

NOTICE OF MEETING
SUDBURY EARTH REMOVAL BOARD
TUESDAY, FEBRUARY 10, 2004

The Board consisted of:

Richard L. Burpee, Acting Chair
Jeffrey P. Klofft, Acting Clerk
Stephen A. Garanin
Melinda M. Berman

Also Present: James Kelly, Building Inspector

ERB 03-2 – 96 Lincoln Lane

The meeting was convened by Mr. Burpee, Acting Chair, for the purpose of considering a request for extension of ERB Permit 03-2 for the earth removal portion of the permit. In his letter dated January 12, 2004, Brian Jadul requests a two-month extension of Condition 17 because of weather conditions which precluded work during the winter months.

The Board was in receipt of the following:

- copy of log #51746 dated 12/30/03 from Frank Maurer Company which indicates earth removal of 2,442 cubic yards
- letter dated February 10, 2004 reporting on the above-referenced logs

Mr. Kelly provided an overview of the status of this earth removal project. He explained that earth was removed from the top of the hill which should not have been removed. That earth must be put back and Mr. Kelly did not see this as being a difficult job. Following that, loam will have to be brought in and at some point plantings will have to be done.

The overall permit expires in one year, or May 15, 2004. The earth removal portion expires February 15, 2004. Mr. Kelly said right now nothing is happening. With the weather conditions and the extension request, it was Mr. Kelly's opinion that what should happen is for the earth removed from the hill to be replaced and then to finish with the earth removal. Mr. Kelly said there isn't much more earth to be removed.

Mr. Klofft voiced concern that the earth removal specified in the plan might not have been accurate enough given the logs from the contractor and the final plan which must be worked to.

Peter Given, 90 Lincoln Lane, who was granted ERB Permit 03-3, explained that the delay in providing a performance bond was due to his difficulty in obtaining a bond as a homeowner. He anticipates obtaining a bond shortly.

Mr. Klofft asked whether, if an extension is granted, the entire project could still be completed within the one-year time frame. Mr. Kelly was not sure.

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Discussion followed on whether the both deadlines should be extended - the earth removal portion and the permit expiration. Mr. Burpee voiced concern that Mr. Jadul could not finish removing earth on his property without disturbing earth on the Given property. He said Mr. Given would have to have a bond in place before Mr. Jadul could finish work on his property.

Mr. Klofft agreed. He felt there was no way Mr. Jadul could get to an as-built plan until Mr. Given was able to proceed on his property.

Since it was not clear when Mr. Given would be posting a bond, a timetable could not be determined; therefore, the Board felt the best approach at this time was to extend the earth removal portion date as requested.

It was then on motion unanimously voted to grant a two-month extension of the earth removal portion of Mr. Jadul's permit ERB 03-2, to April 14, 2004.

There being no further business, the meeting was adjourned.

Richard L. Burpee, Acting Chair

Jeffrey P. Klofft, Acting Clerk

Stephen A. Garanin

Melinda M. Berman