



TOWN OF STERLING PLANNING BOARD MINUTES

Butterick Municipal Building, Room 205

1 Park Street, Sterling, MA 01564

April 28, 2022 – 6:30 PM

PUBLIC HEARINGS for May 2, 2022 Annual Town Meeting

Present: Carl Corrinne, Patty Page, Kirsten Newman and John Santoro. Val Pruneau was absent.

MEETING:

Carl Corrinne called the meeting of the Planning Board to order at 6:30 pm.

Agenda

- 1) Public Hearing – Proposed Zoning Amendments Annual Town Meeting 2022
 - a) Performance Zone I Map Amendment and Zoning Change
 - b) Parking & Loading Article 3, Section 3.2.3 of the Protective Bylaws
 - c) Earth Removal – Citizen's Petition
 - d) Kennels – definitions, revised table of uses
- 2) ANR – 35/39 Tuttle Road – Joan Pineo, Rekap Family 2019 Revocable Trust
- 3) Request to delay ANR Application for DiPietro/Newell Hill Road Ext. until May
- 4) Approval of Minutes – March 24, 2022

Public Hearings

Patty Page made a motion to call the Public Hearing to order, John Santoro seconded. All in favor. Carl Corrinne read the legal advertisement into record.

Performance Zone to Commercial Article 29

The next two articles were sponsored by the Planning Board, and were heard and voted on as a set. Carl Corrinne explained that this amendment was brought forward again from last year's Town Meeting. Last year the article was defeated because of some confusion regarding one of the parcels, which was a cemetery. A voter believed that if the zoning changed on that parcel, it could be developed. This is incorrect. All cemeteries are zoned within the zone they are located. Furthermore, our own General Bylaws prohibit using cemeteries for anything other than burials (Article 38-3.) A member of the public expressed support for this zoning amendment.

Parking & Loading Article 30

The last amendment to the Parking & Loading Requirements was in 2009. The Board corrected a couple of errors and updated the calculation for "Restaurant, Fast Food, Drive-in Establishment" to 1 per 75 sf of floor area, plus 1 spot per 2 employees on the largest shift. Also included is minimum parking for establishments that only provide window service.

Patty Page made a motion to recommend approval of Articles 29 and 30 as written. John Santoro seconded. All in favor, 4-0.

Earth Removal Article 1 (Citizen's Petition)

Ms. Susan Aldrich presented an amendment to the Protective Bylaws for Earth Removal. The petition seeks to repeal what was approved at last year's town meeting by bringing back the Variance process through the Zoning Board of Appeals with the amendment that it would only pertain to requests to remove more than 3000 cubic yards of material. Some concerns of the Board members was the burdensome process that this would create. There would be two Permit Granting Authorities, two separate processes, and the Variance process is an extremely difficult one. Additionally, in practice, the new bylaw has only been in effect (due to late approval by the Attorney General's office) for just over 4 months and there has only been one application during that time. After some back and forth discussion, the Board put the article to vote. Patty Page made a motion to not recommend approval of Article 1, John Santoro seconded. Final vote was Page, Santoro, Corrinne voting to not recommend, and Newman (1) voting to approve.

Kennels
Articles 27
Definitions

Ms. AnnMarie Catalano presented the articles drafted by the Animal Control Advisory Subcommittee appointed by the Select Board after a previous Kennel bylaw was “referred to committee” at the June 14, 2021 Annual Town Meeting. Article 27 seeks to add a number of definitions to the Protective Bylaws. These additional definitions will assist with the confusion of the singular definition currently in the bylaws that is simply “Commercial Kennel.” Patty Page made a motion to recommend approval of Article 27, Kirsten Newman seconded. All in favor, 4-0.

Kennels
Article 28
Table of Uses

Article 28 proposes changes to the Table of Uses. One change incorporated many new definitions (to align with the State) under one use. Additionally, they recommend changing the “No” in Light Industrial to a “Yes.” The other change was to add “Personal Kennel” to the Table. They are recommending a “Yes” in Rural Residential and Farming, Commercial, Town Center (though the warrant does not show this – possible error?) and Light Industrial. And require a Special Permit in Neighborhood Residential. The Board was not comfortable allowing Personal Kennels by right in Rural Residential and Farming which is the largest zone in the Town of Sterling. The Board recommends a limit on the number of dogs, as well as changing it to a Special Permit process in Rural Residential, as well as keep it a “NO” in Town Center.

After some more discussion, Patty Page made a motion to not recommend approval of Article 28. John Santoro seconded. All in favor, 4-0.

Patty Page made a motion to close the public hearings at 7:20 pm. John Santoro seconded. All in favor, 4-0.

ANR – 35/39 Tuttle
Road

The Board reviewed an ANR (Approval Not Required) for 35/39 Tuttle Road. After review, Patty Page made a motion to endorse the plan as presented. Kirsten Newman seconded. All in favor, 4-0.

ANR/DiPietro –
“Newell Hill Road
Extension”

The Board is in receipt of a request to delay the review of an ANR Application for Mr. Brian DiPietro for “Newell Hill Road Extension.” Patty Page made a motion to accept the request of delay until the May 26, 2022 meeting, Kirsten Newman seconded. All in favor, 4-0.

Minutes

Kirsten Newman made a motion to approve the minutes of March 24, 2022. Carl Corrinne seconded. John Santoro abstained as he did not attend the meeting. Vote was 3 in favor, 0 opposed, 1 abstain.

Adjourn

Kirsten Newman made a motion to adjourn, Patty Page seconded. All in favor, 4-0.

Minutes were approved at the 5/26/2022 meeting. P. Page