



TOWN OF STERLING PLANNING BOARD MINUTES

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

January 26, 2023 – 6:30 PM

MEETING:

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

Absent: Val Pruneau.

Agenda

Other Attendees: Jason Wentworth, Lynne Sheppard, Richard Maki, Joe Testagrossa. Doug Andrysick, Brian Kline, Michael Temple, Maureen Cranson and Joan McKenzie.

ANR plan: lot line adjustment for #18 Legate Hill Road.

Applicant Jason Wentworth presented the plan, stating that the old lot line went through the middle of a building on Lot 24-16. The new plan calls for moving the lot line southeast so that it no longer intersects the building. Patty Page made a motion to endorse, Kirsten Newman seconded. Vote was unanimous (4 – 0) in favor of endorsement.

ANR plan: divide existing lot into three building lots for #172 Justice Hill Road.

Surveyor Doug Andrysick presented the plan depicting the division of #172 Justice Hill Road into three building lots, all having the frontage and lot size required by zoning. Patty Page made a motion to endorse, Kirsten Newman seconded. Vote was unanimous (4 – 0) in favor of endorsement.

Citizen suggested zoning change: contractor yards in Commercial districts.

Citizen Joe Testagrossa approached the Board about changing the allowance of contractor yards in the Commercial districts from Special Permit to not allowed. Mr. Testagrossa lives behind Max 13 Construction on Worcester Road. The owner is currently trying to sell the property. The former Building Commissioner deemed this operation a retail use, which does not require a Special Permit for a Commercial district. However, several abutters believe the use of the property has expanded to the point where it now constitutes a contractor's yard, yet the owner has never obtained a Special Permit. A potential buyer attempted to secure a Special Permit for the same use on this property last year, but was denied by the Zoning Board. Mr. Testagrossa takes issue with the Building Commissioner's determination that storage of dirt and sand is an ancillary (as opposed to primary) use of the property. Abutter Michael Temple told the Board that he could not find through his research the zoning change that allowed for open lot storage of building materials. Citizen Brian Kline suggested that the Zoning Bylaw should define the term "ancillary". The Planning Board indicated it was not inclined to sponsor the suggested zoning change at this time, but would look into this matter with an eye towards enacting better protections for residences that abut commercial uses.

Discuss deed and road acceptance procedure for Ron Pichierri, Primrose Lane

Mr. Pichierri submitted a draft deed for the Town acquiring Primrose Lane as a town road. The Planning Board will forward the deed to Town Counsel for review and necessary editing. The road acceptance will also be referred to the Select Board and the Planning Board will need to make a formal recommendation of acceptance once the deed language is finalized. Mr. Pichierri also requested a bond reduction, but was told that the bond will not be released in part or in full until after the road is accepted at the Annual Town Meeting in May.

Discussion on zoning changes recommended by Zoning Board	The Board began by discussing amending the Zoning Bylaw's Table of Uses to include personal kennels and the various types of commercial kennels already defined in the Zoning Bylaw. After much discussion, the Board decided to table the kennel-table of uses zoning amendment for the time being, knowing that the State was in the process of redefining the term "personal kennel". Next up was a zoning amendment making changes to the Town's accessory dwelling unit (ADU) bylaw. The Planning Board noted the Zoning Board's concern regarding detached ADUs and their suggestion that detached ADUs be removed from the bylaw, but ultimately decided to keep detached ADUs as an option, but put in standards and guardrails so that the detached ADU option does not get abused to the point where we have two single-family homes on one lot. The Planning Board agreed to hold a working session on the afternoon of February 1 st to develop these standards and guardrails.
MBTA Action Plan	Town Planner asked the Board if they had any further comments or changes for the Town's Compliance Plan for MBTA-Adjacent Communities since the last time it met. 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 Action Plan is due to the State at the end of January and needs to explain the process the Town will use for achieving compliance. 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. Patty Page made a motion to approve the Action Plan and submit it to the State, seconded by John Santoro. Unanimously (4 – 0) voted by the Board. The Planning Board will spend much of this year drafting the bylaw and map. If our bylaw & map passes muster with the State, then we bring it to the voters at the 2024 Annual Town Meeting.
Minutes	Chairman Corinne suggested a few minor edits. Patty Page made a motion to accept the minutes for the December 15, 2022 Planning Board meeting. John Santoro seconded. All in favor, 4-0.
Next Meeting	The Board agreed to meet next on Thursday night February 23, 2023 at 6:30 PM.
Adjourn	Kirsten Newman made a motion to adjourn. Patty Page seconded. All in favor, 4-0. Meeting adjourned at 7:42 PM.
Documents Discussed at this meeting	<ul style="list-style-type: none"> • Legate Hill ANR Plan. • Justice Hill ANR Plan. • raft Table of Uses for kennels. • Draft MBTA Action Plan • Draft meeting minutes for December 15, 2022.