

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
MORRISTOWN PLANNING COMMISSION -- JOINT MEETING
APRIL 13, 1994

BOARD MEMBERS PRESENT: (BOA--Chairman Gary Nolan; Theresa Breault; Ralph Wiltshire; Ida Mae Anderson; Rose Lambert and Paul Trudell.
(PC--Norman Nepveu; Adrian West; Debra Mason; Jane Greene and Jennifer Willingham.

BOARD MEMBERS ABSENT: Jean Wickart & George Robson (Excused).

PARLIAMENTARY HEARING OFFICER: Paul Nesky

ZONING ADMINISTRATOR: Kenneth Sweetser

GUESTS/APPLICANTS: [See attached Guest/applicant list].

The meeting was called to order at 7:35 P.M. by Chairman Gary Nolan. Gary advised the first order of business was to close the Hearing pertaining to the Grand Union application and called for a motion. Norm Nepveu of the Planning Commission made a motion to close the Hearing on the Grand Union's application; Adrian West seconded the motion. All the PC members voted in favor.

Ralph Wiltshire of the BOA made the motion to close the Hearing on the Grand Union's application; Ida Mae Anderson seconded the motion. All BOA members voted in favor. So passed.

7:36 P.M. -- LAMOILLE REGIONAL SOLID WASTE DISTRICT, 18 ACRE LINED LANDFILL; A 30' X 40' MAINTENANCE BUILDING AND OTHER ASSOCIATED BUILDING AND/OR FACILITIES, TO BE LOCATED OFF RT #15, IN THE TOWN OF MORRISTOWN, VT.

Gary advised that he would not be chairing this Hearing; that Paul Nesky would be conducting the Hearings. Gary then asked all interested parties if they had any objections to him (Gary) sitting on the Board; that he was employed by the H. A. Manosh Corporation; that Howard Manosh personally owns the property involved in this hearing, not the corporation, therefore, unless there is objections to his sitting on the Board, he will do so. Santo Tricomi; Francis Clark and Don Avery advised they did not have any objection to Gary sitting on the Board up to the time of vote, but did not want him to vote on this project as they felt it was a direct conflict of interest. Paul inquired if anyone else objected. There were no other objections.

Gary advised this application would be heard under the Town of Morristown's Zoning By-Laws, Section 273 (f) - Rural Residential w/Agricultural Use and Special Industrial District (SID) - Conditional Uses (f) Public Facilities.

Gary then administered the sworn oath to all parties who indicated they would be giving testimony in this Hearing. Paul Nesky asked that members identify themselves and when they wished to give testimony, they were to at that time identify themselves before speaking. The following persons were administered the sworn oath:

Francis Clark	Don Avery	Lee Sturtevant	Santo & Christina Tricomi
Mike Audy	Gary Audy	Pierre Couture	Tim & Gail Martin
Teresa White	Jeff Hoyt	Don Marsh	

Gary advised the Site-Plan Review Checklist would be addressed first and in order. He then turned the Hearing over to Paul Nesky, with Ralph Wiltshire assuming the position of BOA Chairman.

Norm Nepveu advised there were four (4) issues to be addressed.

GENERAL PROJECT DESCRIPTION:

Don Marsh, Project Engineer, of Dufresne-Henry, Inc., who designed the Landfill portion of this project, presented a general project description, advising of plans for construction of an 18 acre, public use facility (landfill and recycling facility) on property owned by Howard Manosh and the Lamoille Fish & Game Club. The current existing use of the property is field and woodland. A 30' X 40' maintenance building and an 8' X 10' metering building and associated facilities, including two storage tanks and a sedimentation basin will be constructed. The proposed recycling facility will consist of a 3200 square foot, two-story wood framed office/multi-use building and will provide the following:

- 1) Recycle drop off containers (roll on/off containers) for residents and curbside collected recyclables;
- 2) Consolidation of aggregated loads of separated materials for transportation to remote locations for processing and marketing;
- 3) A drop off area for reusable materials and items;
- 4) Multi-use area for sale or swap of reusable items and a general purpose (educational) meeting room;
- 5) MSW drop-off containers area for small loads which will be transported to the proposed landfill.
- 6) Trailer/roll on/off containers for tires and bulky metals;
- 7) A compost area for leaf/yard waste;
- 8) A 15' square scale house and a 60' truck scale.

The total lot size consists of 65+ acres, having an estimated project cost of \$5,200,000.00. This project will be served with 20 parking spaces. The setbacks are as follows:

Side: LF-60	RF-25 Feet	Front: LF-65	RF-65 Feet
Rear: LF-50	RF-50 Feet	Lot Frontage:	1000 feet

TRAFFIC ACCESS:

This project is accessed by the so-called "Ferland Pit Road" and RT 15. This parcel is designed to accept a capacity of 30,000 tons of materials per year. Mr. Manosh retains the mineral rights to this project, and will be extracting materials via the Ferland Pit Road; a few trucks will access onto RT 15 if the materials are to be trucked east on RT 15.

There is expected to be 16 trucks, in addition to 3 tractor-trailer trucks per day, average, from the landfill entering and existing onto RT 15. An estimated 30 private vehicles on week-days, and 50-75 estimated private vehicles on the week-ends, and 5-6 commercial trucks. A traffic study conducted of RT 15, revealed that approximately 4,000 vehicles traverse this road daily and Mr. Marsh advised he didn't feel that this would have significant impact on the traffic. There is a 10% grade coming down onto RT 15, which levels out the last 35' before entering RT 15, which will require significant care during the winter months. To date, they do not have letters from all Emergency services stating this proposed project will not cause a hardship on the various emergency services.

Jeff Hoyt, Engineer with CMA Engineering, who designed the Recycling portion of this project, advised the recycling area would be located in the SE corner of the meadow, where they plan to collect materials from other Town districts and the solid waste will be stored for shipping. There will be drop-off areas for re-useable items, for swap or sale. The two-story, wood-framed building, measuring 38' X 42' will house an on-site public education facility on recycling; a meeting room and office(s) and lavatory on the upper level. On the lower level, there will be a storage area for the reusable items; a utility room; lunch room; conference room and a lavatory. Parking facility will be for 3 employees; 2 handicap parking spaces and 12 for visitors.

Saturday will be their peak day for traffic with an estimated 80 vehicles, being both residential and commercial.

Paul Trudell inquired how the traffic was determined? He was advised that other similar areas, being the Hartford Facility, was researched.

Abutting property owner, Chris Tricomi, advised this traffic study only included the waste and recycle, not the permitted gravel trucks, which should be included in the study. That they (Tricomi's) have a permit for approximately 23 trucks per day as does Manosh. Gary Nolan confirmed that Howard Manosh could draw between 40-60 trucks per day.

Gary Audy referred to ACT 250, stating that the road could not be used from December through April, will this change. He was told this was not these Boards decision.

Tim Martin asked Mr. Hoyt what the distance will be from the recycling area to his (Tim's) property. Mr. Hoyt advised 500' to 750' to his buildings; 500' to the storm pond, located directly above Martin's residence. Tim asked why for the past two years, he has been told that all buildings would be as far away from his property as possible; now he finds this to be different, why? Mr. Hoyt and Mr. Marsh advised there were numerous engineering plans and this plan proved to be the most feasible. Tim then asked Mr. Marsh if there were any plans for Hawkinson property access and was advised no.

Bill Moulton voiced his concern that this will be a very dangerous intersection, with a 10% grade, especially in the winter and for private cars.

****5 Minute Break**** After the break, Norm Nepveu requested to Chair this hearing, therefore, Paul Nesky turned the hearing over to Nepveu.

Norm asked if they had access permits to RT 15. Yes; are there restrictions on the permits. No. This would be classified as a private road, do they plan at some point to ask the town to take it over. No. Will the increase in traffic have an impact on RT 15. No. The access road is currently paved; the landfill area will be paved, indicated so by the 'gray' on the plans; the "brown" will be graveled. Norm asked if they have letters regarding impacts from all the emergency services. No, not yet. They will have to present these to the Boards as part of this hearing.

Adrian West asked if there is a 10% grade, does it diminish prior to entering RT 15. Mr. Marsh advised the last 35' levels off at the bottom of the hill and will require significant care in the winter months.

Tim Martin stated that Manosh usually accesses onto the Garfield Road, unless he's going to Wolcott, there is not much of a hazard presently.

It was inquired how long the stored recyclable would be there. They will be stored in tilt-frame (roll-offs) and removed as soon as they are full.

SNOW REMOVAL:

Norm inquired what happens to the snow that falls on the landfill and in the trucks; the water in the refuse is considered contaminated. This will melt and be treated the same as the leachate.

Norm: If a truck spills leachate onto snow/roadway, what happens to it? They will have the hauler repair the equipment to curtail this and Mr. Marsh advised he didn't believe this would be a problem.

Tim Martin has seen this 'juice' leak out of trucks on the roads and it stinks, how will this be addressed? Mr. Marsh said he didn't believe this would be a problem.

Don Avery asked what will be done with the soil that is to be removed? The soil belongs to present landowner (Manosh) and will be stored at the Ferland Pit if necessary and used at some later time. The landfill will have first rights to any need of the soils.

Mr. Marsh advised this project will be completed in phases and expanded as necessary.

Gary Audy asked what this area's condition will be when finished. The area will be covered as used and reclaimed.

Tricomis' inquired what materials will be imported to this area. Mr. Marsh advised that the liner, clay, silt soils, round stones, drainage sand, will be brought on site for the construction; that during this short period of time, there will be an increase in traffic. Approximately 80 trucks per day, per Gary Nolan for a 2 foot deep, clay liner.

Paul Trudell asked how a 2 ft. deep, clay liner transfers to cubic feet. Gary advised that the 1st cell, would be 15,000 cubic yards of clay to be imported at 10 yards per truck; at that ratio, it will take a minimum of three weeks to haul the materials to the site. Paul Trudell then asked if this road could handle gravel trucks. Gary advised it was built for use by gravel trucks.

Pete Couture asked if the garbage will be covered with sand. Mr. Marsh advised that per the sales agreement, the necessary sand will remain on site for this purpose.

Gary Audy asked if the District will be allowed to excavate anywhere other than the actual site and was told 'no'.

Ralph Wiltshire made the motion to recess this hearing to:

a Site-walk on: **APRIL 30, 1994 @ 09:00 HOUR;**

then recess from the Site-walk to

the meeting on: **Wednesday, MAY 4th, 1994 @ 7:30 P.M.**

Theresa seconded the motion. All in favor.

The meeting was adjourned at 9:35 P.M.

Respectfully Submitted,


Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

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