

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

**Regular Meeting**

**January 11, 2016**

**MEMBERS PRESENT:**

Phil Carter	Richard Harrison	Julie Nicoll
John Boehrer	Linda Petty	

**OTHERS PRESENT:**

George McNaughton	Ken Rasmussen	Luke Chrisinger - LPCTV
Bill Neuburger	Robin Reilly	Lisha Klaiber, Recorder
Philip Partlow	Mike Wold	

1. **CALL TO ORDER**

- A. Meeting opened at 6:00 p.m. by Phil Carter. All members present.

*NOTE: Phil Carter asked the applicants if the two applications may be combined and discussed concurrently. This was agreed to by all parties.*

2. **OPEN THE PUBLIC HEARING FOR IMERYS TALC VERMONT, INC**  
3. **OPEN THE PUBLIC HEARING FOR IMERYS TALC VERMONT, INC.**

- A. Phil Carter advised that this is an application to amend a previously approved Conditional Use permit and a Variance for the height requirements to relocate proposed addition to the west side of the existing mill, to relocate water tank, add pump house and other changes to the site plan. The project is located at 73 East Hill Road in the Industrial District.
- B. Phil Carter advised that the second hearing is for local Act 250 Review to relocate the proposed addition to the west side of the existing mill, relocate water tank, add pump house and other changes to the site plan. The project is located at 73 East Hill Road in the Industrial District.
- C. Rose Goings advised that the first application is 88-207-CU, Amendment #8 and 428-15-VA, Amendment #2. The second hearing is application 427-15-ACT250. Both applications were posted in the Town Hall bulletin boards, the Berkshire Bank Bulletin Board and the Post Office Bulletin Board on December 18, 2015, advertised in THE VERMONT JOURNAL on December 23, 2015 and abutting property owners were notified on December 18, 2015. She noted that letters from the Police, Fire and Ambulance Departments are not in.
- D. Phil Carter administered the oath to all (GT McNaughton, Bill Neuburger, Philip Partlow, Ken Rasmussen, Robin Reilly and Michael Wold) wishing to speak at this hearing.
- E. George Mc Naughton advised that the applicants have submitted revised documents that are similar to the original ones. He said the South Elevation is the same and they added silos to the North Elevation that were not shown on the previous drawing. The Roof Plan is new and was not submitted with the original drawings. The third new original is the survey of the well site. It shows the well site and pipeline that will be buried and runs along an old logging road. They were going to have 2 process mills but the ANR did not pass it because there was not enough volume. This well will have enough volume and will also not be visible and will have considerably less water consumption. Additionally, this well, within the zone of influence, is entirely on their property and no one else's. The well will be used for the pelletization process. With regard to Act 250, it is the same activity, same portions of the Town and Regional plans and same Findings of Fact. With respect to the Variance portion, the building will be smaller, now only 5,000 square feet. The penthouse will be horizontally larger, but no taller. The equipment they use is delicate and cannot be put in a basement and there are too many topographical issues. They need to stack the equipment. The rest of the building is the same height, above the town limits, but the same height as in the original application. Continuing, he advised that Chief Kolenda has visited the site and there will be excavation into the hillside to make better access for EMS vehicles. He said there will be a change at the shipping center by the railroad. There will be a

switch on the conveyor and there will not be any clear height issue there. The changes on the south side of the building will not be visible from the highway. He said they also submitted another view shed drawing, noting the work will be only slightly more visible than the original plans. He said there will not be any changes in the number of employees or parking. They will move the propane tanks down to the south side of the parking lot facing north. There is no opportunity for solar or wind energy sources, so it will not impact the renewable energy section of the town plan. The Findings of Fact are the same as in the original application.

- F. Phil Carter asked if the manufacturing process will be the same.
- G. George Mc Naughton said yes.
- H. Phil Carter asked about the number of silos.
- I. Mike Wold said 5.
- J. George Mc Naughton added that they would be lined up behind each other and obscured by the building.
- K. Phil Carter asked how far separated the new and existing buildings would be.
- L. Ken Rasmussen said about 20 feet.
- M. Phil Carter asked if there would be an open walkway between them.
- N. Mike Wold said yes.
- O. Phil Carter asked if the fire department also required space there for vehicles.
- P. Phil Partlow said no, the roadway goes around and there is easy access behind the existing building.
- Q. Phil Carter asked about the existing road.
- R. Phil Partlow said it would be paved. It will have new access designed for standard fire truck maneuverability. There will be an easy grade and it will also be easy for the trucks to back down the road.
- S. John Boehrer asked if the driveway would be paved to the current road and not behind.
- T. Philip Partlow said yes.
- U. George Mc Naughton said that by moving the well, the pump will be in the millhouse and the water tanks for fire suppression would be at the building.
- V. Linda Petty asked how many gallons.
- W. Bill Neuburger said 45,000.
- X. Linda Petty asked the dimensions.
- Y. Bill Neuburger said 75 feet East-West, 25 feet North-South and 8 to 9 feet deep. There would not be stairs into it.
- Z. Phil Carter asked about the gas tanks.
- AA. George Mc Naughton said it is the propane farm.
- BB. Rose Goings asked about a concrete pad.
- CC. George Mc Naughton said yes.
- DD. Rose Goings asked the number of gallons.
- EE. Mike Wold said 2,000.
- FF. Phil Carter asked if this was new.
- GG. Robin Reilly said it is not new to the design.
- HH. George Mc Naughton said they were in the previous plan.
- II. Phil Carter asked why they need so much propane.
- JJ. Philip Partlow said when they add water for the pelletization process, they then have to dry it out and that is the reason for the propane.
- KK. Phil Carter asked about the conveyor to the lower location.
- LL. George Mc Naughton referred to drawing C-4, showing the location of the conveyor.
- MM. Rose Goings asked about an item on the drawing.
- NN. Phil Partlow explained that it is a canopy for the future, not for this project.
- OO. Mike Wold added that it is for railroad loading, but this project does not need it. They put it in the design for the future.
- PP. Phil Carter asked about noise levels.
- QQ. George Mc Naughton said it would be the same as in the original application. A study was done.
- RR. Phil Carter asked if there would be any increase or decrease.
- SS. George Mc Naughton said it would be less than current levels are. The noise would not be from the Genesis Project and is from the existing processes. The building will act as a buffer and may reduce noise levels. There would be the same accommodations as in the previous Act 250 permit. The noise has more to do with the existing processes.

- TT. Phil Carter noted that at the last hearing, neighbors had voiced concerns and the building is now closer to them.
- UU. George Mc Naughton said the noise is not from the Genesis project.
- VV. Phil Carter asked about lighting.
- WW. George Mc Naughton said the silos would have some light, but behind the building. It would probably be less visible and there would not be any real changes. They will have safety lights.
- XX. Rose Goings asked if the lights would shut off after a certain time if no one was outside.
- YY. George Mc Naughton said yes, but only some of them, not the safety lights.
- ZZ. John Boehrer asked about the office entrance.
- AAA. Mike Wold referred to drawing C-4 and said the ADA ramp would be relocated to the back door. It would make more room in the office. It would be wheel chair accessible.
- BBB. Phil Carter referred to Simulation drawings View #1 and #2. He said it looks like the new building is further away from the existing building.
- CCC. George Mc Naughton said in the simulation, you are only seeing the highest parts of the buildings.
- DDD. Richard Harrison asked about the entrance to the project.
- EEE. George Mc Naughton said it would be in the same location, same width. There will be some stabilization so they won't track sediment off the property. The access would be the same.
- FFF. Phil Carter asked if the existing north side road was going to be expanded.
- GGG. George Mc Naughton said there would be no changes now. It was a misstatement on the original. The well is further to the east now. It is 900 feet, not 250 feet. It is as shown on the survey.
- HHH. Phil Carter confirmed that George Mc Naughton has stated that the Findings of Fact are the same and no changes from the original.
- III. George Mc Naughton said that all human activity is the same, the purpose is the same, there would be less water usage and the building is smaller.
- JJJ. Phil Carter asked about Labor and Industry.
- KKK. Rose Goings said they will get involved during the construction process.
- LLL. George Mc Naughton said the storm water permit has been issued in draft form and is out for comments and review. He said the pipeline to the well is really a drainage swale from Rainbow, but it may have been an ephemeral stream. He said they filed an application for a stream relocation permit. It leans towards being a stream.
- MMM. Phil Carter noted that the applicants still need to obtain letters from the Police, Fire and Ambulance departments. He suggested that the board close this hearing effective Friday, January 22, 2016 at 4:30 p.m. This should allow sufficient time for the applicants to obtain the required letters and respond to them if needed, and to submit any additional evidence.
- NNN. George Mc Naughton said he also requested a letter from the schools.
- OOO. Robin Reilly asked when the board would deliberate.
- PPP. Phil Carter said probably within the week after the 22<sup>nd</sup>, adding that the board does have 45 days to respond. He said that after January 22<sup>nd</sup>, they would not be able to reopen the hearing if further information was needed. He said the applicants should have enough time to respond by the 22<sup>nd</sup>.
- QQQ. Robin Reilly asked Rose Goings that if the letter from Fire, Ambulance and Police go directly to Rose Goings, would Rose Goings please send copies to her.
- RRR. Rose Goings said yes.
- SSS. **MOTION by John Boehrer and seconded by Linda Petty to close this hearing effective Friday, January 22, 2016 at 4:30 p.m. Motion passed unanimously.**

4. **REVIEW MINUTES**

- A. Phil Carter advised that the minutes to be reviewed are from the meeting of November 9, 2015.
- B. **MOTION by Julie Nicoll and seconded by Linda Petty to approve the minutes from November 9, 2015 as submitted. Motion passed unanimously.**

5. **OTHER BUSINESS**

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- A. Permits from last Meeting
    - i. Rose Goings said that the Christie Patterson permit was approved, the applicant has her CO and the business is open.
  - B. OMS Training Facility
    - i. Phil Carter asked the status of the OMS Training Facility Building.
    - ii. Rose Goings said that it has gone to mediation and they are still a working it out.
  - C. Rose Goings advised that there would not be a meeting in February.

6. **ADJOURN**

- A. **MOTION by John Boehrer and seconded by Linda Petty to adjourn this meeting.**  
**Motion passed unanimously.**
- B. Meeting adjourned at 6:40 p.m.

Respectfully submitted,

Lisha Klaiber

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Phil Carter, Chairman

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Julie Nicoll

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John Boehrer

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Linda Petty

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Richard Harrison