

**Town of Londonderry, Vermont Development Review Board
Meeting Minutes
Wednesday, 2/15/23
Twitchell Building - 100 Old School Street, South Londonderry, VT**

DRAFT

Board Members Present: Esther Fishman-Chair, Paul Abraham, Scott Denkman, Christopher Laselle, Bob Maisey, Rich Phelan, Denis Pinkernell.

For the Applicant

Chris Ponessi, Hunter Kaltsas, Dana Ladd

Others in Attendance:

Darcy Duval, Mike Goodbody, Pete Cobb, Gary Longley, Melisa Brown, Bob Uttal, Steve Swinbourne, Barbara and Leonard Rowe, Sandy Wilbur (on zoom), Michael Fokken (on zoom)

Chair Esther Fishman called the meeting to order at 5:31 PM

Additions or deletions to the agenda

ZA requested that a discussion of abutter notification, and size of signs at the shopping plaza be added to the agenda, Paul Abraham moved, Rich Phelan seconded, passed unanimously.

Minutes Approval – Meeting of 12/21/22

Paul Abraham moved, Rich Phelan seconded, passed unanimously

Announcements/Correspondence :None

Visitors and Concerned Citizens: None other than people for the hearing.

Hearing:

Permits #2022-67 and 2023-1; Hunter Kaltsas' application to extend the permits for two quarries on Rows Rd

There was an introduction of the board to the members of the public+, and an explanation of the board's authority on this application.

The applicant's engineer gave an overview of the applicants proposal to:

- Extend the permit of the Rowe Quarry not for extraction, but to allow it to be reclaimed. They say they will do the work in a year, but they are requesting a longer period just in case there are unforeseen circumstances.
- Renew the permit for extraction from the Mad King Quarry for another 5 years
- To install a wider vegetated buffer between the Mad King Quarry and the West River to meet new state regulations.
- Change the design of the excavation from sloped to stepped sides.

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- To Increase crushing from 15 days spring and fall to-20 days spring and fall, which they say is necessitated by the amount of down time needed for crushing equipment.
- To move the blasting period to April and July
- He described what the quarry would look like as the quarrying progressed, and after the site was reclaimed.

He also went through the various sections of the Londonderry bylaws which are relevant to Permitting a quarry:

- Erosion control
- Stormwater Management
- Depth to the water table
- The extent and magnitude of the proposed operation
- Phasing
- Impact on the town
- Impact on Scenic and Natural Beauty
- Site reclamation
- Effects on immediate neighbors
- Londonderry's performance standards
- Reclamation funds in escrow
- State and Federal Flood regulations.

The meeting was well attended by people who own property near the quarry, and they commented on:

- The impact of the trucks from the quarry,
- The failure of some of the truckers to tarp their trucks,
- Do not enter signs on Rowe's Rd
- Whether the quarries had all the necessary state permits,
- The process of notification for blasting events.
- The noise level of crushing and blasting
- Money for reclamation

The applicant responded:

- That Hunter Excavation has many trucks that go through town, not just trucks from the quarries, that his trucks have the necessary overweight permits, That he has to send Vt ANC Enforcement logs of the number of truck trips, that he can't store diesel on the site That he has a few drivers that forget to tarp trucks, and he is working on correcting that even though tarping is not required by state law
- That he would remove any do not enter signs on the Town right of way on Rowe's Rd
- That state permitting is a very long process, involving many different agencies, and it is ongoing

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- That he has a lot of experience with running blasting jobs, that blasting is highly regulated and done by a very competent subcontractor, and that he would be willing to add the fire department to the list of parties receiving notice of blasting events, and that blasting events usually involve only one blast, but sometimes two.
- That the noise level of the hammering is below the maximum noise level allowed in the Londonderry Zoning Bylaws, and that the state requires the verification of that by an engineer, and that the noise level will go down as the quarry gets lower
- That the money for reclamation is in an escrow account which is regulated by the state.

Old Business: None

New Business:

Abutter Notification: The ZA asked if the board thought that abutter notification should be expanded beyond just properties that touch the lot subject to a permit application, and the board said the change was not necessary

Size of Signs in the Plaza: The ZA asked the boards opinion of a passage in the bylaws regarding the size of signs at shopping plazas, the board reviewed the relevant by-law sections and found them to be inconsistent and requested the ZA ask for clarification from the town counsel.

DELIBERATIONS

Started 7:45

Finished 8:30

Adjourn

Paul Abraham moved to adjourn the meeting, seconded by Rich Phelan; passed unanimously. The meeting adjourned at 8:35

The next regular meeting of the Londonderry DRB is scheduled for 3/15/23

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Respectfully Submitted,

William Goodwin ZA

Approved by the Londonderry Development Review Board

_____ / _____ / _____
Esther Fishman Chair