

**Town of Westmoreland**  
**Zoning Board of Adjustment**  
**Draft Minutes of Meeting on June 26, 2013**  
**These minutes were approved by the Board on July 17, 2013**

On June 26, 2013 The Zoning Board met at 6:30pm at the property of Tim Graves to conduct a site review in regard to Mr. Graves' application for a zoning permit as described below:

For a Special Exception concerning Article III, Section 305.1 and Article V, Sections 501.A and 501.D and Tables 502 and 505; and Variances concerning Article IV, Sections 402, 414, and 445 and Article V, Tables 502 and 505 of the Westmoreland Zoning Ordinances. The applicant proposes to establish and operate a quarry to excavate bedrock at the property located off Old Route 12 North, Map 17 Lots 28/29 in the Commercial/Industrial and Rural Residential zones.

Present: Chairman Peter Remy, Brian Merry, Barry Shonbeck, Russ Huntley, Nancy Ranson, Ernie Perham.

The Board was greeted by Mr. and Mrs. Graves; Dick Fraser of One Source Permitting and Property, Inc; Attorney Tom Brittain; Tom Key of Key Drilling and Blasting; and Peter Hicks, a seismology expert.

Also present were neighbors who lived along Old Route 12 North, including Pat Rodrigues who had submitted a letter to the Board on behalf of herself and other residents of the area at the previous hearing.

Mr. Fraser opened a site map and pointed out where the group was standing. Mr. Remy asked where the railroad bed was located and Mr. Fraser pointed it out, behind the group where some of the cars were parked on the road.

Ms. Rodrigues commented that the original cow pass crossing was behind her house about 300 feet down the road toward Route 12. She said that the map is

incorrect in that it indicates that the present cut made by Mr. Graves' father is the same at the cattle pass but it is not the same cut.

Attorney Brittain said there had been more than one access to the property. He said the bottom line is that the state has seen this [cut] and the licenses were granted on the existence of what is here today and the maps that were prepared for the temporary use agreement were largely prepared by the state. Peter Hicks, the seismology expert said that he is viewing the area in terms of the location of Ms. Rodrigues' house and how it is situated in relation to the quarry site. He said the blast effect would go backward in the direction away from her house and the geology of the area is good for limiting vibrations and sound. There should be a peak displacement of 0.0002 to 0.0003 of an inch, far lower than the 0.002 of an inch set as the limit by the Westmoreland Ordinance. The measurement would be taken at the closest structure to the blast.

Mr. Shonbeck asked about the direction of the sound during the blast after the pit is formed. Why wouldn't it bounce off the quarry wall and back toward Ms. Rodrigues' house.

Mr. Hicks said that since Ms. Rodrigues' house is in a depression the sound will go up and out, not toward her house. Mr. Hicks said that the sound level at her house would be in the range of 100-120 decibel range.

Mr. Key, who would be doing the blasting, said that he can shoot the blast in a direction that would send the sound in an easterly direction. Mr. Hicks would be monitoring the shots or blasts. This would be high frequency blasting and houses like high frequency waves.

Mr. Remy said that he understood that Mr. Hicks would be on site to monitor the blasts for sound and vibrations.

Mr. Merry asked about the trucks.

Mr. Fraser said that the trucks loaded with the blasted material would turn right, away from the residences and into the sand and gravel pit where it would be

processed, and the processed material would pass the residences on their way out to Route 12.

Mr. Rodrigues stated that she can hear noise from the present sand and gravel operation and that it is farther from her house and the hill that is the site of the proposed quarry is what has protected her from even worse sound. When the hill is gone she believes the sound will be much worse.

Mr. Fraser said that there are two other operations nearby so it might be difficult to distinguish where the sound is coming from. Ms. Rodrigues said she had walked down to see where the noise was coming from.

Mr. Hicks said that with 20 shots the vibration would last no more than 10 seconds in total.

Mr. Huntley inquired if the quarry would be shaped like an amphitheater. Attorney Brittain said that the sound will be deliberately aimed in an easterly direction. Mr. Huntley established with Mr. Fraser that there would still be a 40 foot wall blocking the sound from her property.

Ms. Rodrigues wondered if the pit would actually descend all the way to the elevation of the street but Mr. Key said that it would not go as far as the road. Ms. Rodrigues said that clear cutting the quarry site caused a lot of mud.

Mr. Key described where the blasting would start and that he plans to establish during the first shot a 50 by 50 foot clearing with the floor of the quarry being established to slope toward the back face of the quarry to prevent water run-off. Mats will be used to control the rock. He said the blast is a series of shots milliseconds apart which can be adjusted to minimize sound and vibration effects as Mr. Key gets a feel for the rock. It is a science these days. Once the face is developed the mats are no longer needed because there is a place for the rock to go.

Ms. Rodrigues asked when the berm would be put in place and how high the berm would be.

Mr. Fraser said that he and Mr. Graves had talked about the berm being five feet higher than the equipment. Mr. Hicks said that there is already a natural berm. Mr. Remy said he remembered Mr. Fraser saying that there would be a 10 or twelve foot berm to prevent people from falling over the cliff edge into the quarry. Mr. Fraser said that the berm along the lower edge will be more for soil erosion and the berm along the upper edge will be for safety.

Mr. Remy asked if there were any other places or aspects that needed to be pointed out while the board was at the site. Attorney Brittain said that he thought Mr. Fraser had pretty well covered everything at the previous hearing.

Ms. Rodrigues questioned the accuracy of the town line in the area.

Mr. Remy said that the town line is walked every five years and it is very much intact.

Mr. Shonbeck asked about the noise level caused by the trucks loading the blasted material.

It will take four to five days to load the material and that will happen only a few times per year.

Ms. Rodrigues noted that Mr. Fraser's noise study gave average levels and that meant that some of the readings would be above the average. Also it was noted that the instrument used to measure the sound was not calibrated to the national standard.

Attorney Brittain asked that the Board set a date for the hearing to continue.

Russ Huntley made a motion to continue the hearing until Wednesday, July 24, 2013 at 6:30 pm at the Westmoreland Town Hall. The motion was seconded by Nancy Ranson and all voted in favor.

Mr. Huntley made a motion to adjourn and Nancy Ranson seconded and all voted in favor.

