

Approved
8-1-94

TOWN OF NEW BOSTON

SELECTMEN'S MEETING MINUTES

JULY 20, 1994

A work session meeting of the Board of Selectmen was called to order at 7:05 p.m. by Chairman Pimenta.

PRESENT: Michael S. Pimenta, Chairman
Darlene M. Goodin, Selectman
Harold C. Strong, Selectman
Lorraine A. Cleveland, Town Administrator

Members of the general public were present. Ernest Thibeault, President of New Boston Aggregate Corporation was present to answer any questions from the Board.

The purpose of this work session meeting was to (1) determine if the gravel permit application submitted by New Boston Aggregate Corporation/Thibeault Corporation was complete; (2) review the list of concerns from the July 18 public hearing; and (3) if approved, determine the list of stipulations of the permit.

Ms. Cleveland noted that the quantity of material to be removed needs to be changed on the application as well as the estimated amount of material available.

Chairman Pimenta and Selectman Strong reported on the results of the site walk on Tuesday, July 19. After walking the site to review the concerns of siltation coming from the open slope next to Chancey property, it was determined by the group that no siltation was coming from that area. These concerns were raised at the July 18 public hearing. Chairman Pimenta noted that Mr. Thibeault would like a letter stating the question of siltation from that area was resolved. It was also reported that Mr. Thibeault has agreed to install additional hay bales or silt walls in the upper area of the abandoned driveway area to keep material from eroding down the hill.

The Board discussed the Conservation Commission's recommendation to ask for a second opinion on the location of the sedimentation pond. It was felt that once the first tier is cut in Phase I, the location can be reviewed with an engineer or the Soil Conservation Service.

In reference to bond requirements, the Board agreed that an area of 5 acres will need to be covered initially at \$7,000/acre. Should that area need to be increased during the term of this permit, the bond will increase accordingly. It is stipulated that no more than 10 acres will be open in Phase I. Mr. Thibeault was agreeable to those terms.

The issue of hours of operation was addressed. The application

Selectmen's Meeting Minutes
7/20/94
Page 2.

requests 7:00 a.m. to 5:00 p.m., Monday through Friday, 8:00 a.m. to 12:00 p.m. Saturdays. The concern raised was the line up of trucks along Route 10 before 7:00 a.m. The Selectmen agreed that the trucks should be allowed to park in the pit beginning at 6:30 a.m. However, no loading can begin until 7:00 a.m.

Chairman Pimenta asked for a motion to accept the application as complete. Selectman Goodin offered the motion to accept the New Boston Aggregate Corporation/Thibeault Corporation gravel permit application as complete. Selectman Strong seconded the motion. The vote was unanimous.

The Board then turned to review the list of concerns from the July 18 public hearing. The abutters raised concerns of hours of operation, dust, crushing, proper enforcement and requested a 100 ft. buffer zone. The Board felt the hours of operation and dust control have been adequately addressed. In regards to crushing the Board will require written notification from the applicant of when the operation will occur, how long, and at what times. It was agreed that there will be no crushing on Saturdays and it will be limited to 8:00 a.m. to 4:00 p.m. during the week. The revised plans submitted this evening show an extended buffer zone along the western boundary line. Selectman Strong made the following suggestion on enforcement. The Board will review the complaints; inspections will be done at random times with members of the Conservation Commission; and the Board will notify the applicant on or before 9:00 a.m. before the inspection takes place.

In reference to erosion control, the Selectmen will stipulate that the sediment collections along the driveway be inspected and cleaned out when they are three quarters full. Hay bales or silt walls shall be placed at the toe of slope along the operation area. In addition, Selectman Strong felt hay bales or silt walls should be placed 50 feet ahead of the operation.

The limits of the excavation and buffer zone shall be flagged.

Discussion ensued over the bank swallow habitat. Chairman Pimenta said this habitat is the result of a manmade condition and can not be preserved in this setting. Selectman Goodin said a compromise should be considered. Mr. Thibeault said snow fencing would not be adequate and the cost of permanent fencing would be prohibitive. He said he would be willing to create a 10 ft. vertical drop after the area is sloped for future nesting. The Selectmen concluded that the area must be sloped, however, it would not be sloped until October 1 after the swallows are gone.

The last concern/issue to be discussed was the bonding of the private wells of those abutters along the western boundary line.

Selectmen's Meeting Minutes

7/20/94

Page 3.

It was suggested by Town Counsel that the wells be bonded or that the permit holder provide a certification from the engineer that the proposed operation will not be detrimental to the aquifer/private water supplies. Mr. Thibeault said the certification and bond coverage would be impossible to get. Ms. Cleveland said another operation in town has provided bond coverage on abutters wells since 1986. After much discussion between the Board and Mr. Thibeault regarding the abutters concerns, Mr. Thibeault agreed to provide \$16,000 in security for the four wells along the western boundary line. This amount represents \$4,000 per well.

The Board agreed to schedule another meeting next Monday, July 25 at 3:00 p.m. to act on the permit.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted by Lorraine Cleveland, Town Administrator

