



***Town of Sterling
Earth Removal Board
1 Park Street
Sterling, MA 01564***



Minutes 15 September 2014 Meeting

MEETING CALLED TO ORDER at 19:30

- Present: Scott Michalak, Barbara Roberti, Ronald Pichierri, Kenneth Williams. (No Select Board Representation)

ITEMS DISCUSSED:

- Board voted to accept application of Henry L. Noyes Jr. for member-at-large position.
- 19:35 – Mr. Brian Foley Esq. Representing Lisa A. Kennedy of LCM Realty Trust and CTE, Inc. Mr. Foley presented a plan for removal of earth less than 1000 yards per lot at 38 Clinton Road. There are 4 Lots titled 1-4. The purpose for removal is for varied hill side cuts and retaining measures for construction of septic systems and residential homes on each of the individual lots. Earth Removal was informed that all Board of Health and Planning Board approvals would be in place before site development.

Brian Rich abutter, 60 Clinton Road raised concern about drainage at the lots. The Earth Removal Board informed him that the final drainage of the lots is a Planning Board discussion as it is part of site development approvals. Roy Ellis, 36 Clinton Road voiced that he was opposed to the development. Karen Andrade, 35 Clinton Road voiced that she was opposed to the development. The Board read into Record an unsigned letter sent via email from Carol G. Smith, 38 Clinton Road, to Kama Jane voicing concern about the property development but were not present at the meeting.

The Board discussed that the above referenced subdivision under Section 12 of the Earth Removal By-Law is exempt. The reason for the exemption is that the removal is in connection with the construction of a building, septic system and appurtenant walk and driveway for which the plan is before the Planning Board for the development of the residential property. Additionally, the applicant's representative indicated that the material being removed does not exceed that displaced by the portion of the building, walk, driveway, and septic.

Again Mr. Foley indicated that no removal would commence until the Board of Health and Planning Board approved of the plans.

Board Members present all voted that the removal was exempt.

MEETING ADJOURNED: 20:20

NEXT MEETING: TBD in Butterick Building

Recorded by: Scott C. Michalak, Chairman