

Final

**STERLING PLANNING BOARD  
MEETING MINUTES  
November 27, 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 7:02 PM.

**ANR's.**

There are no ANR's

**MINUTES APPROVED**

**Motion: Ron Pichierri**

**Second: John Santoro**

Motion made to approve October 9, 2013 minutes with corrections, there was no further discussion, five to zero in favor, motion carried.

**Motion: Ron Pichierri**

**Second: John Santoro**

Motion made to approve October 30, 2013 minutes with corrections, there was no further discussion, five to zero in favor, motion carried.

**DISCUSSIONS/REPORTS/FYI**

Notice of the Commonwealth proposed acquisition of an Agricultural Preservation Restriction on property in town was received from Town Administrator, Terri Ackerman. The application received indicated that the property, 88 Rugg Road, is owned by Wayne Grinkis, David Grinkis, Gayle Dudra and Jean Elsaessar and consists of approximately 101 acres.

At the Select Board meeting of November 7, 2013, it was suggested that input from the Planning Board should be sought, and after input, the Select Board would be prepared to make a decision. James French attended the Select Board meeting to show his support and said the Sterling Land Trust supports open space initiatives. The Conservation Commission also supports this initiative.

A letter will be drafted requesting further information regarding the acquisition before a decision from the Planning Board can be rendered.

**ZBA**

## Final

Notice was received from the Board of Appeals regarding the public hearing on November 12, 2013, for the application of Kevin Prest for a Special Permit for purposes of a basement in-law apartment on property owned by him and situated on the southerly side of Cole Road known as number 8 Cole Road, shown on Assessor's Map 9, Lot #27.

The vote was to grant the requested Special Permit with the following stipulations:

- 1) That a revised construction plan must be submitted to the Building Inspector showing the floor area of the accessory apartment and the area will not exceed 800 square feet.
- 2) That all Federal, State and local laws are upheld and all necessary permits are obtained.

### **CHAIRMAN'S REPORT**

There is no chairman's report.

### **ADMINISTRATIVE ASSISTANT REPORT**

Training for Muncity Software will be December 5, 8:30 – 5:00 pm and December 6, 8:30 – 12:30 pm in the Planning Board office.

Carl Corrinne has requested additional information on his outstanding invoice from Haley & Ward. Mr. Corrinne was unable to attend tonight's meeting due to the Thanksgiving holiday.

Board members were informed of the "Holiday Gathering", Monday, December 23, 5:00 -7:00 PM, Butterick Building. This is also a "good-bye" get together for outgoing Town Administrator, Terri Ackerman.

At the request of a citizen's petition, the Board of Selectmen has called a Special Town Meeting for Monday, December 16, 2013, at Chocksett School. There will be one article on the warrant.

The Board of Selectmen has voted to retain new Town Counsel, beginning January 1, 2014. Our new Town Counsel will be Kopelman & Paige. Lead Counsel will be Gregg Corbo for general matters and Brian Maser for labor matters.

Mark Bobrowski was contacted concerning the issue with Redstone Place, in regards to abandonment or discontinuation of the road. In a previous email to Bobrowski, he was reminded that the issues concerning the road (either abandonment or discontinuation) were to be addressed under the original amount voted to be paid by the board (\$1,200.00).

Bobrowski replied that Sydney Smithers ("Dean of Roads") was unsure what the Town of Sterling wanted him to do with the road layout. He would be willing to check further into the issue and his hourly rate is \$325.00.

The Planning Board decided to not seek further legal counsel concerning the question of "abandonment" or "discontinuation" of Redstone Place.

Gary Griffin inquired about an update on Redstone Place, whether it had been determined to be an abandoned or a discontinued road.

Ken Williams stated that it was the Planning Board's decision to seek legal counsel to get these questions answered. Now it appears that the money required for this task is outside of the amount of money approved. The Board was in agreement to not further pursue the road issue or expend any additional funds.

**146 Pratts Junction Road**  
**Sande Realty Trust**

Denis McLaughlin, Design Engineer for Sande Realty Trust, 146 Pratts Junction Road, provided the Board with a review letter and amended plans.

Haley and Ward completed a review of the site plan submitted for 146 Pratts Junction Road. The calculations were prepared by Denis J. McLaughlin III, dated October 1, 2013, with revisions through November 24, 2013. The following comments were made. The applicant's response is provided with outstanding items shown in a bold font.

- 1) The submittal references drainage calculations that were not provided in the package. These calculations should be provided.

**Response:** Drainage calculations have been provided to adequately support the design.

- 2) A handicapped accessible parking space should be provided.

**Response:** An accessible space has been added.

- 3) Accessible routes should be provided from a handicapped accessible space to each of the units.

**Response:** The HP space is located at the front of the structure with an accessible route to the building entrance.

- 4) 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.

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**Response:** The structure will have a fire sprinkler system. The applicant will submit documentation as part of the building permit process.

**Side note** – response from DPW stated that there are no fire flow issues, there is a 12” water main on Pratt Junction Road with an excess of 100 psi.

5) Building elevations should be provided.

Response: An elevation sheet has been provided.

6) The lot is located wholly within the Water Resource District defined by a mapped Zone II. The applicant should confirm that:

i) No petroleum products will be stored on site except as provided by 4.6.4 (b)

ii) No use which involves the manufacture, generation, processing, packaging, repackaging, use, storage, treatment disposal or transportation of toxic or hazardous materials or waste except as provided by 4.6.4.(d)

iii) No automotive service or repair shops should be on site.

There was discussion concerning ADA compliance and if the site plan should be reviewed by the Matt Marro, ADA Coordinator for the Town of Sterling. After further discussion it was decided to ask Matt Marro if he would review the site plans, which he has already received for the Conservation Commission, and give an opinion on the ADA compliance in the form of an email to the Planning Board office.

Engineer, Denis McLaughlin, suggested that ADA Coordinator should be added to the Distribution List when plans are initially distributed.

### **Motion: Ron Pichierri**

### **Second: Michael Radzicki**

Motion made to approve the site plan for Sande Realty Trust, 146 Pratts Junction Road, Sterling, MA. 01564, dated September 2013, Project #10-629, drawn by Denis McLaughlin III, PE, Post Office Box 631, Gardner, MA. 01440, with the following conditions.

- 1) Approval from the Board of Health.
- 2) Removal of fence, and replace on property line.
- 3) 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.

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- 4) Performance guarantee in the amount of \$5000.00 to cover any potential damage to Pratts Junction Road up to or until the entrances/driveway aprons are inspected and approved.

Ron Pichierri suggested that a site visit would be beneficial once construction is underway. There was no further discussion, five to zero in favor, motion carried.

## 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.

## Haley & Ward Engineering Agreement

**Motion: Ron Pichierri**

**Second: Michael Radzicki**

Motion made to approve Engineering Agreement, Peer Review of Projects with Haley & Ward. Ron Pichierri would like a list of jobs performed and the hourly rate with an estimate of time and cost needed to complete. Scott Miller replied that he would be able to provide the information. There was no further discussion, five to zero in favor, motion carried.

## **Continuation of Site Plan Review 140 Pratts Junction Road**

Haley and Ward completed a review of the site plan submitted 140 Pratts Junction Road. The calculations were prepared by Graz Engineering and dated October 3, 2013 with revisions through November 12, 2013. The applicant's response is provided with outstanding items shown in a bold font.

- 1) A handicapped accessible parking space should be provided in each of the parking areas for Buildings A/B and for Buildings C/D.

**Response: Four accessible spaces have been provided, one at each building.**

- 2) Accessible routes should be provided from a handicapped accessible space to each of the units.

**Response: The layout provides an accessible route from each parking space.**

- 3) 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: The drawings note that a sprinkler system is not proposed or required.**

- 4) Building elevations should be provided.

**Response: Typical elevations have been shown on Sheet 7.**

- 5) Details of the proposed building and parking landscaping should be provided. Parking area landscaping shall be shown to conform to section 3.2.6 of the Protective Bylaw.

**Response: Landscaping has been shown on Sheet 3.**

- 6) The bioretention notes reference a table of suitable plantings (Table B-1) that is not provided.

**Response: A table of appropriate plantings has been provided. The submittal does not provide information on the quantity or type of plantings. Please consider the following condition of approval: A minimum of two trees and three shrubs from Table BA-1 shall be provided for each 600 square feet of bioretention area.**

- 7) The drawings note an aquifer boundary passing through the site defined by the limits of a mapped 100 gpd yield. The site does not overlay the Stillwater Aquifer however. The lot is located wholly within the Water Resource District defined by a mapped Zone II. The applicant should confirm that:

- i) No petroleum products will be stored on site except as provided by 4.6.4 (b)
- ii) No use which involves the manufacture , generation, processing, packaging, repackaging, use, storage, treatment disposal or transportation of toxic or hazardous materials or waste except as provided by 4.6.4.(d)
- iii) No automotive service or repair shops.

**Response: This condition has been noted on Sheet 6.**

Board of Health approval is outstanding at this time. Conservation Commission approval is pending an RDA, which is filled out and waiting for a ConCom meeting to submit. DPW requires a performance guarantee in the amount of \$5,000.00 to cover any potential damage to Pratts Junction Road up to or until the entrances / driveway aprons are inspected and approved.

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**Motion: Ron Pichierri**

**Second: Michael Radzicki**

Motion made to continue site plan review for JJCEV Realty Trust, 140 Pratts Junction Road, Sterling, MA. 01564, until December 11, 2013 at 8:00 pm, there was no further discussion, five to zero in favor, motion carried.

### **Old Business**

Conservation Commission versus Corrinne drainage issues was discussed. John Santoro said that there was a “limited agreement” to fix the drainage issues. Nothing at this time has been finalized.

### **INVOICES**

Invoices were signed for the following:

Haley & Ward – FISHCO, LLC

Haley & Ward – JJEV, 140 Pratts Junction Road

Haley & Ward – Sande Realty, 146 Pratts Junction Road

Haley & Ward – Primrose Lane was held until a written report is submitted by Haley & Ward.

Release of Funds – Solar Energy, LLC (18 Wiles Road)

### **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 closed at 9:51 pm.

**The next regularly scheduled Planning Board Meeting is December 11, 2013 at 7:00 PM.**

**APPROVED BY:**

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