

Excavation of Material Study Committee  
June 6, 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 Angley, Russ Appleyard, Betsy Hall, Malcolm MacGregor, Michael Main, David Malaguti, Jack Risso and Richard Serkey.

Staff Member: Lee Hartmann

Mr. Wick opened the meeting.

**Minutes**

Mr. Serkey moved to accept the minutes of May 23, 2016. Mr. Main seconded the motion. The vote was passed (8-0-1).

**Earth Removal Bylaw**

Mr. Main suggested establishing a 3 year permit period and only one extension (5 total years) before a petitioner would have to re-apply.

The committee discussed the concept.

Mr. Main recommended adding a maximum cut provision to the bylaw.

The consensus of the committee was to change the 2 year permit with 2, two year extensions to a 3 year permit with 1, two year extension.

Ms. Hall suggested establishing a maximum side slope grade of 3 to 1. It is much better for revegetation and minimizes erosion issues.

Mr. Hartmann suggested adding 3 to 1 side slopes as a special permit trigger. A steeper slope would require approval by the Zoning Board.

The consensus of the committee was to add a 3 to 1 special permit trigger.

Mr. Malaguti felt that cuts and terracing were beyond the committee’s scope. An acceptable maximum cut will vary from site to site.

Mr. Main disagreed.

Mr. MacGregor supported a maximum cut of say 30 feet. To exceed 30 feet a special permit would be needed.

The consensus of the committee was to require a special permit for cuts exceeding 40 feet and to require a 10 foot terrace for every 40 vertical feet of cut.

Attorney Serkey provided an overview of his proposed language related to cranberry operations.

Mr. MacGregor asked about how the net present value of cranberries could/would be calculated.

Mr. Angley noted that operations which are part of the Ocean Spray cooperative generally receive much higher per barrel rates than independent operators.

Mr. Wick noted that 10 years is not an unusually long time period for cranberry farmers.

Mr. Wick said that he would contact the Farm Credit East, farm bureau, about such a calculations and if it makes sense for a gravel bylaw.

Mr. Hartmann reminded the committee that the gravel removal is a temporary operation not an end use.

At the next meeting, the committee agreed to continue to review the overall bylaw, continue the discussion on Attorney Serkey's provisions, review the intent section, and consider end use requirements.

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

The meeting was adjourned at 6:40 p.m.

Respectfully Submitted,

Lee Hartmann, AICP  
Director of Planning & Development

Approved: June 20, 2016