



TOWN OF STERLING PLANNING BOARD AGENDA

Butterick Municipal Building, Room 202
1 Park Street, Sterling, MA 01564

Monday, March 11, 2020 – 7 PM

MEETING:

Chairman Santoro called the meeting of the Planning Board to order at 7:00 pm. Present were members John Santoro, Carl Corrinne, Val Pruneau, Rob Protano and Patty Page.
Staff Present: Domenica Tatasciore, Town Planner

AGENDA:

Interim Board Reorganization: Chair, Vice Chair & Clerk

Public Hearing

1. **7:05 PM: Protective Bylaw Amendment: Article 6, Section 6.4 – Site Plan Review**

Petitioner seeks to amend Article 6, Section 6.4 to include abutter notification for all site plan applications.

Unfinished Business

2. Redstone Heights Subdivision
 - a. Chad Lane Bond Reduction Request
 - b. Vote to place Chad Lane on Town Meeting Warrant for Acceptance

New Business

3. Site Plan Review – 9 Chocksett Road, Eban Realty
4. Site Plan Review – 333 Redemption Rock Trail, NEADS, Inc.

Reorganization

Rob Protano moved to appoint John Santoro as Chairman. Val Pruneau seconded. The motion was unanimously approved. Val Pruneau made the motion that Rob Protano be Vice Chairman. Patty Page seconded. The motion was unanimously approved. Val Pruneau moved to make Patty Page Clerk. Rob Protano seconded. The motion was unanimously approved. John Santoro moved that Patty Page be the MRPC representative. Val Pruneau seconded. The motion was unanimously approved.

Minutes Approval

Patty Page made a motion to table acceptance of the minutes until the next meeting. Rob Protano seconded. The motion was unanimously accepted.

Public Hearing Protective Bylaw Amendment, Article 6, Section 6.4 – Site Plan Review

Protective Bylaw Amendment: Article 6, Section 6.4 – Site Plan Review (Citizen's Petition)

Petitioner, Rose Koven, seeks to amend Article 6, Section 6.4.3 (1 & 2) of the Protective Bylaw to include abutter notification for all site plan applications by requesting that all abutters and abutters-to-abutters within 300 feet be notified each time an application comes to the Planning Board for Site Plan Review.

Following some discussion regarding type of mailings and newspapers publication, Rob Protano made the motion to recommend approval of the proposed bylaw amendment. Patty Page seconded and the motion was carried unanimously.

Redstone Heights Subdivision

John Santoro recused himself from any discussion or deliberation pertaining to the Redstone Heights Subdivision (Chad Lane) as he is an abutter and left the room. Carl Corrinne recused himself from voting and he presented his requests as petitioner.

Redstone Heights (Chad Lane) Subdivision Bond Reduction

Chad Lane Bond Reduction Request. Carl Corrinne reported that Chad Lane is almost completed. He asked that the bond for this project be reduced from \$46,129.00 to \$7,816.53 based on the two items left to finish (four sugar maple trees and install bounds).

Chad Lane -Town
Warrant Road
Acceptance

Patty Page moved to reduce the Chad Lane bond from \$46,129.00 to \$7,816.53. Val Pruneau seconded the motion and the vote was approved 3-0.

Vote to place Chad Lane on Town Meeting Warrant for Acceptance. Val Pruneau made the motion to place Chad Lane on the Town Meeting Warrant for acceptance. Rob Protano seconded the motion and the vote was approved 3-0.

John Santoro rejoined the meeting.

Site Plan – 9
Chocksett Road

Site Plan Review – 9 Chocksett Road, Eban Realty

Greg Roy of Ducharme & Dillis made a presented the site plan for the 9 Chocksett Road project. Ryan Vickers of the same company accompanied him and Curt Plante, Trustee from Eban Realty Trust. They are proposing a new warehouse facility behind the existing building located at the same address.

Mr. Roy addressed the questions/comments his firm received from Haley and Ward: The fire protection capacity of the water distribution system should be evaluated prior to construction approval. This evaluation should include the following components:

- Fire flow demand based upon proposed construction and NFPA standards.
- The fire flow capacity to the site should be confirmed with the Sterling DPW or onsite testing should be completed as part of the construction approval process.

RESPONSE: Applicant agrees to complete these tasks before completion.

Haley & Ward stated that the current use of the lot appears to violate the aquifer resource protection area bylaw, which prohibits automobile repair shops within the Zone II area (4.6.4(t)). The applicant should clarify if the proposed addition to the site will be used for additional auto repair, and what additional groundwater protection measures will be taken to reduce the risk of groundwater contamination.

RESPONSE: The proposed building will not be used for auto repair. It will be a warehouse with commercial and office storage space. Mr. Roy referred to the Town Planner's Project Summary Recommendation Section 3.c which states "No automotive service or repair shops" as a condition of approval.

Under bylaw 4.6.4 (aa), individual septic systems within an aquifer protection district are limited to a design rate of 440 gallons per acre per day. The design rate of the proposed septic tank addition is 675 gallons per day."

RESPONSE: A meeting with David Favreau, the Board of Health Agent, confirmed that the initial septic system has more capacity than is needed.

All runoff shall be discharged on site, via discharge to infiltration basin covered with natural vegetation for surface infiltration to the greatest extent possible (4.6.5(c)). The two (2) existing leach catch basins should be upgraded to provide oil, grease and sedimentation traps.

RESPONSE: There are plans to fix the existing catch basins. They will upgraded to a deep catch basin with a hood. There is runoff from the adjacent property after heavy rains.

Elevation detail is needed on proposed stone berm separating the sediment forebay from the infiltration basin and wick drains.

RESPONSE: Mr. Roy said his company has devised a plan to address this. The infiltration basin in storm water model should be updated to provide 0.5-ft separation between infiltration basin floor and wick drain inlet grate. Wick drains should be modeled as 0.5-ft above the surface of the infiltration basin.

Site Plan – 9
Chocksett Road
(Continued)

Engineer should clarify why groundwater elevation is modeled as 428-ft elevation at the infiltration trench, but much lower at 420-ft elevation at the infiltration basin.

RESPONSE: Mr. Roy said this was an error on their part. He had submitted an incorrect number with the calculation.

The plans and storm water model are incongruent regarding the outlet pipe and infiltration trench at CB-1. The plans propose 105-ft of perforated outlet pipe embedded in the infiltration trench. The model shows 55-ft of solid wall pipe discharging into 100-ft long infiltration trench.

RESPONSE: Mr. Roy stated that the issue was moot. They have eliminated the trench with a new design.

The project narrative references two (2) infiltration trenches on site but only one is shown on the proposed plans.

RESPONSE: Mr. Roy stated that the issue was moot - eliminated and consolidated.

The infiltration trench at CB-1 should include filter fabric over the top of the stone to prevent settlement.

RESPONSE: Mr. Roy stated that the issue was moot – old design.

The Applicant should provide an annual operations and maintenance plan for the proposed storm water infiltration systems.

RESPONSE: Mr. Roy said that the involved parties should provide them.

Rob Protano noted that there were no comments on the comment sheet from the DPW, Board of Health, Light Department, or Police Department. Curt Plante offered to reach out to each department to get their feedback. Mr. Roy stated that they have to “Close the loop with the Board of Health” and they also need a stormwater permit from the Conservation Commission.

Patty Page moved that the Board approve the site plan for 9 Chocksett Road with revisions through March 11, 2020 along with conditions being: all parking spaces shall be striped and the accessible space shall be placarded as required by the Architectural Access Board; all proposed lighting shall be contained onsite and shall not overspill onto adjacent properties; the following uses shall not be permitted onsite: *“no petroleum products will be stored on site except as provided by 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 4.6.4(d); and no automotive service or repair shops 4.6.4(t); subject to the applicant obtaining all requisite approvals from the Board of Health and the Conservation Commission; and the applicant is to provide the information for the parties responsible for implementing the Operation and Maintenance Manual Plan.* Carl Corrinne seconded. The vote to approve was 4-1 with the dissenting vote from John Santoro.

Site Plan – NEADS
– 333
Redemption Rock
Trail

333 Redemption Rock Trail Site Plan Review – NEADS, Inc.

Mr. Patrick Healy of Thompson-Liston presented the site plan for NEADS, Inc. (*National Education for Assistance Dog Services*) to raze the structure existing at 333 Redemption Rock Trail and construct a 5,500 SF facility for a breeding and puppy nursery facility for service dogs.

Mr. Healy stated the Zoning Board of Appeals approved their Special Permit, DCR approved a variance for the watershed protection district and the Conservation Commission “has no issues with this proposal and will likely finalize permission at the March 17, 2020 meeting”.

Mr. Healy addressed the questions his firm received from Haley and Ward:

Site Plan – NEADS
– 333
Redemption Rock
Trail
(Continued)

The applicant should confirm that turning radius requirements are met for trucks providing deliveries to the site to avoid trucks backing onto the roadway, or stopping in the roadway to back into the parking lot.

RESPONSE: Mr. Healy stated that the shape of the area is good for propane trucks and delivery trucks. Ladder trucks in case of fire will have room. The business does not expect large (18-wheeler) trucks for deliveries.

Proposed light locations are shown on the landscape plan. No additional details on the lighting fixtures are provided. The applicant should provide details to confirm the lights will not illuminate neighboring properties to cause a nuisance and the proposed hours of illuminations.

RESPONSE: Light locations are appropriate and will be 36" high as well as dark-sky compliant.

The applicant should confirm if and where a dumpster will be located at the site, there is adequate room for collection trucks to access the dumpster, and it is properly screened from view.

RESPONSE: The garage will be used to store trash, etc. Solid waste from animals will be double bagged.

Fire protection details for the proposed building are not noted on the plan. The applicant should confirm whether sprinklers are proposed for the building based on proposed construction and NFPA standards.

RESPONSE: Architects are going through a review now. The facility will meet State requirements.

The plans do not have any details regarding changes to the existing septic system. The applicant should provide details to confirm the septic system, under the proposed use, meets the additional flow and separation requirements of the Aquifer and Water Resource Protection District.

RESPONSE: They will be replacing the septic system.

The applicant should provide details regarding the storage and disposal of animal waste produced at the site.

RESPONSE: They will comply.

The applicant should excavate a test pit to confirm both the assumed soil conditions and separation distance to assure the proper function of the infiltration system and adequate protection of the groundwater within the Aquifer and the Water Resource Protection District.

RESPONSE: The drawdown is approximately 1 hour.

The applicant has provided storm water calculations for the 2, 10, 25, and 100-year storms and adequately demonstrated a new decrease in the peak rate of runoff from the site.

RESPONSE: They have not done the testing. They expect some groundwater.

The plans call out construction period protection to prevent compaction at the proposed infiltration basin, and the potential new septic leaching field. The applicant should consider adding this protection to the existing septic leaching field area.

RESPONSE: They have greater than 4 feet of groundwater protection. Mr. Healy will submit all letters received from town departments. They are waiting for confirmation from the Conservation Commission.

Question from an audience member: Do you need input from the Animal Control Board?
Answer: The Animal Control Board oversees licensing, so there will be a hearing. Will there be any kind of retail? Answer: No.

Site Plan – NEADS – 333 Redemption Rock Trail (Continued)	<p>Rob Protano noted that there were no comments on the comment sheet from the DPW, Board of Health, Light Department, or Fire Department. Mr. Healy offered to reach out to each department to get their feedback.</p> <p>Patty Page moved that the Board conditionally approve the site plan for 333 Redemption Rock Trail Site Plan Review – NEADS, Inc. with the following conditions of approvals: all parking spaces shall be striped and the accessible space shall be placarded as required by the Architectural Access Board; all proposed lighting shall be contained onsite and shall not overspill onto adjacent properties; subject to the applicant obtaining all requisite approvals from the Board of Health and the Conservation Commission; and subject to ownership of the property being NEADS, Inc. Carl Corrinne seconded. The vote to approve was 3-1-1 with Rob Protano abstaining and John Santoro dissenting.</p>
Primrose Lane – Bond Request	<p><u>Primrose Lane Subdivision – Surety Bond Request</u></p> <p>Rob Protano informed the board and the audience that he signed a disclosure form that he and Mr. Pichierri were cousins and that he had no financial interest in the matter. Further, he stated that he also consulted the State’s Attorney of the Day for advice on this matter and that he was informed that he would be able to participate on this matter.</p> <p>Mr. Ronald F. Pichierri asked the Planning Board what the steps he would need to take to convert the existing cash bond he has for Primrose Lane Subdivision to a subdivision surety bond. He stated that there is very little work left to do on the project. Carl Corrinne moved to allow Mr. Pichierri to convert his existing cash bond for a subdivision security bond. Patty Page seconded and the motion. The motion passed 4-1 with John Santoro dissenting.</p>
Primrose Lane Discussion	<p>In addition to the bond discussion, Mr. Santoro brought up some concerns regarding a prior meeting with Mr. Pichierri. Mr. Santoro recalled a discussion with a client and his attorney requiring Mr. Pichierri to remove the shared driveway access and have Mr. Pichierri access his home on Heywood Road via a driveway directly accessed from Heywood Road. Mr. Protano recalled the meeting from years ago when that Planning Board required Mr. Pichierri to access his Heywood Road home through the Primrose subdivision. They had safety concerns about another driveway on the busy road with limited sight distance, therefore required Mr. Pichierri to apply for a Special Permit to access his home through Primrose Lane.</p> <p>Ms. Tatasciore recommended that Mr. Pichierri come back at another time to give a “subdivision update” and answer the questions and concerns that were brought up at this meeting. Mr. Santoro would like the individuals that attended the past meeting that discussed the driveway access to attend as well.</p>
Next Meeting Adjourn	<p>The next Planning Board meeting date is Wednesday, March 25, 2020 at 7:00 p.m.</p> <p>Mr. Carl Corrinne motioned for the meeting to adjourn. The motioned was seconded by Mr. Val Pruneau. The motion passed unanimously.</p>