

EX#117
Rec@P14
10/24/24

October 22, 2024

Ledyard Planning and Zoning Commission
741 Colonel Ledyard Highway
Ledyard, CT 06339
VIA Email

RE: Mount Decatur Project Application

My name is Lara Stauning, my address is 41 Brush Hill Road, Bozrah, CT. Last winter I was made aware of the proposed excavation site being proposed on Mt. Decatur and was asked to speak to the Commission about my personal experience as a property owner whose land abuts the active Bozrah "excavation site" located on Stockhouse Road in Bozrah. Unfortunately, due to another obligation I cannot attend tonight's meeting and submit this written statement for consideration in my absence.

For full transparency, I want the commission to know the I have no ties with the village of Gales Ferry nor town of Ledyard. I have no interest in whether this goes forward or not. I do, however, understand first-hand the importance of this Commission's decision on the application submitted and the potential impact on the residents' quality of life and enjoyment of their small town. That is why I have offered to provide my experience and support, because I have experienced similar circumstances myself and understand the frustration.

I can empathize with the with the concerns that I have heard residents raise in prior public hearings regard the application before the Commission. I also acknowledge that during difficult economic times, development of industry is often look to by small towns to defray the increased costs of providing the services in a town to its residents. It is a fact, if economic development is not permitted, then the taxpayer will likely need to shoulder that cost. **However, the question is what type of economic development should be permitted and how will the municipality ensure that the applicant will be held to their professed commitment to be a good community partner.**

What I offer for your consideration is only my experience as it relates to living next to a "excavation site". For your reference, my home can be seen in the upper right-hand corner of slide #24 of the applicants PowerPoint presentation (provided in the earlier application in February 2024). My home, built in 2003-2004, is 750 feet from the blast site and at the time it was built it was surrounded by woodlands. Currently, my home is next to the active excavation site that is owned Coit Excavating, who is utilizing the services of Maine Drilling and Blasting to conducting the blasting necessary to remove the materials from the site.

The applicant uses the Bozrah site, involving Mid-City Steel and Coit Excavation, as an example of a "sizable excavation conducted without adverse impact on the community." However, I must respectfully disagree.

What is it like to live next to an active blasting site? Again, I am here to give share my experience, not to dispute the applications approved in Bozrah for these sites. That has been done and I did not oppose those applications for reasons I will touch upon later. However, as an individual that works from home a majority of the time, during the course of the Mid-City Steel and Coit Excavation, projects I have been present to make the following observations on the impact that having a quarry outside my back door.

Noise:

While Maine Drilling and Blasting typically provides 3 warning horn blasts before any blast and will offer to call your cell and let you know when blasting will occur, and the noise from the blast itself is momentary. The noise and vibration of a blast, however, never ceases to startle me. During the height of the blasting activity in the Spring and Summer of 2023, I estimate that blasting took place 3-4 times per week. Additionally, my husband who works nights would be startled awake as he slept during the day several times per week.

The noise that is more disturbing is the processing of the rock that takes place in between blasts to remove the blasted materials. In the summer and warm weather, I am unable to open my windows to enjoy the fresh air because of the constant noise of rock crushing and sorting equipment and the always present beeping of trucks and equipment as they work to remove the materials and process it. This typically takes place from 7 AM to 5 PM Monday through Saturday. In 2013, prior to these projects, we spend several thousand dollars to install a patio. However, as a result of the constant noise from the processing, we no longer entertain at our home in the summer and we rarely use our patio or back porch due to the incessant sound of rock being processed and trucks beeping. This activity continues as I write this letter to you today.

Traffic:

Coit Excavation has installed an access road to the quarry site that is approximately ¼ from my driveway. Brush Hill, however, is a narrow rural secondary road and due to the increased traffic and large trucks I no longer feel safe taking walks on the street that I grew up on. To be fair, Coit is not the only industry that uses Brush Hill as an access point, but the activity of the quarry does contribute to the overall unsafe conditions that prohibit those residents from walking on what was once a rural back road. Many of the residents living on Brush Hill have lived there their entire lives and can no longer walk there without being fearful that they will be hit by a passing vehicle.

Wildlife:

Since the woodlands below us have been slowly cleared and the blasting has taken place, we have seen a significant increase in the number of wildlife that now need to travel through our property close to our house. It is not uncommon to see bobcats and deer at all hours in our front and back yard. While I do not mind getting an opportunity to see the wildlife up close, I realize that this is not normal. Deer now come into your yard and eat the landscaping that we have put up to buffer noise and cover up the view of the industry growing around us. I am no longer feel safe putting my dogs out without going out with them due to the frequent sighting of bobcats and coyotes that are being forced out of their natural habitat.

Property Damages:

I want to preface this discussion by disclosing that around 2011, Rawson Materials, applied to run a quarry in the same area highlighted in slide #24 of the Applicant's presentation. At that time, I decided to oppose the application, I did what all of the residents here are doing; organizing groups to oppose the quarry, encouraging people to testify at the public hearing, spreading information by going door-to-

door, I hired my own land use attorney to represent me, I hire a geologist to do a study of the effect on the well water, contacted my legislators, and spoke with the press. Eventually the application was withdrawn. However, the experience left me physically and emotionally exhausted and disenchanted with my community leaders. In my perspective, community leaders were exchanging our small town feel for a quick and short-term financial gain that would leave a permanent physical scar on the landscape of our community.

A few years later I heard about the Mid-City Steele and Coit Excavation projects and I consciously decided not to get involved, it was too time consuming, stressful and expensive. I decided to put my faith in "the system" and if I did have damages, if these entities were the good neighbors and community members they professed to be, they would make things right.

In the early Spring of 2023, I took advantage of Maine Drilling and Blasting's offer to do a property assessment. They came out to my home and video-taped the entire interior and exterior of my home, including the basement and foundation. I also asked them to conduct a water test to get a baseline of the water quality and flow of my well. (As an aside, I recommend that anyone else here also take advantage of this, but also do their own property assessment and water tests, independent of Maine Drilling and Blasting).

By June of 2023 I became to notice cracks in my walls and ceiling and that they were getting larger. I also noticed dozens of sheetrock screws were beginning to pop out of the wall and pieces of sheet rock were falling out. Because this coincided with the repeated blasting that took place over the prior months, I decided to submit a claim to Maine Drilling and Blasting. I took photographs of every crack and screw that was popping out of the walls and included details on each photo of the date and location. There is damage to every single room in my home. Taking the photos was very time consuming, but because I was hopeful that I could trust in the process and that if I submitted a well-documented claim, that Maine Drilling and Blasting would repair the damage to my home upon completion of the blasting activity, I was willing to put in the time and effort. I also copied our First Selectman on this communication and received no acknowledgement.

In July 2023, in response to my claim submission, Barbara Barclay, from Maine Drilling and Blasting came out to do an assessment of the damage. In fact, she helped me identify additional areas of damage that I had not included in my previous claim. Shortly thereafter, on August 18, I received a letter from Maine Drilling and Blasting that summarily denied my claim stating that "blasting is not the cause of your claim" and provided a highly scientific explanation for their conclusion (which I am not qualified to refute) and recommended that if I was not satisfied to, "contact [my] insurance company so that they may conduct an investigation using an independent engineer who is trained in vibration analysis." They did not, however, provide any reasonable explanation that could explain the damage if it was not due to the blasting. (See, Attachment B, *Letter To: L. Stauning, From: B. Barclay, MDB, dated 8/18/23*). Based on my experience, it is my opinion that they likely had no intention of covering the claim.

- (1) The analysis was done by Maine Drilling and Blasting *themselves*, not their insurer nor an independent engineer. I was naïve to think that they would review this information themselves and admit fault and cover the damages simply to be a "good partner" of the community when the decision was entirely up to their discretion. I found this to be an empty solution offered on their part. After all, why would they approve a claim?

(2) Based on the prior testimony provided by resident of Ledyard, in the prior meeting, he had discovered that Maine Drilling and Blasting routinely refuses to pay for damages. Based on my experience, I believe that if I do decide to pursue a claim, it will be a long-drawn-out process in which I will end up paying higher insurance premiums, potentially be dropped by my insurer, and not be made whole in the end. I suspect it is the hope of Maine Drilling and Blasting, the Town of Bozrah, and Stephen Coit that I will give up. Unless your residents are committed to battling their insurance company or Maine Drilling and Blasting, I would not rely on any assurances provided by Maine Drilling and Blasting.

(2) If this application is approved, there must be some assurances to residents that if they have damages as a result, they have a *meaningful* method to get the cost of repairs covered. The town should be prepared to assist residents as they too are taxpayers. Additionally, the town must evaluate their own ability and determine if they have the necessary resources to monitor and respond to such claims made by your resident taxpayers, the people who live in this town.

Currently, some of the cracks in my ceilings and walls now span the entire length of the ceiling or the height of the walls. Chunks of sheet rock have begun to fall from the walls and ceiling. At some juncture the entire interior of my home will need to be repaired in order to be sold. To date, I have not decided whether I want to explore this with my insurance company.

Loss of Participation

Finally, I want to point out the effect that this has had on my and my husband's civic engagement. When I moved back to Bozrah (this is the town that I grew up in and wanted to return to) we volunteered to give back to our community. We are both individuals with time, knowledge, and skills to offer to the town to contribute in various ways, more importantly because we live in Bozrah we cared. My husband served on the Planning and Zoning Board of Appeals for several years and I served on Inland Wetlands Commission and the Maples Farm Park Commission helping to establish the Bozrah Farmer's Market.

After our experience with the quarry and the more recent "excavation" projects that continues to impact the value of our home, we decided to finish out our respective terms and opted out of participating. We still do some things, like town clean up day, where we pick up the garbage from the side of our own road, but we have withdrawn ourselves from all civic involvement. I don't feel good about that. I am a civic minded person and the path that the leaders of the community have chosen to take is incredibly disappointing. We have contemplated moving out of town on several occasions, but are not confident that anyone would want to buy a home surrounded by a quarry, with rocks being processed 6 days a week. We do, however, know that we will not stay in Bozrah when we retire and we will move and it is because the Town has made choices that have impacted our quality of life that cannot be undone. Gales Ferry should carefully consider the loss of invested members of their community that may result due to the approval of this application.

Thank you for allowing me to provide my experience for your consideration. Best of luck with this process, it is not an easy decision to make.

Lara Stauning