

TOWN OF STERLING
ZONING BOARD OF APPEALS MINUTES
Butterick Municipal Building, Room 205 6:00 p.m.
November 13, 2018

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| MEETING: | Chairman Fox called the Zoning Board of Appeals to order at 6:05pm. Present were members Diana Baldarelli, Pat Fox, Matt CampoBasso and Joe Curtin. Absent were: Jerry Siver and alternate member Rich Lane. |
| Minutes Approval | Joe Curtin moved to approve the minutes of October 9, 2018 as amended, Matt CampoBasso seconded. Diana Baldarelli - aye. Pat Fox - aye. All in favor. |
| Agenda | <p>6:00 pm – SPECIAL PERMIT – Thomas & Anne-Marie Rhodes for the purposes of building an 800 s.f. accessory apartment addition. Property is located at 37 Maple Street, Parcel ID 106-67 and is zoned Neighborhood Residential.</p> <p>6:20 pm – SPECIAL PERMITS (2) <i>continued</i> - 150 Clinton, LLC (Storage Solutions)</p> <p>7:00 pm - ZBA Business</p> <p>7:05 pm - Discussion and vote on Comprehensive Permit Rules & Regulations.</p> <p>7:30 pm - Discussion regarding status of Northgate Meadows project</p> |
| Special Permit Accessory Apartment 37 Maple Street Parcel ID 106-67 | <p>Petitioners Thomas and Anne-Marie Rhodes of 37 Maple Street submitted an application for a special permit for the purposes of building an accessory apartment addition. For the record, a letter written by the Board of Health was read. Referencing section 2.3.5 (e) of Sterling's Protective Bylaws, the letter did not support the accessory apartment due to the "increase in bedroom count to the existing subsurface sewage disposal system." Also stated was that "adequate provision to support the proposed increase in sanitary flow would be required prior to the Board of Health approval." The Board opened the floor to the audience. Mr. & Mrs. Salo of 6 Shady Lane expressed concerns over the existing septic, driveway and water issues with an intermittent stream that runs behind the property. Mr. Dave Tuttle of 39 Maple Street spoke in favor of the petition.</p> <p>The Board agreed the best course of action would be to continue the hearing until Mr. & Mrs. Rhodes would be able to meet bylaw requirement 2.3.5 (e) and have the approved septic plans in place prior to the next meeting.</p> |
| Special Permits (2) – 150 Clinton Road <u>CONTINUED</u> Parcel IDs 69-01, 69-02 | <p>Attorney Melissa Robbins, Civil Engineer Matt Waterman and owner Jonathan Hall were present for the continuance of the hearing for 150 Clinton Road. Mr. Waterman recapped major points that were addressed in the report done by the project review engineer for the planning board, but many of the areas of concern overlapped with the ZBA concerns.</p> <p>The Board expressed concern about tractor trailers turning left from the facility. There was discussion about possibly requiring larger trucks to only turn right. This was also discussed with the planning board at their November 14 & 28, 2018 meetings and modification of the driveway/shoulder in such a way to allow trucks to swing wider on their own property to make the left turn was approved.</p> <p>Hours of operation were discussed and the applicant was receptive to specific hours of operation as opposed to the 24 hour operation that was proposed. Mr. Hall also noted that he would like to come back to change hours of operation if at some point in the future another storage facility came to Sterling with longer hours.</p> <p>Applicant continued to work with the abutters and made the following concessions: the removal of the rain garden and improved drainage on the side of the abutter; limit clearing and maintain as much of the existing vegetation as possible; evergreen plantings on a berm; a solid</p> |

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| Northgate Meadows Leominster Rd. | <p>6' vinyl fence between the manager's residence and building 1 to further minimize potential headlight glare.</p> <p>Ms. Robbins requested a continuance in order to accommodate any potential plan changes/modifications that may be requested at the November 14, 2018 planning board hearing. Ms. Robbins also offered to draft a list of the conditions that were agreed upon.</p> <p>Attorney Tom Bovenzi, and developer Jim Whitney were present to discuss the status of the Northgate Meadow project. The Board asked if the permit was still valid considering the amount of time that has passed since the initial approval in 2006 and the fact that there have been no building permits issued to date. Mr. Bovenzi provided some documentation that he believes explains that construction, as defined in 760 CMR 56:05 (12)(e), has in fact begun on the project as it is defined in item #19 of the first Comprehensive Permit, therefore meeting the requirements of starting "construction" prior to the expiration of the permit.</p> <p>The Board asked when building construction was anticipated to begin, and Mr. Whitney stated that once they reapply to the Conservation Commission, they plan to begin in the Spring of 2019.</p> <p>Mr. Curtin asked if Mr. Whitney if he could please summarize what has been done and what needs to be done. Also, to please provide a construction phasing plan as it pertains to housing production goals for affordable housing (as described in item #8 in the revised Comprehensive Permit).</p> |
| Vote - Alternate Member Chares Conroy | <p>Vote to accept Mr. Charles Conroy as an Alternate member of the ZBA. Mr. Conroy is the former director of the Perkins School in Lancaster MA with a background in education. Mr. Conroy's appointment will be voted upon at the December 5, 2018 Board of Selectmen's meeting.</p> <p>Joe Curtin made a motion to recommend Mr. Conroy as an alternate member of the Zoning Board of Appeals. Diana Baldarelli seconded. All in Favor, 4-0.</p> |
| Warrant Item – Subsidized Housing Inventory | <p>Vote to pay the bill of \$1800 for the report done by the MRPC to update the Town of Sterling's Subsidized Housing Inventory.</p> <p>Joe Curtin made a motion to approve the payment. Diana Baldarelli seconded. All in favor. 4-0.</p> |
| Draft Comprehensive Permit Rules and Regulations | <p>The draft Comprehensive Permit Rules and Regulations were shared with the Board. The Board will discuss at the next meeting for review and approval.</p> |
| Adjourn | <p>Joe Curtin made a motion to adjourn. Diana Baldarelli seconded. All in favor. 4-0.</p> |