

Town of Sterling
Earth Removal Board
Meeting Minutes 10/6/17

Call to order by Chairman Mike Rivers at 8:00 AM.

Roll call: Mike Rivers, Chair, Mike Pineo, Vice Chair, John Kilcoyne, Clerk, Russ Philpot.

Pledge of Allegiance recited by all.

Recording the meeting: John Scarsella and Attorney Carolyn Murray from K-P Law.

Approval of Agenda by board.

Board entered into Executive Session at 8:04 AM by unanimous roll call vote.

Board returned to open session at 9:35 AM by unanimous roll call vote.

The Chairman informed Mr. Scarsella that his recording device was in the custody of the Sterling Police Department, as it had been discovered turned on and recording approximately one hour into the executive session. Mr. Scarsella indicated that he had realized he had left it in the room shortly after leaving the room, but he didn't want to disturb the board.

The Chairman then explained that the board had agreed to remove some of the required items on the conditions list to make it easier for them to get the cease and desist lifted. Rivers will send Foley an updated conditions list.

Mr. Foley stated that former chair of ERB (Earth Removal Board) previously stated that stumps were exempted from removal amounts. Some discussion continued on this and other items related to the order.

Attorney Murray again explained to the developers the situation, and they were again told that the issues that led to the cease and desist were created by them. They were also told that they could still file for an Earth Removal Permit instead of using the exemptions.

Mr. Rivers reiterated that the ERB had voluntarily agreed temporarily delay informing the developers lender or filing the C&D at the Registry of Deeds for 30 days to allow them to come into conformance with the bylaw.

Mr. Pineo left the meeting at approximately 9:40 AM.

No future agendas items were discussed at this time and no future meeting date was set. Mr. Philpot motioned to adjourn at 9:45 AM, Mr. Kilcoyne seconded the motion, vote unanimous.

Attachments:

- a) Memo of Agreement
- b) Chairman Rivers email of 10/6/17 and Spreadsheet Calculations.
- c) Minimum Conditions for Sterling Earth Removal Board