

TOWN OF BENNINGTON  
PLANNING BOARD  
Minutes of the Meeting- April 12, 2010

Present        Jeffrey Rose, Chairman  
                  Melissa Stewart, Vice Chairman  
                  Peter Eppig  
                  Barry White  
                  Philip Germain, Ex Officio  
                  Sam Cohen, Alternate  
                  Josh Hall, Alternate  
                  Deb Perry, Alternate

Guests         Teri Hardwick  
                  Donald Hardwick  
                  Mike Dahlberg,LLS  
                  John Baybutt  
                  Stephen Clarke  
                  Dennis McKenney  
                  Joseph MacGregor  
                  Richard King  
                  Peter Martel, ZBA Liaison

Deb Perry gave her verbal resignation to the Board noting personal reasons.

Chairman Rose called the meeting to order at 7:32 p.m.

The final count for the Spring Planning and Zoning Conference was taken. Four members will be attending the conference. It is possible that Antrim will have seats available on their bus.

Sam Cohen informed the Board that he has been asked to serve on the Zoning Board of Adjustment. Possible conflicts were briefly discussed.

The minutes of the April 10, 2010 site walk were reviewed and accepted with the addition of Josh Stewart as a participant.

The Board reviewed the checklist for the Hardwick renewal. The Board will accept the area excavated labeled in acreage. Engineer Mike Dahlberg presented maps and supporting documentation to satisfy the application checklist requirements. The tree line will be left as it is to create a visual buffer. No equipment maintenance will be done on site. At this time only a small area has been reclaimed. The site has been used for storage. The three year plan is permitted for a maximum of twenty-four acres to be open at one time. A new reclamation plan will be needed. The Town permits the acreage that can be open at one time. Currently the Hardwicks may have 7.5 acres open as active excavation. The Board will change this to no more than ten acres open at one time. The reclamation bond is based on this number. A note will be added to the plans to designate the amount of open pit. Red arrows will be added to show the

direction of the water flow at the final grade. The final map shall also have a legend in color. The Board waived the timetable for depletion of material. The Board will accept one full size color map and color copies printed on 11 by 17 paper. It was suggested that a pdf and a full size color map be submitted. Peter Eppig made a motion to accept the application as complete. All were in favor.

The Board opened the Hearing to the public for questions. John Baybutt, an abutter asked about possible relief on the bond due to reclamation. The bond is currently for \$24,000 and will be changed to \$25,000 due to the change in available open space and the rate for reclamation. The Hardwicks were asked to provide pictures of the existing pit condition with the storage site and what is being worked. Peter Eppig made a motion to approve the renewal with conditions for another three years. All were in favor and the renewal was approved.

The Public Hearing for the Hardwick proposed Aggregate Operation was opened. The checklist for the excavation application and the site plan review were reviewed. The Alteration of Terrain, sit specific permit was waived conditional to obtaining it from the State. The hill behind the current shop will be leveled. An 11.9 acre field will be created. The project will not leave a hole but a level area. The area is not near the wetlands or over an aquifer. The Hardwicks will obtain a letter from the State to proceed. Abutters, Police and the Fire Department will be notified before any blasting is done. The crushing will be done with the same equipment that is currently used. Blasting will be done once every two or three years. Abutter, Stephen Clarke expressed a concern about the schedule for blasting and crushing. Crushing and blasting will be limited to weekdays only. The Board asked that the legend have a symbol for the leach field added. The third page of the plan will be titled proposed plan. Abutter, John Baybutt stated that he can hear both the Hardwick and Stewart operations from his house. He stated that he had a concern about the size of the proposed operation. A possible nitrogen pollution of the water was also expressed. As this is will be an open faced blast, it will not affect the water table. The Board would like to talk to someone who is knowledgeable about blasting. Maine Drilling and Blasting will be contacted for blasting information. The Board would like the map to show the proposed buffer and tree line as well as to label the distance from the edge of the excavation to the property line. The project will be done in two phases. A narrative will be provided to describe the phases. It was noted that a reclamation plan was given. Melissa Stewart made a motion to waive the areas and dates for reclamation for the purpose of hearing the application. All were in favor. The frequency of truck traffic over routes was waived for the purpose of accepting the application as well as the reclamation bond. Photos of the existing conditions will be provided.

Chairman Rose made a motion to continue the hearing on April 26, 2010 at 7:30 p.m. All were in favor and the continuance was set.

As there was no other business at hand, the meeting was adjourned at 10:15 p.m.

Respectfully Submitted by

Debra Belcher  
Planning Board Recording Secretary