



TOWN OF STERLING PLANNING BOARD MINUTES

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

February 23, 2023 – 6:30 PM

MEETING:

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

Absent: John Santoro.

Agenda

Other Attendees: Andy Ruggles, Katrina Jablonsky, two others.

ANR plan: lot split
for #146 North
Row Road.

Surveyor Andy Ruggles presented the plan, stating that the applicant wants to split 21.5 acres off the 57-acre property located on 146 North Row Road, to be permanently protected by an Agricultural Preservation Restriction through the MA Department of Agricultural Resources. The Board voted all in favor (4 – 0) to endorse the plan.

Determination on
repetitive petition
to Zoning Board on
Katrina Jablonsky's
commercial kennel
Special Permit
application.

The Chair began by reading the public hearing notice. Town Planner explained that the applicant has petitioned the Zoning Board to rehear their Special Permit application. However, by State law, *both* the Zoning Board and Planning Board have to agree to a rehearing. The Zoning Board has already voted to rehear this application, so now it's a matter of the Planning Board taking a similar vote. Kirsten made a motion to agree to allow the Zoning Board to rehear the application, seconded by Val. The Board voted all in favor (4 – 0) to allow the Zoning Board to rehear the application.

Public hearing for
two potential
zoning changes

The Chair began by reading the public hearing notice. The first zoning amendment deals with making some minor clarifications to the Protective Bylaw's Accessory Dwelling Unit (ADU) section. The Board reviewed Town Counsel's comments on the changes and agreed to their revised language on ADUs in the Industrial District, and their suggested change to Section C.2 which clarified that detached ADUs cannot have garages attached to them. The Board also agreed to keep the secondary ADU amendment (requiring Board of Health certification regarding adequate water & sewer prior to issuance of a Building Permit) as a fallback, should the original amendment fail at Town Meeting. The Board then discussed the proposed zoning amendment that would delete the temporary moratorium on adult-use marijuana establishments. The Town Planner explained that this section of the Protective Bylaw expired at the end of June 2018. Since then, the Town has adopted provisions that regulate non-medical marijuana establishments (see Section 301-4.9B), and thus, there is no longer a need to keep Section 301-4.9A.2 on the books. Patty emphasized that repealing this section does not allow for new marijuana establishments in Town and the status quo remains. Patty moved to bring this zoning amendment to the Annual Town Meeting, Kirsten seconded. The Board voted all in favor (4 – 0) on the motion.

Recommendation
regarding the
Town's right-of-
first-refusal on the
Chapter 61A land
withdrawal request
from Justice Hill
Inc. for a portion of
land on Justice Hill
Road.

Town Planner explained that when a landowner wants to withdraw land from the Chapter 61A reduced taxation program, they have to offer the Town a right-of-first-refusal. The Board has two choices for a recommendation: recommend that the Town exercise its right-of-first-refusal and buy the property, or recommend that the Town waive its right-of-first-refusal and not buy the property. Patty made a motion that the Board recommend that the Town *not* exercise its right-of-first-refusal, Kirsten seconded. The Board voted all in favor (4 – 0) on this motion.

Recommendation on forwarding Primrose Lane to Town Meeting for acceptance as a Town road.	The Chair explained that the Select Board agreed to lay out Primrose Lane as an official Town Road pending the Planning Board's recommendation. Town Planner explained that Town Counsel is currently reviewing the deed language submitted by the applicant and that it should be finalized in time for Town Meeting. Patty made a motion to recommend that Primrose Lane be accepted as a Town Road at the Annual Town Meeting, Kirsten seconded. The Board voted all in favor (4 – 0) on this motion.
Next meeting date	The Board agreed to meet next on Thursday night March 23, 2023 at 6:30 PM.
Minutes	Next on the agenda was approving the meeting minutes from the Board's last meeting on January 26 and its working session on February 1 st . The Board noted two misspelled names on the 1/26 draft minutes. Patty motioned to approve the corrected minutes, and Kirsten seconded. The Board voted (3 – 0) to approve the January 26, 2023 meeting minutes. Val abstained because he did not attend that meeting. Patty made a motion to approve the minutes for February 1, 2023 and Kirsten seconded. The Board voted (3 – 0) to approve the February 1, 2023 meeting minutes. Val abstained because he did not attend that meeting.
Adjourn	Kirsten Newman made a motion to adjourn. Patty Page seconded. All in favor, 4-0. Meeting adjourned at 7:02 PM.
Documents Discussed at this meeting	<ul style="list-style-type: none">• North Row Road ANR Plan.• Jablonsky Special Permit rehearing request.• Draft zoning amendments for ADUs and adult-use marijuana establishments.• Justice Hill Road Inc. Chapter 61A land withdrawal request.• Draft meeting minutes for January 26 & February 1, 2023.