

# Planning Board Meeting Minutes

## Town of Lyman

May 17, 2017

**Members Present:** Chairman Roderick Tetu, Vice Chairman Donald Hernon, Joseph Wagner, David Dulong, Cecile Dupuis and Kelly J. Demers; CEO Patti McKenna

**Others in attendance:** Katherine Allen

**Chairman called the meeting to order at 7:00 p.m.**

**START 7:00 PM LEO BELANGER (MAP 10 LOT 33):** Mr. Belanger with Mr. Paul Gadbois, PE, brought in the updated plans, explained they plan to widen the road to twenty feet width. Applicant will build a 6' high berm with natural pines planted on top, height of a minimum of four feet, which they will add to the mylar. Mr. Gadbois added the Means of Construction, added a line to Note 8 per DEP request, added both gates, 150' paved apron, and addition of well locations on Note 14. On their Sheet 2 it shows the existing road, which shows it to be an average of 15 feet wide which will be expanded to twenty feet. Mr. Demers asked what they plan on doing with the existing shed. They have no plans; it has been there for years and has no power or water. The Board was fine with the shed remaining as Ms. Allen cannot see it from her home. Mr. Belanger said the State law, regarding the ownership and updating of non-municipal roads, falls to abutters on both sides. Mr. Gadbois met with an abutter, Paul Boucher, and he didn't have any concerns.

Vice Chair asked Ms. Allen if she had any concerns on the berm and widening of the road. Mr. Gadbois brought the plans to her and explained the changes. Mr. Belanger said it is easier to expand on the side that Roger Bergeron owns as he owns part of the road. Ms. Allen asked "Who oversees the continued maintenance of the road in the future, years from now, when the road becomes full of holes? So, in 15 years or so, there are big ruts in there, 'who takes care of it'?" Mr. Belanger said, "If we're still there, we'll maintain it." Mr. Dulong thinks the Board should make that as a stipulation while they are using the road to access the pit. Ms. Allen asked about dust control. Chairman said, "They have to maintain the dust control coming out of the sand pit." Ms. Allen asked if the dust control will be on the Pump Road as well and Chairman said "No, there isn't. There's no dust control on it now." Mr. Belanger said he will try and fix that with reclaimed asphalt, which will be added to the plan. Chairman asked if this was a complete application. Mr. Demers asked if the Board will require a formal private road agreement. Chairman said they'll place that as a condition.

Ms. Allen asked, "What happens with the pit when they are done?" Chairman said, "They have to reclaim it. They have to plant grass and natural vegetation." Ms. Allen asked about going below the water table. Mr. Belanger said they have to stay five feet above the water table and Mr. Dulong said that is why the Board requires the wells, to keep track of the water levels. The town doesn't give permits to go below the water table, only DEP does. The town has this restriction of staying 5' above the water table. Mr. Belanger said it has to be checked every year, which is done by a surveyor or geologist, and measured before May 31 and within a month of the anniversary date. CEO asked them

to explain the reclamation plan to Ms. Allen. Mr. Gadbois explained about keeping a 50-foot buffer around the property with trees and a 100' buffer from Old Pump Road closer to Ms. Allen's home and planting trees and building berms in the open area. He said there can be no steep slopes; slopes can only be 2 ½ to 1. They cannot have more than 5 acres open at one time, so as they close an area, they slope it 2 ½ to 1 and loam and seed it. The field, which will eventually have trees, (sometimes people turn them into subdivisions), stays five feet above the water table.

Ms. Allen asked, "How long does it take to deplete a pit?" Mr. Belanger said he doesn't truthfully know as he's never owned a pit before. Ms. Allen, asked "Twenty or thirty years?" Mr. Belanger said if it was a big operation like Shaw Brothers or Dearborn, it may take two years, but he is a small enterprise (14 acres) and he may not see the end of it. She asked her question because she wants to know how long she will have to hear heavy trucks at 7:00 a.m. in and out of the pit, and see the dust in the road. She said if he thinks he won't live to see the end of it, what if it never gets reclaimed. CEO said, "If he defaults, we require \$1,000 per acre to be placed in escrow, so if he defaults and doesn't reclaim, we will make sure it gets reclaimed." Chairman said most pit owners continue to reclaim as they go so they can continue keeping five acres open at a time.

Chairman moved that this application is complete and ready to set a public hearing, seconded by Mr. Wagner, all in favor. Public hearing was set for Wednesday, June 7, at 6:30 pm and the applicant will be placed on the meeting agenda for 7:00 pm. Mr. Gadbois will add the reclaimed asphalt to the plan, add note regarding road maintenance on the plan or it'll be as a condition on the decision.  
**Completed at 7:22 pm.**

**Mr. Beaulieu did not show up for his preliminary meeting.**

**MINUTES:** Chair moved to accept the minutes of the May 3, 2017 site walk minutes as written, seconded by Vice Chair, four in favor, one abstained as he wasn't at the site walk. Chairman moved to accept the minutes of the May 3, 2017 meeting as written with the addition of the word "Old" in front of Pump Road, seconded by Mr. Wagner, four in favor, one abstention, all in favor.

**MAIL:** None

**NEW BUSINESS:** None

**OLD BUSINESS:** Table Commercial Design standards discussion.

**OTHER BUSINESS:** The Board signed the updated Cripple Creek plans. CEO asked if the Board would like to hold the public hearing for Professional Office changes at the same time as the one for Accessory dwelling units. Mr. Dulong asked if the Board should limit the size of the buildings. CEO said we can take it case by case. CEO also said the Board should be seeing an application for the new town hall at the school because that's site plan review. Who presents it? CEO doesn't know. It is a permitted use.

The public hearing for May 25 had to be rescheduled to June 1 as the Journal Tribune didn't receive the email and never published the notices sent by the Clerk. Clerk will add the Professional Office change to the posting.

Set Meeting Agenda:

**AGENDA for June 1, 2017**

**6:30 PM Public hearing for zoning changes**

**AGENDA for June 7, 2017**

**6:30 PM Public hearing - Leo Belanger**

**7:00 Leo Belanger**

**Next Any new applicants**

**Monthly Report to Select Board:** Chairman approved by email

**ADJOURNMENT:** Mr. Dulong moved to close the meeting at **7:36 pm**, seconded by Mr. Wagner, all in favor.

Respectfully submitted,

Irene C. Single, Clerk

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Roderick Tetu, Chairman

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Donald Hernon, Vice Chair

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Joseph Wagner

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David Dulong

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Cecile Dupuis, Secretary

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Kelly J. Demers, 1<sup>st</sup> Alt.