

522 Page #12 for other things brought fwd
EX#206

note #1

For the record. I am Kevin J Davis. I live at 7 Ramblewood Dr. Gales

RECEIVED

Ferry, CT.

DEC 05 2024

Land Use Department

Over time my opinions on this project have shifted from one of indifference to of straight opposition. I came into this entire process with an open mind. For this application. It is closed. I stand with my neighbors and my community in opposition to the proposed activities at 1737 and 1761 Connecticut Route 12 for which this public hearing is being held.

I have spent many countable hours trying to understand this ^{application} permit and this process. I have listened to expert testimony, I have read briefs from both parties, I have performed research.

Here are my touch points and those things that make me stand here with my friends and neighbors and say "NO".

note #2

- 1) The proposed activities are taking the word "excavation" contained within the town regulation and torturing it to the

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applicant's financial benefit and the extreme detriment of our community.

- a. OSHA defines an excavation as any man-made cut, cavity, trench, or depression in the Earth's surface formed by earth removal.

<https://www.osha.gov/sites/default/files/publications/osh2226.pdf>

- b. The activities requested in the application are not those of "excavation heavy" They are in fact mining. Please don't take my word for it. Take the official definition provided by Department of Labor and the Occupational Safety and Health Administration.
- c. "The term mining is ... used in the broad sense to include quarrying, well operations, milling (e.g., crushing, screening, washing, flotation), and other preparation customarily done at the mine site, or as a part of mining activity.

<https://www.osha.gov/data/sic-manual/division-b#:~:text=This%20division%20includes%20all%20establishments,gases%20such%20as%20natural%20gas>.

d. Now you might be thinking that there is further ambiguity somewhere because the blasted rock will be processed on site. No... OSHA is clear on that too. “Establishments primarily engaged in crushing, pulverizing, or otherwise treating earths, rocks, and minerals mined in Industry Group 145 or Industry Group 149; or barite mined in Industry 1479, not in conjunction with mining or quarrying operations, are classified in Manufacturing, Industry 3295; establishments primarily engaged in these activities in conjunction with mines or quarries are classified in Mining.”

e. <https://www.osha.gov/data/sic-manual/major-group-14>

2) Let us talk about the Baldwin Hill quarry. I feel like this is fair game considering it was mentioned by a member of the applicants list of subject matter experts.

a. The video clearly depicts dust going all over the site from a single detonation. This is exactly what our community is afraid of.

b. The trucks from the Baldwin Hill excavation pour rock on to the sides of the road leading to hazards. Locations provided.

i. Shoulder of southbound side of CT-12 south of Long Cove is covered

ii. Westbound Long Cove east of CT-12 gravel on the shoulder.

c. In the latter case I was forced to contact Ledyard Police Department to mitigate the risk to public safety.

d. I have attached a photo of personnel from the quarry/*man* operation cleaning up the mess left after an overloaded

truck spilled rock in the middle of Long Cove. I know this was the quarry team because they drove corporate vehicles and a bobcat to the spill to pick up the gravel mess.

3) Let us talk about truck traffic. 50 trucks. 50 turns, 50 ins and 50 outs. THIS IS A LOT OF TRAFFIC.

a. It is known by those that travel CT-12; when the Cashman light turns red for north/south traffic on CT-12 allowing trucks to leave the old chemical facility, traffic begins to back up on CT-12. 2-3 back to back red lights can create a mess on this two lane road

b. I do not know what the best scenario is... a truck going north or a truck going south. Both are not good considering existing traffic patterns.

i. If they go south bound there are big hills. Big hills that trucks struggle to accelerate up while fully loaded.

ii. How do I know this. Because I get stuck behind them on a regular basis while driving to my work located south of Gales Ferry. The good truck drivers get to 30 mph while climbing the hill towards the Submarine Base. The bad drivers barely get to 25.

4) Let us talk about water. The plan to use water from Groton Utilities or a local basin is unacceptable to me. We have had the driest fall than any fall that I can remember while living in Ledyard for the last 15 years.

a. This water usage, dumping, spraying misting and use was not in the original application to wetlands commission.

Review of late submission → *UP TO 50,000 gallons / Day*
PRIMARY SERVICE

5) Let us talk about our town's legacy. What will our children inherit from us after we are dead, should this ^{mine} be approved.

a. If we die in 9 years then maybe the mining operations will be done. However, the land will never heal. The plan is to simply cleave the side off a mountain and ^{haul it to some other place} dump it into the ~~place~~.

~~Perhaps this sand will end up in the Atlantic
ocean. I say this and I am a proponent of ocean wind
turbine operations.~~

- b. Maybe we die in 11 years and the side of the mountain is gone the equipment is gone and the earth is scared and will never heal.
- c. The plan to destroy Decatur Mountain is horrible. This will destroy our community. I live in this community, *These are my neighbors.*
- 6) Throughout the presentations, the application, and the in the regulation there has been talk of a 10-acre limit for “excavation”. (Reminder this is a mining operation not excavation.)
- a. The use of a special permit to grant the applicant the phase mining of nearly 40 acres of Decatur Mountain is insane.
- b. 10 acres is 10 acres FULL STOP.
- c. OSHA considers crushing and pulverizing rocks to be part of mining. Therefore the 4.9-acre laydown area and

processing site is also part of the ongoing mining operation. It is not separate. It is not distinct. The area of blasting and the area crushing and pulverizing are one and the same. NOT separate and distinct as the applicant desires.

Conclusion:

- 1) Others have talked about dust, noise, and disruptions to quality of life in our quiet and growing town. I agree with them.
- 2) So, I ask you if there were to be a safety violation on the site, would OSHA call the destruction of a Decator Mountain, “excavation” or would it be called “mining”.

a. MINING

- 3) So, I ask you if there was a fatal motorcycle accident involving spilled gravel from one of the Cashman trucks would an Accident Reconstruction Team think, “wow excavation” or

“wow, they are strip mining and blasting a mountain in the middle of Gales Ferry”

a. The latter!

4) So, I ask you if there were 50 trucks per day at Cashman’s how

much more disruptive would these 50 trucks be to the

community. *A LOT of Disruption given implications of a single truck*

5) So, I ask you is this the best use for what could be millions of

gallons of water

a. Based on 7000 gallons of water per day and a couple

hundred days of mining operations. Could be a couple

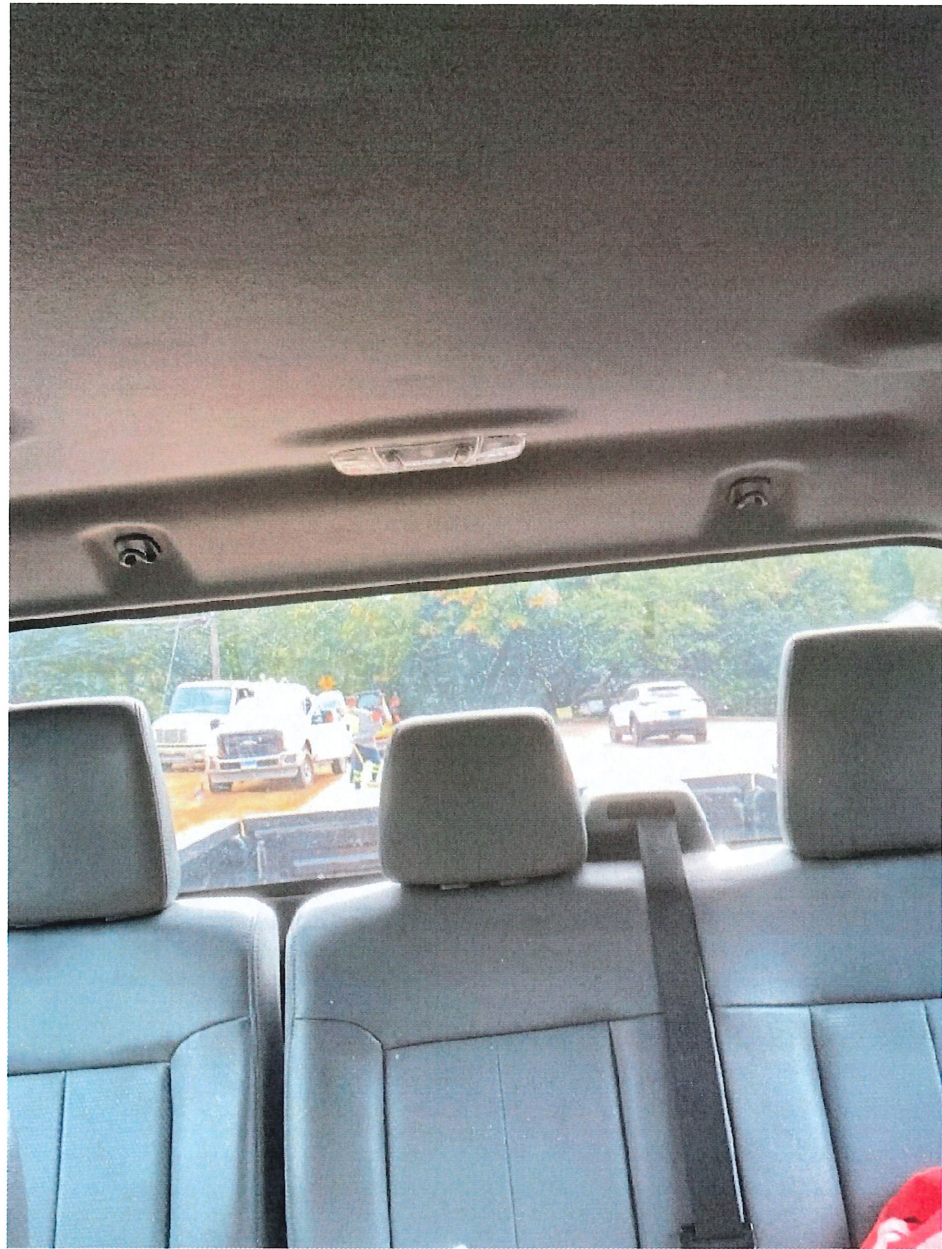
thousand days of operation given the unspecified 10

timetable.

6) So, I ask you, what is the legacy we pass to our children going

to be? ^{IS IT} *Dust, noise, TRUCK, explosions, ~~loss~~ of Housing value, Pollution, and Destruction of Residential neighborhoods + a portion of our community.*

The application as submitted must be rejected and should never be allowed to be submitted again. This is truly insane. I stand in opposition to the application.



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chris.



First, Photos take by Kevin Davis on 27 September 2024.
~~notes~~ To my fellow veterans, I stand with you. The struggles of PTSD are
Real. should you ever need to talk I am here. I am one of you.
~~notes~~ Discussion about the characterization of
the activities linked to the application
Does thunder → yes For me the first Blast.
invoke PTSD