

**TOWN OF LYMAN
PLANNING BOARD
PUBLIC HEARING MINUTES
JUNE 7, 2017**

PUBLIC HEARING FOR APPLICANT LEO BELANGER (MAP 10 LOT 33) FOR PROPERTY LOCATED AT OLD PUMP ROAD

Members Present: Chairman Roderick Tetu, Vice Chair Donald Hernon, David Dulong, Cecile Dupuis and Kelly Demers; and CEO Patti McKenna (last two minutes)

Attending from the public: Katherine Allen, Roger & Sandra Bergeron, Jesse Belanger, and Paul Boucher, and Patrick Perron (last few minutes)

Chairman called the public hearing to order at 6:30 p.m. Mr. Leo Belanger explained his proposed gravel pit at Old Pump Road. He said that it will be done in three cells, with the first two having five acres and the third one will have four acres. Mr. Boucher of 88 Old Pump Road said he had some concerns with blasting, hours of operation, and his biggest concern is keeping ATV's out. Mr. Belanger said there will be gates, with the one by the culvert being slid up and the other gate where they will pave coming into the pit. He will be putting a berm where the cut area is and planting trees on top. Mr. Boucher asked what he was doing with his side as trees have been cut and sound will travel. Mr. Belanger said there are trees now and will leave those there for now. He has done four test holes and hasn't found ledge so doesn't think he will need to blast. Mr. Boucher said his own property is nothing but ledge and rocks.

Mr. Belanger explained the Hours of Operation listed on the plan and that they cannot do crushing or screening except between 7:00 AM and 4:00 PM Monday through Friday and none will be done on Saturday and Sunday and State and Federal holidays. Other activities are allowed between 6:00 AM and 7:00 PM Monday through Friday and 6:00 AM to 2:00 PM on Saturday. No excavation or trucks allowed on Sundays per town ordinance. The gates will keep the road shut down. Mr. Belanger showed the plan for the berm and trees to Mr. Boucher and explained the 75' buffer.

Ms. Allen of 134 Old Pump Road read the Lyman Planning Board's mission statement and added her concerns. She stated that Mast Road is a virtual "Grand Canyon of pits" and what was once a picturesque area of trees and wildlife is now a stripped-down area with large holes where creatures cannot thrive. There is another gravel pit further down the road, once owned by Maurice St. Clair. The mission statement reads in part, "The Board aims to balance the conservation of the beauty of our shared natural resources with commercial enterprises." She asked "Where is the balance? The gravel pits have left destruction. There is no consideration of the wildlife in the area that are being squeezed out of their natural habitat. There is nothing beautiful about a gravel pit, takes out the natural beauty and leaves it barren." She asked, "How many more pits do we need in this neighborhood when you consider an imbalance?"

She continued by saying that not only the beauty is destroyed but also the peace and quiet. She said, "Already there are pounding and blasting sounds coming from the existing pits that is

annoying with the windows open or closed. If this is approved, it will bring the noise even closer to my house with the sound of trucks, banging tailgates, noise of trucks going over bumps in the road.” The only time she has a bit of silence is on Sundays and she doesn’t consider this a balance. She was told by the DEP that there can be no limitations on how deep they could dig. This property is downhill from her property and directly across the street from her water line. She said, “The water sinks to the lowest level, where do you suppose my underground water will go. My house sits on ledge and when Dayton Sand blasts, it shakes my house. Any further blasting and pounding so close to my house could cause damage to my foundation.” She also said that when the ground is disturbed there’s no way of knowing if gases are emitted into the air such as radon. She didn’t have radon in her well when she first moved there but she does now. She asked if having a pit across the street will reduce her taxes and doubts it will, however is concerned that it will reduce her property value. She understands that gravel is a commodity and people make a living from it, however she believes having so many pits in the same neighborhood is detrimental to the environment and the land that surrounds it.

Mr. Demers said he thinks, as far as he can see, the applicant has complied with the requirements. Mrs. Dupuis said “Yes, but there’s a concern with the neighbors. Do we need to consider that?” “Yes,” said the Chairman, “but the zoning ordinance allows it.” Mr. Demers said he can sympathize with her as they are all valid concerns but it’s not the job of the Board to say they can’t allow this activity when the ordinance allows it. Mrs. Dupuis asked if the town can place limitations on the number of pits allowed in town and should it be brought up to the Selectmen. Chairman said it could be brought up to the Selectmen and maybe take a town vote on it. One of the pits Ms. Allen is concerned about is in Dayton. Mr. Demers addressed her concern about the water level and said the applicant has test pits and they cannot go below five feet above the water level. Mr. Herson said it is a permitted use and the ordinance tries to balance these things however the Board has to make sure the applicants meet the requirements of the ordinance and the Board follows the ordinance.

Roger Bergeron, who owns this parcel and a 41-acre parcel nearby said he had several other people who were interested in purchasing his parcel, but he chose these two gentlemen (Mr. Belanger and Mr. Perron?) because he appreciates their honesty and it will be a smaller operation and he is protecting his property as well.

With no further questions, Chairman moved to **close the public hearing at 6:45 p.m.**, seconded by Vice Chair, the motion carried with a unanimous vote in favor.

Respectfully submitted,

Irene C. Single, Clerk

Roderick Tetu, Chairman

David Dulong

Donald Herson, Vice Chairman

Cecile Dupuis, Secretary

Joseph Wagner

Kelly J. Demers, 1st Alternate