

TOWN OF BENNINGTON
PLANNING BOARD
Minutes of the Meeting- May 10, 2010

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

Guests Teri Hardwick
 Mike Dahlberg, LLS
 Peter Martel

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

The application for the Hardwick Aggregate Operation has been accepted as complete. Mr. Dahlberg noted that the DES has approved the existing site application. The Hardwicks can tie phase one of the proposed operation into their existing operation. The DES will issue a permit with the same number for both sites. The State will put both projects under the umbrella of one permit though it is actually two separate operations. It will be attached for administration purposes only. Mr. Dahlberg presented updated maps to the board for phase one and two of the project. The hours of operation were discussed. It was pointed out that the Board had agreed to the hours of operation as 7 a.m. to 7 p.m. noting that the hours would stay the same as they had been. In fact the current hours of operation are, 7 a.m. to 5 p.m. The Hardwicks noted that they are fine with the current hours as they are the same as the other gravel pits in town. It was noted that the exception to the stated hours of operation will be in a case where the State has a need for emergency stone.

Chairman Rose noted that he has gotten an answer about trucking traffic and the Board's responsibility for it. The town can not limit traffic on a State Road. The Board can request a review of the driveway permit but did not feel that it was needed. Chairman Rose was assured that it is unlikely that the operation will cause a pollution problem. The Board discussed the merits of approving the permit for phase one subject to the State approval as opposed to granting a temporary permit to allow time to obtain the State approval. The Board noted that the permitting process assured that there would be strict guidelines for the blasting procedure. The checklist was reviewed noting that an independent traffic study was not needed, as there is not likely to be more traffic than at the time of peak operation for the pit. It was noted that reclamation should be done whenever feasible and practical. The Board will allow the Hardwicks to merge the needed reclamation bonds. As the public has expressed a concern about the potential noise, blasting will be limited to the times of year when the leaves are on the trees when practical and feasible. The Hardwicks submitted photos of the current condition of the pit with a description of each on the back. A letter will be required from the AOT recognizing the permit amended to the existing permit. Melissa Stewart made a motion to accept Phase one with the

following conditions: no more than a total of three acres may be open for excavation, storage and processing of materials, phased reclamation shall be done when feasible and practical, blasting shall be done when the trees are in leaf when feasible and practical and the hours of operation shall be 7 a.m. to 5 p.m. on Mondays through Friday and 7 a.m. to noon. Phase one is based on State permit # WPS 6882. The plan will be dated February 2, 2010 with a revision date of May 10, 2010. A vote was taken and all were in favor. The permit was approved.

Peter Martel gave the Board a brief update on the ZBA Hearing of Joshi Hospitality group variance. The ZBA is currently waiting for interpretation from Town Counsel. The ZBA has granted an equitable waiver for a setback issue. A variance is requested for a parking issue and density issue.

The minutes of the March 8, 2010 meeting were reviewed and approved with the correction of two typos.

The minutes of the March 22, 2010 meeting were reviewed and accepted as written.

The minutes of the April 12, 2010 meeting were reviewed and approved with changes.

The minutes of the April 26, 2010 meeting were tabled.

There being no other business at hand, the meeting was adjourned at 10:20 p.m.

Respectfully Submitted by

Debra Belcher
Planning Board Recording Secretary