

Final

**STERLING PLANNING BOARD  
MEETING MINUTES**

**March 13, 2013**

Room 202 Butterick Bldg.

**Present:** Ronald Pichierri – Chairman, ANR Agent  
Michael Radzicki – Vice Chairman, MRPC Rep.  
Kenneth Williams – Clerk  
Charles Hajdu  
John Santoro  
Lucinda Oates – Administrative Assistant

Chairman Pichierri calls the meeting to order at 7:01 PM.

**ANR's**

Charles Pillsbury, 6 Heywood Road, Sterling returned to submit a plan for endorsement, which would create a parcel currently under Chapter 61A, that is not a buildable lot, to be conveyed to the abutting property owner. Pillsbury was asked to provide written information from the Sterling Assessor that no rollback taxes were outstanding on the property before an endorsement was granted.

Pillsbury provided an email from Harald Scheid (Sterling Assessor's Office), that the abutter would be adding the 2.5 acres to their own Chapter 61A lien acreage, no first option notification is required, nor would rollback tax need to be paid. The Planning Board requested in writing that the acquired acreage to be approved for Chapter 61A lien classification, and an amended Chapter 61A lien application adding the acreage would be required by the assessor.

The Board was in agreement that the parcel that was being transferred would go from the Pillsbury 61A lien property to the abutter's Chapter 61A lien property, and that no taxes would be levied.

The board requested that the Pillsbury provide a note on the ANR Plan stating that the land conveyed was Chapter 61A lien property and that it would go to abutting Chapter 61A lien property.

**MINUTES APPROVED**

**Motion: Michael Radzicki**

**Second: Charles Hajdu**

Motion made to approve February 13, 2013 minutes, with corrections, all members in favor, motion carried.

**DISCUSSIONS/REPORTS/FYI**

Citizen Planner Training Collaborative, Ron Pichierri and Lucinda Oates will be attending the conference at Holy Cross on Saturday, March 16<sup>th</sup>.

Memo from Koplemann & Paige was reviewed concerning Telecommunication Act Amendment – Existing Facilities. The most important part to the new law is the requirement in Section 640(a) that state and local zoning authorities “may not deny” and “shall approve” certain modification to existing wireless communication facilities.

Meeting dates were discussed for the month of April. The Administrative Assistant will be on vacation the week of the April 10 meeting and availability was not good for members for an additional meeting outside the regularly scheduled meeting nights. It was decided to meet the 24<sup>th</sup> with only one meeting in the month of April.

Gary Griffin was tentatively scheduled for the April 24<sup>th</sup> meeting at 8:00 pm for the Public Hearing to hear his Special Permit request for a Shared Driveway off of Redstone Place.

### **Zoning Bylaw Amendment RE: Multi-family Development**

Proposed zoning changes to Section 4.2, *Multi-family Development*, of the Sterling Protective Bylaw were presented by Attorney Mark Donahue, on behalf of Sterling Real Estate Developers, Inc.

Sterling Real Estate is proposing to revise a multi-family development, Wickapicket Knoll off Redstone Hill Road. To make this a viable option for Simpson (Sterling Real Estate) the current protective bylaw would need to be amended.

There were suggestions from the previous meeting with the Planning Board to put in a 40B development but this is something that the applicant does not want to do. Also they looked at the possibility of doing a broader change to the zoning bylaw, creating a new zoning district, changing the zoning map, to put this site in a whole new district, or an overlay district.

Simpson suggested minor changes to the existing bylaw, not just what would work for multi-family development, but what would work within the existing bylaw. Simpson feels that with a couple of minor changes to the dimensional controls in the existing multi-family bylaw, and addressing them in one section, it would avoid adding another section to the protective bylaw regulation.

Ken Williams stated again, that he is against changing the existing bylaw. Other projects have come into town under the existing bylaw, and he suggested that Sterling Real Estate either have a second bylaw, such as “*multi-family II*” to accommodate this change.

The bylaw change will be filed as a warrant article, to be heard at the upcoming town annual meeting. Simpson is requesting that if there are changes that the Planning Board can anticipate, to bring them forward so that he can address those changes before the public hearing.

## Final

What is presented is a new type of building that can go into the multi-family bylaw, a building with only two units in it. At this time, a two unit building is not allowed in the bylaw.

At this point Simpson is not asking for any specific action from the Planning Board. There is a place holder for an Article for the May Annual Town Meeting for the proposed multi-family bylaw changes.

An email was received from Building Inspector, Mark Brodeur concerning Simpson's proposed bylaw change to the multi-family development, was read into minutes:

*In reviewing the proposal from Jimmy Simpson to change section 4.2.2, overall, I think it makes sense. While it may be better to propose a multi-family or a 2 family overlay district it seems that the changes, as presented, would work.*

*If we were to look at this as a proposed 55 and over development an overlay would work and it may be something Planning Board would want to discuss as a possibility for future development. The biggest problem I see is sewer disposal and the amount of space that would be need to be maintained for that shared system and expansion or repair of that system. Accessibility for fire purposes, fire hydrants, town water and some open space constraints as well.*

*The Planning Board may also wish to consider some of these issues in a potential re-work of Section 4.2.2 as well.*

## **ZBA**

Notices were reviewed from abutting towns and will be forwarded to the Board of Appeals clerk.

## **CHAIRMAN'S REPORT**

Mass Audubon is offering a workshop the beginning of March with the goal of helping communities preserve open space and historic sites, create affordable housing and develop outdoor recreational facilities. There was discussion between Selectmen (emails) concerning land protecting efforts but no specific actions were taken.

## **ADMINISTRATIVE ASSISTANT REPORT**

A reminder was given about upcoming date for Ethic's Test, due date April 5<sup>th</sup>.

The Town Government Studies Committee recommended a Town Planner. This needs a vote from the Planning Board to offer a recommendation for or against the position of Planner.

Final

The Town Government Studies Committee also recommended that the Earth Removal Board be placed under the Planning Board; the Planning Board will also need to take a position of either in favor or not on this move.

**MAIL**

Miscellaneous mail was reviewed.

**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 invoices for CPTC conference fees, Haley & Ward and payroll.

**MOTION TO ADJOURN**

**Motion: Mike Radzicki**

**Second: John Santoro**

Motion made to adjourn meeting, all members were in favor, and the meeting was closed at 8:55 PM.

**The next regularly scheduled Planning Board Meeting is March 27, 2013 at 7:00 PM.**

**APPROVED BY:**

---

---

---

---

---