition.

After some debate, the Board expressed support for modifications of the condition to permit the removal of trees in the buffer area that are deemed a risk to the safety of the condominium unit owners and to permit the applicant to conduct reasonable and routine maintenance of the buffer area to include lawn mowing and maintenance of retention basins. Mr. CampoBasso moved to modify the condition to incorporate the above changes. Mr. Curtin seconded. All in favor, 5-0.

Animal Control
Advisory
Subcommittee
– Kennel Bylaw
changes

Ms. Karen Kase and Ms. AnnMarie Catalano from the Animal Control Advisory Board Subcommittee were present to discuss the proposed bylaw changes regarding kennels. There was some discussion after their presentation. The Board found the new definitions helpful, but have concerns with recommended changes to the Table of Uses. Without a Special Permit process there would be no citizen input, nor would there be abutter notfications to parties in interest.

South Meadow
Village – Final
Plans - Review

Graves Engineering reviewed the final plans for South Meadow Village (Millie's Way). There were a few missing items/deficiencies which were reviewed by the applicant's engineer and corrected and plans resubmitted showing corrections/updates.

Discussion of
Zoning Articles

The Board reviewed and discussed Articles 1, 2, 27, 28, 29 & 31. Articles 1 & 2 relate to Earth Removal. The Board voted to not support these amendments. Articles 27 & 28 relate to kennels. Article 27 contains a number of definitions which the Board supports. Article 28 relates to changes to the Table of Uses which the Board did not support. Article 29 relates to the changing a portion of the Performance Zone to Commercial which the Board supports. And lastly, Article 31 relates to the Municipal Liens Charge which the Board also supports.

Minutes

Ms. Bergeron made a motion to approve the minutes as amended, Mr. CampoBasso seconded. All in favor, 5-0.

Adjournment

Mr. CampoBasso made a motion to adjourn, Ms. Baldarelli seconded, all in favor, 5-0.

Minutes were approved at a meeting held on 5/10/2022, P. Page.