

Town of Sterling
Earth Removal Board
Meeting Minutes 8/2/17

Members Present: Russell Philpott, Chairman, Michael Pineo, Vice-Chair, John Kilcoyne

Agenda:

8:30 AM

Call to order by Chairman, Roll Call and Pledge of Allegiance

Chairman welcomed new member Kilcoyne from Board of Selectmen and made a request and motion that Mr. Kilcoyne act as Clerk going forward, 2nd by M. Pineo, aye, Philpott, aye, Pineo, abstain, Kilcoyne, motion passed.

a) Lakeview Farm item discussed by Mr. Berube. Dirt has been brought in and removed. Per Chair, our ERB (Earth Removal Board) By-Law does not apply to material brought onto property per Atty. Carolyn Murray at K-P Law.

Motion by J. Kilcoyne to recognize that ERB By-Law regarding material trucked onto property site does not apply in this situation. 2nd by M. Pineo, **unanimous**.

b) DPW Item. M. Pineo moved to waive \$250 fee only if waived in past. 2nd by J. Kilcoyne, **unanimous**.

c) Rock Breakers, LLC item. In order to activate the permit renewal request, motion made by M. Pineo to renew the permit request with the required \$250 fee, 2nd by J. Kilcoyne, **unanimous**.

d) Paul Brodmerkle request for solar farm renewal permit with \$250 fee. M. Pineo moved to approve, 2nd by J. Kilcoyne, **unanimous** vote.

9:00 AM

#38 Clinton Road discussion with Mr. Brian Foley. Ms. Dolores Rich, of 60 Clinton Road also contributed to the discussion as a member of the general public. Ms. Rich provided pictures to the board of material being moved around on the property. She also spoke of trucks sometimes blocking her property. Mr. Foley indicated he has focused on preventing the trucks from parking in front of Ms. Rich's property.

Ms. Rich brought up erosion control as a problem since she claims water has drained down the hill at #38 Clinton Road into an area in the front of her property which also goes to the back of her property.

Mr. John Scarsella, a resident and partner with Mr. Foley then explained that trucks have been told not to park in front of or near her property.

The Chairman then described our board's rules and stated that he expected the project to avoid these kind of complaints in the future.

Ms. Rich said she will send a copy of a letter from Ross Associates to the Chairman who will send to Mr. Foley regarding possible trespassing in the nature of rocks having fallen onto her property.

The ERB discussed and agreed to request a tour of the property as soon as feasible to verify the current conditions relative to the complaints discussed this morning.

10:00 AM

Interviews and discussion with ERB candidates.

The Chairman requested adding Mr. Mike Rivers application to the list since it was received within 48 hours of the meeting. The board added Mr. Rivers application to the list.

The board discussed the positions being applied for with the following candidates; Zachary Cox, John Scarsella, Dolores Rich and Mike Rivers. Mr. Carl Corrinne was not present at the meeting. Based on a review of the ERB By-laws and rule governing eligibility of candidates, due to their current occupations it was determined that Mr. Cox, Mr. Scarsella and Mr. Corrinne were ineligible for a position on the ERB. The Chairman and board members thanked them for their interest and strongly encouraged them to investigate current openings on other boards and committees.

Mr. Pineo then moved Mike Rivers to be appointed to the board, 2nd by R. Philpott, **unanimous**. After some additional discussion with Ms. Rich, who acknowledged that she would need to recuse herself from any future discussions pertaining to 38 Clinton Road, Mr. Pineo moved to appoint Ms. Rich, 2nd by Chairman Philpott, **unanimous**. Both applicants were appointed for three year terms 8/2/17 through 8/2/20.

10:30 AM

J. Kilcoyne moved to adjourn meeting, M. Pineo second, unanimous. Next meeting to be 8/16/17 at 8:30 AM.

Submitted by: John Kilcoyne, Clerk