

**From: Debra Foster**

**Date: July 13th, 2015**

**RE: SUMMARY OF ITEMS THAT ARE MISSING FROM THE CONDITIONAL USE PERMIT SUBMISSION FOR THE ASHFIELD/STONE QUARRY PROPOSAL IN HALIFAX, VERMONT RENDERING THE APPLICATION INCOMPLETE.**

A Vermont court denied a quarry permit in Randolph Center because the judge felt that the local board used conclusions based on information that was, “impermissibly vague” and “not easily understood” so the permit was remanded back before the local board again. She directed their Design Review Board (ZBA) to reach a decision that was based on actual findings of facts that are “understandable by all”.

It appears that the ZBA does not yet have all the actual proven facts that the applicant must provide to guarantee no harm to Halifax residents’ health, safety and quality of life. Therefore, the Ashfield/ Stone quarry is not complete and has not fully met all conditions of the local permit.

Missing information:

1. No on- site test holes were done for water quality, levels and flow especially under the leaching ponds. The simple single page listing of surrounding well depths has an error

and averaging the depth to groundwater is “impermissibly vague”.

2. No actual test hole data for soil testing and permeability has been submitted. Instead, a generic map of soils in the area was submitted. The applicants’ engineer states that on-site water runoff will drain into the soil, possibly exposing groundwater to contamination. The soil supposedly is composed of some quartzite. This mineral contains silica which is a deadly carcinogen. The submission does not address this health concern at all.
3. A recent Vermont court case in Waitsfield was denied because the local board did not ask for prevailing winds or discuss the health impacts during release of silica dust into a residential area. The only effort made by Ashfield/Stone for dust suppression is to spray the 2200 ft. dirt road above the quarry pit. How? Is there enough water available from the stormwater containment pond to keep the silica dust down? This is not answered in the application.
4. There has been no on-site monitoring of noise impacts. Therefore, any results that were submitted are affected by so many untested variables as to render them invalid. Testing with noise meters should be done at the house sites that are likely to be impacted from the active quarry site and from quarry traffic.
5. The applicant, after many requests has not submitted an accurate photo or dimensions of the trucks that will be used

to carry the schist. Because he is using miles of town dirt roads (at places only 16.5' wide), the Town must know the actual width, length, and weight of these large vehicles that could weigh over 3.5 times the Town weight limit. This is critically important for safety reasons and ascertaining potential damage and costs to repair these Town dirt roads.

6. The current submission by the applicant of a photo of a town truck is “impermissibly vague”. Especially after Brad Rafus, Highway Foreman, has publicly stated that weight distributions between a town truck and a quarry truck are significantly different.
7. Because the Ashfield/Denison applicants have made it clear that they will not pay for any damages they may have caused to town roads, the taxpayers of Halifax should be informed of the estimated cumulative costs to repair these unsafe road damages from the quarry trucks over a 50 year period.
8. There should be a discussion of holding a public meeting about the projected increased costs to taxpayers for repair of road damages caused by this one business. Local conditional decisions by the ZBA require weighing the financial impacts to our taxpayers.
9. The letter from the Windham Regional Planning Committee stating their concern that \$10,000 reclamation costs are “not adequate for a quarry this large”, should be submitted to the record and discussed. A simple statement that the

“vegetation will grow back naturally” is very vague and could result in a permanent large scar in the center of the Conservation District forest contributing to serious fragmentation.

10. The discussion by the Selectboard concerning the fitness of Halifax roads, especially Stark Mountain Road, that will be carrying the weight of the quarry trucks should be submitted to your record and analyzed for potential unacceptable risks in road safety.
11. Increased risks to Halifax emergency and firefighting personnel must be addressed. If the quarry permit is granted, our emergency volunteers are forced to respond to a fire in the middle of 1800 contiguous acres ( Denison and Burland ) of solid mature forest with only one narrow, long dirt road for miles and no nearby water to be used for firefighting.
12. With continuous sawing through stone and only 100 gallons of water brought on site to keep the friction down and fuel, gas, oil, and lubricants stored on site, there is a serious risk for a huge forest fire to ignite. If the wind direction changes, our volunteers could all be trapped. There has not been any discussion of a realistic emergency plan submitted by the applicants. This is a very important condition of the local quarry permit that needs to be met.
13. The letter written by the Selectboard to the Act 250 Commission concerning conformance to the Town Plan

should be submitted to the ZBA record and discussed before the application is deemed complete. The Selectboard notes that the recently adopted 2014 Town Plan, supported by the community, does not recommend a quarry use in the Conservation District. In fact, the Town Plan goes further to state that the interior of the Conservation District, “should remain in its natural state.”

14. A 2007 Moretown, VT. quarry denial addresses this important non-compliance. The court found that the “commercial use ( of a quarry) just did not fit in the identified conservation area of the town”. It was also found that the quarry project, “was not in a land use area which residents envisioned for their residential district.” A decision should not be made until this important condition to be met is discussed.