

**HYDE PARK DEVELOPMENT REVIEW BOARD
MEETING MINUTES
November 5, 2013**

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Members Present: Malcolm Teale, Vice-Chair (MT); Melvin Harvey (MH); Pete Sweeney (PS); and Craig Fowler (CF)
Members Absent: Graham Govoni, Chairman (GG); Gary Houston (GH); Tom Wawrzeniak (TW);
Staff: Ron Rodjenski, Zoning Administrator and DRB Clerk
Guests: Larry Demar; Jim Callahan; Craig Heindel; John Gay

GG called the meeting to order at 7:02 P.M.

1. **Welcome and public comment** – No public comment.
2. **#2013-053 submitted by Casella Waste Management Inc.** (Parcel #016-100-073.1; 1855 VT 100) to amend the conditions of town zoning permit #2003-16 by eliminating the requirement for groundwater monitoring to be consistent with the State of Vermont which closed this hazardous waste site (SMS #97-2192) in 2010 and no longer requires monitoring. The request comes under the 2009 Town Zoning Regulations. The property is located in the Rural Residential Zoning District.

John Gay, Casella Waste Management and Craig Heindel, Waite-Heindel Environmental Management were present. Mr. Gay provided some history of the site, which included ground water monitoring from a fuel spill. The DRB permit for the site required annual ground-water monitoring for whatever is coming out of the transfer station operations. Casella is now asking for termination of the annual monitoring and Mr. Gay noted that none of the 13 sites they operate, except Hyde Park, are required to test groundwater. Heindel stated that the testing was showing no presence of petroleum nor non-organics, and iron readings are within expectations. MT read Arthur Gardiner's 11-04-2013 email to Ron Rodjenski, objecting to the removal of testing because elevated levels of iron was present in one of three wells. Gardiner requested continued testing in a wetland area in the southern portion of the Gardiner parcel over three years and if no high levels of iron or other contaminants were discovered, then testing could be discontinued. Heindel reviewed Gardiner's request and noted that the groundwater flow map for the transfer station, always flowed to Route 100 and it would never rain hard enough to reverse the flow to negatively impact the Gardiner parcel. Motion by MH to discontinue the groundwater testing requirement as requested in the application. Seconded by PS. Voting: 4 in favor, 0 against, motion passed.

3. **#2013-054 submitted by Paula Mulherin** (Parcel #012-001-479.1; 82 Center Road) to construct a 90-foot by 45-foot pond under Section III (K) of the 2009 Town Zoning Regulations. The property is located in the RR5 Residential Zoning District.

Jim Callahan, representing Paula Mulherin, was present to review the proposed dug pond. Jim advised that the pond would be up to 8 to 12 feet deep. Removed soil will be brought toward the house and no dam or embankment will be created with about 18" of freeboard to groundwater. The flow of water will remain in line with the natural contours of the land. Motion by PS to approve the dug pond as requested. Seconded by CF. Voting: 4 in favor, 0 against, motion passed.

4. **#2013-045 submitted by Sherry Heckler** (Parcel #013-052-015.100) to construct a 100-foot by 40-foot pond under Section III (K) of the 2009 Town Zoning Regulations. The property is located at 526 Beam Road in the RR5 Residential Zoning District. The Board accepted the request to withdraw her application and will send Heckler a letter accepting the withdrawal.
5. **Other Business** – Larry Demar appeared and Mac Teale provided him a copy of the 10-31-2013 DRB decision. Larry asked about how to proceed with only a duplex change of use and the Board reminded him that any alteration of land, including parking areas, requires submittal of the flood boundary, prepared by a surveyor for DRB review. Rodjenski reminded Mr. Demar that, with the denied application, the use of adjoining parcels for the auto repair and towing business is subject to renewed enforcement action.
6. **Minutes:** October 1, 2013 Minutes, deferred.
7. **Adjourn:** Motion by GH, MH seconded, to adjourn. So voted at 8:05 p.m.

Respectfully Submitted, Ron Rodjenski, DRB Clerk