

ARTICLE XXII
REMOVAL OF EARTH PRODUCTS
(Amended May 2008 – ATM, Art. 36.)

Section 1. The removal from any premises of more than ten (10) cubic yards of earth products, including sod, loam, sand or gravel, shall be prohibited except when incidental to and in connection with the construction of a building or street or other activity authorized in the zoning by-law or Article XLI Stormwater Management and Land Disturbance By-Law.

Section 2. Removal of earth products prohibited by Section 1 of Article XXII may be authorized by the Board of Appeals by Special Permit provided it determines that the activities involved are not harmful or detrimental to the present or future character of the neighborhood or the Town. Before issuing such a special permit the petitioner shall file a bond or other security satisfactory to the board to guarantee performance of the conditions of the special permit. The permit issued shall be granted only to the petitioner as a personal right and shall not be transferable.

Section 3. In all areas which are disturbed, topsoil removed therefrom shall be stockpiled on site until completion of operations and promptly thereafter each disturbed area, on which structures, parking lots or ways are not in place, shall be recovered with topsoil to a depth of at least that which previously existed, but, in any event, with no less than four inches (4) of compacted topsoil in the uppermost layer.

Section 4. Removal of earth products other than specifically permitted in the zoning by-law or in this by-law is prohibited.

Section 5. Notwithstanding any other Section of this article, removal from the Town of Holliston of soil, loam or other earth products suitable for growing vegetable matter, in excess of one bushel, shall be prohibited.

Section 6. The penalty for a violation of any Section of this article shall be as follows: for the first offense, fifty dollars (\$50); for the second offense, one hundred dollars (\$100); and for each subsequent offense, two hundred dollars (\$200).