

BRIAN JADUL & PETER GIVEN
90 & 96 Lincoln Lane
ERB 03-2 & 03-3

MINUTES OF THE PUBLIC HEARING CONTINUATION
SUDBURY EARTH REMOVAL BOARD
WEDNESDAY, MAY 7, 2003

The Board consisted of:

Richard L. Burpee, Acting Chairman
Stephen A. Garanin, Acting Clerk
Jeffrey P. Klofft
Thomas W.H. Phelps, Alternate
Patrick J. Delaney III, Alternate

The hearing was reconvened by the Acting Chairman, Mr. Burpee. He said the previous hearing was continued with concurrence from the applicants in order to give them additional time to develop information relative to landscaping of the slope and new drawings that would show the contours of the new proposed slope without going into 102 Lincoln Lane.

Mr. Jadul said he asked his engineer to redraw the lines. As a result, he was submitting revised plans. He also submitted a sheet which contains a list of landscaping materials and proposed percentages of coverage of the slope. He read from this sheet which he said provides an idea of what he plans to do and a breakdown of the species to be planted. There will also be mulch around these plant materials. He believed this will look natural and provide for erosion control.

Mr. Burpee asked if the plan contemplated doing anything at the top of the slope.

Mr. Jadul said it did not. He explained that he cannot see those neighbors; all he can see is trees; therefore, he didn't feel that he needed to provide a screen to the neighbors.

Mr. Given said his property contains the greatest portion of the ridge.

Mr. Klofft asked if that area is currently wooded or was it cleared.

Mr. Jadul said it is mostly cleared.

Mr. Terzian said he could see their roofs.

Mr. Given submitted a sheet which identifies the plantings he proposes. He described what was on the list and the area it was to cover. He said the spacing will be similar to the Jadul plans.

Mr. Klofft asked if the new contours are still at 2 ½:1. Mr. Jadul said they were.

Mr. Phelps said it looks like the plan basically moved all of the lines onto the Jadul property. He said Mr. Jadul indicated in his letter that he wasn't going to do anything.

Mr. Jadul said the plan wasn't scaled down but he did move the contour lines from 102 Lincoln Lane and provide landscape plans.

Mr. Burpee opened the hearing for public comment requesting brevity.

Dennis Mortimer wanted a sense of how the trucking was going to happen. He submitted a letter dated May 7, 2003 on this subject.

Mr. Terzian questioned why we have Earth Removal Bylaws when so much earth can be removed. He said that area is unsightly. With regard to the landscaping, at a minimum he would like to be shielded from view of the roofs.

Anton Vernoooy said the applicant shouldn't be allowed to take out any more earth. He said what's left should be spread out among the three houses to make an acceptable hill and replant it.

Michael Melnick said they have gone beyond what is incidental. Now they're asking to exacerbate the situation.

Mr. Mortimer still wanted information on the trucks.

Mr. Jadul said he didn't know when the contractor would start or how long this would take. He referenced his letter dated April 28, 2003 which outlined steps he was willing to take with regard to road cleanup as a result of the truck traffic.

Mr. Phelps said this will be discussed in deliberations and if the permits are granted will be included as part of the conditions.

Ms. Jadul said this process has dragged on. She said the excavator, Maurer & Sons, have told her that when the permit is in hand they will put them first on the list to get the job done. She said she also wants to get the job done as soon as possible.

Receipt was acknowledged of the Mr. Jadul's letter dated April 28, 2003 which includes an Addendum containing a list of five conditions to the proposed plan.

There being no further input, it was voted to close this hearing.

The Board began its deliberations. There was general consensus to approve the applications in accordance with the revised plan but to add conditions to the approval. Given that, the Board

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focused its discussion on the trucking issue, landscape plan including areas to be planted, hydrology and the latest contour plan after which it was agreed that Mr. Burpee would draft a decision with conditions to be submitted for review and vote at a meeting scheduled for May 15, 2003.

Richard L. Burpee, Acting Chairman

Stephen A. Garanin, Acting Clerk

Jeffrey P. Klofft

Thomas W.H. Phelps, Alternate

Patrick J. Delaney III, Alternate