

Town of Goshen  
Zoning Board of Adjustment  
Meeting Minutes  
May 11, 2010

Present: Chairman Thomas Lawton, Allen Howe, Peta Brennan, Ray Porter, Robert Johnson, Secretary Dianne Barden and Attorney for Goshen Bernie Waugh.

Meeting was called to order 7pm by Tom Lawton.

The NS&G application for a special exception was denied by the board on September 9, 2009.

A rehearing request was approved by the board on October 21, 2009.

Tim Britain, Attorney for Newport Sand & Gravel began the meeting.

Request to keep copy of recorded minutes of tonight's meeting dated 5/11/2010 and that all previous records and letters be part of tonight's meeting.

An overview of the proposal was provided by the applicant:

1. Excavation site is known as the Anderson Property Map 203, lot 2 and is 200 acres.
2. The request is to excavate 22 acres of material from the site.
3. The site is zoned residential agricultural.
4. The project site will be invisible to anyone, trees and banks will cover the view from Rt. 10.
5. There will be limited tree clearing.
6. Water and calcium chloride will be put down to keep dust down.
7. There will be no blasting or vibration at the site.
8. Material will be taken to the main plant in Newport, NH.
9. 110 loads a day will be removed and all trucks are licensed and comply with state regulations.
10. There will be a reclamation project going on at the same time and when complete site will be a field with erosion control.
11. State of the art equipment will be used and the project will take 3 to 5 years to complete.
12. Bridge meets weight requirement for the trucks and the current traffic.
13. There will be no activity at the Davis property location going on as that site has been exhausted.
14. Newport Sand & Gravel will be environmentally sensitive and follow all rules and regulations.
15. Spill kits will be kept at the site for environmental spills and clean up.

Presentation by Richard Frasier of Newport Sand & Gravel:

1. The haul road will be wooded (buffered) 3 knolls the trucks will be behind.
2. The pit will be excavated in a horseshoe shape starting at the right side.
3. They will put down topsoil and plant trees with erosion control as they excavate.
4. There will be one access road in and out.

5. They will use best management practices. There may a bulldozer there at times.
6. Newport Sand & Gravel has a Terrain Alteration permit received in early 2000.
7. Asking for very limited excavation on 22 acres.
8. No trash will be kept at the site and there is a chemical toilet in place.
9. Pit will be immaculate.

Presentation by Richard Frasier of Newport Sand & Gravel:

Viewing a slide presentation of what the site will look like during excavation.

1. A bench will be put in to prevent damage and erosion from storm runoff.
2. The road to the site was planned to impact the least amount of area.

Presentation by Stephen Pernaw of Stephen G. Pernaw & Company, Inc.:

A traffic impact study was done and the following are results.

1. At peak traffic hours which were 8am, 2pm and 4-5pm the max volume will be 400 per hr which is on the low end of traffic volume.
2. With 110 loads per day the approximate trips per hour will be 20 to 30.
3. There will not be a need for a signal or turn lanes at the site entrance the approximate delay in turning is about 10 seconds.
4. The intersection of Rt. 10 and Lear Hill Rd operate at well below capacity even with the additional truck traffic proposed.
5. Newport Sand & Gravel will clear the vegetation at the entrance of the pit and follow the recommendations by Mr. Pernaw that the truck entrance be paved and fanned out to prevent the trucks from crossing the center line upon entering the main rd.

Presentation by Jeff Cloutier, a Geogologist

A water impact study was done and the following was determined:

1. There will be no negative impact to the water table or ground water.
2. Best management practices are required by law and will be followed.
3. Spill kits will be kept at the site and all spills will be taken care of according to law.

Presentation by David Rauseo - Paired Sale Analysis:

Gave an update of real-estate since prior hearings.

1. There have been 8 sales (really 7) one property sold twice all of which are non Newport Sand & Gravel except one.
2. That property is 387 Mill Village Rd which sold for 150,000, which was less than asking price due to issues with the house not the location.
3. Sales were taken from 2009 to the beginning of 2010.
4. Used every sale of property to compare.
5. There no comparable sales of property in Goshen to do a pair sale with so a comparable property in another town was used.

**Mr. Rauseo's conclusion from this most recent information is that** is that buyers for a property near an excavation site will not pay much less for the property and the excavation site is sometimes a plus as opposed to having neighbors.

Presentation by Robert O'Neal of Epsilon Associates:

A Sound impact study for the proposed project was completed and following apply:

1. A study was done and determined there would be little to no impact of noise to the houses closest and less the father away we go.
2. All levels were within the requirements set by the Town of Goshen.
3. A graph of sound frequencies was shown and is well within compliance.
4. Measured 6 modeled at many more which is standard practice.
5. In a letter dated September 1, 2009 an additional 3 studies were reported to bring the number to 6 as required by the Town of Goshen.

There were some questions asked by the board as follows:

1. Peta Brennan: How are the trucks not going to be seen from the road?

Answer: Trees and banks will cover the site also pit floor is lower than surrounding land.

2. Allen Howe: asked Mr. Rauseo about his reliance on opinions of brokers, sellers, and buyers.

Answer: Mr. Rauseo stated that he relied on facts that are documented in the back of his report.

Mr. Howe noted that the report did not contain letters from brokers, sellers, and buyers.

Mr. Howe clarified for Mr. Cloutier that the board's original decision did not use Lmax to define the

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10 dBA over ambient standard in the Town's regulations.

In response to questions from Mr. Howe, Mr. Cloutier clarified that the Lmax for a loader drop into a truck was converted to an Leq value before being input into the model.

When asked by Mr. Howe, Mr. Cloutier clarified his choice of the L90 substitution values used in the model.

Mr. Howe asked for clarification about the 55 dBA LEQ at 22 Lear Hill Road versus the 69 dBA given on page 17 of the report for a haul truck at 50 feet. Mr. Cloutier explained that the difference is that the 55 dBA is calculated for the worst case hour, whereas the 69 dBA was calculated over a much shorter time period.

In response to Mr. Howe's questions Mr. Cloutier clarified that the modeled 55 dBA at 22 Lear Hill Road is due to NS&G haul trucks only and is 11 dBA over ambient of 44 dBA. When the worst case truck traffic is added to the ambient sound level, the total would be 58 dBA at 22 Lear Hill Road. Mr. Cloutier noted that haul truck noise on the haul road and on public highways was not modeled.

2-3 Tom Lawton: How far is the Town Hall from the site?

Answer: Approximately 1100 feet.

3-4 Ms. Brennan asked Mr. Cloutier -what will the impact of the calcium chloride be on the aquifer?

Answer: Mr. Cloutier responded that it will be negligible in this application it is used all the time on highways.

It was determined at this time the meeting be continued on June 8, 2010 at 7pm.

The meeting was adjourned at 10:30pm by Tom Lawton and seconded by Peta Brennan.

Respectfully Submitted:

Dianne A. Barden  
Zoning Board Secretary

