

# Earth Removal Advisory Committee Meeting Minutes November 5, 2019

## Meeting held at Town Hall

**Members:** John A. Picariello, Tonia Bandowicz, Gary Barden, Ted Smith, Cabot Dodge, ERAC; Kirk Hind and Jarrett Temple Aggregate Industries; and Marzie Galazka, Community Development

## Meeting started at 7:05 pm

John discussed a dust company's information on blast techniques that was passed on to Kirk who said he has discussed it with Maine Drilling and Blasting. ~~He said~~He said that he was not in favor of wetting down the blast area for fear of shorting out the detonators. To minimize vibrations electronic detonation is being used to be able to control the timing between each hole. The connectors are attached at the surface and water could jeopardize the blast. Kirk explained that the face of the blast is wet down to control the dust. Ted asked if they use the dust pile from the drill rig in the hole along with crushed stone. Kirk will check. Ted has been to at least ten blasts recently in different locations to witness the monitor placements. He said that most were not that bad, but you are going to feel it. Ted said that people are complaining about dust and noise and that is what we need to work on. Cabot did not understand why further down Nichols Road they are affected by the dust when he is three houses closer to the quarry rim and he doesn't get that much. Ted explained that the siren is important for people to hear so they don't get startled when a blast occurs.

Tonia suggests we concentrate on what ERAC is going to send to the Select Board before the November 20<sup>th</sup> Select Board meeting. She then went through what she proposed for review, along with the possible new permit provisions. ~~She asked~~She asked whether just the amendment needs to be completed or the whole permit revised. Jarrett said that the Select Board wants to also change the by-laws to further restrict AI and he doesn't think should ~~restructure the~~restructure the whole permit before next spring. Ted says the Select Board wants to change the word "nuisance," also that we should be working on solving the dust and noise problem at hand before the committee looks at changing the permit. Implementing a plan takes time, the neighbors have been complaining for the last fifteen years and nothing is changing. Ted was surprised that nothing has been done by AI to clean the houses, like simply hosing the houses off. Jarrett stated that is why the dust study was done to determine what the dust is, whether it is from the quarry or not.

Gary commented on Ted's suggestion by saying that it is not up to us to solve their operation problems rather they need to do it themselves. It is not our responsibility.

Tonia then went over the draft letter to the Select Board by starting with the legal questions that need responses from town ~~counsel~~council: adding new enforcement powers, whether Swampscott can impose more stringent regulations on blasting than the state regulations, whether residents can claim damages from prior blasting, and whether blasting in Salem is under Swampscott's enforcement. Those questions will be sent to the town administrator for answers. John added that the Select ~~Board~~Board had suggested a fund be established to compensate residents that have prior damage, and that the amount was undetermined.

Tonia continued with the information packet to be sent to residents in two different radiuses, one with pre-blast surveys offered and a larger area that offers but doesn't guarantee pre-blast survey. The information packet should be included for the SB to review along with a map or list of streets for both situations. Marzie was then asked if anything had been discussed with the Town ~~Administrator~~Administrator on this subject and she said no. Whether it should be a map with circles or just a street list was asked. Kirk gave a list of streets he thinks needs the offer of blast surveys, which is the neighborhood northwest of the quarry, Nichols Road area.

Gary gave the distance from the center of the quarry to Essex Street as half a mile. Several members had opinions, comments as to the distance from the quarry, radius area size and who is closest for the initial package, and second round package. Marzie will look at the map with different size areas for the committee and AI to agree on. Kirk presents a packet that he is working on for the residents.

Tonia continued with a plan for AI to hold a resident's community meeting in early March, prior to the yearly permit and before operations with the opportunity for questions and responses. The annual community meeting will be included in the annual permit conditions. The process of claims was then discussed, the blasting complaint form, with statements that it is on the town's web site. Jarrett thinks that the people need to be educated in the process of filing, the process is very simple. Tonia then read the Peabody permit paragraph on damage claims, which includes a report from AI on the blast data and possible cause of the damage. A copy of the report will be given to the resident, ERAC and the fire department, and the Select Board. Kirk was asked if he agrees with the process, and he states there is a certain amount of good faith in resolving claims. All the claim information and reports need to eventually get to town hall for a permanent record history to be stored with the town clerk's office.

John asked about complaints about dust and noise, who and how do the residents record the complaint? Ted reminded everyone that the regulatory limits have not been exceeded but that the residents still have a problem with the dust and noise. Tonia read the Peabody permit on noise and testing which will be considered for inclusion in a ~~revised permit~~revised permit. Ted would like to see what is causing the problems, address the issues, make improvements to resolve the causes. He has spoken to three professionals with regards to quarry operations and they say that the issues need to be examined and fixed. Gary stated that that is the responsibility of AI and that the permit will have the jurisdiction for AI to follow.

Dust monitoring was reviewed with the Peabody permit as a guideline, i.e., how and where it was performed, how many times a year, and what test would be done on the collected material. Ted asked if monitoring would be done continuously, 24 -7. The data could be available at any given time, noise and dust, weather conditions. John thinks Teds idea is a great idea and cost effective in comparison to having a company come in to do the testing. Kirk agrees and will look into it. If done, then they will have a better understanding of the problem.

The question was asked about testing the dust to determine its component makeup. Jarrett said the result will be available next week. The sample was taken from the drill rig fine dust.

Next was the question on whether weather conditions and wind speed, could be imposed on the quarry operation. A discussion followed. The forecast from Logan is available ahead of time to determine if the conditions are favorable to blast, prior to loading the holes.

Next was the seismic monitors and where they would be placed. AI has agreed that monitors would be placed on the north, south, east and west boundaries and a fifth floating monitor on neighbor's property with the most complaints. The information packet sent to residents will ask the residents if they want a monitor on their property. Kirk was asked if an independent consultant could be hired to survey the operation and offer suggestions for improvement and he agreed; he would use the same consultant as Peabody quarry.

The siren advanced notice of a blast was up for discussion with members expressing whether they hear it. Jarrett added that the they are still ironing out how loud, where it is located, who wants/needs to hear it. The wind direction has an affect on where it is heard.

Tonia continued to review the numbered items in the TA list of questions from the presentation to the SB:

Dust limits from state and federal regulations.

Number of blasts in a given week.

Limit the size of the blasts, depth of holes.

Aerator in Foster pond, to be discussed later.

Notification of blasts, and two hour phone call prior to blast.

Why blasts are different now, no more 80' holes in the bottom of the quarry and discussion on Level #3 which is also an 80 bench.

Holiday schedule changes, swapping the day after Thanksgiving for Veterans Day.

The process for complaints needs to be established; calls to the fire department, calls to AI, calls to town hall, all need to be resolved by AI in a timely manner.

Seismic reports for the last three years have been requested so that the history is kept at town hall.

Marzie was asked for her opinion on the meeting and her concern was that we are heading in the right direction but that the enforcement is the most important element to controlling the operation.

Motion made to adjourn at 8:45 pm