

ARTICLE

To see if the Town will vote to amend the General Bylaw - Bylaw #5 – Earth Removal as follows, or act or do anything in relation thereto.

1. Capitalize the word “Earth” and the phrase “Earth Removal” throughout the bylaw;
2. Amend Section 5.4 paragraph 2 by adding underlined text as follows;
The Board shall distribute copies of the application to the Conservation Commission, Police Chief, Highway Superintendent, Fire Chief, Building Commissioner, Select Board and local utilities if proposed work is within their districts. Such officials may, within twenty-one days of distribution of the application, provide such comments as they deem appropriate; provided, however, that failure to provide such comments within said period shall not prevent the Board from thereafter acting on the application.
3. Section 5.5 d. change the word “petitioner” to “applicant”;
4. Section 5.5 i. change Section “5.7” to “5.8”;
5. Section 5.9 Renewals change section “5.4.b.” to “5.4”.

ARTICLE

To see if the Town will vote to amend the Zoning Bylaw Section I.B. – Definitions, by deleting the strike through language and adding the underlined text, or act or do anything in relation thereto.

~~Earth Removal:~~ ~~Removing any form of soil, including without limitation, sod, loam, sand, gravel, clay, peat, hardpan, rock, quarried stone, or mineral product.~~

~~Earth Removal, General:~~ ~~Any earth removal not defined as subdivision or miscellaneous.~~

~~Earth Removal, Miscellaneous:~~ ~~That which is entirely incidental to construction for which a building permit has been issued, or that which is less than three hundred (300) cubic yards.~~

~~Earth Removal, Subdivision:~~ ~~That which is entirely incidental to road construction for an approved subdivision.~~

Earth Removal: Removing and/or disturbing earth via any number of means including but not limited to excavating, grading, digging, or blasting, whether or not the earth is removed from the subject lot.

Earth Removal Class 1: Commercial and High Volume: Any earth removal which is more than 3,000 cubic yards within a 12-month period, that is not otherwise defined as Class 2 or Class 3.

Earth Removal Class 2: Subdivision/Site Plan/Special Permit: Earth Removal which is entirely incidental, in the opinion of the Planning Board, to an approved subdivision, site plan, or special permit.

Earth Removal Class 3: Residential, Agricultural, and Low Volume: Earth removal which is entirely incidental, in the opinion of the Building Commissioner, to construction that is subject to an approved building permit for a single family home or agricultural building/operation; or that which is 3,000 cubic yards or less within a 12-month period.

ARTICLE

To see if the Town will vote to amend the Zoning Bylaw Section III.A. 4. Table 1, Section G. by deleting items 6. and 7. and replacing them with the following, or act to do anything in relation thereto.

	R-1	R-2	V	B-2	I	OLI
6. Earth disturbance and removal – Class 1, in accordance with Bylaw 5 of the Sutton General Bylaws	-	-	-	S*	S*	S*
7. Earth disturbance and removal – Class 2 & 3, in accordance with Bylaw 5 of the Sutton General Bylaws	P	P	P	P	P	P