

Town of Waitsfield
DEVELOPMENT REVIEW BOARD
Meeting Minutes
Tuesday, September 9, 2008

1. CALL TO ORDER: Brian Shupe, Chair, called the meeting to order at 7:30p.m. at the Waitsfield Town Office.

MEMBERS PRESENT: Brian Shupe (Chair), Gib Geiger, Mike Kingsbury, Hallie Tamez.

MEMBERS ABSENT: Jamey Fidel, Eleanor D'Aponte, Mark Sinclair.

STAFF PRESENT: Vickie Trihy, Planning and Zoning Administrator

APPLICANTS AND THEIR REPRESENTATIVES PRESENT: #3185 Valerie Capels, Town Administrator; Paul Hartshorn, Selectman; Jonathan Ashley, Phelps Engineering; and Stewart Grandfield, Road Foreman.

INTERESTED PARTIES: Doug Kenyon, adjacent landowner.

2. #3185, Town of Waitsfield, Conditional Use Review for establishment of a municipal gravel pit. The property is identified as parcel #99037.000 in the Agricultural Residential District and is accessed off Armstrong Road. Less than 10 acres of the 74.2-acre parcel is proposed to be used for the gravel pit operation.

Brian Shupe gave a brief overview of the site visit that took place on Tuesday, September 2, 2008. Brian noted a lot of the deer yard shown on the map has been heavily impacted near the entrance by past gravel activity, but improves farther into the pit. Brian also indicated an area of interest is the proximity to the stream and the steep slopes.

Valerie Capels stated that reference to the site in the opening comments as the "reestablishment of a municipal gravel pit" should be rephrased to show the proposal is to reopen a long-unused gravel pit for municipal use.

Brian Shupe suggested reviewing the conditional use standards and also specific standards for gravel pits. Brian stated there are five statutory general standards that apply to conditional uses and there are also more site-specific standards the Board can consider in its review.

Beginning with the **general standards**, the applicant asserts that the project is an enhancement to **community services and facilities** and will help maintain the roads more efficiently and effectively.[Nancy—Who made this statement, and the one that follows?]

Brian observed that the **character of the area affected** is an existing neighborhood, but the proposed gravel pit was consistent with what the Town Plan and zoning called for in that area. The area was anticipated to receive applications for gravel extraction with the

understanding it is an allowable conditional use that needs to be carefully managed. Jon Ashley indicated the area to be well isolated due to the well-wooded sections, and this would help lessen the noise impact on the residential neighborhood.

Brian Shupe noted the two areas to impact traffic **on roads and highways in the vicinity** are the upgrade of Armstrong Road and other roads in the area to accommodate traffic. It was established at the last meeting this was not going to be a town wide increase in traffic, but an offset to what is already trucked into town.

Brian Shupe noted the character of the area is addressed in the Waitsfield Town Plan. There is a section on extraction that talks about managing it to minimize environmental impact.

Reforestation will be maintained in the area to address the **utilization of renewable energy resources**. Hallie Tamez questioned why solar energy was addressed under the utilization of renewable energy resources condition. Jon Ashley explained there was no particular reason other than heights of trees and buildings are often a concern should a neighbor wish to implement solar panels.

Moving on to **Specific Standards** of the Conditional Use Review, it was agreed that the deer yard and streams are the two main applicable areas addressed in the **protection of natural resources** standard. Paul Hartshorn stated the Town would work with the Conservation Commission to establish management of the deer yard for minimum impact. Brian Shupe expressed concern on a section of the land where there is a steep embankment. Mike Kingsbury explained it would not be a problem as excavation would stay ten feet from the top of the bank. Jon Ashley further explained they would maintain slopes less steep than currently exist in that area. He further explained the areas would be maintained by providing top soil, seed and mulch. Additionally, erosion matting would be used if the seed and mulch did not take. Brian Shupe asked if a state permit is required. Jon Ashley explained the storm water permit required is actually a Multi-Sector General permit that includes the construction general permit and storm water pollution prevention.

The crusher was discussed with regard to **design and location of structures**. It was determined the crusher would only be on the premises for a maximum of four weeks every other year.

There will be no additional roads built for this project. Access to and from Route 100 is adequate. A gate will be installed giving access to snow mobiles and horses. A sign will also be installed to limit motorized vehicles.

Jon Ashley explained that data from McCullough Gravel Pit in East Calais and Tucker Sand and Gravel Pit in Berlin, both with Act 250 permits, was used to determine estimated **noise** level. The result is an estimated expected noise level of 70 decibels or less from the crushing operation. The crushing operation would be limited to a maximum of four weeks per year, and operating hours are likely to be 7:00am to 4:30pm. Jon Ashley further explained the

highest noise level anticipated in the Armstrongs' backyard from the nearest site of crushing operations would be in the 59 decibels range, which is a quiet residential neighborhood noise level. Hallie Tamez inquired about noise levels during clearing. Jon Ashley explained one to two acres would be cleared at a time intermittently over one- to two-week periods.

Discussion was had as to what action would be taken should water be reached when digging. The action would be to dig a shallower hole. Brian Shupe inquired as to whether or not there are ground springs in the area. Jon Ashley stated there are springs shown on a survey plat, but they are up-slope from the gravel pit and should not be affected. In addition, all maintenance on vehicles and equipment will be made at the Town Garage to eliminate oil or hydraulic leaks occurring on-site.

Mike Kingsbury also asked that on-site storage be available for suitable product to be used for reclamation.

The hearing for #3185 was closed at 8:30.

3. APPROVAL OF MINUTES. Minutes of the August 12, August 28, and September 2 meetings were approved.

4. OTHER BUSINESS.

Vickie Trihy sent a letter to Jason, of Full Circle Auto, reminding him the permit for his trailer is soon to expire. She is expecting an application for review of his proposed building.

Compere and Flemer are coming up on September 23 for a sketch plan review. Mad River Ambulance will be here on October 14 with their revised landscaping plan. Vickie Trihy will warn the ambulance item with the same conditional use application number as was approved and indicate the the hearing is required to review compliance with certain conditions of the approval. Also, on October 14 TD Bank /Fuller has applied for a variance with regard to a well and driveway issue for a house in Ski Valley Acres . In addition, we could be looking at the final hearing for Compere and Flemer on October 14.

5. ADJOURNMENT. The hearing closed at 8:45.

Respectfully submitted,
Nancy Myrto