

VERBATIM PROCEEDINGS

ANSONIA PLANNING & ZONING COMMISSION

RE: SPECIAL EXCEPTION FOR REMOVAL
OF MATERIAL LOT 6, FLCP

NOVEMBER 24, 2014

ANSONIA TOWN HALL
253 MAIN STREET
ANSONIA, CONNECTICUT

POST REPORTING SERVICE
HAMDEN, CT (800) 262-4102

HEARING RE: ANSONIA PLANNING & ZONING COMMISSION
NOVEMBER 24, 2014

1 . . .Verbatim proceedings of a hearing re:
2 Special Exception for removal of material Lot 6, FLCP,
3 was held before the Ansonia Planning & Zoning Commission,
4 held at the Ansonia Town Hall, 253 Main Street, Ansonia,
5 Connecticut on November 24, 2014 at 7:18 p.m. . . .

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7
8
9
10 CHAIRMAN BART FLAHERTY: Mr. Barrett, this
11 is concerning the special permit for material removal on
12 the site at this public hearing, so you might want to
13 listen.

14 MR. JOHN BARRETT: Okay.

15 CHAIRMAN FLAHERTY: Or not, sir.

16 MR. BARRETT: No. I want to hear that.

17 CHAIRMAN FLAHERTY: But this is concerning
18 what they're going to do with the blasting and so forth.
19 Everybody is bailing on us. I'm going to start this.
20 You ready?

21 City of Ansonia, Planning and Zoning
22 Commission. The Ansonia Planning and Zoning Commission
23 notice of public hearing, November 24, 2014.

24 The Planning and Zoning Commission, the

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1 City of Ansonia, Connecticut, will hold a public hearing
2 on Monday, November 24, 2014, Ansonia City Hall, 253 Main
3 Street, Ansonia, at 6:45, to hear the petition for
4 special exception for removal of material.

5 A copy of the file for the special
6 exception with the proposed maps is on file at the Office
7 of the Town and City Clerk, 253 Main Street, Ansonia,
8 Connecticut.

9 At said hearing, interested persons may
10 appear and be heard, and written communications will be
11 received, dated at Ansonia, Connecticut, 13th day of
12 November 2014, Ansonia Planning and Zoning Commission,
13 Bartholomew Flaherty, Chairman, published two times,
14 Thursday, 11/13, and Thursday, 11/20.

15 We know we have a quorum. Can I entertain
16 a motion to --

17 MR. MICHAEL BETTINI: I move we open the
18 public hearing.

19 CHAIRMAN FLAHERTY: Accept the call of
20 public hearing?

21 MR. BETTINI: Accept the call.

22 MR. BILL MALERBA: I'll second it.

23 CHAIRMAN FLAHERTY: All in favor?

24 VOICES: Aye.

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1 CHAIRMAN FLAHERTY: Opposed? Abstain?

2 The Chair declares the motion passed. Let the record
3 reflect that we have a quorum. No one has left.

4 And if the Applicant would brief the -- do
5 a brief presentation?

6 MR. TERENCE GALLAGHER: Thank you, again,
7 Chairman. As I said previously -- well, it's a new
8 public hearing. At the 2007 approvals for the site, in
9 addition to the site plan approval, there was a special
10 exception for excavation, particularly, the rock
11 excavation that has to occur to level the top of the hill
12 for building pads.

13 That was part of the original subdivision,
14 and then, when Fountain Lake, LLC took it over from the
15 City of Ansonia, they tried to implement everything that
16 was in the earlier approvals.

17 They have done most of the rock excavation
18 on the road, as I noted earlier. There is a 20 percent
19 hump right at the entrance where you come off of
20 Birmingham Boulevard, and that's something I talked about
21 with your City Engineer, regarding the fact that that's
22 still got to come down, so there is going to be
23 excavation there.

24 The primary amount of excavation is at the

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1 top of the hill, understanding that most of the
2 Commission has been out there and walked the site, so
3 you're aware there's a big cut that's up at the top.

4 This is our drawing, TP-1, our existing
5 topography of the site, and what it does it has as-
6 constructed grades that are out there today as of October
7 31st, and what it shows is the access road coming in is
8 in the road right of way, where it was approved.

9 Just inside the road, there's a number of
10 little sediment traps on either side of the road. The
11 drainage ditches drain into those and drop out any
12 sediment.

13 There's a series of other sediment traps
14 about two-thirds of the way up the road, before it gets
15 to the very top, and a temporary pipe underneath the road
16 that carries water down and basically discharges towards
17 -- in the general direction of the wetlands down at the
18 foot of the hill, and that takes a lot of runoff from the
19 upper area.

20 This sharp L-shaped line, that's the 40 to
21 50-foot shear cut that you see up there when you go to
22 the top of the hill. Our surveyors went out and topo'd
23 that top and bottom and did not fall off the rock ledge
24 when they were surveying everything.

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1 They also shot a number of piles of rock
2 that are piled up here. There's limited clearing that
3 comes up the hill. There's a crushed stone berm that
4 runs along the side of the access drive down that directs
5 runoff into the temporary sediment traps.

6 There's another series of little crushed
7 stone berms around the outside, so most of the
8 construction site is actually contained in the access
9 road or goes to one of the temporary sediment traps.

10 I do not know what the site looked like in
11 June of 2014, when Donna Seresin from the Department of
12 Energy and Environmental Protection went out and
13 inspected it.

14 I have been up there a couple of times
15 since then, and, actually, the equipment that's on there
16 right now there's a rock crusher that's in the main
17 quarry area, and, down at the foot of the access drive,
18 there were -- I went out there last Friday, after I saw
19 the latest DEP letter. There's an excavator, vibratory
20 roller, front end loader, and a water truck was on site.

21 There was also evidence that some of the
22 workers had been brooming the street, and there were bags
23 of calcium chloride that had been emptied. You spread
24 that on the road to keep the road dust down.

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1 So I don't know what Donna saw when she
2 was out in June, but the times I've been out there it's
3 actually very stable right now, and it seems like it's
4 pretty neat.

5 The first time I had gone out in the late
6 summer, there was some tracking off of the entrance drive
7 and out toward Great Hill Road, mud tracking, so maybe it
8 could use more frequent street sweeping of the street to
9 control that, but, drainage-wise, everything seemed
10 pretty stable.

11 What they have out there, just by square
12 footage of disturbance, they probably could use a
13 slightly bigger temporary sediment basin rather than a
14 sediment trap, particularly when the site construction
15 starts, so we have included that in our set of drawings
16 that we've submitted to you folks.

17 We were keeping the existing features in
18 place, but we're also adding new sediment and erosion
19 control measures. And, specifically, in my earlier talks
20 with the DEP, they're going to require two permits of the
21 Applicant.

22 One is an industrial permit, industrial
23 storm water permit for the mining and quarry operation
24 that's going on now. The second is a general permit for

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1 storm water and the water and wastewaters associated with
2 construction activities, the construction storm water
3 permit that you get when you're doing regular site
4 construction.

5 The Applicant had one of these, but the
6 permit limit expired, and DEP issued new permits and
7 things like that, so he's got to apply for new permits,
8 so we know that, and we're actually in the process of
9 doing that now.

10 In talking with the DEP, they wanted to
11 see some extra sediment and erosion control best
12 management practices in here, such as reverse benching on
13 the slopes, where every 15 feet you go up on the slope
14 for fill, you have a little swale that cuts back into the
15 slope, and then it goes up again. That keeps the water
16 from eroding the slopes.

17 Some of those details were not in the
18 original application. They're in the State guidelines,
19 but they were referenced that way. We've actually
20 included those details in this set.

21 We actually put in a fairly detailed
22 construction sequence in how they would be doing the
23 work. They do still have to do -- the rest of this
24 hillside here has to come down and be leveled off for the

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1 building.

2 We've shown a limit of cutting around the
3 proposed building roughly 100 feet around the foundation
4 of the new buildings, so it's all level around it for
5 parking and site lines.

6 There will be blasting in the coming
7 months, but I think, when this next phase gets done,
8 that's going to be the limit of major disturbance for the
9 nearby neighbors.

10 As far as the quantities, as I said, we
11 included it in our engineering report that was submitted
12 with the site plan application. We were able to go out
13 and do detailed earthwork quantities on what's out there
14 now, and, as I said before, the original application had
15 been approved for 360,000 cubic yards of excavation in
16 2007. That was 300,000 yards of rock and 60,000 yards of
17 overburden and topsoil.

18 What we're finding now is the first for
19 the new proposed 60,000-square-foot building is
20 essentially what was there before, it's within a foot of
21 what was there before, that there would have to be a net
22 cut of 182,000 more yards of material. That includes
23 194,000 cubic yards of excavation and 12,000 cubic yards
24 of filling.

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1 Most of the excavation is rock, but some
2 of it -- there's places out there where there's piles of
3 rock fill that's sitting on top of ledge, so I can't tell
4 you exactly how many cubic yards of each, but those are
5 the overall numbers, and then there would be some minor
6 excavation for things like water mains and sewer lines
7 and stuff like that in the road. There would be that
8 extra stuff, but that's order of magnitude.

9 So we have talked to DEP, we do know the
10 Town's concern, and we're in the middle of applying for
11 permits for that, but we finished up the packages that
12 came in to you folks for this public hearing first.

13 We wanted to give you folks the chance to
14 look at it. If there are any special concerns you had,
15 we would incorporate those concerns in the package that
16 goes up to the DEP.

17 As I said before, we have, within our
18 entire set, we have a detailed sediment and erosion
19 control plan, and we have several sheets of details.
20 That's the overall site plan.

21 This is SP-4, our sediment and erosion
22 control plan. In addition to the benching and things on
23 the fill slopes, this cross-hatched area here on the
24 entrance drive down below the access drive, those are

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1 erosion control blankets that we're showing proposed on
2 soil to hold topsoil in place while seeding is taking
3 place, so it's not washing out and eroding downstream.

4 This large cross-hatched area with the
5 dashed contours on it is a temporary sediment trap that
6 sized to meet all the DEP criteria of 134 cubic yards of
7 storage per disturbed acre, and it's designed to take
8 this entire building pad up here when that work goes on.

9 The temporary sediment traps they have out
10 there now are working, but they're a little smaller than
11 what maybe you'd like to see, so we tried to over-design
12 this.

13 There's a number of little pits and
14 gullies in the upper area that runoff runs to, so even
15 though it's not a defined temporary sediment trap, it
16 kind of acts like that today.

17 And we've added a number of crushed stone
18 berms along the swales. We can add extra silt fences and
19 sediment traps along the access drive going down toward
20 Birmingham Boulevard.

21 There's some other things we can do to
22 tighten this up, but we think we've actually accomplished
23 a lot of the things that the Town and DEP would like to
24 see out here in the set of documents, but, if there's any

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1 else, please let us know. That's the order of magnitude
2 for the earthwork.

3 The one thing I would say is the 2007
4 approvals had very distinct hours of hauling, hours of
5 crushing, hours of blasting, dates and hours. One of the
6 things that I guess worked out with the City, after this
7 Commission issued its approval, was the Applicant got
8 permission to do blasting on Fridays, which was not in
9 your approval from the City.

10 I don't know, actually, if that came
11 through the Fire Marshal or how that came through. The
12 only advantage to that -- well, there are advantages, but
13 one of the advantages to that is, when you have the
14 blaster mobilized on the site, it can be more efficient
15 getting a chunk of work done and getting off, so it can
16 actually shorten up the period of disturbance for the
17 surrounding neighborhood.

18 There obviously would have to be all the
19 regular Fire Marshal requirements for seismograph and
20 pre-blast surveys and all that, but that would be the one
21 item I would bring that's in addition to the 2007
22 conditions.

23 CHAIRMAN FLAHERTY: If something is part
24 of our approval process, we adhere to it. If you want to

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1 change it, you have to come here. No one else has the
2 authority to change a Planning and Zoning requirement,
3 except the Planning and Zoning Commission, and we're
4 always glad to comply and assist.

5 We'll have a special meeting, if
6 necessary, or whatever, but we'd really like to, because,
7 sometimes, you know, an action has a ramification that
8 perhaps you're not even aware of of the reasons why
9 certain things are in place.

10 I noticed you changed the -- well, excuse
11 me. Continue. I don't want to interrupt you.

12 MR. GALLAGHER: I think I covered most of
13 the things. We are showing a limited disturbance around
14 the building pads, the heavy dashed line. That shows the
15 limit of clearing, grubbing and grading.

16 Most of the site had been cleared in 2007.
17 I think we're working within those earlier limits of
18 clearing that the Town approved, and we're trying to have
19 good perimeter silt controls everywhere, so any disturbed
20 soil gets controlled and taken to the proper temporary
21 facilities.

22 And then we have a permanent storm
23 drainage system at the end of construction to take all
24 the permanent runoff from the site.

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1 CHAIRMAN FLAHERTY: And that's designed to
2 a 100-year storm, right?

3 MR. GALLAGHER: The permanent storm system
4 is probably going to be the 25-year storm. We included
5 calcs up to the 100-year storm in our report, though.

6 CHAIRMAN FLAHERTY: Inlands wetlands regs
7 call for a 100-year storm design standard. I realize
8 you're not at inlands wetlands, but I just want to let
9 you know that that's their regulations. It's a 100-year
10 storm event, so that's the design standard for storm
11 water discharge.

12 Okay, so, just in a nutshell, percentage-
13 wise, would you say 85 percent of the activity will be
14 eliminating that cliff that we saw on our site walk,
15 eliminating that, and then going down about four more
16 feet of elevation of what we saw the grade when we took
17 the site walk? Was that down four more feet, Mr. Scinto?

18 MR. ROBERT SCINTO: Rob Scinto, One
19 Corporate Drive, Shelton, Connecticut, is our office.
20 When we took the site walk, we had cut to an elevation of
21 one foot below finished floor pad, so what we were at was
22 already cut, and it was overshot a little bit, so we
23 basically were at an elevation -- is that correct?
24 Right. An elevation out there, where our footings were

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1 going to take place.

2 We've done the mass blasting for the
3 building, itself, and we walked that. This is the
4 building, so this has already been done. We have to get
5 this back here. Out here was already shot to the
6 elevation. We're not going to do anymore blasting.

7 CHAIRMAN FLAHERTY: Okay. I thought you
8 were going down four more feet.

9 MR. SCINTO: No. For the blasting, mostly
10 up here.

11 CHAIRMAN FLAHERTY: So it was that big
12 ridge over on the left-hand side to the opening and so
13 forth and further back?

14 MR. SCINTO: Right. We've done some work
15 since then. When we did the site walk, we were about
16 here, so now we're back to here, so we have to do this
17 and this.

18 CHAIRMAN FLAHERTY: Okay, so, is it fair
19 to say about 85 percent or 90 percent of the activity
20 will be right up in that area and 10 percent will be down
21 near the road?

22 MR. GALLAGHER: That's probably a good
23 ballpark, yes.

24 CHAIRMAN FLAHERTY: To get the road to

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1 take that hump out?

2 MR. SCINTO: Absolutely.

3 CHAIRMAN FLAHERTY: Okay. Commissioners,
4 anyone have any questions?

5 MR. BETTINI: Well, actually, I do. I'm
6 still thinking about some of the other stuff.

7 In here, I forget what the water pressure
8 was that was coming out. Sixty-eight. Is that enough
9 for a fire?

10 MR. GALLAGHER: It's enough for potable.
11 I don't know if they're going to need a fire pump or not.
12 We're actually in the middle of talking to Regional
13 Water.

14 I was going to mention it at the site plan
15 portion, but we're going to try and have a hydrant test,
16 a flow test for the hydrant right in front of the site.

17 The flow tests they had were further down
18 the road on Great Hill, and they're a little removed from
19 our particular site, so you want to try and get the flow
20 test as close as possible.

21 MR. BETTINI: You're telling me you're not
22 going to be able to put a hydrant up on top?

23 MR. GALLAGHER: We're going to have some
24 type of fire protection up there, where we may need a

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1 fire pump. It should be fine for hydrant and street.
2 It's just, if they have sprinklers up in the roof, that
3 might be an issue, depending on what their sprinkler
4 demand is inside the building.

5 MR. SCINTO: Absolutely. Great point. If
6 we need the pump, we're obviously going to provide the
7 pump or the pressure.

8 MR. BETTINI: Now I'm beginning to make my
9 lists of concerns. I have road lighting, I got water
10 pressure up at the top of the hill, and I also am a
11 little bit concerned about the curve on the road. Is
12 there a plan for guardrails coming up the hill?

13 MR. GALLAGHER: Coming up the hill, no,
14 because, in most cases, we're in a cut. There's nothing
15 to really go off the road on.

16 The ditches are going to get filled in.
17 They're going to have grass shoulders where the utilities
18 are going. Up at the top, on the building pad site, we
19 show timber guardrail on the downhill side of the access
20 driving roads, and the uphill side we actually have a
21 five-foot-high stone wall on the access drive going up
22 and in, and there's a slope there.

23 So we've actually got the traffic
24 protection that you're talking about is actually on the

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1 site plan now for the building pad.

2 MR. BETTINI: So those culverts are going
3 to be filled?

4 MR. GALLAGHER: Yeah. The ditches are
5 going to be filled in with shoulders when it's all
6 finished, but the storm drainage pipes aren't in yet.

7 CHAIRMAN FLAHERTY: Ozzy, did you have
8 anything?

9 MR. INGLESE: Yeah. Of the 100 -- you
10 said it was 194,000 square feet or cubic feet, yards?

11 MR. GALLAGHER: Cubic yards, yes.

12 MR. INGLESE: That you are going to move?
13 I'm not sure if that is going to be actual topsoil. Is
14 that topsoil going to be important for the landscaping,
15 or when do you plan to do that?

16 MR. GALLAGHER: I don't know the exact
17 volume of topsoil that has to be brought in. The goal is
18 to -- of the excavation, we're going to try and stockpile
19 some of that on site, which may be --

20 MR. INGLESE: Do you have any topsoil on
21 site?

22 MR. SCINTO: Yes. We've already stripped
23 the site of all the fill and topsoil.

24 MR. INGLESE: And you have it set aside?

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1 MR. SCINTO: Yes. We've screened it, and
2 we have it set aside down in the lower area. If you go
3 up there, you'll see it's overgrown now, but all the soil
4 from the site, the majority of the soil from the site, is
5 still on the site there.

6 We have plenty on the site to take care of
7 the site. There will be access, yes.

8 MR. INGLESE: Now the area, where you're
9 going to be excavating now, that's where it's going to be
10 quite a bit of landscaping prepared. How deep are you
11 going to go to provide for the landscaping for
12 landscaping to survive?

13 MR. GALLAGHER: You'd probably do like
14 three, four feet of over-excavation.

15 MR. INGLESE: And that's going to be done
16 at this point in time?

17 MR. SCINTO: Yes, sir.

18 MR. GALLAGHER: Yeah.

19 MR. INGLESE: With this part of the
20 permit?

21 MR. GALLAGHER: Yeah. There might be
22 secondary ripping or, you know, line drilling or
23 something like that, once they get down to the mass
24 blasting phase, but that would be typical.

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1 MR. INGLESE: Okay.

2 MR. SCINTO: We'll pick up everything.

3 MR. INGLESE: Are you going to be doing
4 any crushing on site for reuse of the material?

5 MR. SCINTO: Yes.

6 MR. INGLESE: You're going to be doing
7 that. Okay. Interesting enough, I actually drafted the
8 original approval, the 2007 approval, and I noticed that
9 you had one of the conditions, I had forgotten about it,
10 but that you were going to require to have an on-site
11 inspector permanently hired to continue to monitor all
12 the erosion and sedimentation control measures being in
13 effect and operable, and I'm not too sure that it's not a
14 good idea to have it at this point in time, as well. Who
15 is going to inspect that site?

16 MR. SCINTO: We'll have a superintendent
17 on the job. It will be an R.D. Scinto employee. That
18 will be the super assigned to this job. He'll be the one
19 making sure that all the sediment controls and all the
20 other regulations that are in the set of plans are
21 implemented and taking place.

22 And, coincidentally, he lives up the
23 street, off Great Hill Road in Oxford, so he's pretty
24 excited about it, Ozzy.

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1 MR. INGLESE: Okay, thank you. That's
2 about it. Thank you.

3 CHAIRMAN FLAHERTY: Commissioners? Anyone
4 else have anything before we open it to the public?

5 MR. BETTINI: Yes. Landscaping along the
6 access road, are you planning on, once you fill in,
7 putting trees or something along the roadway there?

8 MR. GALLAGHER: Yeah, there's provision
9 for street trees and things like that in the original
10 plans. We included 11 by 17 reductions of the original
11 plans in the subdivision and special permit application.

12 I only included the road plan and profile
13 in the site plan application, but our intent is that we
14 implement everything that was earlier approved by the
15 Commission, so, yes, I believe that street trees and
16 things --

17 MR. SCINTO: Mike, we have a world class
18 client for this building that we're proposing, so, yes,
19 at the end of the day, they're going to want a beautiful
20 landscaped entrance to their building as we're going to
21 give them, so, yeah, it's going to be very nice at the
22 end of the day.

23 CHAIRMAN FLAHERTY: Anything further?

24 MR. BETTINI: Yeah. One more thing,

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1 because we started to talk a little bit about the pre-
2 blast survey, and you're willing to do that for the
3 neighborhood?

4 MR. SCINTO: Yeah. That will be done by
5 the blaster, so, yes.

6 MR. BETTINI: So you'll insist with the
7 blaster?

8 MR. SCINTO: Yes, of course.

9 MR. BETTINI: So Mrs. Rios' home will be
10 covered and Mr. Barrett's home?

11 MR. SCINTO: Yeah, both. They've been
12 done before. Yes, they will be done again. That's not
13 an issue.

14 MR. BETTINI: Okay.

15 MR. SCINTO: Before we get started up
16 there again with this next phase of construction.

17 MR. BETTINI: And the other thing, to Mrs.
18 Rios' comment, is it possible to move the blasting horn
19 maybe closer to the homes?

20 MR. SCINTO: Yeah. I know she did make
21 that comment. Me and Millie talked, so I don't think
22 that's an issue. I'll talk to the blaster. They go down
23 there anyways when they go do the shot. I'll just ask
24 them when they pass down there to do the horn again.

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1 She is on a call, so they do call her and
2 give her an idea of when, and, yeah, it's really not a
3 big deal at all. Whatever blasting contractor we end up
4 going with, we have great relationships with all of them.
5 They won't mind going down. They'll probably enjoy
6 tooting the horn a couple more times.

7 MR. BETTINI: Okay.

8 CHAIRMAN FLAHERTY: Billy?

9 MR. MALERBA: I'm all set.

10 CHAIRMAN FLAHERTY: Ozzy, anything
11 further?

12 MR. INGLESE: All set.

13 CHAIRMAN FLAHERTY: Okay. Fred?

14 MR. FRED D'AMICO: I just want to make
15 sure. This basic public hearing is just for their
16 excavation removal. It's not for the site plan.

17 CHAIRMAN FLAHERTY: This is for the
18 special permit.

19 MR. D'AMICO: Then I have no comments.

20 CHAIRMAN FLAHERTY: The site plan is
21 during the regular meeting. There's no public hearing
22 required for the site plan. David, do you have anything?

23 MR. DAVID BLACKWELL: No, I'm fine. Thank
24 you.

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1 CHAIRMAN FLAHERTY: Anything further you'd
2 like to elaborate on before I open it up to the public?

3 MR. GALLAGHER: We've covered everything.

4 CHAIRMAN FLAHERTY: All right. Thank you
5 very much. Okay, I'd like to open up the public hearing
6 to any member of the public. Yes, Mr. Barrett?
7 Certainly, come forward.

8 MR. JOHN BARRETT: The other thing that
9 kind of concerned me was, I don't know what you call it,
10 you have big dips in the road, and they fill up with
11 water. I heard kids playing up there. A couple of
12 times, kids almost slipped into those dips. They must be
13 like five feet to seven feet dips that fill up with
14 water.

15 During the wintertime, they go up there
16 and play. If one of those kids ever broke through that
17 ice, because nothing is fenced in, there's going to a lot
18 of problems, because kids go up there all the time, and I
19 think that's kind of dangerous, because they all fill up
20 with water, then the kids, when it gets cold, the kids go
21 up there and play on it.

22 I thought there was a problem one day, so
23 I went up there, and they were actually sliding down
24 there, and if that ice ever broke, you're going to have a

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1 real tragedy on your hands.

2 CHAIRMAN FLAHERTY: Well there should be a
3 fence around any sediment pond or any sediment device
4 that they have on there. There should be a temporary
5 fencing around there.

6 MR. BARRETT: That was it, you know, my
7 concern, when I saw the kids up there.

8 CHAIRMAN FLAHERTY: No, it's a good point.

9 MR. BARRETT: Okay.

10 CHAIRMAN FLAHERTY: It's a good point.
11 There shouldn't be any water of any depth without
12 something, some fencing around it.

13 MR. BARRETT: That's it.

14 CHAIRMAN FLAHERTY: Okay, thank you, Mr.
15 Barrett. Is there anyone else from the public, who
16 wishes to speak? Mrs. Rios?

17 MS. MILLIE RIOS: Millie Rios, 121 Great
18 Hill Road. Was it you that asked about the pre-blasting
19 survey? So this has been going on for several years. I
20 can tell you that, in my situation, a pre-blasting survey
21 was done way back when, but, since then, I believe
22 there's been three different companies that have been
23 blasting.

24 It has not been the same company, because

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1 when I addressed my concern with my retaining walls and
2 the stairs and everything else, I did have someone from
3 the current blasting company, which is N.D. Drilling,
4 there was a woman that was sent down last year some time,
5 and she sent back a report and pretty much said that it's
6 not on them.

7 Unfortunately, the first blasting company
8 that was there, I don't know who they were, they took
9 pictures, and I wish I had access to that, because that's
10 how I can prove that even though my property wasn't in
11 the best of shape, it wasn't in the worst of shape like
12 it is now. I don't know if that's going to help any.

13 As far as the water, like Mr. Barrett is
14 saying, interestingly enough, I do have picture on my
15 iPad, because I did see that, and I took pictures of
16 that. I never called Mr. Scinto on it. I never honestly
17 realized that it would pose a serious problem, but I did
18 see huge, like a whole pond there, thinking, wow, that's
19 a lot of water there. I don't know how deep it is, but
20 it's there.

21 Also, concerning the sediment traps that
22 Mr. Gallagher referred to, can I just get a little bit
23 more clarification on that? Is that what they put in
24 when like when the trucks are going in and out and things

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1 are falling out of the trucks, the gravel, the dirt, the
2 debris? Is that something that's going to keep them in
3 control? I don't know. So what exactly is a sediment
4 trap?

5 CHAIRMAN FLAHERTY: No. The sediment
6 traps they were talking about is for storm water, to
7 intercept the water, and the water has a lot of dirt in
8 it.

9 MS. RIOS: I know.

10 CHAIRMAN FLAHERTY: And this allows it to
11 pond up and the dirt settle out and the water continue.

12 MS. RIOS: Okay. Okay.

13 CHAIRMAN FLAHERTY: So what you're talking
14 about is maintenance and housekeeping, keeping that road
15 swept up, keeping the dust control, keeping the salt down
16 to keep it from dusting up, and that's a housekeeping
17 thing really, because they have a truck.

18 They have a water truck on site, and they
19 have a tracking pad before the road. That's where the
20 dirt and stuff is supposed to settle before they get onto
21 the boulevard, itself.

22 MS. RIOS: I know. When I was here on
23 October 27th --

24 CHAIRMAN FLAHERTY: Yeah, you said you had

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1 dirt in the gutter.

2 MS. RIOS: I did, and I did videotape the
3 next day, and I told them, my neighbor next door, because
4 he had the same problem. He had all the dirt
5 accumulating.

6 CHAIRMAN FLAHERTY: Yeah. That's a
7 housekeeping issue, and he said he's going to have an
8 employee full-time monitoring all that.

9 MS. RIOS: I hope so.

10 CHAIRMAN FLAHERTY: So, hopefully, those
11 concerns will be addressed.

12 MS. RIOS: Okay, thank you. This goes
13 back to the previous thing with the blasting. As you
14 know, on April 5th, I did have a gas leak on my property
15 with the line alongside my and my neighbor's home, and
16 although the Yankee Gas employee would not attest to it,
17 he did say that -- I lost my train of thought. Oh, that
18 it could have been possible the vibration from underneath
19 the land could have caused that.

20 Unfortunately, I told him kidding around
21 would you put this in writing, and he was an employee of
22 Yankee Gas, and he wasn't going to put anything in
23 writing, so that is a concern, but that was already
24 talked about before.

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1 CHAIRMAN FLAHERTY: And that's something
2 that you should address with the Fire Marshal if you're
3 concerned about that, Mrs. Rios.

4 MS. RIOS: Yeah. I just wanted to know
5 about that sediment trap being in the mud and all that.

6 CHAIRMAN FLAHERTY: Okay.

7 MS. RIOS: That is it. Thank you very
8 much.

9 CHAIRMAN FLAHERTY: Thank you very much
10 for your comments. Is there anyone else from the public,
11 who wishes to speak? Is there anyone else from the
12 public, who wishes to speak? Is there anyone behind this
13 podium? I can't see. Is there anyone from the public,
14 who wishes to speak, for the third and final time?

15 Okay. I'll entertain a motion to close
16 the public session of the public hearing.

17 MR. BETTINI: I move we close the public
18 session.

19 MR. JOSEPH JAUMANN: Second.

20 CHAIRMAN FLAHERTY: All in favor?

21 VOICES: Aye.

22 CHAIRMAN FLAHERTY: Anyone opposed?
23 Anyone abstain? Okay, the Chair declares the public
24 session of the public hearing closed.

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1 Just to reiterate, there's 182,000 cubic
2 yards of material to be blasted and moved. How much of
3 that 182,000 yards will be removed from the site, in
4 other words, trucked off site? Roughly, do you have any
5 idea, Mr. Scinto?

6 MR. SCINTO: I, honestly, I don't.

7 CHAIRMAN FLAHERTY: Say half of it?

8 MR. SCINTO: Half of it. You know, I'd
9 like to say we're going to keep the other half on the
10 other lot back there, so we could possibly build a bigger
11 lot.

12 CHAIRMAN FLAHERTY: So you're going to be
13 hauling maybe 90,000 yards off site?

14 MR. SCINTO: Off site, yes, sir.

15 CHAIRMAN FLAHERTY: So that's quite a bit
16 of truck traffic.

17 MR. SCINTO: Yes, sir, it will be.

18 CHAIRMAN FLAHERTY: And quite a bit of
19 dust, quite a bit of debris.

20 MR. SCINTO: That will be all over, yes.

21 CHAIRMAN FLAHERTY: Good. For the record,
22 Mr. Scinto said it will be all over. We're going to hold
23 you to that.

24 MR. SCINTO: No problem. We will.

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1 CHAIRMAN FLAHERTY: Is there anything
2 further you wish to state at the public hearing, Mr.
3 Scinto?

4 MR. SCINTO: Just that the client that we
5 have interested in this subdivision is under a time
6 crunch, as are we, so, you know, if the Commission could
7 look favorably on voting and moving this process along as
8 quickly as possible, it would be very much appreciated at
9 this point.

10 CHAIRMAN FLAHERTY: Thank you, Mr. Scinto.
11 Mr. Gallagher, do you have anything that you'd like to
12 add to the public hearing or anything of a technical
13 nature?

14 MR. GALLAGHER: No. I think your
15 description of the difference between what goes in a
16 sediment trap and what gets caught by anti-tracking pad.

17 The crush on the road strips the mud off
18 the truck tires from going out in the road. The
19 temporary sediment traps are little holding basins.
20 They're generally small areas, but some of them can be
21 deep.

22 We can look and see if they should be
23 wrapped with a snow fence or silt fence for children's
24 safety.

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1 CHAIRMAN FLAHERTY: That's going to be
2 part of the permit, I'm sure, is that you'll put fencing
3 around any standing water that you anticipate.

4 MR. GALLAGHER: Yeah. They're generally
5 fairly shallow, but that's a good point. We'll look into
6 that.

7 CHAIRMAN FLAHERTY: If it's six inches
8 deep, it's a danger to a kid, so we'd want them fenced.

9 MR. GALLAGHER: Yeah. I just wanted to
10 say that was a good point.

11 CHAIRMAN FLAHERTY: So, for the record,
12 you will fence any of your sedimentation traps, or ponds,
13 or whatever?

14 MR. GALLAGHER: Yeah. There will be a
15 silt fence --

16 MR. SCINTO: Snow fence or something, yes,
17 absolutely.

18 CHAIRMAN FLAHERTY: Yeah. A temporary
19 fence. I don't anticipate, but a temporary fence to keep
20 kids out.

21 MR. SCINTO: Right.

22 CHAIRMAN FLAHERTY: Okay. The only other
23 thing I'd like in the public record is the storm -- the
24 concerns of DEEP concerning storm water, industrial water

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1 discharge permit, and, also, a I guess it's a commercial
2 storm water permit that has to be gotten by the Applicant
3 before he can go forward with this.

4 Again, I want to reiterate that our
5 inlands wetlands we were supposed to get a letter,
6 stating that the inlands wetlands permit was still
7 operative from 2007, but that will have to be
8 conditioned, also, and the design standards should be up
9 to a 100-year level. That's the requirement of inlands
10 wetlands.

11 Anything further for the public hearing?
12 Anything further? No? Entertain a motion to --

13 MR. BETTINI: I move we close the public
14 hearing.

15 MR. JAUMANN: Second.

16 CHAIRMAN FLAHERTY: All those in favor?

17 VOICES: Aye.

18 CHAIRMAN FLAHERTY: Anyone opposed?
19 Anyone abstain? The Chair declares the motion passed.
20 We will take a five-minute break before we start our
21 regularly-scheduled meeting to give our Post Reporter
22 time to collect all her gear.

23 Mr. Gallagher, if you'd like to get any of
24 your maps in order or anything, certainly --

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1 (Whereupon, the hearing regarding the
2 Special Exception for removal of material Lot 6, FLCP was
3 adjourned.)

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