

Excavation of Material Study Committee
May 23, 2016 Minutes
Prepared by: Lee Hartmann

These minutes are not verbatim – they are staff’s interpretation of what took place at the meeting. – Open Meeting Law – Section III.

Committee Members in attendance: Brian Wick, Ed Anglely, Russ Appleyard, Betsy Hall, Malcolm MacGregor, Michael Main, Jack Risso and Richard Serkey.

Staff Member: Lee Hartmann

Mr. Wick opened the meeting.

Minutes

Mr. Anglely moved to accept the minutes of May 9, 2016. Mr. Appleyard seconded the motion. The vote was passed (7-0-1).

Earth Removal Bylaw

Mr. Main stated that the Town Meeting members and Zoning Board members that he talked to wanted cranberry growers to be treated the same as all other earth removal operators.

Mr. Serkey noted that the bylaw should filter-out earth removal operations that masquerade as cranberry farms.

Edward Conroy, Zoning Board of Appeals member, said that he was looking for 200 foot setbacks for earth removal operations. He wanted a 5 foot separation between groundwater and cranberry operations and a 10 foot separation for all other operations. He also wants a provision that gives the Zoning Board of Appeals the ability to deny request for cuts of over 20 feet. He agreed to email the committee language defining the term incidental.

Mr. Hartmann reminded the committee that Town Counsel will eventually be reviewing and editing this bylaw.

The committee discussed the possibility of establishing an earth removal threshold that would trigger a special permit regardless of end use.

Mr. MacGregor suggested adding a maximum time limit so projects do not drag-on for years. He also suggested establishing a maximum truck trip limit for all earth removal operations.

David Peck, Zoning Board of Appeals member, suggested adding language that allowed earth removal operations to occur for a maximum of six years (a two year permit and 2, two year extensions thereafter). Earth removal operations looking to extend work beyond the six year limitation would require a new filing.

The consensus of the committee was that such a provision would be acceptable.

The committee discussed establishing a truck trip limitation and establishment of heavy vehicle traffic plan requirement for earth removal operations requiring a zoning permit.

The consensus of the committee was to add such a limitation.

Mr. Peck suggested adding language that would require the posting of the “Danger – Keep Out” signage every so many feet.

The consensus of the committee was to requiring the posting of the “Danger – Keep Out” signage every 150 feet.

Mr. Appleyard suggested that each member prepare a list of their hot button issues for the next meeting.

At the next meeting, the committee agreed to discuss side slopes and terracing, review the current restoration standards, discuss Attorney Serkey’s agriculture provisions and discuss the bylaw’s impacts on cranberry bog sanding

The committee agreed to hold its next meeting in two weeks.

The meeting was adjourned at 6:55 p.m.

Respectfully Submitted,

Lee Hartmann, AICP
Director of Planning & Development

Approved: June 6, 2016