

Request for Experts to Confirm or Refute GFI's Experts Regarding the Proposed Excavation of Decatur Mountain

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There is public concern regarding the GFI excavation application, especially among those Gales Ferry residents who live near Decatur Mountain. They are justifiably concerned about risks to their quality of life, property values, and health resulting from GFI's proposed use of explosives and rock-crushing equipment, and they do not trust that GFI will fully honor its commitments in its application. It is an unusually complex and difficult-to-assess application. The Commission must have its own experts, paid for by the Applicant, assess the application for it to make an informed decision that will withstand appeal.

Specifically:

1. Page 3 (in Exhibit #1-4) of the Project Narrative, a binding part of the application, states that the finished industrial pad will have a positive grade to accommodate stormwater runoff until further development occurs.

Because of the capped hazardous waste on the property and the fact that the protective cap has deteriorated, **the Town should contract with an appropriate expert to confirm or refute the Applicant's assertion that its proposed design for stormwater runoff satisfies all requirements.** Stormwater runoff must be properly controlled during the expected 10+ year time frame for the proposed excavation.

2. §11.3.4 (special permit criteria) in the Zoning Regulations requires that the proposed use, including the proposed use of explosives and rock-crushing machinery, will not be noxious, offensive, or detrimental to the area because of odors, fumes, dust, **noise, vibrations**, appearance, or other similar reasons.

The Applicant's expert will attest that the proposed blasting and rock-crushing will not do any harm. **The Town should contract with an appropriate blasting consultant to confirm or refute the Applicant's assertion that its proposed blasting will not result in property damage.**

3. Paragraph 17 on page 9 of the Project Narrative states, *"It is not anticipated that the activities involved in the excavation and extraction operations will create any objectionable impacts either from noise or **dust**."* Paragraph 17 also states that Verdantas LLC will evaluate potential adverse impacts from dust mitigation.

It is reasonable to assume that Verdantas LLC will assert that dust or dust mitigation will have no adverse impact, or will not leave the site.

§11.3.4 in the Zoning Regulations requires that the proposed excavation use, including the proposed use of explosives and rock-crushing machinery, will not be noxious, offensive, or detrimental to the area because of odors, fumes, **dust**, noise, vibrations, appearance, or other similar reasons. **The Town should contract with an appropriate Environmental, Health, and Safety (EHS) expert to confirm or refute the expected findings of Verdantas LLC.**

4. Paragraph 17 in the Project Narrative also states that "RSG Inc" will evaluate potential adverse impacts from **sound** that may result from the proposed extraction and processing operations (use of explosives and rock crushing).

It is reasonable to assume that RSG Inc. will assert that the sound impact will be within regulatory standards and will not create a nuisance.

§11.3.4 in the Zoning Regulations requires that the proposed excavation use, including the proposed use of explosives and rock-crushing machinery, will not be noxious, offensive, or detrimental to the area due to odors, fumes, *dust*, **noise**, vibrations, appearance, or other similar reasons.

The Town should contract with an appropriate sound expert to confirm or refute the findings of RSG, Inc., and independently determine if the noise will be detrimental or offensive or create a nuisance, even if the expected noise levels are within regulatory standards. The goal, as far as sound and noise are concerned, is to avoid a nuisance that interferes with the quality of life of the neighbors.

5. Page 2 of Exhibit #1-4 states that the Applicant retained the services of Heritage Consultants to investigate the site to (i) determine its historic significance and (ii) develop a cultural resource plan.

The "plan" is expected to show that the proposed excavation will have little or no effect on Fort Decatur's historic nature.

§11.3.4.D in the zoning regulations requires that a use that requires a special permit not adversely affect the historic features of the immediate neighborhood, where the neighborhood, in this instance, is the immediate vicinity or area. **The Town should contract with an appropriate historian to confirm or refute the findings of Heritage Consultants.**

6. It is expected that the Real Estate Appraisal Report Impact Study prepared by MacCormack Appraisal Services dated 7 February 2024 will be entered into the record. It will likely again assert that the proposed use will not impact nearby property values, as required for a special permit by §11.3.4.D in the Zoning Regulations. **The Town should contract with an expert licensed residential appraiser to confirm or refute the expected assertion that the use of explosives and rock-crushing equipment on Decatur Mountain for up to 10 years will not impact nearby property values.**