

## STERLING PLANNING BOARD MINUTES ~ December 11, 2019

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**Present:** Russ Philpot ~ Chairman  
John Santoro ~ Vice Chairman  
Craig Miller ~ Member  
David Shapiro ~ Clerk  
Patty Page ~ ANR Agent  
Betty Kazan ~ Administrative Assistant

### **Call to Order**

Philpot called the meeting to order at 7:00 p.m. in Room 202 of the Butterick Building.

### **Recognition & Moment of Silence for Bob Bloom**

Philpot stated that the Town of Sterling suffered a loss recently in the passing of Bob Bloom. Bob was a good and gracious man who did a lot for this Town. Bloom was involved with the Senior Center, Council on Aging and Philpot believed Mr. Bloom was one of the founding members of the Sterling Lancaster Cable TV Organization. Philpot thought it appropriate as a Board to take a moment to recognize Bob Bloom with a moment of silence.

### **Request for Extension of Time for Redstone Heights Subdivision a.k.a. Chad Lane, Carl Corrinne**

Philpot acknowledged the following letter from Carl Corrinne dated December 2, 2019:

‘Dear Planning Board, Please see the following subjects for the agenda of 12/11/19.

1. Chad Lane expires on 12/28/19. We are asking to extend until 6/1/20.
2. Submission of Redstone Heights Chad Lane Subdivision As-Built drawings.
3. Submission for Bond Reduction for completed items currently in bond.

Note: Please find the Recorded Covenant with the amounts in bond on page six. Also, please find the Bond Reduction Worksheet. I have used the same formula in calculating the reductions, as was used in determining the amount to be in bond by Scott Miller. Thank you very much, Carl Corrinne, President’.

Philpot inquired as to what the good cause is for requesting this extension. Jamie Rheault, Whitman & Bingham Associates representing his client, was on hand to discuss the request for an extension in time for the Redstone Height Subdivision a.k.a. Chad Lane. Rheault indicated that the subdivision is significantly complete and we have submitted As-Built Plans to the Board. Rheault believes that the subdivision should be inspected in the spring. Rheault indicated that there is a little bit more work to be completed. Rheault estimated that they could get all of this completed by June 1, 2020. Philpot inquired so the good cause in creating this delay is due to the inclement weather and frozen ground conditions. Rheault agreed.

Shapiro moved that the Board grant an extension to June 1, 2020 for the Redstone Heights a.k.a. Chad Lane Subdivision. Page seconded the motion. The motion passed with four in favor and one abstain (Santoro is an abutter).

### **Request for Bond Reduction for Redstone Heights Subdivision a.k.a. Chad Lane, Carl Corrinne**

Philpot explained that the Board is not in a position to make a determination tonight. Philpot indicated the Board would have this information from Scott Miller for the January 8, 2020 meeting.

## STERLING PLANNING BOARD MINUTES ~ December 11, 2019

### As-Built Plans Redstone Heights Subdivision a.k.a. Chad Lane, Carl Corrinne

The Board agreed to address the As-Built Plans at their next meeting.

Miller stated that in the past there has been some problem with the retention basin overflowing. Has anything ever altered around the perimeter? Rheault stated there was. Rheault stated that there was not an alteration to the basin design itself but they did some piping and they did some additional work to the overflow. Everything goes evenly over and it seems to be working okay. Rheault stated he has not gotten any complaints in quite a while. Miller inquired where the overflow goes. Rheault stated it is according to the design plans approved by Con Com and the Planning Board. Philpot stated that several years ago he had a discussion with the former DPW Superintendent Bill Tuttle. Tuttle had concerns about the overflow. Philpot stated there is one thing to have that D Basin working as designed. Philpot stated there might be a question about the design because the outflow is rushing down along across a yard and then down (Philpot could not remember the name of the Road.). Philpot mentioned that was the concern of the DPW Superintendent as to wash out of the road, running along the shoulder and erosion. Rheault stated he had several meetings with the Conservation Commission about this and met on site with Scott Miller as well. To Rheault's knowledge, the conclusion was that we could not move on this. Rheault stated he would be happy to have further discussions with the Board and Scott Miller but Rheault honestly believes we came to a standstill on this issue.

### Minutes

Santoro moved that the Board approve the October 30, 2019 minutes as amended. Shapiro seconded the motion. The motion passed with four in favor and one abstain (Philpot was not in attendance at this meeting.).

Page moved that the Board table the minutes for November 20, 2019 to the next meeting. There was no second to the motion. The motion failed.

Santoro moved that the Board approve the November 20, 2019 minutes. Miller seconded the motion. The motion passed with three ayes, one nay and one abstain (Shapiro was not in attendance at this meeting).

### Discuss 20 Pratts Junction Road, TSHAY, LLC, Landscaping Plan

Philpot read the following email dated November 21, 2019 from James Tetreault:

'During the Planning Board's Site Plan review, having a visual buffer between proposed development and the residence to the east was a point of emphasis for the Board. The applicant committed to installing a fence and planting seven white fir trees along the boundary to create some visual barrier between the development and that residence. The applicant committed to keeping the existing 36-inch tree in place if possible. Unfortunately, it will not be. After the most recent storm, a large crack opened up in that tree and it will have to be removed. Per the Landscaping Plan, the applicant will plant an additional white fir tree in that location'. Philpot indicated that he guessed that last sentence is sort of a request.

After a brief discussion, Miller moved that the Board grant the request to replace existing 36-inch tree with a white fir tree. Page seconded the motion. The motion passed unanimously.

## **STERLING PLANNING BOARD MINUTES ~ December 11, 2019**

### **ZBA Notices from surrounding Towns**

Philpot reviewed the notices from the surrounding Towns.

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

#### **DHCD Approval**

Philpot acknowledged a letter from DHCD dated November 15, 2019 approving the Town's Housing Production Plan.

#### **Unified Planning Work Program**

Philpot acknowledged a letter from MRPC regarding the UPWP Project Solicitation.

#### **Documents & Posting Locations**

Philpot acknowledged an email from Ross Perry dated November 22, 2019 reminding everyone of the procedures for posting of agendas and meeting minutes.

#### **Warrants & Payroll**

Board Members reviewed warrants for two payrolls, Haley & Ward (Stone Ridge Development), Review Fee refunds for 146-148 Pratts Jct. Road and Stone Ridge Development.

#### **FYI**

Shapiro informed the Board that that Affordable Housing Committee is scheduled to meet tomorrow night at 6 p.m. in Room 201 to discuss the next steps for the Housing Production Plan.

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

Kazan informed the Board that she received a memo from the Town Clerk regarding the 2019 Annual Town Report that is due in by February 28, 2019.

#### **Discussion & take any possible action(s) regarding status of Town Planner**

Philpot explained that at the last Board meeting, we all witnessed (except for Shapiro) our Town Planner giving her report. Philpot was referring to her activities report and asked a couple of simple questions trying to understand which of her activities may impact this Board seeing if we could learn and she could share information. It resulted in the Town Planner storming out of the room, but before she did, she withdrew her offer (I think it was) to drafting decision letters because her position was, we did not tell her about it. Santoro was in the building and did not stop by and let her know, whatever. She chose to leave the room the night when this Board rendered the approval.

Philpot stated this Board is being accused of being 'hostile' and I can tell you the good news for me is any conversation I have had with the Town Planner with the exception of our first meeting has been recorded. So, I have video recordings of all my interactions with the Town Planner. Philpot stated I do not think anyone would frame me as being 'hostile'. Philpot thinks what this Board saw the other night from the Town Planner could be considered 'hostile'.

Philpot stated that he had not read it but had received three phone calls and a text message about it, that yet again, there was another attack on this Board by the Town Planner and the Town Administrator, this time in the newspaper. The funny thing about this is that this newspaper thinks

## STERLING PLANNING BOARD MINUTES ~ December 11, 2019

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the ANR Agent is and Agricultural and Natural Resource Agent and not an Approval Not Required Agent. Philpot stated he was not sure how much you could believe in the newspaper.

Philpot stated it was up to the Board. He mentioned one thing that is fair and accurate, Philpot has not reached out to request much from the Town Planner for two reasons; Philpot was not going to put up with the hostility and condescension that the Town Planner has towards Philpot if not all of us. Philpot stated that frankly speaking, he reads all her reports and he does not see much there. Page interrupted and asked are we going somewhere with this? Philpot replied yes that he was expressing his opinion. Page stated it does not matter, she does not report to this Board. Philpot stated it does matter because it establishes the position of this Board.

Shapiro stated after watching the video he is deferring to everyone else. Philpot asked what Shapiro meant by this – do you have an opinion. Shapiro stated he has plenty of opinion. Philpot stated please feel free. Shapiro said that the bottom line was he is not going to waste any more time on this.

Santoro stated that part of the monies spent on the Town Planner to be a liaison to all Boards. If she is not going to be helpful to this Board. If she is paid as an employee of this Town to be here at a meeting and do what she is supposed to do. She is being insubordinate by stating that she is not going to be here and is being backed by the Town Administrator. Santoro does not feel this is right.

Miller stated it is the Town Planner's prerogative. If she does not want to work with this Board. Miller took this as a tongue lashing from the Town Administrator and Miller felt that at the last meeting the Town Planner was more hostile than anyone. If the Town Planner does not want to work with the Planning Board, her job description answers to the Town Administrator not us.

Page stated it is not this Board's business, she works for the Town Administrator and if she doesn't want to work in here then that's fine.

Philpot stated that he understands from the letter received from Mr. Perry that she had been instructed not to attend the Planning Board meetings because of the hostility.

Philpot stated that it is his position and he does not think he is alone in this opinion that this Board is not the hostile ones which means that I guess she's not coming to our meetings until she decides that she is not going to be hostile towards us which is certainly her prerogative and frankly Philpot thinks the Board will be better off.

Philpot mentioned that the three telephone calls he received today were from people who are managers. All three asked the same thing; how long has the Town Planner been with the Town and when are we going to start seeing results.

Page stated this is enough, this is like a little witch hunt and we are not doing this anymore.

### **FY 21 Budget**

Page made a motion to approve the FY21 Budget. There was no second to the motion. The motion failed.

## STERLING PLANNING BOARD MINUTES ~ December 11, 2019

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Kazan stated that there was nothing to approve at this time as she was just making recommendations. Kazan suggested to the Board that they level fund the MRPC line item of \$2,850.00 as the actual FY19 expenditure was \$2,683.89. Santoro asked if we are getting our monies worth. Philpot mentioned that the biggest component he believes is in the mapping of the Town. Kazan stated that the invoice is based on the Town's Census information. The Board agreed to level fund this line item.

After a discussion on the Planning Stipends, Board Members agreed to keep this line item at \$300 per member. The Board was in agreement with Kazan's recommendation to level fund the MRPC Expense line item. The Board agreed to table finalizing the FY21 Budget until their next meeting at which time they would make their recommendation regarding the Planning Expense line item.

Philpot mentioned that in order to determine the Planning Expense line item (Kazan's wages) part of that would be any merit/longevity. Philpot stated let us keep things in sequence and do the performance review and that will determine if any merit/longevity.

The Board agreed to postpone this budget until their next meeting scheduled for January 8, 2020.

### **Administrative Assistant Performance Review**

Philpot explained that as the Board has done in the past, we will go around the table and do their review and at the end there will be a summation mathematically that will go into the file and Philpot will do that summation in a personal meeting with Kazan.

Philpot, Shapiro, Santoro and Miller expressed their evaluation of Kazan's performance for the calendar year 2019. Page stated that she felt she had not been on the Board long enough to rate Kazan. Goals were discussed and will be incorporated in the final summation.

### **Discuss Upcoming Meeting Schedule**

Board Members agreed to cancel their April 8, 2019 meeting.

### **Future Agenda Items**

Philpot asked that Board Members think about what if any merit increase for the Administrative Assistant and this will be discussed at the next meeting.

### **8:01 P.M. MOTION TO ADJOURN**

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

### **APPROVED BY:**

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