

ZONING BOARD OF APPEALS MINUTES - REV 4/11/18

MEETING DATE: February 13, 2018

TIME: 6:00 PM

LOCATION: Butterick Municipal Building, Room 205

IN ATTENDANCE - Chairman Patrick Fox, Members Joseph Curtin, Diane Baldarelli, Jerry Siver, Matt Campobasso and Selectman Richard Lane

6:00 PM - Chairman Patrick Fox called the meeting to order.

Review Minutes - A motion to approve minutes of the January 9, 2018 meeting was made by Jerry Siver and seconded by Joseph Curtin. All members were in favor and the motion carried.

Continuation of Earth Removal Board Discussion regarding disbanding Earth Removal Board and Bylaw Change - Patrick Fox and Joseph Curtin recently attended a Planning Board meeting to discuss disbanding the Earth Removal Board and to make a determination on how to divide responsibilities, noting a process will need to be established. The Zoning Board of Appeals would handle anything by special permit and the Earth Removal bylaw could then be repealed, or rolled into the protective bylaw. Chairman Fox indicated the process may not be ready for discussion at the annual town meeting.

Member Curtin looked at how other towns handle these issues and advised that subdivision and site plan review is normally handled by a Planning Board. Clarification of the process is key for any applicants. This matter was discussion only, no vote taken at this time.

Agenda Items for Next Meeting - The next meeting, scheduled for March 13, 2018, will include these agenda items:

- Hearing for application regarding an accessory apartment
- Further review of the earth removal issue
- Continuation of the food truck bylaw
- Marijuana discussion

Continuation of Food Truck Bylaw Discussion - Selectman Richard Lane commented this subject should be a licensing issue, not a zoning issue. Per the state of MA, this falls under hawker and peddler licensing. The Board of Selectmen would do the licensing. He noted this should be a BOS agenda item and then a public hearing scheduled.

Any food truck must be mobile and a registered vehicle. At this time, two food trucks in Sterling have received a special permit from the Zoning Board of Appeals for two years: Berube's Roadside Kitchen and Stix n Pux. Patrick Fox advised they should be notified that this subject will be on the agenda for the March meeting. He will notify both businesses of the meeting.

Other Business - A brief discussion was held on the possibility of a marijuana bylaw. Mr. Fox noted the Planning Board is conducting a hearing on a proposed marijuana bylaw on February 28, 2018.

The general consensus of the ZBA is that a bylaw should be as restrictive as possible, but consistent with the law.

Adjourn - A motion to adjourn the meeting was made by Joe Curtin and seconded by Jerry Siver. All members in favor, motion carried. The meeting adjourned at 7:00 PM.