

Excavation of Material Study Committee
July 25, 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, Marc Garrett, 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 July 11, 2016. Mr. MacGregor seconded the motion.

Ms. Hall moved to amend the minutes to include “The committee discussed the perception of conflicts of interest among members.” Mr. MacGregor seconded the motion.

The committee voted (9-0-1, Mr. Angley abstaining) to amend the minutes as suggested. The committee voted (9-0-1, Mr. Angley abstaining) to accept the amended minutes.

The committee continued to fully discuss the perception of conflicts of interest among members.

Earth Removal Bylaw

Mr. Hartmann described the revisions made to the bylaw based on the committee’s July 11, 2016 meeting. He also presented the following re-use language for the committee’s consideration.

On sites where:

1. *Up to 25,000 cubic yards of earth are removed to expand, enhance or maintain existing cranberry cultivation facilities or*
2. *Earth removal in the Rural Residential District is allowed by special permit for an identified lawful principal use;*

The site shall not be used for any other lawful principal use for a period of five (5) years from the expiration of the excavation period or any extension thereof.

Mr. Serkey moved to include the 5 year prohibition language described by Mr. Hartmann. The motion was seconded by Mr. MacGregor. The motion passed (9-0-1).

The committee discussed requiring (after the expiration of the 5 years) a special permit to change to another end use. No action was taken.

The committee asked staff to get Town Counsel’s opinion on the possibility of requiring the forfeiture of the posted performance guarantee should a property owner fail to construct/establish the end use stated in a special permit.

The committee discussed language from other bylaws that Ms. Hall wanted the committee to consider.

Mr. Angley had no objections to adding some of the intent language suggested by Ms. Hall.

The consensus of the committee was to have staff add some of the intent language as deemed appropriate to the draft.

The committee discussed the status of draft bylaw. The consensus of the committee was to have Town Counsel review and comment on the draft at this time.

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

Respectfully Submitted,

Lee Hartmann, AICP
Director of Planning & Development

Approved: