

**Development Review Board
Town Offices, New Haven, Vermont
Minutes of March 18, 2013**

Members Present: Donna Blaise, Tim Bouton, Steve Dupoise, Jim Gallott, Donald Johnston, Mike Sweeney

Members Absent: Kathy Barrett

Alternate Present: Victor Bolduc arrived at 8:00 PM

Staff: Zoning Administrator-Dave Wetmore

Guests: Gerard Otis, Gerry Myers-NGAdvantage LLC, Jim Manley, Jim Walsh, Dean Percival, Brent Rakowski-Otter Creek Engineering, Tammy Downer, David Collette, Peter Bolduc, Tom Hickley, David Santos

Tim Bouton, Chair called the Development Review Board (DRB) meeting to order at 7:00 PM.

Visitor Business – none

Public Hearing

1. Application #2013DRB-02-HB is a request by Dean and Lisa Percival for the approval of a home business pursuant to section 504B New Haven Zoning Bylaws (NHZB).

Jim Gallott recused himself as he knows the Percival's on a personal level.

Dean Percival indicated he and Lisa have a company that is registered in the State of Vermont. Dean is a part-time business consultant, part-time web designer and sits on the Board of two corporations. The home business is an extension of their hobbies and includes furniture refinishing.

The DRB went through the Home Business Review Worksheet with the applicant:

1. The Percival's will reside on the property
2. There are no additional employees.
3. Business will be held in an accessory building not in the residence
4. The accessory building is +/- 800 sq. feet
5. N/A
6. No exterior storage of materials or display of products
7. Property previously housed Onion River Pottery that had parking for up to six vehicles. The Percival's do not foresee more than one vehicle present at any one time
8. There are no business vehicles
9. Sales are done over the internet with the exception of furniture refinishing
10. Business activities are done inside the building with the exception of furniture stripping which would be done outside.
11. No business activity will occur between 7 PM and 6AM
12. There will be no sign for the business
13. Percival's have complied with State regulations
14. The Percival's are aware that if there are any changes or expansion to the home business they must come before the DRB. And approval of this business expires if the property is sold.

Opened for Public Comment

Jim Walsh as Co-chair of the Planning Commission was here tonight to observe the procedure as this was the first home business to come before the DRB under the new zoning bylaws.

Dave Wetmore, Zoning Administrator – (ZA) indicated that this application was properly warned.

Public Hearing Period Closed

Sweeny made the motion to approve the home base business as presented, outlined, and as reviewed by the Home Business Worksheet.

Dupoise seconded

Discussion – the application meets all the criteria of the home business worksheet

Vote: Yes – 5 (Blaise, Bouton, Dupoise, Johnston, Sweeney)

No – 0

Abstention – 1 (Gallott)

Motion carries

2. Application #2013DRB-03-SP is a request by Pike Industries, Inc. for an amended site plan approval pursuant to section 350 NHZB.

Gerard Otis-Asphalt Plant Manager, Jim Manley-Environmental Health and Safety Manager for the VT operations and Gerry Myers from NG Advantage LLC-vendor for the compressed natural gas project; were present on behalf of Pike Industries.

Manley mentioned that the current project will utilize a different fuel (compressed natural gas), over diesel that was presented for this project last year. Compressed natural gas is a cleaner fuel to burn over diesel. This fuel would be burned at the burner of the asphalt plant. Diesel will still be on site as a backup fuel.

Compressed natural gas (CNG) would be stored in two bulk containers (DOT approved trailers (semi size) that are transported to the site and hooked up. There will be constructed a concrete pad with secure 12' X 22' fencing where these containers are to be stored. An additional light pole with cameras will be installed. Traffic to the site has been calculated to one additional fuel delivery per day as compared to diesel deliveries.

During the startup phase/tuning of this system there will be a significant increase in noise level (50 to 60 decibels) when the pressure relief value goes off – this be an instantaneous noise like a toot. This will happen frequently during a 30 hour daytime period. Once the system has been fine-tuned the noise level will drop significantly.

The DRB requested that the neighbors in the area be notified when the tuning phase of the system occurs.

Safety features for this project:

- This entire system would be remotely monitored (video & computer) for use and flow by NG Advantage 24/7 from their offices in Milton, VT. With constant communication between NG Advantage and Pike Industries.
- The system can be remotely shut down by NG Advantage or it can be shut on site.
- A fire protection will be built in over the tanks.
- There is a complete fire marshal permitting process that will be done
- Hands on training will be provided to the local fire department as well as training to Pike employees

Currently Pike's hours of operation for the plant are 4:30 AM to 6:30 PM with 2 consecutive nights of operation. Pike Industries will work around these hours for the installation of this project and for the delivery of the CNG tankers.

Open for Public Comment

None

Public Comment Period Closed

The DRB would like to see a full build out plan of the site. This plan should show additional traffic flow for the CNG trucks.

Gallott made the motion to continue this applicant hearing at the next scheduled DRB meeting on April 1, 2013 at 7:00 PM.

Sweeney seconded

Discussion – conditions to be met are:

- This project is pending New Haven Fire Department input and approval
- Notification to neighbors when the tuning operations will begin

Vote: Yes – 6 (Blaise, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

Board Alternate Victor Bolduc joined the board.

3. Application 2013DRB-04-SP is a request by Phoenix Feeds and Craig Newton for an amended site plan approval pursuant to section 350 NHZB.

Brent Rakowski from Otter Creek Engineering had authorization from Craig Newton and Tom Hickley to speak on their behalf for this project. Federal requirements are driving these additions and changes.

This project involves Phase I modification within the footprint of the feed mill building. Phase II calls for an auger system that will sit outside of the feed mill building. This auger system will be situated below grade and will allow feed trucks to pull over the system belly dump and the auger will then move the feed into the building. There will also be the addition of elevators, conveyors and bins that will penetrate through the existing roof of the building.

This project is strictly an automation process and will not increase productivity, or the number of trucks on site though it could possibly reduce the number of trucks. There will be no change in traffic routing on site. No change of number of employees. No additional installation of lights. And the hours of operation will not change.

The DRB expressed concern regarding lack of sound deadening devices around exposed machinery and lack of dust control at the dumping station. And have heard complaints regarding noise during after-hours operations.

Opened for Public Comment

Jim Walsh-banging on rail cars and the noise from the load out towers seems to have been addressed after a couple of times that he called. Recently the noise level has been good.

Dave Colette-during the past two weeks the banging on the rail cars at 2:30 AM has rattled their house and as awakened them.

Peter Bulduc-realizes that this is an industrial zone. But he can hear the banging on the cars which would vibrate his house.

The DRB was happy to hear that complaints expressed by the neighbors were heard and actions were taken by Phoenix Feeds to address them.

Phoenix Feeds feels if there is a dust issue they will address the issue.

Tim Bouton, DRB Chair, realized that he was an abutting neighbor to this property and recused himself from this hearing.

Public Comment Period Closed

Blaise made the motion to accept the application of Phase I and Phase II as presented and all previous permitted conditions will still apply.

Sweeney seconded

Discussion – none

Vote: Yes – 6 (Blaise, Bolduc, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 1 (Bouton)

End of Public Hearing

DRB Business

I. Sketch plan reviews – none

II. Minutes

Gallott made the motion to accept the DRB minutes of February 18, 2013 as presented

Blaise seconded

Discussion – none

Vote: Yes – 6 (Blaise, Bolduc, Bouton, Gallott, Johnston, Sweeney)

No – 0

Abstention – 1 (Dupoise)

Motion carries

III. Review & Sign Decisions

McKinley SD#2013DRB-01-SD. The Mylar was not present. The decision was not signed.

IV. Review for compliance & sign final plats – none

V. Correspondence – none

VI. New Business

Bouton will not be in attendance at the April 1, 2013 DRB meeting.

VII. Old Business – none

Dupoise made the motion to adjourn

Sweeney seconded

Discussion – none

Vote: Yes – 7 (Blaise, Bolduc, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

The meeting was adjourned at 9:15 PM

Respectfully Submitted By

Karen Gallott



Jim Gallott, Vice Chair

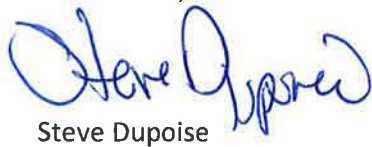


Donna Blaise



Victor Bolduc

Tim Bouton, Chair



Steve Dupoise



Donald Johnston

Mike Sweeney

