

STERLING PLANNING BOARD MINUTES – February 14, 2018

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**Present:** John Santoro ~ Chairman  
Michael Pineo ~ Vice Chair & E.D.C. Member  
David Shapiro ~ Clerk  
Betty Kazan ~ Administrative Assistant

**Absent:** Russ Philpot ~ ANR Agent  
Craig Miller ~ Member

Mr. Santoro called the meeting to order at 7:00 P.M. in Room 202 of the Butterick Building.

### **ANR~ 7 Chocksett Road**

Larry Sabeau of Hannigan Engineering, Inc., on behalf of his client Margaret V. Gargulinski Irrevocable Trust, Ann Desmarais, Trustee and applicant NGII Realty, LLC, Matthew Bovenzi, Manager explained that the purpose of this ANR plan is to create a parcel, shown as Parcel Y, which will be conveyed from Margaret V. Gargulinski Irrevocable Trust to NG II Realty, LLC leaving the remaining property being depicted as Parcel D-1. Mr. Sabeau explained that they have revised the property line since their earlier submission in December 2017, which puts the Town and accompanying buildings in excess of the 35-foot setback, while the parcel areas remain the same.

Mr. Pineo moved that the Board endorse ANR Plan with revisions through to January 31, 2018, Assessors Map 71 Lot 23, Owner Margaret V. Gargulinski, Irrevocable Trust, Ann Desmarais, Trustee,, Book 47136, Plan 167, Plan Book 879, Plan 123, creating a parcel, shown as Parcel Y, which will be conveyed from Margaret V. Gargulinski Irrevocable Trust to NG II Realty, LLC leaving the remaining property being depicted as Parcel D-1. Plans prepared by Hannigan Engineering, Inc., 8 Monument Square Leominster, MA 01453. Job No. 1124, Plan # A-4-40 with revisions through to January 31, 2018. Fees for this ANR had been received back in December 2017. Form A completed, with five copies of the plan. There was no further discussion. Motion seconded by Mr. Shapiro. The motion passed unanimously.

### **Minutes**

Mr. Shapiro moved that the Board approve the minutes for January 31, 2017 as amended. Mr. Pineo seconded the motion. The motion passed unanimously.

### **Warrants**

Board members reviewed a payroll warrant.

### **ZBA Notices**

Mr. Santoro acknowledged a notice from the ZBA that a hearing is scheduled for Ryan and Rebecca Butler for a special Permit for purposes of building an accessory apartment in existing basement at property located at 10 Blueberry Lane, Assessors Map 63, Lot 10.

### **Chairman's Report/Notices/Discussions**

Mr. Santoro acknowledged an email received from Maureen Cranson in response to the BOS request for a back-up Zoning Bylaw (Marijuana). Ms. Cranson wrote; 'Certainly we can take care of this. We will solicit input from the Zoning Board. Chair Patrick Fox has been very interested in the subject. Our suggestion to the Planning Board was only to be sure that, in the

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possibility of the PB Marijuana article failing at Town Meeting, or Ballot, the community would have some protections. A Public Hearing for both articles simultaneously seemed to make sense. Consider us moving forward.'

Administrative Assistant's Report/Notices

CPTC Conference

The CPTC Conference is being held at Holy Cross College on March 17, 2018. Anyone interested in attending can register online registration will close on March 14, 2018.

2017 Annual Town Report

The Board reviewed the draft of the Planning Board's 2017 Annual Town Report. Mr. Pineo moved that the Board approve the Annual Town Report with corrections and submit it to the Town Clerk's office. Mr. Shapiro seconded the motion. The motion passed unanimously.

Request to withdraw Site Plan Project ~ Sande Realty, Inc., 146 Pratts Junction

Mr. Santoro acknowledged a letter received on February 12, 2018 from John Wentzell as follows:

'As I explained at the meeting of January 31, 2018, I am withdrawing my plans for any building on the parcel of land, known as 146 Pratts Junction Road. The only thing that transpired on that property was approval of a septic plan and checking of the pressure at the nearest hydrant to determine what would have been needed for a sprinkler system. Neither this writer nor anyone working for me has put anything in the ground. There are no pipes, lines or any forms or foundations installed by me on this lot. Please note this letter does not preclude me from submitting new building plans for this property at a future date should things change. Thank you, John Wentzell, President – Sande Realty, Inc.'

Mr. Pineo moved that the Board accept Mr. Wentzel's request to withdraw his Site Plans for 146 Pratts Junction Road and terminate the project. Mr. Pineo further moved that any remaining monies in this Review Fee account will be returned to the applicant once a Form W-9 has been received. Mr. Shapiro seconded the motion. The motion passed unanimously.

Discuss request for extension of ANR ~ Lots 1 through 4 North Cove Road

A letter from Brian Marchetti P.E., Vice President, McCarty Engineering, Inc., was received on February 5, 2018. Mr. Marchetti, on behalf of Edward and Patricia Thomas, Andre and Maureen Brouillard, owners of Lots 1 through 4 on North Cove Road request a one-year extension to perform the paving improvements on North Cove Road. The Owner has yet to sell a lot; therefore, the funds are not available to pay for the improvements.

Mr. Shapiro moved that the table this discussion until their next meeting. Mr. Pineo seconded the motion. The motion passed unanimously.

Discussion regarding Master Plan Advisory Committee

Mr. Shapiro went to the BOS meeting. Mr. Shapiro missed most of the discussion as he was at another meeting for Earth Removal Bylaws. The concern that Mr. Shapiro has is that the BOS have pushed this down the lane. There is no coherent charge. Mr. Shapiro asked Ms. Cranson for a list of interested people so the Planning Board could have a better understanding of where these people are coming from, but she has not provided him with the list. He is hoping that this

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Committee does not shackle a Planner to a Master Plan that is already down the road into fruition. Mr. Shapiro remains conflicted; he would like to see where this would go. He mentioned he was going to go to the organizational meeting tomorrow night.

Mr. Pineo we are in a position of trying to get the Town Planner position put together on the Annual Town Meeting Warrant because this is the first step in making all this stuff work. The Master Plan idea has been kicked around and we are at the point with the E.D.C. thought process other than building out the land for residential. We need a way to cut our taxes. We as a Planning Board can put together all the necessary documents, as the statute requires. We need to harvest and garner all of the necessary information, the heartbeat of the Town, people's positions. A lot of us just do not have this time nor desire. Mr. Pineo already knows what he wants to say about the Master Plan. However, he thinks to our avail, there are a number of people and the BOS are willing to appoint them to an Advisory Committee. It should be clarified that this Committee does not have any decision-making ability or statutory powers to put together a final document. Mr. Pineo would like the Planning Board to bless the Selectmen with putting together this Advisory Committee. In the end, he hopes they are successful in helping the Planning Board out so the Planning Board can bring something to fruition. Mr. Pineo would then like to task the BOS to not allowing it to be put on a shelf. Mr. Shapiro agreed that we put the cart before the horse on this one.

Mr. Kilcoyne stated that the meeting scheduled for tomorrow night was to see if people were serious about being a part of this Advisory Committee. Mr. Kilcoyne felt the Committee would split the Master Plan into the various sections and then from that point see how the grant figure works into this. He does not know but if it runs out it runs out. This is not something you can rush through. Mr. Pineo mentioned that at the Planning Board's last meeting Glenn Eaton explained procedurally how things can work and the probability of the Planning Board being able to spend that money by putting together chapters and fill in the blanks later. Mr. Eaton stated that MRPC could author a number of chapters for the Board and the Advisory Committee could work on one of the larger chapters, i.e. Goals and Objectives.

Mr. Pineo stated that based on information he has, the mean high for a Town Planner position is around \$77,000 with \$65,000 being the average for this area plus the benefit package. Mr. Pineo felt we should shoot high for \$75,000. He also mentioned that the warrant article does not have to state the salary. Mr. Pineo stated that the salary is discussed with Fin. Com. and the Board has an idea of the job description and he feels the position should be under the Planning Board authority.

Mr. Pineo moved that the Board vote to authorize Mr. Shapiro to represent the Planning Board on the Master Plan Advisory Committee. Mr. Santoro seconded the motion. The motion passed with two in favor and one abstain (Mr. Shapiro).

Mr. Shapiro moved that the Board vote to authorize Mr. Pineo to represent the Planning Board as an Alternate on the Master Plan Advisory Committee. Mr. Santoro seconded the motion. The motion passed with two in favor and one abstain (Mr. Pineo).

Mr. Shapiro and Mr. Pineo will report to the Board with updates on this Committee.

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The Board agreed put this as an agenda item for their next meeting to discuss the Town Planner placeholder for the Annual Town Meeting Warrant, whom the position reports to, possible FY19 budget line item and salary for the position.

The Board questioned what the deadline was for getting Mr. Perry the salary information on the Town Planner position. Mr. Kilcoyne stated he was going to meet with Mr. Perry tomorrow and would get back to Mr. Santoro.

### **Request for extension of Site Plan ~ Rafferty Aluminum & Steel Co., 5 Spratt Technology Way**

Mr. Pineo read the following letter dated February 1, 2018 from Sean P. Lorden, President of Rafferty Aluminum: *'At this time, I would like to request an extension of time to complete the As-Built Plans that are required to close out my project with the Planning Board. I will need till June 1, 2018.'*

Mr. Pineo moved that the Board vote to grant an extension of the period for “substantial use” of As-Built Plans for Rafferty Aluminum & Steel Co., Inc., 5 Spratt Technology Way to June 1, 2018. Mr. Shapiro seconded the motion. The motion passed unanimously.

### **Subdivision Rules & Regulations**

The Board agreed to put this topic as an agenda item for their next meeting.

### **Open and expiring Site Plans and Occupancy Permits**

Ms. Kazan will continue to keep updating the Board on this subject.

### **Condition of General Bylaws**

The Board agreed to put this topic as an agenda item for their next meeting.

### **8:55 P.M. MOTION TO ADJOURN**

Mr. Shapiro moved that the Board adjourn. Mr. Pineo seconded the motion. The motion passed unanimously.

### **APPROVED BY:**

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