

Final

**STERLING PLANNING BOARD  
MEETING MINUTES**

**January 14, 2015**

– Rm. 202 Butterick Bldg.

**Present:** Kenneth Williams– Chairman, Clerk  
John Santoro – Vice - Chairman  
Ron Pichierri – ANR Agent  
Michael Pineo – MJTC Rep.  
Charles Hajdu – Member  
Lucinda Oates – Administrative Assistant

Chairman Williams calls the meeting to order at 7:00 PM.

**ANR's.**

There are no ANR's

**MINUTES APPROVED**

**Motion: Ron Pichierri**

**Second: Charles Hajdu**

Motion made to approve October 29, 2014, minutes as amended; the following was added to the minutes: **Note:** At the board meeting, Ron Pichierri stated that he and John Scarsella (Sterling Properties, INC) had parted company amicably. There was no further discussion, four to zero in favor, motion carried.

**Motion: Ron Pichierri**

**Second: John Santoro**

Motion made to approve December 10, 2014, minutes as amended; the following was added to the minutes: **Note:** copy of the Conflict of Interest Document was received for the December 10, 2014, Planning Board meeting. There was no further discussion, four to zero in favor, motion carried.

**Hebert Candy, 78 Worcester Road**

At 7:12 PM, George Thompson approached the board regarding questions about expansion prior to purchase of the property. The proposed expansion would result in an additional 2,000 feet. The proposed use would be a “country store” with a deli, meat market, with a possible bakery. The upstairs apartment will be used as such. The area is zoned commercial with a residential apartment. Thompson was also interested in buying two side lots to possibly expand his commercial side of the business.

Mr. Thompson was directed to the Planning Board as his first stop in the town offices. The board told him that most of his questions could be answered by reading the Zoning Bylaws. Approvals would be needed from the Board of Health and that a building permit would be needed from the Building Department.

## Final

A site plan will need to be submitted and the Planning Board would weigh in at that point.

### **Update on Legal Review / McCarty Engineering**

Patrick McCarty attended the Planning Board meeting to inquire about an update on the legal review from Kopleman & Paige. McCarty was informed the amount of legal review was estimated around twenty-five hundred dollars with any monies returned that were in excess.

Ken Williams said that the review was completed and would not be released until the full amount (\$2,500.00) was in an escrow account with the Planning Board.

McCarty reminded the board that an estimate was requested before the review was completed. Fortunately the estimate came in at a reasonable amount of money, and there were no issues with the amount of the review fee. He said that he was disappointed that he waited for over two months for the review and now finds that review is not available to him without the review fee money in hand.

McCarty said that he has been in business for over 33 years, with multiple projects completed in Sterling, and that proof of funds should not be an issue.

McCarty offered to drive to his office and bring a check to the meeting in approximately twenty minutes. Charles Hajdu said that members had not read the legal opinion and would need time to review it prior to handing the document over the McCarty. Ken Williams said that they would not discuss a legal opinion until they had read it and possibly ask additional questions to Kopleman & Paige.

McCarty then asked, once the check is received could he then obtain a copy of the legal review. The Board replied that a review by then Board would be needed first, before they turned over a copy to him.

McCarty then modified his statement and said that he would bring a check to the next meeting (January 28) and after the Board's review would request the legal review at that meeting.

Ken Williams said that the Board should review the document on their own time and discuss the legal review at the next meeting on January 28<sup>th</sup>.

### **Site Line Intersection McIntosh Way and Redstone Hill Road**

James F. Gettens , P.O. Box 1149, Sterling, sent a letter to the Board of Selectmen that was forwarded to the Planning Board. The letter had concerns about a proper sightline to ensure that oncoming traffic is visible at the intersection of McIntosh and Redstone Hill Road.

Lucinda will contact Scott Miller (Haley & Ward) and ask for a clarification of the letter.

Final

**ZBA**

Accessory Apartment: 4 Runaway Brook Road hearing was held January 13, 2015, at this time there is no update from Zoning Board of Appeals.

Rock Breakers, LLC. hearing was held January 13, 2015, at this time there is no update from Zoning Board of Appeals.

**CHAIRMAN'S REPORT**

There is no chairman's report.

**ADMINISTRATIVE ASSISTANT REPORT**

Board members were reminded that the Conflict of Interest, State Ethics test was once again due.

Human Resources (Don Jacobs) requested a member from the Planning Board attend the January 22, 2015 at 7:00 PM in the Selectmen's Meeting room, to discuss the proposed Employee Handbook and the Recognition Program. No members will be available that evening, and requested that an email be sent to Jacobs stating the proposed Employee Handbook and Recognition policy could be heard at the presentation given at Town Meeting in the spring.

Lucinda Oates presented the Board members with a letter of resignation with an end date of March 1, 2015.

**MAIL**

Miscellaneous mail was reviewed.

Correspondence was reviewed for 60 Clinton Road, regarding ANR lots created by Brian Foley.

Bob Kariots, 51 Clinton Road, attended the meeting and provided further concerns related to the ANR lots created by Brian Foley. Mr. Kariots complained about noise, working late into the night, dust, safety, and general nuisances he and his neighbors have endured since the lots were created. The Board listened and told him that an ANR does not require an inspection schedule and that once the building permit is pulled then the schedule of the inspections would begin. In the mean time, Mr. Kariots was advised to contact the police with his concerns and also to contact DPW about concerns (water in the road, and constructing equipment blocking traffic) with the road.

**Release of 61A / Heywood & Tuttle Road**

The 61A release form was not included with the release document. Lucinda will contact Kama for the release form. The board reviewed the release and because there was no bona fide offer as required under regulations, no action or vote was taken by the board.

**NOTICES FROM OTHER TOWNS**

Notices from other Towns were made available for review and were passed on to the Zoning Board of Appeals.

**INVOICES**

The board members signed two payrolls for Lucinda.

**MOTION TO ADJOURN**

**Motion: Ron Pichierri**

**Second: Mike Pineo**

Motion made to adjourn meeting, there was no further discussion, five to zero in favor, meeting closed at 8:48 PM.

**The next regularly scheduled Planning Board Meeting is January 28, 2015 at 7:00 PM.**

**APPROVED BY:**

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