



## TOWN OF STERLING PLANNING BOARD MINUTES

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

December 15, 2022 - 6:30 PM

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JAN 27 2023

TOWN OF STERLING  
TOWN CLERK

### MEETING:

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

### Agenda

Other Attendees: Patrick Fox Chairman of the Zoning Board

### Discussion on zoning changes recommended by Zoning Board

Zoning Board member Pat Fox began by explaining how last year's change to the Accessory Dwelling Unit (ADU) bylaw (Section 301-2.3.5) became problematic by allowing such dwellings to be located in detached structures. This has resulted in some applicants for ADUs proposing elaborate dwelling units in detached structures to the point where it became two primary dwellings located on one lot. The intent of the ADU bylaw was that the unit would be an accessory use to the primary dwelling and not a stand-alone residence. The Planning Board agreed to remove the option of locating an ADU in a detached structure, limiting them to being located within the primary residence and imposing a limit for floor space. Chairman Fox and the Planning Board also wanted to make sure that Board of Health would determine that the lot's septic system could accommodate the wastewater generated by the ADU. Chairman Fox and the Planning Board agreed that such determination was not necessary at the Special Permit stage and could be handled when the applicant sought a Building Permit. Town Planner said he would draft up the suggested changes to the ADU bylaw and forward to both the Planning and Zoning Boards. The Zoning Board will discuss said changes at their next meeting and report back to the Planning Board. Town Planner noted that the required public hearing for zoning changes would need to take place in early March in order to be submitted in time to make the Warrant for the 2023 Annual Town Meeting.

The next zoning change the Zoning Board wanted to discuss was zoning for kennels. Town Planner explained that he recently convened a meeting attended by the Animal Control Board Chair, Mr. Fox from the Zoning Board, Kirsten from the Planning Board, the Town Administrator and himself to discuss zoning for kennels. Last year's Town Meeting saw the adoption of the State's definitions for the various types of kennels into the Zoning Bylaw, but the Table of Use proposal (where to allow them and under what circumstances) sponsored by the Animal Control Board was voted down. Thus, the definitions are in place within the Zoning Bylaw, but the kennel types are not listed in the Bylaw's Table of Uses. Town Planner explained that the recent meeting saw agreement on where to allow the variety of commercial kennels and that the only impasse was how to zone for personal kennels. The Planner, Planning Board representative and Zoning Board representative want to allow them by Special Permit in the Rural Residential and Commercial districts and the Animal Control Board representative wanted them allowed By Right in these districts. Town Planner suggested a compromise of allowing them By Right but with Site Plan Review from the Planning Board, but neither the Board or Mr. Fox supported this approach. The Board and Mr. Fox agreed to move forward with the Table of Use changes drafted by Kirsten that would allow personal kennels by Special Permit in the Rural Residential and Commercial districts. Kirsten will revise the Table of Use proposal to reflect this agreement and forward to both the Planning Board and Zoning Board.

### MBTA Action Plan

Town Planner explained to the Board that the State considers Sterling to be an MBTA community, which means that it must have a zoning district that allows multi-family housing By Right at a density of 15 units per acre. Not having such a zoning district would make Sterling ineligible for a variety of State infrastructure grants. The question at hand is how to create such zoning for a Town that does not have municipal sewer? Town Planner has

identified several parcels in the north of Town that are close to the Leominster sewer line that services the Northgate 40B housing project. Town Planner has talked with Leominster DPW, and the sewer line does have excess capacity we could use to accommodate new multi-family housing in that area. Town Planner explained that all the State requires of us is that we enact a zoning district that creates "the possibility" of multi-family housing being built, it does not require that we build it. Planner suggests creating a multi-family housing overlay district that would allow such housing as an additional use while still allowing all of the other uses allowed in the Rural-Residential district. The State requires that we submit our Action Plan by the end of January 2023, with a draft bylaw and map to follow later next year. If our bylaw & map passes muster with the State, then we bring it to the voters at the 2024 Annual Town Meeting. For our Action Plan, all we need to do right now is explain our process and the area we are targeting for the new district. We do not have to submit a draft bylaw or a definitive district map at this point. The Chair asked about the provision of municipal water and Town Planner said he would talk to our DPW Director to get some answers on this. Town Planner asked if the Board was ready to approve the draft Action Plan, but the Board members want more time to review. Planner asked the Board members to send him their questions/comments no later than Friday January 6, 2023 so that he could address them in advance of the Board's next meeting in late January. The Board agreed on this approach.

Discussion on  
deleting the  
temporary  
moratorium on  
adult-use  
marijuana

Town Planner explained that the Zoning Bylaw's temporary moratorium on adult-use marijuana establishments (Section 301-4.9A.3) is no longer necessary after the 2019 Town Meeting saw the adoption of Section 301-4.9B, which limits such establishments to those in existence in Sterling as of January 1, 2019. Planner explained that Town Counsel has determined this section was legally adopted and thus the temporary moratorium is no longer necessary. The Planning Board agreed and will sponsor this zoning change at the 2023 Annual Town Meeting.

Minutes

Kirsten Newman made a motion to accept the minutes for the November 17, 2022 Planning Board meeting. Val Pruneau seconded. All in favor, 5-0.

Next Meeting  
Date

The Board agreed to meet next on Thursday night January 26, 2023 at 6:30 PM.

Adjourn

Kirsten Newman made a motion to adjourn. Val Pruneau seconded. All in favor, 5-0.

Documents  
Discussed at this  
meeting

- Draft Table of Uses for kennels.
- Draft MBTA Action Plan
- Draft meeting minutes for November 17, 2022.