

TOWN OF STERLING
Earth Removal Bylaw Review Committee
January 22, 2019

MEETING:

Minutes

Adjourn

Chairman Lane called the Earth Removal Bylaw Review Committee meeting to order at 2:04pm. The following members were present: Chairman Richard Lane, Civil Engineer Shaun Francis, Building Commissioner Sarah Culgin, and Town Planner Domenica Tatasciore. Builder Carl Corrine participated via telephone from Florida. Conservation Agent Matt Marro joined the discussion at 2:07. Executive Assistant Kama Jayne attended, as minute taker. ERB member, Mike Rivers, was in the audience.

Chairman Lane explained that the Board of Selectmen voted to establish the Earth Removal Bylaw Review Committee to rewrite the current Earth Removal Bylaw. The goal is to disband the current Earth Removal Board and to change the way in which earth removal is processed. Town Counsel will vet the final draft of the proposed bylaw.

The outcome of this endeavor should be a new Earth Removal bylaw that is consistent, straight forward, simple, reasonable and fair. To that end, the ERBRC will work on the following;

- Develop a mission statement
- Establish a means by which to measure the amount of earth that may be removed from a site before the builder must adhere to the provisions within the Earth Removal Bylaw
- Delegate departments in which earth removal will become part of the process (example: earth removal required for a septic system may become part of the process for the Board of Health)
- Create a flow-chart which would coordinate, expedite and simplify the steps required in the "earth removal process".
- Determine the legal ramifications of failure to abide by the Earth Removal Bylaw
- Check for conflicts within existing bylaws
- Establish an internal appeals process

The group suggested the following:

- No new fees
- Health Agent, Dave Favreau should be invited to attend the meetings. The Board of Selectmen will appoint.
- Empower the Building Commissioner with the authority and tools to enforce the ER Bylaw (May include hiring an engineer with the fee to be paid by the Builder).
- Consider placing a question(s) on the building application that would alert the Building Commissioner to plans that may require an engineer to determine the quantity of earth to be removed, as well as the aesthetic impact and safety of the project.
- Consider addressing the import of earth to a project site, as well as earth removal

Before the next meeting, the committee members will consider;

- Mission/purpose of this bylaw
- The "core purpose" of this bylaw
- How to determine a quantifier which, when met, would trigger the "Earth Removal Process".

At 3:17 pm, Chairman Lane moved to adjourn the meeting. The attendees agreed to adjourn.

The next meeting will be held on Tuesday, January 29th at 2:00pm