

September 9, 2024

TO: Juliet Hodge Town Planner

FROM: Norman Atwood 8 Harvard Terrace, Gales Ferry, CT 06335

RE: Quarry Application Relating to Mount Decatur Public Hearing September 12, 2024

**I write in opposition to this application.** While not all inclusive, below are some applicable zoning regulations that support the denial of this application:

**SPECIAL PERMIT CRITERIA**

11.3.4 Special Permit Criteria

The applicant shall have the burden to prove:

- 11.3.4.A ... that the application is materially in conformance with all applicable provisions of ... Site Design Requirements in Chapter 9 (see below).
  
- 11.3.4.B ... that transportation services would be adequate and that the uses would not cause traffic congestion or undue traffic generation that would have a deleterious effect on the welfare or safety of the motoring public.
  
- 11.3.4.C ... that the use(s) would not be noxious, offensive, or detrimental to the area by reason of odors, fumes, dust, noise, vibrations, appearance, or other similar reasons.
  
- 11.3.4.D ... that no adverse effect would result to the property values or historic features of the immediate neighborhood.
  
- 11.3.4.E ... that the character of the immediate neighborhood would be preserved in terms of scale, density, intensity of use, existing historic/natural assets/features and architectural design.
  
- 11.3.4.F ... that the proposed uses would not cause any unreasonable pollution, impairment or destruction of the air, water, and other natural resources of the state.

**SITE DEVELOPMENT STANDARDS**

**CHAPTER 9: SITE DEVELOPMENT STANDARDS**

9.1 Site Design Requirements are intended to:

- protect public health, safety, welfare, property values, and natural resources.
- encourage site design and development that is efficient, effective and in keeping with the general architecture, rhythm, aesthetics, and existing development pattern/layout in the immediate neighborhood.

9.2.C Performance Standards: Uses shall be designed to minimize any injury or nuisance to nearby premises by reason of noise, vibration, radiation, fire and explosive hazard, electromagnetic interference, humidity, heat, glare, and other physical impacts that may be caused by the use.

9.2.C The following performance standards shall apply to all uses of land subject to Chapter 9 of these Regulations.

- 9.2.C.1 No dust, dirt, fly ash or smoke shall be emitted into the air so as to endanger the public health, safety, or general welfare, or to decrease the value or enjoyment of other property or to constitute an objectionable source of air pollution. (CONTINUED)

(Site Development Standards Continued):

- 9.2.C.2 No offensive odors or noxious, toxic or corrosive fumes or gases shall be emitted into the air.

- 9.2.C.3 With the exception of time signals and emergency signals and noise necessarily involved in the construction or demolition of buildings or other structures, no noise which is unreasonable in volume, intermittence, frequency, or shrillness shall be transmitted beyond the boundaries of the lot on which it originates.

- 9.2.C.4 With the exception of vibration necessarily involved in the construction or demolition of buildings or other structures, no vibration shall be transmitted beyond the boundaries of the lot on which it originates.

**EXCAVATION (FILLING OR REMOVAL OF SOIL, GRAVEL, AND STONE)**

**8.16 EXCAVATION (FILLING OR REMOVAL OF SOIL, GRAVEL, AND STONE)**

8.16.D. The purpose of these regulations is to insure the following:

- the landscape is not needlessly marred during and after operations,
- the work will not be a source of dust, pollution, and/or siltation,
- the site will not be generally characterized by unsightliness as evidenced by open pits, rubble, or other indications of completed digging operations which would have a deteriorating influence on nearby property values.

8.16.I. The use of explosive devices and rock crushing equipment may be limited as a condition of the permit.

8.16.J. The Commission may impose hours and days of operation as conditions of the permit.

8.16.M.2 Applications that involve filling, excavating or relocation of topsoil, sand, gravel, clay, stone or other minerals shall also contain:

- a. Applicable Site Plan information per check sheet
- b. The proposed truck access to the excavation.
- c. The hours of operation.
- d. The machinery to be used on site.
- e. The type of buildings or structures to be constructed on site.
- f. Location of existing structures on the subject parcel and adjacent properties, including information regarding depth to the ground water table and a log of soil borings taken to the depth of the proposed excavation.
- g. details for final grading and landscaping after completion of operations, and proper drainage of the area of the operation during and after completion of the work.

8.16.N.4 Upon completion of operations, no bank shall exceed a slope of one (1) foot vertical rise in three (3) feet of horizontal distance. The disturbed area shall be covered with a minimum of four (4) inches of topsoil and graded. On completion of grading, the area will be limed, fertilized, and seeded in accordance with the approved Plan. The site shall be maintained until the area is stabilized.

8.16.N.7 All topsoil and subsoil shall be stripped from the operation area and stockpiled for use in site restoration..

Thank you for your attention to this.

Respectfully,  
Norman Atwood  
8 Harvard Terrace  
Gales Ferry, CT 06335