

TOWN OF STERLING
Earth Removal Bylaw Review Committee
October 8, 2019

Present: Shaun Francis, Domenica Tatasciore, Sarah Culgin, and Jeff Donaldson
Barbara O'Connor attended, as minute taker.

Absent: Matt Marro and Carl Corrinne

Minutes from the Meeting

Meeting was called to order at 2:10 p.m.

Mr. Francis made the motion to accept the minutes for the August 27, 2019 meeting. This was seconded by Ms. Culgin and unanimously approved.

Ms. Tatasciore recommended that the Committee officially organize itself. To await the full membership of the Committee, they tabled it to the next meeting.

Mr. Francis completed his action item of speaking with Joe Curtin who works at Pandolf Perkins to get his perspective on this committee's proposed bylaw. Mr. Francis said he spoke with Mr. Curtin at length on the phone and that his comments were generally insynch with this Committee's wording for the bylaw. Mr. Curtin mentioned that Section 63-7's Performance Standards are not all quantifiable although they should be.

There was continued discussion regarding the 1,000 cubic yards criteria requiring a resident to get an earth removal permit from the town. The comment was made that the number "1,000 cubic yards" seemed arbitrary. What does it entail? Should it be reduced to 500 cubic yards? What exemptions exist? Discussion is on-going.

Section 63-2 Definitions There was discussion that since the definition of Earth was already stated in the first paragraph of Section 63-2 as "soil, loam, sand, gravel, clay, rock, or other earth material", then there may be no need to repeat the entire verbiage under "Quarrying or Mining" section. Instead consideration to say "earth and minerals for sale".

Section 63-7 Performance Standards Regarding the discussion of whether or not the items under Section 63-7 Performance Standards are quantifiable, it was agreed that items G, H, and I are quantifiable and that D can be with a pre-post report. Reference was made to the proposed check list that residents will be required to fill in (checking the boxes) acknowledging their compliance with each performance standard under this section.

Members of the committee discussed the appropriateness of the term “Performance Standards” and all agreed to change the term to “Project Criteria” or “Earth Removal Criteria”.

Mr. Donaldson suggested that Statement E should be moved to A because the wording is affirmative.

Section 63-11 Violations Mr. Donaldson was given the **action item** to draft the wording for cease and desist orders including emergencies and violations to be added to the by-laws under Section 63-11 Violations - to be labeled Section 63-11B

Ms. Tatasciore has the action item to revise the by-laws and submit the corrected copy to Mr. Donaldson who will make his changes.

Date and time CHANGE for next meeting: Tuesday, October 29, 2019 at 1:00 p.m.

The meeting was adjourned at 3:10 p.m.