

Approved 6/9/2022

**Zoning Board of Appeals Meeting Minutes**  
**May 19<sup>th</sup>, 2022 7:00 p.m.**  
**Continuation of Public Hearing**  
**Northfield Town Hall**

*Members Present:* Jennifer Cox, Chair, Erin Jaworski, Shawn Foster, Al Dietrich, Timothy Rogers, Michael Bird, Vivien Venskowski, administrative assistant and Jeffrey Blake, Town Attorney

*Applicant present:* Robert Mitchell, Tony Wonseski, SVE, Ken Parsons, attorney and Jacqui Beaman, CRR

*Audience members present:* See attached sign in sheet.  
 Meeting was digitally recorded.

Jennifer Cox, Chair opened the meeting at 7:05 p.m. and read the following notice of continuation: Continuation of a Public Hearing - on the application by Connecticut River Realty, LLC/Rob Mitchell, 191 Reynolds Road, Shelburne Falls, MA 01370 for a Special Permit or whatever relief is needed for a new gravel pit at 122 Old Bernardston Road, Northfield, MA 01360 (Assessors Map Parcel ID 29-E1) as required by the Northfield Zoning Bylaws, Section 5.4F.

The Board continued deliberations.

- Would this application be prohibited relative to or violate bylaws – 5.2 #9 noise/dust
  - Area includes Rail Road and other gravel pits
  - No blasting, some gas fumes, crushing will be limited, backup noises
  - It was concluded the noise level would not be raised substantially
- Trucks
  - Should be covered
  - No debris
  - Procedure to insure compliance
  - Should wording regarding tarping be included in conditions
  - Town Attorney noted his experience and requirements for covering loads
    - Warning issued if non compliance
      - Prohibited from taking loads from this site for a period of time/penalty
      - Prohibited from taking loads from this site for a longer period of time
      - Lack of load covered/penalties imposed for a specific period of time
- Bylaws
  - Section 5.2 discussion
    - Project is industrial related
    - Gravel & stone removal allowed with a special permit
  - Section 3.4
    - Not in opposition to Master Plan
    - Support increase in industry and manufacturing
- Archeological
  - King Philip's Hill/Town Property in close proximity but not adjacent



- Historical Commission memo was reviewed and discussed
  - PNF submission
  - Data base of sensitive areas is not available to the public
  - Previous gravel pit existed on site
  - Private property vs publically funded projects
  - If human remains were found project halted and report to police
  - Possible conditions regarding PNF was discussed
- Traffic/Safety
  - No sidewalks
  - More trucks more risk to walkers, students, sport events etc.
  - Noted applicant stated there would not be an increase in trucks in area
  - Route 10 vs small country road, steepness of Bennett Brook Road
  - Possible signage owner of property to install – “Left Turn Only”
  - Vehicles are allowed on public roads
  - Weight limit issue should be reported to Police Department
  - Previously a Transfer Station was near this site
  - Traffic would increase slightly
  - Limit hours of operation to help limit traffic
- Special Permit non-transferable
- Condition regarding extenuating circumstances/natural disaster, notification should be given by pit owner to Building Inspector via phone call/in writing
- Wetland issues Conservation Commission negative determination
  - Water Resources/supplies
- Flooding noted by abutters and on trail/trailhead
  - Applicant amenable to work to remedy if responsible
- Feedback from public
  - Safety/Truck Traffic, dust etc
  - Environmental Issues
    - Water
    - Bennett Brook
    - Conservation Commission negative determination
    - Areas of concern
      - Hours of operation
      - No blasting
      - Crushing
      - Water run off prevention
- Reclamation/engineering plan
  - Types of grasses, stabilizing and areas of application
  - Phases will overlap
  - No specific time frame
- Possible inspection/conditions
  - Inspections vs required annual inspections
  - Inspections if there was a complaint
  - An agreement regarding inspections
  - Annual inspections for first 3 years then make a determination about future inspections



- Provide an end date and if an extension is required come back before ZBA before permit expires
  - This would give the public an opportunity to comment
- Granted with reasonable time frame/specific number of years
- Would end date cause more issues, increase traffic etc.
- Finite amount of materials on property
- This is a smaller sized project vs Lane's
- Applicant noted this project would be approximately 7-10 years
- Performance Bond/Reclamation Bond/amount
- Applicant Operation
  - Employees have access to port-a-potty
- Lane had phases, every three years came before ZBA to give update
  - 3-year updates for this project
- Hours of operation
  - Neighbor concerns
- Possible conditions were supplied by applicant
  - Comply with laws & Master Plan

Town attorney and ZBA Chair will work together on draft conditions for consideration at the next meeting

**On a motion by Jaworski, seconded by Dietrich it was unanimously voted to suspend deliberation and reopen at the next meeting on May 26, 2022.**

#### New Business

Discussion with Town Attorney about a complaint made to a member of the ZBA. A member of the public requested information on a variance for a Main Street parcel for sale. It was noted that no determinations or votes were made and that this was under the public forum section of the meeting. The Town Attorney did not think this was a violation of the open meeting law.

#### Old Business

Ronald Barfitt spoke with Town Secretary noting he cannot attend hearing scheduled for May 26<sup>th</sup>, 2022.

**On a motion by Dietrich, seconded by Foster it was unanimously voted to adjourn the meeting at 9:04 p.m.**

Respectfully submitted,

Vivien Venskowski  
Administrative Assistant to  
The Zoning Board of Appeals