



## TOWN OF STERLING PLANNING BOARD MINUTES

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

March 23, 2023 – 6:30 PM

### MEETING:

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

Absent: Patty Page.

### Agenda

Other Attendees: Linda & Kevin Soucy, Curt Pujosa, Paul Cathcart, Rebecca Schoville, Pam Culley, Joe Testagrossa, and David Dodd.

ANR plan: lot split  
for #49 Sandy  
Ridge Road.

Property owner David Dodd presented the plan, stating that he wants to split 3.7 acres off his 5.75-acre property located on 49 Sandy Ridge Road, to be sold as a new house lot. Mr. Dodd explained that his project was currently under review by the Conservation Commission and Board of Health. Abutters Linda & Kevin Soucy spoke against the plan, saying that the original builder's intent for this property was that it would remain as is, with no further subdivision. They stated that this provision was included in the covenant, but conceded that the covenant expired in 2021. Abutter Paul Cathcart said that it appeared that Mr. Dodd was conducting the required due diligence for this project and that he did not have a problem with it. Town Planner explained to the Board and the public that the State subdivision law was explicit in what the Planning Board could and could not consider when evaluating an Approval Not Required (ANR) plan. The Board can only consider three factors: 1) does the new lot have frontage on a qualifying way, 2) does the new lot have the amount of frontage required by zoning, and 3) can you reach the buildable portion of the lot from the frontage. As this proposed lot meets all three criteria, the Board was obligated to endorse the plan. The Board voted all in favor (4 – 0) to endorse the plan.

Public hearing for  
two potential  
zoning changes  
sponsored by  
citizen petition

The Chair began by reading the public hearing notice. The Chair began by informing the public that the purpose of tonight's hearing was to see if the Planning Board was willing to support one or both of the zoning changes at the Annual Town Meeting. The first citizen petition called for amending the Protective Bylaws, Article 2, Section 2.3.1, Item #15 (Commercial Uses) in the Table of Uses to allow "retail sales including antique shops" by Special Permit in the Rural Residential (RR) district. This citizen petition is being spearheaded by a lady who wants to host an antique shop in her barn on property located on Redemption Rock Trail. Currently this is not an allowed use. While the Board seemed receptive to allowing antique stores in the RR district, they expressed concern regarding opening up the district to "retail sales" in general, saying it would be hard to deny one retail sale use while allowing another without any definitive review criteria. The resident of Redemption Rock Trail was in attendance with her father and she stated that the antique barn would not generate significant amounts of traffic, and would not be advertised beyond a modest sign out front and through the internet. She also stated the hours of operation would be limited. While the Board sympathized with her desire to operate an antique shop on her property, they remained wary about opening up the entire district to "retail sales". The Board voted unanimously (4 – 0) to not support this zoning change at the Annual Town Meeting.

The second citizen petition called for amending the Protective Bylaws, Article 2, Section 2.3.1, Item #5 (Industrial Uses) in The Table of Uses to not allow "open lot storage of building materials, contractor's equipment and similar materials" in the Commercial (C) district. This citizen petition is being spearheaded by the residential abutters to Max 13 Construction on Worcester Road. The Board agreed that the Protective Bylaw needs better protections for residential properties that abut commercial & industrial operations,

but was not convinced that this zoning amendment was the best way to proceed. Town Planner suggested that he talk with his fellow planners across the State to see what they have in their zoning for protections for residential properties that abut commercial & industrial uses, and the Board could then decide which protections would best suit Sterling. The Board agreed with this approach. Citizen Joe Testagrossa made the argument that open lot storage of building materials and contractor equipment was more of an industrial use than a commercial use and that to continue allowing this in the Commercial district could discourage other businesses from locating in Sterling. The Board vote on this matter was split with Newman and Santoro supporting this proposed amendment and Pruneau and Chairman Corrinne voting not to support it.

Next meeting date	The Board agreed to meet next on Thursday night April 27, 2023 at 6:30 PM.
Minutes	Next on the agenda was approving the meeting minutes from the Board's last meeting on February 23, 2023. The Board voted (3 – 0) to approve the February 23, 2023 meeting minutes. John Santoro abstained because he did not attend that meeting.
Planner Updates	<p>The Town Planner gave the Board a brief update on the multi-family zoning for MBTA-adjacent communities effort, saying that his outreach to the owners of targeted properties was not successful. Board Member Val Pruneau asked if the Town could opt out of this new State-mandated zoning requirement. Town Planner said that other MBTA-adjacent towns like ours (no municipal sewer) were struggling with this effort as well. Town Planner will contact the regional planning commission to see if they can organize a meeting of the region's towns to see if they can prepare a coordinated response to the State asking them for relief.</p> <p>Town Planner also told the Board that he will apply for a One Stop for Growth grant that will help fund a professional planning consultant to help fix our Performance Zone bylaw and prepare a set of Site Plan Regulations that will apply to all non-residential development anywhere in Town, not just the Performance Zone. The grant awards will be made later this fall.</p>
Adjourn	Kirsten Newman made a motion to adjourn. John Santoro seconded. All in favor, 4-0. Meeting adjourned at 7:30 PM.
Documents Discussed at this meeting	<ul style="list-style-type: none"><li>• Sandy Ridge Road ANR Plan.</li><li>• Draft zoning amendments proposed by citizen petition.</li><li>• Draft meeting minutes for February 23, 2023.</li></ul>