

Meeting Minutes of Earth Removal Advisory Committee (ERAC), May 23, 2023

Meeting called to order at 6:34 p.m.

Present were: Joe Markarian, new ERAC Chairman; John Picariello, ERAC member; Tonia Bandrowicz, ERAC member, joining virtually were ERAC member Ted Dooley.

Absent: Gary Barden, ERAC member

Town staff present: Marzie Galazka, Community Development Director.

Representing Aggregate Industry were Attorney Aaron Rosenberg, Chris Drucas, Legal Counsel, Jarrett Temple, Region Manager, Land & Environment.

No Public Comments were received.

On a motion made by J. Picariello and seconded by T. Bandrowicz minutes of the April 3, 2023, and May 2, 2023 ERAC were approved.

Chairman J. Markarian provided an update on the passage of amendment to the General Bylaws regarding Earth Removal. Town Meeting (May 15, 2023) passed an article that updated the definition of Earth Removal, and decreased the threshold for soil removal (from 600 to 400 cubic yards) that requires a permit by the Select Board and corrected a discrepancy in the number of committee members for ERAC.

Members reviewed and discussed the draft Earth Removal Permit for Aggregate Industries. The committee noted the change of corporate name from Aggregate Industries to Holcim- NER, Inc.

Attorney Rosenberg provided disclosure regarding pending litigation and stated that AI wants to resolve the lawsuit prior to court appearance.

Committee continued the review of Dust and Noise sections of the draft permit and recommended that dust study take place 45 days of commissioning of new equipment. Future dust testing should be done per new permit. Noise testing should be done concurrently with dust testing per permit. Report of noise and dust testing and analysis results should be delivered to ERAC and AI (Holcim-NER, Inc) and listed on the town website and available for viewing at Town Hall.

Other recommended changes included:

- Updated hours of operation from Memorial Day to Labor Day – hours will be limited to 7:00am to 6:00p.m Monday through Saturday.
- Removing line “d” from paragraph 12 Suspension of Blasting.
- Added “f” under paragraph 19 Expiration and Renewal requiring that “report of the independent blasting consultant required by Section 5 of this permit”.
- Paragraph 24- Annual Meetings with Residents – ERAC and town staff will contact Assessors Office for updated list of property owners within the survey and notification area.

Copy of the revised draft permit will be share with the Town Administrator and the Chair of Select Boad.

Upon motion, duly made by T. Bandrowicz and seconded by J Picariello, it was unanimously voted to adjourn the meeting at 7:36p.m

Next meeting will be a joint session, scheduled for June 7, 2023 with the Select Board.