

BERWICK PLANNING BOARD

MINUTES

September 1, 2011

Present: Kerry Ashburn, Judy Burgess, Peter Perri, Ron Morrell, Jim Webster (CEO), Joan Michaud (Planning Coordinator)

PUBLIC HEARINGS

Vigue-Thompson Hill Sand & Gravel, LLC / Amendment to Conditional Use – Mineral Extraction/Gravel Pit, 55 Thompson Hill Road (Map R-31, Lot 12): Continued

A site visit of the gravel pit was conducted by Christina Stacey of the MDEP along with the Town Engineer, Jon St. Pierre and Ron Vigue on Wednesday, August 31, 2011. Ms. Stacey confirmed that the gravel pit was in compliance with the DEP Division of Land Resources Regulation rules. Her follow-up email to the site walk was read aloud at the meeting.

Jon St. Pierre's review of the site walk was also read aloud. He stated that it was his understanding based on Christina Stacey's comments, that a MDEP Quarry permit would be triggered by the blasting of one acre of rock.

Ron Vigue stated that a total of 49 truck loads from April 1 thru August 31 (22 weeks) were made during this timeframe. Under the original CU permit, he was allowed 100 loads. Steve Clement has been logging which he has permits. There was only one incident of a 10 wheel truck driven by Russell Libby driven down Tall Timber Drive. Mr. Libby has agreed that he will not use that route again.

Mr. Vigue read a letter submitted in June, 2011 by Paul LaPierre, former Superintendent of Public Works, that Thompson Hill Road was built up to town road standards and able to handle truck traffic.

Mr. Vigue stated his future intent for the blasting and crushing was two (2) / two (2) week periods for a maximum of four weeks for blasting. Crushing would not be done that entire time. He would not be crushing before 8:00 and would end by 5:00 p.m. and Saturday 8-12:00p.m.

Ron Vigue passed out noise maps supplied to him by Caterpillar. John Hadden from Caterpillar spoke on the noise concerns from rock crushing machines. He stated that the site is heavily buffeted by forest and the unit is confined with three (3) water sprinklers on it for dust control and that different types of crushers make more noise than others.

Public Comments:

Concerns from abutters and residents of the affected neighborhood were voiced.

- Future usage of the land.
- Changing of initial plans for the gravel pit after one year's time.
- Noise from the rock crusher.
- The type of crushing equipment that would be used.
- Hours and length of the operation.
- Health issues from the dust.
- Amount of truck traffic and speed limit for commercial vehicles.
- Damage to wells; quality and quantity of water.

MOTION by Judy Burgess, SECOND by Peter Perri to approve the amended conditions as stated and all the other conditions of the original Conditional Use Permit except the amended conditions will still be met, PASSED by 3-1:

1. Hours of Operation: Monday through Friday, 8:00am to 4:00pm with the exception of the school's summer session, according to the school calendar, hours will be 7:00 a.m. to 4:00 p.m.
2. Trucks are to use Thompson Hill Road only. No Thru Truck signs to be posted at the expense of the property owner and located at the corner of Tall Timber and Thompson Hill roads and at the top of Thompson Hill and Cranberry Meadow Roads.
3. Seasonal operation through November 30th.
4. Number of employees allowed will be one (1) full-time plus the owner. Temporary use of lease equipment may be operated by leasing company personnel.
5. Not more than 30 daily truck loads allowed. Not to exceed 100 per week.
6. Blasting three (3) times per year by certified blasting company to be fully insured and bonded. Air track boring time one (1) week per blast. State Statue to be followed by blasting company. Hours of operation are 8:00 a.m. to 4:00 p.m. No blasting on Saturday or Sunday.
7. Crushing allowed from 8:00 a.m. to 5:00 p.m. Monday through Friday for two (2), 14 day periods, not to exceed 28 days in one year. Sound test to be performed by the Code Enforcement Officer, at the start of crushing, to assess the sound at the property line and if he deems it necessary, a certified professional will be required and paid for by the property owner.

Land Use Ordinance – Proposed Amendments:

The Board agreed to forward to the Board of Selectmen the following Land Use Ordinance changes:

1. Add a Definition for "Outdoor Storage" to address resident concerns of neighboring businesses (Amend Article II, §2.2)
2. Add Urban Overlay District (Amend Article IV, §4.1, B)
3. Add except when in the Urban Overlay District in order to encourage mixed use (Amend Article V, §5.3, 5)
4. Remove note (2) amending the Land Use Table (Amend Article VI, §6.2)

It was agreed that Article VII §7.2 Buffer Areas and Article VII, §7.5 Landscaping needs more work before being submitted to the Board of Selectmen for consideration.

APPROVAL OF MINUTES

Minutes –August 4, 2011: Approved

Minutes – August 18, 2011: Approved with one change per Judy's request.

Meeting adjourned at 9:28 p.m.



Kerry Ashburn, Chairman