

Town of Sterling
Earth Removal Board
Meeting Minutes 07/16/2019

Chairman Kilcoyne called the meeting to order at approximately 6:40pm followed by The Pledge of Allegiance

Members present: Rivers, Kilcoyne, Mosley, Miller

Members Absent: Rich

Chairman Kilcoyne commented meeting is subject to recording, Mosley recording for purposes of minutes.

Mosley moved to go into Public Hearing, second by Miller, unanimously approved.

PUBLIC HEARING NORTHEAST BLVD PERMIT.

James Simpson of LLEC Inc. presented the board the permit application and the return receipts from abutter mailings. Brian Milisci from Whitman and Bingham reviewed the plan for the site pointing out various usages on the site, updated wetlands flagging, etc.

Mr. Simpson commented this has been an active site since approximately 1990. The permit had been in place for some 18 years but with the permit extension act and issues with the ERB the permit had not been updated.

The site is active with material being brought in and processed, material being taken out, excavation, and material storage. Blasting does occur on the site and will continue.

The intent is to ultimately market the site for an industrial/commercial building. For at least the next couple of years to current use of the site will continue as the majority of the site elevation will be equalized at 404 feet.

There will be no change to current hauling traffic patterns. A representative from Laddawn Inc. was in attendance and commented that they had no issues regarding the permit renewal since there would no change in traffic patterns.

There are flagged wetlands in the area, Mr. Mosley commented that he would communicate with conservation agent, Matt Marro, regarding the site.

The board reviewed the permit application. Conditions 5/11/13/15 were indicated as not applicable. Blasting was indicated as an activity on the site.

Rivers moved to approve the permit application, second by Miller, unanimous vote to approve.

Mr. Simpson said he would submit a check for the permit fee.

Rivers moved to exit Public Hearing, second by Mosley, unanimous vote to approve.

UPDATE ON 7 CHOCKSETT ROAD.

Brian Milisci from Whitman and Bingham discussed the work they had done to review the water runoff issues encountered at the 7 Chocksett Road site. His firm reviewed the current status of the site specifically looking for water runoff issues. They identified some changes to be implemented such as retrofitting the existing detention pond with new drains to allow better drainage even in the winter. Additionally they identified some work to improve and existing detention pond near the cell tower road.

He commented on the work done to use asphalt tailings and improving the pitch of the entrance road to better control water flow.

Kilcoyne commented that he had received a draft copy of the Whitman and Bingham report. The report is currently with the property owners for review before it can be determined to be final. He commented that hopefully the property owners can come to the next meeting and we can close this issue out. Mr. Plante, the complainant, would be included in that discussion to make sure he is satisfied with the updates.

UPDATE ON 68 HEYWOOD RD.

Mr. Kilcoyne provided the board with a letter from the Sterling building commissioner to James Simpson regarding the Heywood Rd property. The letter notified him that he needed a Use Variance from the ZBA in order to remove the additional 19000 cubic yards of material from the site. The board is not aware of what Mr. Simpson will do regarding the property.

The board discussed the permit condition that required Mr. Simpson to obtain a bond. It was asked if that was still necessary for him to acquire the bond if he does not choose to remove the additional 19000 cubic yards of material. The board felt he would not need to acquire the bond but thought it would be a question for town counsel for a definitive opinion.

Kilcoyne asked about the check for the permit fee, Mr. Simpson said he thought he submitted it. Kilcoyne commented he would check the file. Mosley commented he thought at the last meeting Kilcoyne returned the check from the original permit application on the site to Mr. Simpson so that Mr. Simpson could submit the fees for both permit applications together.

APPROVE MINUTES

Rivers moved to approve minutes of meetings held June 18, 2019 and June 27, 2019, second by Miller. Approved unanimously with Rivers abstaining.

The next meeting was tentatively set for August 27, 2019 at 6:30 pm.

Mosley moved to adjourn at 7:16pm, Rivers second, motion passed unanimously.