

Final

**STERLING PLANNING BOARD
MEETING MINUTES**

March 27, 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 7:00 PM.

ANR

Gary Griffin, Trustee Fitch Pond Realty Trust II, 33 Main Street, Sterling presented a plan for endorsement for property located on Assessor's Map 132 and Lots 13-15, Runaway Brook Road. This plan changes side lines and the area of three abutting lots. There was no change of frontage of the existing approved lots.

Motion: Mike Radzicki

Second: John Santoro

Motion was made to ask Chairman Pichierri on the behalf of the Sterling Planning Board to endorse the plan of Fitch Pond Realty Trust II, 33 Main Street, Sterling, MA. 01564, dated March 26, 2013, prepared by Whitman & Bingham, 510 Mechanic Street, Leominster, MA. 01453. Plan numbered 27-D-10-F. There was no further discussion, motion carried; there was a five to zero vote in favor of endorsement of the plan as submitted.

Seven copies of the plan; a check for \$125.00, check #129 and the completed Form A were received.

ANR

Garry Griffin, dba Sholan Homes, INC., 33 Main Street, Sterling, MA. 01564, presented a plan for endorsement for property located on Assessor's Map 94, Lot #30. Plan consists of four lots meeting area requirement of neighborhood residential zoning, each lot 0.5 acre with the required 125 foot frontage on an existing town road, Redstone Place. Issuance of building permit for lots 2, 3, and 4 will be conditional upon approval of Special Permit for a common driveway for construction off Redstone Place to the standards of the Sterling Department of Public Works.

Chairman Pichierri made a note of record that the Planning Board cautioned Gary Griffin that consideration be given to the need of a possible turn-around should be included in the drive-way plan.

Motion: Mike Radzicki

Second: Charles Hajdu

Motion was made to ask Chairman Pichierri on the behalf of the Sterling Planning Board to endorse the plan of Sholan Homes, INC. 33 Main Street, Sterling, MA. 01564, dated March 26, 2013, prepared by Whitman & Bingham, 510 Mechanic Street, Leominster, MA. 01453. Plan numbered P-5-G-178. There was no further discussion, motion carried; there was five to zero vote in favor of the plan as submitted.

Zoning Bylaw Amendment RE: Multi-family Development

Chairman Pichierri reminded James B. Simpson that he was advised that the board would be availing themselves of Attorney Mark Bobrowski's services for the review of the proposed zoning amendment change.

Chairman Pichierri then read an email received March 27, 2013 from Bobrowski concerning amending the multi-family bylaw:

Board: after speaking with Lucinda, I must agree with Ken. I cannot recommend changing 4.2 for one project simply because it won't fit. Here are 2 alternatives. Amend the bylaw by adding an overlay district for Jim that better captures what he wants to do. At 20 acres his land will withstand a spot zoning challenge. Or amend 4.2.4. By adding a possible. Waiver of 4.2.2 and 4.2.3 where the project offers diversified housing options or other specified amenities. Best, Mark

Ken Williams stated that the number of units remain at 8 dwelling units maximum, instead of proposed 4 units. Mr. Williams again suggested that revisions not be made to the current bylaw, but that a new bylaw is written in addition to the existing bylaw.

Motion: Ronald Pichierri

Second: Charles Hajdu

Motion was made for the Planning Board to take a vote to support submission of multi-family bylaw amendment modification as submitted by James B. Simpson to be placed on the town warrant for vote at the Annual Town meeting. A vote was taken with four members in favor and one opposed.

The reason for the opposed vote, given by Ken Williams, is that the Planning Board should not make a decision or vote until after the Public Hearing and input from the public is heard.

ANR

Charles Pillsbury, 6 Heywood Road, Sterling, MA. 01564, who did not attend the meeting, left a plan for endorsement.

Motion: Mike Radzicki

Second: Charles Hajdu

Motion was made to ask Chairman Pichierri, on the behalf of the Sterling Planning Board, to endorse the plan of Charles A. Pillsbury, 6 Heywood Road, Sterling, MA. 01564, dated February 11, 2013, prepared by James E. Gaffney Co., 55 St Jean Avenue, Leominster, MA. 01453. Plan numbered 6756-A. There was no further discussion,

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motion carried, ; there was a five to zero vote in favor of endorsement of the plan as submitted.

MINUTES

Motion: Mike Radzicki

Second: Ken Williams

Motion made to approve March 13, 2013 minutes with corrections, there was no further discussion, all five members in favor, motion carried.

DISCUSSIONS/REPORTS/FYI

Temporary Moratorium on Medical Marijuana Treatment Centers was discussed with the need to have regulations in place to provide for a temporary moratorium on the use of land or structures for a medical marijuana treatment center. Chairman Pichierri suggested that the board should consider writing an Article and submitting it to the Board of Selectmen for a future placement on a warrant.

Article 4 – Create and Fund Planner Position

After discussion the board moved to not support the position of Land Planner at this time due the lack of funding and the Planning Board should pursue other uses, such as job sharing a planner with another town. All members agreed that they were not in favor of a town planner.

Article 28 – Special Legislation Earth Removal

Article 29 – Amend Bylaw / Earth Removal

Massachusetts Municipal Association looked at the organization chart and saw that almost no town in MA has a standalone earth removal board. That function is always handled by a permit granting board, mostly commonly the Planning Board. The Town Government Studies Committee recommended that the Earth Removal Board be placed under the Planning Board.

The Planning Board members were in agreement that they did not support the Earth Removal Board being placed under the Planning Board.

ZBA

There was nothing to report.

CHAIRMAN’S REPORT

There is no chairman’s report.

ADMINISTRATIVE ASSISTANT REPORT

A reminder was given about upcoming date for Ethic’s Test, due date April 5th.

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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 payroll.

Motion: Ken Williams

Second: Ron Pichierri

Motion made to cancel the regularly scheduled meeting of April 10, 2013, there was no further discussion, all members in favor, motion carried.

MOTION TO ADJOURN

Motion: Mike Radzicki

Second: John Santoro

Motion made to close meeting, there was no further discussion, all members in favor, meeting adjourned at 8:59 pm.

The next regularly scheduled Planning Board Meeting is April 24, 2013 at 7:00 PM.

APPROVED BY:
