

## STERLING PLANNING BOARD MINUTES – November 28, 2018

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**Present:** John Santoro ~ Chairman  
Michael Pineo ~ Vice Chair & E.D.C. Member  
David Shapiro ~ Clerk  
Craig Miller ~ Member  
Betty Kazan ~ Administrative Assistant  
Domenica Tatasciore, Town Planner

**Absent:** Russ Philpot ~ ANR Agent

Mr. Santoro called the meeting to order at 7:04 P.M. in Room 202 of the Butterick Building. He announced that the meeting was being video recorded by the Sterling/ Lancaster Cable TV and audio taped by the Planning Board.

### **Warrants & Payroll**

Board Members reviewed a payroll warrant. Board Members also signed a warrant for Haley & Ward for Review fees on North Cove Road and 150 Clinton Road. Board Members also signed warrants to refund Review Fee Account balances for Gibson Farms & North Cove (ANR).

### **Town Planner's Report/Discussions**

Ms. Tatasciore mentioned to the Board that the Master Plan Committee will hold a meeting on December 13, 2018 at 6:30 p.m. to discuss facilities services and land use. She encouraged the Board Members to attend to contribute to this discussion.

Ms. Tatasciore asked the Board for their recommendations on any potential zoning by law changes for the upcoming Annual Town Meeting.

### **North Cove Road Completion of Work**

Mr. Santoro acknowledged an email from Haley & Ward dated November 8, 2018 as follows:

*Haley and Ward has visited the area of North Cove Road between Swett Hill Road and Park Street on November 1, 2018 to review the status of surface paving. We offer the following comments:*

- 1. The roadway has been recently paved with minor grading apparent along the edge of the roadway.*
- 2. The completed work was in conformance with the general design intent of the plan entitled North Cove Road Improvement Plan, Exhibit A, dated February 27, 2015 and prepared by McCarty Engineering, Inc.*

Mr. Miller moved that the Board vote to approve the close out of the North Cove Improvement Plan ~ MOU and the refund of monies in the Review Fee account. Mr. Shapiro seconded the motion. The motion passed unanimously.

**7:15 p.m. Mr. Pineo arrived.**

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### 150 Clinton Road ~ Continuance of Site Plan Review

Matt Waterman of Land Tech Consultants and Jonathan Hall, Owner were on hand to review their responses to the Haley & Ward comments and to answer any questions the Planning Board might have.

The following email from Haley & Ward dated November 28, 2018:

*I have reviewed the revised plans dated November 19, 2018 with the modifications referenced below and have no additional comments.*

November 19, 2018 email from Matthew A. Waterman, PE Land Tech Consultants:

*The Site Plan has been revised with the following minor changes;*

- *Modified the exit drive to accommodate right-hand turns for semi-trailer trucks. This includes providing mountable concrete shoulders at entrance.[Scott Miller] Sheet C7*
- *Revised chain link fence notation to be black vinyl-coated chain link fence.[Scott Miller] Sheet C3*
- *Revised Title Sheet to include two (2) Waivers[Scott Miller] Sheet C-0*
- *Updated the Site Sign Detail to be internally lite sign.[Scott Miller] Sheet D-3*

*Additionally, the Infiltration Basin was reconfigured to be uniform and rectangular. This did not change the drainage design and resulted in two (2) additional drainage chambers. This will make construction easier and ensured the drainage system has adequate cover for the modified exit drive.*

Mr. Shapiro moved that the Board approve the 150 Clinton Road Site Plan and incorporate the following recommendations of the Town Planner as follows:

1. That the applicant provide ten (10) copies of revised plans showing the following:
  - a. Remove all references pertaining to a Special Permit from the plan;
  - b. Remove the erroneous reference on Plan Sheet C-3 pertaining to a Variance in the Parking Table;
  - c. With the exception of providing a solid vinyl fence, located adjacent to the office/residence building and the property located at 160 Clinton Road, all proposed fencing shall be black vinyl coated variety.
2. Demarcate the premises with on-site directional arrows and signage, as depicted on the plans.
3. All six (6) parking spaces located adjacent to the management office shall be striped and all accessible spaces shall be placarded as required by the Architectural Access Board.
4. All proposed lighting shall be contained onsite and shall not overspill onto adjacent properties.
5. The applicant shall consult the Water Department prior to any changes to the water service line or changes to the location of the fire hydrant on the property.
6. Providing that the applicant receives the necessary approvals from the Zoning Board of Appeals for this project.
7. The applicant shall provide the Planning Board fourteen days-notice prior to the commencement of construction of Phase II; any substantial changes to the project shall be presented to the Board for approval as a modification of the decision.
8. Within thirty (30) days after completion of the project and prior to issuance of a Certificate of Occupancy, the applicant shall submit an As-Built Plan to the Planning Board in both paper and digital format.

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9. Provided that the project is constructed in substantial accordance with the final revised plans on file with the Town of Sterling and in accordance with all applicable governmental codes.

Mr. Shapiro further moved that the Board approve the following waivers from Article 3 of the Protective Bylaws:

1. Section 3.2.5(a). Pertaining to the requirement to construct a driveway exceeding 22-feet in width.
2. Section 3.2.4(c). Pertaining to the requirement to stripe/paint the remaining 41 parking spaces. Per Sterling Protective By-Law 6.4.8 Lapse - Site plan approval shall lapse after one year from the granting thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.

Mr. Pineo seconded the motion. The motion passed with three in favor and one abstain (Mr. Miller recused himself from the discussion as he is an abutter.).

### **Pratts Junction Road, Map 50, Parcel 14 Site Plan Review**

James Tetreault, PE, Thompson-Liston Associates, Inc. was on hand representing Stone Ridge Development. Mr. Tetreault reviewed the application and Site Plan. He also reviewed his responses to the Haley & Ward review.

Mr. Tetreault agreed he would respond in writing to the Haley & Ward review comments.

Mr. Tetreault requested that the Site Plan Review be continued to the next Planning Board meeting on December 12, 2018.

The Board agreed to continue the Site Plan Review for Pratts Junction Road until their next meeting with the hopes that all pertinent Boards/Departments will have their feedback in regarding this application.

### **Minutes**

Mr. Miller moved that the Board approve the minutes of November 14, 2018 with corrections. Mr. Pineo seconded the motion. The motion passed with three in favor and one abstain (Mr. Shapiro was NOT in attendance at this meeting.)

### **Warrant**

Mr. Pineo explained that even though this invoice was for preparation by KP Law prior to the Planning Board meeting, that it was a part of the legal expenses for this subdivision.

Mr. Pineo moved that the Board approve a KP Law legal expense in the amount of \$414.00 for the Primrose Lane Subdivision. Mr. Miller seconded the motion. Mr. Santoro stated that this Board did not authorize KP Law to come to the meeting, we will pay this invoice this time. In the future, any unauthorized requests will not be paid by the Planning Board. The motion passed with three in favor and one abstain (Mr. Shapiro).

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### **Administrative Assistant's Report/Notices**

#### **MRPC Assessment**

Ms. Kazan informed the Board that she had spoken to Glenn Eaton of MRPC and he will be drafting an email explaining what the MRPC Assessment entails.

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

#### **FY20 Budgets**

Mr. Santoro indicated that he and Ms. Kazan will be working on the FY20 Budget and have it ready for the Board's review at their December 12, 2018 meeting.

#### **Performance Review**

Mr. Santoro asked each Board Member to submit their Performance Review of the Administrative Assistant to him no later than December 10, 2018. He will then conduct her Performance Review.

#### **Earth Removal Bylaw re-write**

Mr. Santoro acknowledged an email from the Town Administrator regarding the formation of a short-term committee to re-write the Earth Removal Bylaws. The Board Members felt that this was not necessary as there had previously been an Earth Removal Working Group who came up with an ER Bylaw and Rules & Regulations model. The Board agreed to hold off on this to see what happens seeing as though this has already been prepared from a previous Working Group.

#### **ERB Proposed By-Laws**

Mr. Santoro stated that ZBA Chairman Pat Fox had sent a copy of the draft Earth Removal Bylaw and Rules & Regulations model that had already been put together by the Earth Removal Working Group.

#### **All Boards Meeting**

Mr. Santoro read an email from the Town Administrator that the BOS will hold an All Boards meeting on January 23, 2019 at 6:30 p.m. Mr. Santoro mentioned that no time slots were mentioned.

#### **Rock Breakers Request for Extension**

Mr. Santoro asked that this be put on the agenda for December 12, 2018.

#### **Master Plan Chairman**

Mr. Shapiro introduced Arden Sonnenberg who is the Chairperson of the Master Plan Committee. Mr. Shapiro asked that for a future meeting he would like to have an agenda item on what the Planning Board's role will be with the Master Plan. Mr. Shapiro as the liaison for the Board will try to make it to a couple of their steering meetings.

Ms. Sonnenberg indicated that right now the Focus Group (not a Committee) is in the discovery phase. Mr. Santoro asked Ms. Sonnenberg to put something in writing about what she would like to discuss with the Board.

Mr. Santoro suggested that she call the office or work with Mr. Shapiro when she is ready to be put on the agenda.

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### **8:46 P.M. MOTION TO ADJOURN**

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

### **APPROVED BY:**

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