

Final

**STERLING PLANNING BOARD
MEETING MINUTES**

October 29, 2014

– Rm. 202 Butterick Bldg.

Present: John Santoro – Vice - Chairman
Ron Pichierri – ANR Agent
Michael Pineo – MJTC Rep.
Charles Hajdu – Member
Lucinda Oates – Administrative Assistant

Absent: Kenneth Williams– Chairman, Clerk

Acting Chairman John Santoro calls the meeting to order at 7:00 PM.

A moment of silence was observed for the unexpected death of Town Administrator Jeff Ritter, and the passing of George Pape.

ANR

McCarty presented an ANR plan that would create four lots on North Cove Road. One for the existing residents located on North Cove Road; one that fronts on Kendal Hill and Swett Road and two new lots on North Cove Road. The ANR plan had been submitted previously, McCarty is returning after the Board had an opportunity to review the plan.

McCarty stated that his client is entitled to an endorsement under the ANR process. The plan provides adequate frontage on a way in existence prior to the Town's adopting subdivision control land; and there is adequate access on North Cove Road. McCarty offered legal review done at the applicant's expense to clear any outstanding questions.

Motion: Ron Pichierri

Second: Mike Pineo

Motion made to table the ANR submission to give time for a legal opinion paid by the applicant, with an acknowledged amount to be determined, to be done prior to endorsement of the plan. There are a number of irregularities that merit a further review and more time is needed to research the ANR plan. There was no further discussion, four to zero in favor, motion carried.

ANR

Brian Foley presented an ANR plan at 7:35 PM. This is the same plan that has been previously reviewed by Ken Williams, with a restricted note on lot # 3 showing that a ZBA variance will be needed, and will not be considered a building lot until the variance is approved. The plan provided for four building lots and one lot to be determined. The deed has been recorded with Worcester South Registry of Deeds, Book # 52933, and page 140.

Note: At the board meeting, Ron Pichierri stated that he and John Scarsella (Sterling Properties, INC) had parted company amicably.

Motion: Charles Hajdu

Second: Mike Pineo

Motion made to endorse ANR submission for LCM Realty Trust & TCF Holdings, LLC, 383 Redemption Rock Trail, Sterling, dated October 24, 2014, plan prepared by Graz Engineering, LLC, 323 West Lake Road, Fitzwilliam, NH 03477, Assessors Map 86 Parcel 4, Job Number 140108, located on the northerly side of Clinton Road (Route 62) across from Lesley Lane, plan creates 5 lots from one 2 ½ +/- acre parcel. There was no further discussion, three voted in favor, one against, motion carried.

Rock Breakers Site Plan Review

Jamie Rheault, Whitman & Bingham, Associates was heard at 8:02 PM. Scott Miller reviewed the plan and provided ten comments to Whitman & Bingham; at this point in time all but two of the concerns had been addressed.

- 1) On site fire hydrants should be provided to support firefighters entering the building or to fight vehicle and truck fires. Input from the Fire Department should be solicited for hydrant placement and minimum flow requirements.*

Response from Whitman & Bingham: the applicant requests that the Planning Board condition a favorable decision to include the following condition:

The applicant is to comply with requests by the Sterling Fire Department with regards to the location of fire hydrants and the minimum flow requirements.

- 2) The proposed lighting and photometric plan should be provided.*

Response from Whitman & Bingham: the proposed lighting and photometric plan and cut sheets are included with the plan.

Jamie Rheault read the comments received from Lt. Thomas Kokeranak:

I received the site plans for the Rock Breakers project on Chocksett Rd. My concerns at this point is to make sure that the fire department will have unobstructed 360 degree access to the building and to advise that due to the proposed size of the building, we will likely be requiring at least one additional hydrant to service the site, the exact number to be determined when we have the chance to review construction drawings that indicate where fire protection features such as fire department connection to the sprinkler system, building access doors etc.

Let me know if you need anything else,

Lt. Thomas Kokernak

Final

Sterling Fire Department

Rheault said that testing will need to be done and architectural plans will be submitted to the Fire Department and that Fire could review them at that time, and the plan would be revised according to Fire's recommendations.

Septic system plans have been submitted to the Board of Health, they will be reviewed at their meeting of November and Rheault asked that the Planning Board approve the plan subject to any and all permits that are necessary.

An email was read from Conservation Commission Matt Marro:

The Conservation Commission approved the plan in its current form subject to review of the drainage by one of our members who is an engineer (Mr. Pavlowich). The Order will be signed and issued in 2 weeks.

Conditions to be included on the site plan approval letter:

- Fire department location of fire hook-up and hydrants
- All permits must be in place before issuance of building permit
- As-built must be submitted

Motion: Charles Hajdu

Second: Ron Pichierri

Motion made to approve site plan for a proposed warehouse distribution center off of Chocksett Road, plan dated September 17, 2014, with one revision October 10, 2014, applicant Rock Breakers, LLC, 3 Park Street, Leominster, MA. 01453. Engineer and surveyor Whitman & Bingham Associates, LLC, 510 Mechanic Street, Leominster, MA., 01453, Plan # 4-L-900, Job Number 10049. In addition, submission of conditions from fire department, as-built plan provided prior to release of occupancy permit, photometric plan, , and whatever permits that need to be in place. There was no further discussion, four to zero in favor, motion carried.

Curb Cuts

Motion: Ron Pichierri

Second: Charles Hajdu

Motion made to approve permit for entrance to a public way presented by George Lussier of Lussier Builders for 33 Wiles Road, Sterling, submitted September 25, 2014, there was no further discussion, four to zero in favor, motion carried.

Curb Cuts

Motion: Ron Pichierri

Second: Mike Pineo

Motion made to approve permit for entrance to a public way presented by Brian Foley, LCM Realty Trust & TCF Holdings, LLC, for five (5) curb cuts on an ANR plan that was approved earlier this evening, 38 Clinton Road, Sterling, submitted October 17, 2014, there was no further discussion, four to zero in favor, motion carried.

MINUTES APPROVED

Motion: Charles Hajdu

Second: Mike Pineo

Motion made to table September 24, 2014, and October 8, 2014, minutes until our next scheduled meeting, there was no further discussion, four to zero in favor, motion carried.

ZBA

There were no documents to review.

CHAIRMAN'S REPORT

There is no chairman's report.

ADMINISTRATIVE ASSISTANT REPORT

Lucinda reminded the board of upcoming vacation time November 10-12 and November 17-19.

Motion: Ron Pichierri

Second: Charles Hajdu

Motion made to cancel November 12, 2014 meeting, with a tentative meeting on November 26, 2014, at 7:00 PM, with a decision made by the Chairman to meet if there warrants a meeting, if not then the meeting will be scheduled December 10, 2014 at 7:00 PM. There was no further discussion, four 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.

INVOICES

The board members sign Lucinda's payroll.

ADDITIONAL NEW BUSINESS

Discussion was held concerning the proposal for legal review and estimate of work for ANR plan presented by McCarty Engineering.

Three main issues for the legal to review:

- Was the frontage used on the original lot
- When the town officially named the road

Final

- When the land was donated to the town and used as an access to North Cove Road

Motion: Charles Hajdu

Second: Mike Pineo

Motion made to schedule a “working” meeting November 5, 2014 at 4:00 pm in the Butterick Building to discuss a legal draft to give to town counsel. There was no further discussion, four to zero in favor, motion carried.

Motion: Charles Hajdu

Second: Ron Pichierri

Motion made to publicly refuse to elect a person from the Planning Board to the position of MRPC (Montachusett Regional Planning Commission), there was no further discussion, four to zero in favor, motion carried.

Lucinda will notify (email) Stephanie Brow (MRPC administrator) and Select Board, John Kilcoyn the decision of the Planning Board concerning the refusal to serve on the MRPC.

MOTION TO ADJOURN

Motion: Mike Pineo

Second: Ron Pichierri

Motion made to close meeting, there was no further discussion, four to zero, meeting adjourned at 9:10 PM.

The next regularly scheduled Planning Board Meeting is November 26, 2014 at 7:00 PM.

APPROVED BY:
