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**Final**  
**STERLING PLANNING BOARD MINUTES – April 13, 2016**

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Mr. Williams stated that as long as he has been on the Board, a request has never been denied and would be in favor of granting this request.

Mr. Pichierri stated that there is nothing to be gained by denying his request as he would have to start all over again with the same process for a subdivision approval.

Mr. Pineo asked Mr. Pichierri if he could offer a timeline of when he would have each outstanding item completed. He did not other than say he needed more time.

Mr. Philpot confirmed with Mr. Pichierri that two of the three lots have been sold. With two thirds of the project complete, what guarantee is there that this project will ever be completed? This could go on forever and now this Board is standing on very soft ground.

Mr. Philpot made a motion to deny the two year request for extension of time. Mr. Santoro seconded the motion. Mr. Williams stated that Mr. Pichierri has always come through and he sees no reason to deny his request. The motion passed with three in favor and one opposed (Mr. Williams).

It was noted that Mr. Pichierri made his intentions known that he would be resubmitting his request with a one year extension of time at the Board's next meeting.

**Street Numbering ~ 149 Greenland Road**

At 7:30 p.m. Mr. Philpot disclosed that he has had an existing professional relationship with Sterling Real Estate Development and recused himself from the remainder of the meeting.

James B. Simpson was on hand to request the Board assign individual street numbers to the five buildings which will be constructed on Assessor's Map 117 Parcel 2 which presently has the address of 149 Greenland Road. There are two buildings up at present and three more will be built. He indicated that by assigning individual numbers it would make it easier for the people occupying the buildings and simplify delivery and emergency situations.

Mr. Santoro moved that the Board assign numbers 141 and 143 Greenland Road to the two existing buildings and 145, 147, and 149 Greenland Road to the three future buildings being constructed (Map 117, Parcel 2). Mr. Pineo seconded the motion. The motion passed with two in favor and one opposed (Mr. Williams).

Mr. Williams stated that he was divorcing himself from assigning future street numbers.

**SITE PLAN REVIEW ~ Sterling Real Estate Dev. Co., & Sholan Homes, Inc. (Continuation)**

James B. Simpson, Sterling Real Estate Development Co., Inc., was on hand with Jamie Rheault and to discuss the proposed Site Plan Review application for Assessor's Map 91, Lot 53 (43 Redstone Hill) & Assessor's Map 91 Lot 30 (Off Redstone Hill Road).

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He mentioned there were a few items left to address from the last meeting. One was the removal of the storage building from the plans which has been done. The other was to show a gated access for emergency vehicles, i.e., Police and Fire at the end of Shamrock Way which crosses the discontinued portion of Redstone Place. It is being gated so that no one has access except emergency vehicles as per the Fire Department's request. Mr. Simpson said it was up to the Board if they wanted the gated access.

Mr. Fynan of 13 Redstone Place quoted the ZBA agreeing to include the following wording in the 2014 permit: "4-Approval is subject to the further condition that no roads, utilities, or other passageways shall be connected through to Redstone Place, including the abandoned portion of Redstone Place". He explained that in order to cross Redstone Place, you have to go to Redstone Place to get across it. He further quoted the Planning Board minutes of February 26, 2014; "The prior approvals for this development required no connection of driveways or utilities to Redstone Place and the owner has continued to show this on the present plan. Mr. Simpson said that he will continue to hold true to the abutters and not tie any access to Redstone Place."

Mr. Santoro stated that at the last Planning Board meeting, he was under the impression that the developer would not push a road through Redstone Place.

Mr. Simpson stated that he was here for a site plan approval review as per the Town of Sterling Protective By Laws Section 6.4.7 consisting of nine items none of which has anything to do with this discussion. In his opinion, it is a ZBA issue.

Mr. Simpson confirmed that he was not tying into Redstone Place. He is crossing what used to be Redstone Place which is non-existing. He is using his own property and not tying in to Redstone Place.

Mr. Pineo stated that the site plan review for this project has met all the engineering requirements according to the Town's Bylaws.

Mr. Williams explained that the Town Bylaws state that in order for this project to go to the Zoning Board of Appeals, it has to be preceded by the Planning Board approving a site plan review. The Board has the option of adding or removing additional orders of conditions.

Throughout the discussion, several abutters and concerned citizens addressed issues and concerns with regards to the site plan review.

Mr. Simpson stated that it was his understanding that he satisfied all Mr. Miller's comments with the exception of the fire flow and water flow, gate access or no gate access and water line looping. Also both parcels be combined to make it contiguous.

Mr. Santoro suggested the Board schedule a meeting prior to the next ZBA meeting scheduled for May to review their draft approval letter.

Mr. Pineo moved that the Board approve the Site Plan for Sterling Real Estate Development, Inc., 139 Greenland Road, Sterling, MA, located Off Redstone Hill Road, Assessors Map 91,

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Parcel 30. Plan for a multi-family development, Cider Hill Estates, Off Redstone Hill Road, Sterling, MA 01564, dated January 25, 2016, revised February 8, 2016; March 29, 2016; and April 1, 2016. Prepared by Whitman & Bingham Associates, LLC, 510 Mechanic Street, Leominster, MA 01453, Job #12724, Plan #4-L-870, Civil Engineer Brian F. Milisci. With the exception of any part of the project as shown of the final plans that violates the spirit of our order of conditions of the prior multi-family housing project by the same applicant; on the same site that essentially takes it out of the order of conditions not touching Redstone Place. Including but not necessarily limiting to the proposed emergency access from Shamrock Way to Redstone Place. Mr. Santoro seconded the motion. The motion passed unanimously.

**Note:** After the meeting, Scott Miller submitted the following items to be included in the Order of Conditions:

1. The 4.2 acre site expansion parcel shall be legally merged with the base parcel prior to the issuance of a building permit within the expansion area.
2. The applicant shall prepare a water study providing the normal water service pressure through the site and the fire flow available in the site. Prior to construction approval and the placement of water utilities on the expansion parcel, the applicant shall request and receive the approval of the Sterling Department of Public Works and the Sterling Fire Department.

**MINUTES**

Mr. Pineo moved that the Board approve the minutes for March 30, 2016 as corrected. Mr. Santoro seconded the motion. The motion passed unanimously.

**DISCUSSIONS/REPORTS/FYI**

**Courtesy letter from Earth Removal Board regarding 38 Clinton Road**

The Board acknowledged a courtesy memo from the Earth Removal board updating them on the activities at 38 Clinton Road.

**May 27<sup>th</sup> Planning Board Meeting**

The Board agreed to cancel their May 27<sup>th</sup> meeting due to a lack of quorum. They asked Ms. Kazan to contact all Board members as to their availability for a meeting the first week of May.

**ADMINISTRATIVE ASSISTANT'S REPORT/NOTICES**

Open Enrollment Benefits Fair will be held on Wednesday, April 20<sup>th</sup> if any Board members are interested.

**NOTICES FROM OTHER TOWNS**

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

**INVOICES**

Board members signed the Payroll for Ms. Kazan.

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Mr. Pineo moved that the Board adjourn. Mr. Santoro seconded the motion. The motion passed unanimously.

APPROVED BY:
