

Final

**STERLING PLANNING BOARD
MEETING MINUTES**

October 9, 2013

– Rm. 202 Butterick Bldg.

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

Chairman Williams calls the meeting to order at 7:00 PM.

ANR's.

Steve Ballard, Whitman & Bingham, 510 Mechanic Street, Leominster, MA presented an ANR for Justice Hill Road. After preliminary review it was decided that the plan was deficient in the following:

- Abutting parcel missing
- Total frontage
- 61-A release notation needed
- No building permit can be granted until BOS and Board of Assessors releases the 61A property

Whitman & Bingham will return to the October 30 meeting with a revised ANR plan.

MINUTES APPROVED

September 25, 2013 minutes were held until the next regularly scheduled meeting.

**Proposed Site Plan Review
146 Pratts Junction Road**

The applicant proposed to construct a 100 x 200 foot commercial building with a single access driveway, 22 feet coming in, with a loop road going around the building, located in the light industrial zone with mixed use. Located on the right side of the building will be eight, 25 x 50 foot deep bays for individual use leases and the left side of the building, single use 50 x 200 or two 50 x 100 light industrial uses. The smaller bays will be more warehouse style for contractors to store their working commercial equipment. There will be no office space; it is designed to be a warehouse. Proposed use for the building will be provided.

A grading and drainage sheet was provided. The site is designed to the side lines with grassed DEP water quality swales. The runoff from the site will go into the swale in a kidney shaped water basin located at the rear of the property. 100% of the rain water will

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go into basins with no water runoff outside of the property. A drainage summary was provided with the plan, including the calculations for impervious and pervious drainage, (note seven and eight on the site plan). The site is located in the Water Resource Protection District, which is why the 100% recharge of runoff water is necessary.

Floor drains will be drained to a tight tank. A schedule of maintenance will be included with the plan. One drain will be located in each bay. This is all included in the plumbing code. The plumbing plan will be included with the building permit application.

Motion: Ron Pichierri

Second: Ken Williams

Motion made to continue Site Plan review for 146 Pratts Junction Road, Plan Project #10-629, for Sande Realty Corp, P.O. Box 652, Sterling, MA, 01564, until November 13, 2013 at 8:00 pm. Mike Radzicki will not be at the November 13 meeting, but agreed to read the minutes, there was no further discussion five to zero in favor, motion carried.

228 Leominster Road FISHCO, LCC

Anthony Cleaves, Whitman & Bingham Associates, presented an updated plan to accommodate the responses received from the various boards and Planning Board consultant Scott Miller, Haley & Ward.

The first revision reduced the occupancy proposed for the building so that the number matched the proposed existing parking spaces.

The second revision incorporated comments received from Haley & Ward, as follows:

- 1) The fire protection capacity of the water distribution system should be evaluated prior to construction approval. This evaluation should include the following components
 - i) Fire flow demand based upon proposed construction and NFPA standards. It should be noted if the structure will include fire sprinklers and the applicable code.
 - ii) Fire flow capacity to the site through the connection to the distribution system.

Capacity should be based upon hydrant flow tests conducted by the applicant.

Response from Anthony Cleaves, Whitman & Bingham:

The intent is to put a sprinkler system in the building. Since the site walk on October 6, 2013, and since Haley & Ward's review letter, Cleaves has had the opportunity to talk to the water department and was told that there is very high water pressure off of North Row Road. The water department recommended leaving the lines at six inch instead of an eight inch pipe, and felt that there would be adequate supply of water.

- 2) The placement of a fire hydrant on site should be considered together with an upgrade of the main from North Row Road to that hydrant from 6 to 8 inches. This would allow for an exterior hose stream for building entry or a non-structure fire. Alternatively, input

from the Fire Department should be sought with respect to the use of the hydrant located at the driveway apron at Leominster Road.

Response from Anthony Cleaves, Whitman & Bingham:

After conversation with both the Fire and Water Department, there has been an addition of a hydrant to the site plan. Lt. Kokernak (Fire Department) said that the addition and location of the hydrant was fine. Again, the six inch pipe was felt to be more than adequate and that the eight inch pipe would be overkill. A separate water sheet has been added to the site plan.

The water line will be under the sewer, the typical lines are not very deep, so in this case the water will be under the sewer so that the line does not freeze. There will be a concrete encasement of both of these lines just in case one or both would crack, for whatever reason, the casement would not cross contaminate.

3) The existing driveway scales to a width of 14 to 15 feet. Your zoning requires an 18 foot width for nonresidential uses.

Response from Anthony Cleaves, Whitman & Bingham:

The intent of the project is to utilize the existing structure already in place. There are an additional 30 parking spaces located in the grass, the grass parking spaces are 10 feet apart. Parking lights are shown on the plan and some low level lighting is provided for low level lighting.

The Planning Board reviewed and considered the narrow roadway; it was decided to allow the road width.

4) The guard rail should be extended wherever a 6 foot wide, maximum 4H:1V slope is not available along the edge of the pavement. This appears to apply to the south side of the entrance drive between the west end of the existing rail and utility pole 2.

5) A stop sign should be provided at the entrance onto Leominster Road.

6) A raised berm, approximately 6 inches high and 12 inches wide should be placed at the North Row Road apron to maintain street run off within the roadway gutter.

7) If outdoor functions or other events are planned that may exceed the 94 person / 47 parking space proposed limit, a reserve overflow parking area should be designated. The overflow area should consist of an open grassed area with firm foundation, free of structures.

8) Parking lot lighting should be provided.

9) The parking area should be restriped to provide a 24 foot aisle.

Responses were received from various boards.

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DPW sent a recap of what was discussed with Anthony Cleaves in an email pertaining to water service. The concerns were:

- Fire hydrant type, a clow medallion was preferred
- Plastic pipe 6" 909 suitable for water main
- Any hydrant and tee's must be properly thrust blocked
- Recommended to tap the domestic water service off the 6" sprinkler line

After review by the Planning Board and Scott Miller, it was determined that the concerns had been addressed either on the plan or in person with DPW.

Police Department said that the plan did not raise any concerns for the police department.

Conservation Commission gave a negative determination and will be issuing the formal WPA Form 2 at their next meeting.

The **Board of Health** reviewed the plan and found the proposed site plan seating capacity complies with the design flow calculations of seating capacity associated with the existing subsurface disposal system permit, dated September 26, 1989. In addition, a completed review of a Title 5 inspection report, dated October 20, 2010, indicating that the subsurface disposal system has been functioning properly under the conditions of the use during that time frame. Based on this information, the Board of Health has no objection to the proposed plan as submitted.

Fire Department reviewed the plan and had no concerns.

Building Inspector reviewed the site plan and noted that there is a reduction in required parking for the proposed use. A simple reconfiguration of the proposed parking would allow for as many as four additional parking spaces. This could be accomplished by having only the required number of handicap and van accessible handicap spaces on site. CMR 521, Table 23.2.1 illustrates the requirement for 3 handicap accessible spaces if 59 total spaces are required. The proposal lists 5 handicap slots with two of them being van accessible, which far exceeds the requirement noted here. The width of the existing driveway is not noted. Signage is not noted or discussed and should be located at all handicap parking spaces per, 521 CMR, Section 23.6. While this is an existing parking lot, it should be noted that there are no trees as in 3.2.6 or lighting as in 3.2.4 of the Protective By-laws. Directional signage should also be illustrated in order to control travel on the narrow driveway and possible conflicts within the parking area.

Motion: Ron Pichierri

Second: Mike Radzicki

Motion made to approve the proposed site plan for 228 Leominster Road, Sterling, Ma., prepared for FISHCO, LLC, P.O. Box 37, Sterling, MA. by Whitman & Bingham Associates, Registered Engineers and Land Surveyors, 510 Mechanic Street, Leominster, MA 01453, Plan Number 4-L-873, Assessor Map 29, Parcel 2, Worcester Registry of Deeds Book # 49691, Page 28. Subject to the Order of Conditions that will be prepared relative to this site plan. Ken Williams will draft the Order of Conditions and present

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them at the next scheduled meeting of October 30. There was no further discussion, five to zero in favor, motion carried.

The conditions were restated by Charles Hajdu as follows:

- 1) The fire protection capacity of the water distribution system should be evaluated prior to construction approval. This evaluation should include the following components
 - i) Fire flow demand based upon proposed construction and NFPA standards. It should be noted if the structure will include fire sprinklers and the applicable code.
 - ii) Fire flow capacity to the site through the connection to the distribution system. Capacity should be based upon hydrant flow tests conducted by the applicant.
- 2) The placement of a fire hydrant on site should be considered together with an upgrade of the main from North Row Road to that hydrant from 6 to 8 inches. This would allow for an exterior hose stream for building entry or a non-structure fire. Alternatively, input from the Fire Department should be sought with respect to the use of the hydrant located at the driveway apron at Leominster Road.
- 3) Additional sign for the driveway.
- 4) Extension of the guardrail.
- 5) Reflectors placed on the driveway.
- 6) Subject to Conservation Commission approval.
- 7) As-built submitted to the Planning Board in paper and digital format.
- 8) Stop sign at the entrance to Leominster Road.
- 9) Paving at the discretion of the applicant based on ConCom recommendation either paved or gravel on the bump out off the road edge.

DISCUSSIONS/REPORTS/FYI

Scott Miller presented the Board with two outstanding invoices. One invoice dated October 31, 2011, for Redstone Heights, Chad Lane was for services requested by Conservation Commission and will be given to that board. One invoice for November 17, 2010 for \$3,518.76, for Redstone Heights Definitive Phrase is still open. Carl Corrinne questioned some of the charges previously on this invoice and it was being held until he returned to the board to negotiate the invoice.

Scott Miller also asked that the board sign an agreement document regarding the financial arrangement between the Sterling Planning Board and Haley & Ward. This document will be held until our next regularly scheduled meeting.

Old Webster Supply Building

An email received from Town Administrator, Terri Ackerman requesting any and all comments on the proposed growing facility for medicinal cannabis in the existing Webster Vet Supply Building on Route 12 was received September 26, 2013. CEO, John Glowick, discussed the proposal with the Board of Selectmen meeting of September 25, 2013. No dispensing to patients will take place at the facility. No action was taken.

Attachment: Added to the minutes October 14, 2013

A conference call was held with Town Administrator, Terri Ackerman; Planning Chairman, Ken Williams; and CEO, Prime Wellness of Massachusetts, John Glowik. The discussion was in regards to clarification on the intent of use for the Sterling medicinal cannabis growing facility. Mr. Glowik assured the listeners that the site would strictly be a growing facility and not a dispensary.

Signage Butterick Building

An email was received September 26, 2013, from Town Administrator, Terri Ackerman concerning the signage at the back of the Butterick Building. The Select Board and the Planning Board have each discussed the wording of the signage behind the Butterick Building. The Selectboard decided to post signs stating “One Way” and “Emergency Vehicles Only”, the wording has been reviewed with Town Counsel and there was no problem.

Senior Center Design Thank you Letter

A letter addressed to the Planning Board was received from the Senior Center Building Committee thanking the board for their input on their site plan and more importantly for waiving the fee normally associated with the permitting process. The Senior Center Building Committee was made aware that any outside consulting fees would not be waived.

The Senior Design Center Committee from Maureen Cranson, Co-Chairman, was read into record by Chairman Williams.

Dear Chairman Williams,

Sterling Planning Board

1 Park Street

Sterling, MA, 01564

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Dear Chairman Williams,

The Sterling Senior Center Design and Building Committee would like to thank you for the waiving of certain fees normally associated with the permitting process in Town. The committee is sincerely appreciative of your Board's contribution towards advancing the Senior Center Building project.

At your meeting, Anthony Cleaves from Whitman and Bingham outlined our progress and solicited recommendations and concerns from the Planning Board regarding the future senior center. We are confident that Whitman and Bingham will produce sound engineering site plans for all parties to view and eventually approve.

The Building Committee was pleased with the input we received.

We will schedule a formal meeting with your Board when we have investigated and incorporated all feasible recommendations into a complete proposal.

Again, thank you for your cooperation.

Regards,

Maureen Cranson, Co-Chairman

Senior Center Design and Building Committee

ZBA

There were no Zoning Board of Appeal notices.

CHAIRMAN'S REPORT

There is no chairman's report.

ADMINISTRATIVE ASSISTANT REPORT

Lucinda notified the board of upcoming Jury Duty, October 21, with the possibility of continued time, if selected. Also, the board was reminded concerning the upcoming Training Session scheduled for October 28 and 29 in West Boylston, regarding the Zoning Module Municipality Training.

MAIL

Miscellaneous mail was reviewed.

NOTICES FROM OTHER TOWNS

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Notices from other Towns were made available for review and were passed on to the Zoning Board of Appeals.

INVOICES

The board members sign payroll.

An invoice was received from Mark Bobrowksi and was held until the additional information requested from the “Dean of the Roads”, Sydney Smithers, was received. The July 31, 2013 minutes, recorded:

Mark Bobrowski suggested the “Dean of Roads”; Sydney Smithers provide a determination on exactly where the road was discontinued. Bobrowski will contact Smithers and ask if he would give an opinion on this matter. Bobrowski said he will try to keep the cost to the originally agreed upon dollar amount, (\$1,200.00 including his fee).

An email has been sent to Bobrowski asking for the information on the road, he replied with the question “if the board was prepared to pay Smithers’s for an hour or two?”

An email will be sent to Bobrowski requesting Smithers’s hourly rate and a reminder that he (Bobrowski) suggested at the July meeting that the cost could be included in the originally agreed upon amount.

MOTION TO ADJOURN

Motion: Ron Pichierri

Second: John Santoro

Motion made to adjourn meeting, there was no further discussion, five to zero in favor, meeting closes at 9:55 pm.

The next regularly scheduled Planning Board Meeting is October 30, 2013 at 7:00 PM.

APPROVED BY:
