



Town of Sudbury

Earth Removal Board

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**MINUTES
AUGUST 27, 2024 AT 6:00 PM
VIRTUAL MEETING**

Earth Removal Board Members Present: Chair Jonathan Patch, Bryan Gammons, Michael Hershberg and William Ray

Earth Removal Board Members Absent: Jeffrey Rose and Benjamin Stevenson

Others Present: Adam Burney, Director of Planning and Community Development

Mr. Patch opened the meeting at 6:00 PM by noting the presence of a quorum.

Case 24-01 – 631 Medical Office LLC, Applicant and Owner, seeks an Earth Removal Permit under the provisions of Article V(A) of the Town of Sudbury General Bylaws to remove approximately 2,390 cubic yards of top/sub-soil, natural parent material and any unsuitable materials encountered (boulders) at 631 Boston Post Road, Assessor's Map K06-0502.

Vito Colonna, Connorstone Engineering, project engineer and Josh Fox, Rollins, Rollins and Fox, project attorney were present to discuss the application with the board.

Proposed development:

- Demolition of existing structure and construction of a new ~10,000 sq ft childcare facility (Celebration School)

Site plan highlights:

- Driveway on side, play yard in the rear
- Septic system proposed in front
- Stormwater management facilities in the front
- Retaining walls proposed along property lines to support excavations

Earthwork / Volumes

- Total material to be exported: approximately 2,390 cubic yards (calculated using AutoCAD surface comparisons)
- Site grading: zero net cut/fill around the middle of site. Cut in rear (up to ~18 feet at one corner) and fill in front
- Test pits: Several test pits performed through the middle and front of the site; no ledge, no unsuitable materials found; subsoils characterized mostly as sand
- Most significant cuts are in the rear: localized 9-foot cut near play yard and an 18-foot cut at a corner

Environmental / Site Concerns Discussed

- Bedrock risk: Board members noted potential for shallow bedrock in the rear (near Tillinghast Rock Trail vicinity). Vito indicated test pits reached over 10 feet in the middle without ledge; however, bedrock in the back cannot be ruled out. If bedrock encountered during deep excavation, contractor would use non-blasting methods (e.g., pneumatic hammers or splitting) due to proximity to the neighboring house.
- Septic system: Existing septic tank will be pumped out by a licensed septic hauler and contents properly disposed; remaining tank components will be buried in place or exported as part of cut/fill—applicant confirmed standard practice.
- Environmental records: Applicant's transaction screen and lender-ordered Phase I indicate no recognized environmental conditions (RECs), though the project representatives did not provide copies of those reports at the ERB meeting. Board suggested obtaining and reviewing these reports (MassDEP searchable databases) to confirm.
- Erosion, sediment, and dust control: Erosion controls and temporary stormwater controls proposed; dust control measures and stabilized/covered outbound trucks planned. Stockpiles to be surrounded by silt fence.

Mr. Ray made a motion to approve the application for 631 Boston Post road with the standard conditions. Mr. Hershberg seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Gammons – Aye, Mr. Hershberg – Aye, and Mr. Ray – Aye

Approval of minutes from January 8, 2024

Mr. Ray made a motion to approve minutes as submitted. Mr. Patch seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Gammons – Aye, Mr. Hershberg – Aye, and Mr. Ray – Aye

Mr. Ray made a motion to adjourn the meeting at 6:33. Mr. Patch seconded the motion. Roll Call Vote: Mr. Patch – Aye, Mr. Gammons – Aye, Mr. Hershberg – Aye, and Mr. Ray – Aye.