

TOWN OF GEORGIA ZONING BOARD OF ADJUSTMENT

47 Town Common Road North

Saint Albans, VT 05478

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Monday, March 21, 2016

Board Members Present: James Powell, Tony Gabel, Rich Hamlin, Dan Foley, and Krissy Jenkins

Board Members Absent: Gilles Rainville, Jr.

Staff Present: None

Others Present: Jim & Janet Harrison, Kevin Harrison, Peter Garceau, Erma Stough, David & April Johnson, Abby Ledoux, Julie Smith, Tonya Gagne, Bill & Patricia Mraz, Laura Datillio, Sandy Read, Kevin Boutin, Brent Michum, Tracy Morgan, Lisa & Tim Maple, Gilles Rainville, Sr., Janice Gaudette, Paul and Kristin Newton.

Approved: May 16, 2016

Meeting called to order at 7:00 pm by James Powell at the Georgia Municipal Building.

Motion to accept the minutes of the January 11, 2016, Zoning Board of Adjustment meeting, made by Dan Foley, seconded by Rich Hamlin. No further discussion. All in favor, the motion carried.

7:00 pm ZBA #001-16: James and Janet Harrison, Applicants/Owners – Request for Conditional Use.

James Powell swore in those providing testimony.

Krissy Jenkins and James Powell read the Zoning Administrator's report.

“On January 22, 2016, applicants James and Janet Harrison submitted an application requesting Conditional Use in order to operate a quarry on a vacant parcel of land located between Skunk Hill Road and VT Route 104A in the AR-1 zoning district.....”

James Powell asked if the applicants wished to add anything to the Zoning Administrator's report. Peter Garceau, Cross Consulting spoke on behalf of the applicants.

First Peter would like to correct the hours of operation, based on the Act 250 Permit, we are not proposing any Saturday hours of operations, it's just Monday – Friday, 7:00 a.m. – 5:00 p.m., with an hour before and an hour after for prep and clean up for the employees. It is 6:00 a.m. – 6:00 p.m. total, but the hours of operation for outside sales is 7 – 5.

Peter then highlighted changes from what was previously proposed to the Town back in 2012/2013, versus what we have changed with Act 250 and the State. What we submitted to Act 250 was also quite different from what was proposed at the Town level. Notably the biggest change is the access on 104A. Also right along the railroad tracks, Historic Preservation classified a sensitive area. They did a Phase 1 study and they recommended a further study in those areas before excavation starts. Rather than do that, we just moved the access.

Both blasting areas have been shrunk down. At the northern side of the quarry the biggest change is the access road that connects the Harrison Batch plant and the northern extraction area. The extraction area has been reduced on the northern side. More importantly, the access road that connected the quarry and the plant itself was proposed to go right up alongside the former Lynch residence; it is proposed to connect about half way down the road utilizing an existing road. We are going from literally a few hundred feet from the back of the Maple residence, to over a 1000 feet. That is probably the biggest change from going through the Act 250 process.

Peter would like to highlight the trees on the site, now that the road has been relocated. There is over 1000 feet of natural tree buffer that is going to remain now.

The southern extraction area is proposed for outside sales, because it has the access on 104A. The northern extraction area is going to be used for the plant operation. There will be no access between the southern and the northern extraction areas. There will be a conveyor to bring product from the southern extraction area to the northern extraction area.

James then opened up the meeting for public comment. There were numerous comments. A few of their concerns were the 104A access and the noise factor from the blasting and rock crushing. The blasting does shake the whole house. What is it going to do to the foundations, wells, etc. What is it going to do to property values? There was concern about who is going to police the Act 250 stipulations.

There was discussion regarding the monitoring of the wells and the pre-blast inspections for the area homes. There were 45 residents that were selected (which is within a half mile of the site), to provide water level monitoring and protection. Once the plan is approved, then those residents will be notified to see if they want to enter into the monitoring plan. It is up to the resident's discretion if they want to participate in the monitoring or not.

The residents also had some concerns whether the people on 104A were even notified of the changes that are going to happen on Route 104A, Georgia Mountain and the surrounding areas.

Gilles Rainville, Sr. states, "I am not going to speak about the quarry, because I have one. But I am worried about the access on 104A. The State gave them permission to do it, but they don't live there, we do, that is the difference."

Gilles has one more thing. Gilles asked who the Chairman of the Board is. James Powell is the Chairman. Gilles states that James knows Jim pretty well, and works with him. James states that, "he has done business for me in the past." Gilles believes that he should recuse himself because there is a conflict of interest. Dan Foley, stated that his daughter is in Mr. Harrison's

grandchild's town. In a small town there are numerous conflicts of interest. If you suggest that knowing someone, or having some relationship other than strictly here in this room, then that is not fair. James states, "It's no mystery that I am a builder, I build houses." Conflicts are different when you are being paid.

Gilles wants it on the record that if there is a conflict he wants it to be known. James states, "If there were a conflict, I would recuse myself." Tony Gabel states, "I buy a lot of stone from your quarry, am I supposed to recuse myself because I personally know you?" Rich Hamlin states, "There is a huge difference between purchasing something from somebody and having a relationship with somebody".

Paul and Kristin Newton were unable to make the meeting and sent in an email stating their objections to the project.

Peter Garceau answered a few more general questions. Peter states that after the first year of having the access on the site on 104A, VTrans will be doing another traffic study to study the safety of this access. The construction of the road on the north and south extraction sites has to be built in the first year.

Rich Hamlin made a motion to close the hearing at 9:25 p.m.; seconded by Tony Gabel. The ayes were unanimous, the motion carried. Applicants left.

Motion to enter deliberative session made at 9:30 p.m. by Krissy Jenkins, seconded by Dan Foley. The ayes were unanimous, the motion carried.

Motion to continue deliberative session, at a later date to be determined, made at 9:30 p.m. by Rich Hamlin, seconded by Tony Gabel. The ayes were unanimous, the motion carried.

Organizational Meeting. The Board had a general discussion regarding the organizational meeting.

Motion made to appoint James Powell as Chair, made by Dan Foley, seconded by Rich Hamlin. The ayes were unanimous, the motion carried.

Motion made to appoint Rich Hamlin as Vice-Chair, made by Krissy Jenkins, seconded by Dan Foley. The ayes were unanimous, the motion carried.

Respectfully submitted, Krissy Jenkins.