



TOWN OF STERLING PLANNING BOARD MINUTES

Butterick Municipal Building, Room 205
1 Park Street, Sterling, MA 01564

May 25, 2023 – 6:30 PM

MEETING:

Present: Carl Corrinne, Patty Page, John Santoro, Mike Temple, Val Pruneau, and Town Planner – Stephen Wallace.

Other Attendees: Brian Kline, Joseph Sweet, Joe Testagrossa, Brian Riley, Blain Bershad, Trevor Fletcher, two principals of NE Fencing Inc., Ron Pichierri, one other.

Agenda

Continued public hearing for building at #17 Stone Crest Way.

The Chair noted that the applicant has yet to submit a new set of plans that address the Town comments and comments from Graves Engineering. The Board voted unanimously to continue this hearing to its next meeting on June 22, 2023.

Site Plan public hearing for change of use at #78 Worcester Road.

The Chair began by reading the public hearing notice and the Board voted unanimously to open the public hearing. New Board member Mike Temple recused himself because he is an abutter. Town Planner explained that the applicant has received a Special Permit to use the properties for a contractor's yard and open-air display, and that the Planning Board's role was to review the Site Plan laying out how the property would be used. The applicant's legal counsel summarized the proposal and their engineer (Trevor Fletcher of GRAZ Engineering) presented the plan, detailing planned improvements to the property. The Chair went through the review letter from the Board's engineering consultant (Graves Engineering). Citizen Joe Testagrossa asked for and received confirmation that the applicant intends to buy the property from the current owner. Joe noted that the Zoning Board proposal was for eight containers and the new plan shows 14 containers. He asked if they could be reoriented to face south instead of east. The applicant responded that doing so could present access problems for loading/unloading the containers. Joe asked about landscaping in the rear of the property. The Chair indicated a preference for having Pine trees planted along the entire rear property line in keeping with what has already been planted. Abutter Joe Sweet noted that the owner altered the property in the rear many years ago so that water flows onto his. Planner asked if he contacted Building or Conservation when the alteration occurred and he said that he had not. Abutter Brian Kline thought that some of the new landscaping could help alleviate the flow of water in the rear of the property. He also expressed concern about safety when trucks enter the road and the property. Applicant responded that most traffic would occur in the morning when their crews load up equipment for the day and then at the end of the day when they returned. The Board then voted unanimously (4 – 0) to close the public hearing. Town Planner read the draft conditions of approval. The Board then voted unanimously (4 – 0) to approve the Site Plan with the following conditions:

1. Other approvals or permits required by the Zoning Bylaw, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.
2. The Site Plan Approval shall apply only to the site that is the subject of the Application. All construction to be conducted on the site shall be conducted in accordance with the terms of this Approval and shall be limited to the improvements shown on the Plan.

3. The Board hereby reserves its powers to modify or amend the terms and conditions of this Approval upon its own motion with consent from the owner or the applicant, or on the Application of the owner or applicant. The Board further reserves its powers to amend this Approval without a new public meeting provided that the Board finds that such amendment is not significant to the public interest and that such amendment is not inconsistent with the purpose and intent of the Zoning Bylaw or with the terms of this Approval.
4. The Site Plan Approval shall lapse after one year from the Board's grant of Site Plan approval if a substantial use thereof has not sooner commenced for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.
5. Except as otherwise set forth in this decision, the property shall be improved in substantial conformance with the application documents submitted by the applicant, including without limitation the plans entitled, Proposed Site Plan – New England Fencing, Inc." Tax Map 137, Lots 3, 4 & 5, dated May 1, 2023, with revisions on May 3, 2023 and May 24, 2023, was prepared by Graz Engineering LLC. Any substantial deviation from such documents shall require further public hearing and approval by the Planning Board.
6. All new parking spaces shall be striped and the accessible space shall be placarded as required by the MA Architectural Access Board.
7. The applicant shall provide information on whom to contact during the construction phase, should any problems arise.
8. New tree planting shall consist of Evergreen & Hemlock trees to match those existing on the property.
9. Fencing installed along the front of the property shall be as depicted in Exhibit A.
10. Fencing installed along the northern and southern property lines shall be consistent with the fencing that currently exists in the rear of the property.
11. Fencing shall be installed along the west side of the existing hardscape display area in the area where cars will be parked.
12. Per Article 4.6 of the Zoning Bylaw (Aquifer and Water Resource Protection Districts), Section 4.6.4 (Prohibited Uses), the following uses shall not be allowed on the premises:
 - No petroleum products will be stored onsite except as provided by Section 4.6.4(b).
 - 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 Section 4.6.4(d).
 - No automotive service or repair shops per Section 4.6.4(t).

Bond release request
for Primrose Lane

Property Owner Ron Pichierri submitted a written request to release the performance bond for the Primrose Lane subdivision, noting that the Lane was accepted as a Town Road at the recent Annual Town Meeting in May. The Chair reviewed comments from the DPW Director that noted that an abutter had placed an electrical wire through the drainage swale and that it needs to be removed. Chair directed the Planner to write a letter to the abutter directing him to remove the electrical wire by no

	later than June 16 th or the property owner would remove it on his own. The Board voted unanimously to release the performance bond, but retain \$3,000 to cover the anticipated legal work from Town Counsel.
Reorganization of Planning Board officers	The Board voted unanimously (5 – 0) to have Carl Corrinne serve as Chair, Patty Page serve as Vice Chair, Patty Page serve as the Sterling delegate to the Montachusett Regional Planning Commission, and Carl Corrinne serve as the Sterling delegate to the Montachusett Joint Transportation Committee.
Next Meeting Date	The Board chose Thursday June 22, 2023 as its next meeting date.
Minutes	The Board voted unanimously (4 – 0 with Mike Temple abstaining) to approve the meeting minutes for April 27, 2023.
Adjourn	The Board voted unanimously to adjourn at 8:02 PM.
Documents Discussed at this meeting	<p><u>NE Fencing Site Plan:</u></p> <ul style="list-style-type: none">- Site Plan application dated May 2, 2023.- Site Plan at one inch = 20 feet scale, prepared by Graz Engineering LLC, dated May 1, 2023, revised May 3, 2023 and May 24, 2023.- Town Department review memo dated May 19, 2023.- Graves Engineering review memo dated May 18, 2023.- Special Permit decision from Board of Appeals, dated April 11, 2023. <p>Letter from Ron Pichierri requesting release of performance bond for Primrose Lane.</p> <p>Draft meeting minutes for April 27, 2023.</p>