

TOWN OF STERLING
BOARD OF SELECTMEN
May 1, 2019

MEETING:	Chairman Lane called the Board of Selectmen meeting to order at 6:30pm. Roll Call: Selectman Cranson – Present. Chairman Lane – Present. Selectman Kilcoyne – Present. Also present was Town Administrator, Ross Perry and Executive Assistant, Kama Jayne.
Minutes	Selectman Kilcoyne moved to approve the minutes of April 17, 2019, as written. Selectman Cranson 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. Selectman Kilcoyne moved to approve the minutes of April 24, 2019, as written. Chairman Lane 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Abstained. Chairman Lane – Aye. Motion Carried.
Appoint To Affordable Housing Com.	After discussion, Selectman Cranson moved to Appoint Paul Cathcart to the Affordable Housing Committee. Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. His term will expire on June 30, 2020.
E-Permitting	Three different companies were chosen to provide demonstrations of their electronic permitting software. Of those three, Permit Link offered the most attractive package including pricing and customer service. A representative of Permit Link (Point) met with each department to inquire as to specific needs. After due diligence, the choice was unanimous. <ul style="list-style-type: none">• Permit fee \$10.00 (will be included in updated fee schedules)• Licensing module will cost \$14,000.00 yearly to provide electronic permits and licenses for the Board of Health, Town Clerk, Town Administration and Fire department (The Building Department fee has been waived)• The first year will cost \$29,000.00 (\$5,000.00 for set up and \$14,000.00 for yearly fee)• Price lock guarantee (has been negotiated to 5 years)• Funds available through grant and warrant article from 2018• Budget – \$65,000.00 available. \$29,000.00 will be used for set up costs and the remaining funds will be used to set up computer kiosks for applicants within the Town Hall (Older computers will be repurposed for this and new computers will be purchased for employees with older machines) so there will be no impact on the general fund until year 3. Future costs will be included in The IT budget.• Level of Support – Permit Link will respond to requests without using a “cue” system so the support will be “timely”.• Updates – Permit Link offers a daily update for an additional annual cost of \$400.00- \$900.00. After discussion, Selectman Cranson moved to approve and sign the contract with Permit Link. Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye.
Re-zoning motion	After discussion, Selectman Cranson moved to support the Planning Board's proposed amended motion for the re-zoning on Route 12, Article #30. Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. The motion will read: I move the Town vote to amend its Zoning Map, as most recently amended, and its Protective Bylaws by rezoning the parcels along Route 12 that are currently zoned as Neighborhood Residential (NR) to be included entirely within the Town Center (TC) zoning district as printed in the warrant, with the exception of parcel # 105-42 (aka 32 Princeton Road) will change to the Town Center (TC) zoning district only up to the line drawn 375 feet from Princeton Road starting at the southwest corner of lot 43. If the residents of Princeton Road are dissatisfied with the motion, they may amend it for consideration on Town Meeting floor.

Selectmen's Meeting Minutes

May 1, 2019

Earth Removal Bylaw	Chairman Lane made an Earth Removal Bylaw Presentation (see attached).
Disband ER Com	After discussion, Selectman Cranson moved to disband the Earth Removal Bylaw Review Committee. Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. Chairman Lane thanked the Committee members and staff for their assistance in compiling the Proposed Earth Removal Bylaw for consideration at the next Town Meeting.
Master Plan Com	After discussion, the consensus of the Board was that they will send another request to the Planning Board, asking them to formalize the Master Plan Committee. To that end, a copy of the prepared Committee Charge for the Master Plan Committee will be forwarded to the Planning Board for immediate approval. The Board concedes that it would be appropriate for the Planning Board to take the lead in this endeavor. However, the Board of Selectmen is determined to keep the Master Plan on track, and to keep the volunteers active and encouraged. Therefore, the Board of Selectmen is prepared to step in, if necessary.
LOGO	After discussion, Selectman Cranson moved to approve the Lamb logo as proposed by Lex Thomas. Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. The Logo will be available in different color schemes, so as to be appropriate for different purposes.
Celebrate Sterling	After discussion, Selectman Cranson moved to approve the “Celebrate Sterling” event for Saturday, June 1 st , with a rain date of Saturday, June 8 th . Selectman Kilcoyne 2 nd . Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. Lex Thomas will put together a first year celebration of the Town. It will be held on the Town Common and other public town owned property in the Town Center area. The purpose is to bring residents and businesses together and to encourage Town pride and camaraderie.
Engineer for 38 Clinton Road	<p>The Chairman of the Earth Removal Board, Michael Rivers has requested that the Board of Selectmen hire an engineer from Haley & Ward to ascertain that compliance has been met by the owners of the property at 38 Clinton Road. He requests the following be part of the scope of services;</p> <ol style="list-style-type: none">1. Review the past update reports2. Review the applicants geological Engineer's final report and recommendations to determine<ol style="list-style-type: none">a. Safety and security of the siteb. Reasonably document the need(s) to vary from the normal slope/loam/seeding requirements of the permit conditions. Upon acceptable finds;3. Conduct a site inspection/review to confirm that the aforementioned recommendations/report have been fully and accurately implemented including any deviations from said report. <p>After discussion, Selectman Cranson moved to approve the ERB request to hire Mr. Miller from Haley & Ward for a final review of 38 Clinton Road, in order to close out the project. Selectman Kilcoyne – 2nd. Selectman Kilcoyne – Aye. Selectman Cranson – Aye. Chairman Lane – Aye. Motion Carried. The Town Administrator will find a way to fund the expense.</p>
TA Report	<p>Facilities:</p> <ul style="list-style-type: none">• The Butterick Building parking lot will be closed for repair to all parking and vehicle traffic, at noon this Friday May 3rd through the whole weekend until Monday morning May 6th. It will close the following weekend May 10th through 13th for seal coating and lining. <p>Audit follow up:</p> <ul style="list-style-type: none">• One of the recommendations from the Auditor was to zero out the balances of the numerous withholding accounts on the Town records. Vicki Smith reports that the Treasurer Collector's

office has resolved all of these accounts, except for the two that are currently in use for payroll taxes and insurance benefits.

Mobile Food Vendors License

- Still no news on when Stix & Pux will demonstrate mobility as per a condition of their license. Assuming the Board agrees, they should not open for business until this requirement is satisfied. (The Board agreed.)

Public Session

Arden Sonnenburg requested permission to use the new Lamb logo on Master Plan documents. The consensus of the Board was that the logo has been approved and the Master Plan may use the LOGO as appropriate.

Arden Sonnenburg also expressed concern that the Board, as a whole, chooses to support the Route 12 rezoning changes to encourage industry yet denies support for the marijuana business (The Botanist) on Chocksett Road.

PSAs

The Board thanked the EDC for a successful Clean-up day.

The Taste of Sterling fundraiser will be held at the Senior center on May 5th.

It has been brought to the attention of the Board that the bleachers on Muddy Pond Road are in severe disrepair and therefore dangerous. The Town Administrator will investigate the possibilities of either repair or removal.

Adjourn

At 8:30 pm, Selectman Kilcoyne moved to adjourn. Selectman Cranson 2nd. Selectman Cranson - Aye. Selectman Kilcoyne – Aye. Chairman Lane– Aye. Motion carried.

Materials: minutes, e-permitting info., Rte. 12 re-zoning motions, Earth Removal presentation, Committee Charge for Master Plan Committee, Logo info, Celebrate Sterling info., Engineer proposal by Haley & Ward for 38 Clinton Road

Earth Removal

GENERAL BYLAW AMENDMENT

Article 28



Problems with existing bylaw:

- Interpretation is ambiguous and confusing
- Can require approvals from multiple boards
- Difficult and tedious process for applicant
- Does not address site restoration, stabilization and reuse

New Bylaw Goals

- Streamlined permitting
- Clarifies roles & responsibilities of Permit Granting Authority (PGA) and applicant
- Easier to understand & removes ambiguity
- Increased accountability for applicant
- Increased protection for the Town

How We Got Here ...

- Liability incurred by existing Earth Removal Board has cost Sterling dearly in legal fees – over \$28,000
- Agreement & consensus at joint meeting with PB, ZBA, ERB and Administration on Dec. 27, 2017 that ERB be dissolved and new bylaw be created
- Draft bylaws from 2 independent working groups were reviewed and incorporated into new bylaw
- In 2019, Earth Removal Bylaw Review Committee was assembled and consisted of staff and citizens with civil engineering, planning, zoning, building, conservation and sanitation backgrounds

Highlights of New Bylaw

- Board of Selectmen is Permit Granting Authority
- Dissolution of existing Earth Removal Board
- Easier to understand & removes ambiguity
- Increased accountability for applicant
- Categorizes earth removal in 2 ways – as a product (quarrying or mining, sale of earth/fill as use) & as a by-product (site preparation for construction & agriculture)



Highlights of New Bylaw (cont.)

- Exemptions allow for 1-stop permitting
- Compliance with performance & site standards
- Clarified application, renewal & violation process
- Detailed slope stabilization requirements
- Non-exempt activities require a close out or reclamation plan for site reuse

Proposed Earth Removal Permit Flowchart

