EARTH REMOVAL PERMIT & NOTICE OF DECISION

TOWN CLERK
NORFOLK
2020 JUL 22 AM 10: 26

19 Shire Drive, Norfolk, MA

1. **Applicant:** AA & JB Realty, LLC

2. **Property Description:** The proposal is for the moving and stockpiling earth on-site at 19 Shire Drive and shown on Assessors Map 18, Block 69, Lots 41-12 and Map 19, Lot 69-47.

3. **Term:** This permit shall be effective August 1, 2020 through August 31, 2021, by which the proposed earth removal shall be completed. Upon written approval by the Planning Board, the term of this Permit may be extended in order to allow completion of the work.

4. **Jurisdiction:** The Planning Board is authorized to grant a special permit for earth removal in the Town of Norfolk pursuant to Article VII, Section 1 of the town bylaws. The Applicant filed an Earth Removal Permit Application, dated November 19, 2019 and received by the Planning Board on that date. A public hearing was held on January 14, 2020, continued to February 11, 2020, March 10, 2020, March 14, 2020, April 14, 2020, May 12, 2020, and closed on July 14, 2020.

5. **Decision:** At the meeting of the Planning Board on July 14, 2020, a vote (5-0) was taken to grant an Earth Removal Permit to said Applicant for stripping and moving 52,600 cubic yards of earth materials (soil, loam, sand, ledge and gravel), of which 10,800 cubic yards will be stockpiled and used on site 32,500 cubic yards will be removed and 5,600 cubic yards will be imported to the site, subject to the terms and conditions set forth below.

Permit Terms & Conditions

a) **All removal shall be in compliance with the proposed elevation grades shown on the plan referenced above, and on file in the Planning Board Office. Diving for veins of sand, gravel or other earth materials below the specified grade elevations is strictly prohibited. Verified benchmarks shall be used to mark all necessary elevations.**

b) **The acceptance of this permit by the permit holder (Applicant) shall be deemed to grant an irrevocable license to the officers, agents, employees independent contractors and other authorized representatives of the Town of Norfolk to enter upon said premises for inspectional purposes in order to ensure compliance with the permit, and if determined by the Planning Board, to complete restoration of the premises.**

c) **Violation of any of the conditions of this permit will be grounds for its revocation, subject to a public hearing. Penalties will be imposed in accordance with town bylaws, Article VII, Section 1.**

d) **Compliance with other provisions of the Town of Norfolk earth removal bylaws Article VII will be strictly enforced.**

e) **Work performed herein shall be between 7:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays. No equipment**

<u>mobilization or demobilization will be allowed except during the hours stated.</u> Trucks used in earth removal operations shall not operate off-site prior to 9:00 AM and after 3:00 PM, Monday through Friday.

f) If there is a problem in the course of construction, it will be fixed within a twenty-four (24) hour period, i.e. dust, noise, erosion control, etc.

g) An As Built plan shall be provided once the project is complete to show compliance with this permit.

h) The Applicant shall furnish a police detail, if needed, as required by the Chief of Police in order to ensure public safety. The payment of any police detail shall be the sole responsibility of the Applicant. Failure to provide for, or pay for police details shall be reason for suspension of this Permit.

i) Any areas disturbed in the course of construction will be covered with loam and seeded, or other suitable means of landscaping will be used per the site plan.

j) Any complaints will be addressed and corrected within a twenty-four (24) hour period.

This permit shall be effective on the dates specified herein.

ACCEPTED BY APPLICANT: AA & JB Realty, LLC

_____

Date: _____

cc: Building Commissioner
Highway Superintendent
Water Superintendent
Police Chief
Fire Chief