

From: [LYNN WILKINSON](#)
To: [Elizabeth Burdick](#)
Cc: [Town Council Group](#)
Subject: Cashman/GFI Proposal
Date: Friday, September 27, 2024 3:43:31 PM

9/27/2024

Lynn S Wilkinson
57 Terry Road
Gales Ferry CT 06335
Ledyard Planning and Zoning Commissioners
Liz Burdick ,Ledyard Director Land Use and Planning

Dear Commission and Ms. Burdick,

I would like to express my concerns about the effect of blasting vibrations on homes in the area of the proposed excavation. The presentations at the meeting on 9/26 were very informative, especially the portion on blasting procedures and safety standards. I am not questioning the Maine Drilling and Blasting representative's knowledge or intent, however I would like to share these articles.

[Residents near construction site in Greenwich complain about blasting: 'It felt like an earthquake'](#)

[Glover Neighbors Told They Are On Their Own To Fight For Blasting Damages | Marblehead, MA Patch](#)

[N.H. residents: Fighting blasting company no easy road](#)

<https://www.tauntongazette.com/story/news/local/2024/05/09/taunton-quarry-holcim-industries-blast-sends-rocks-into-nearby-neighborhoods/736110>

According to Zoning regulation 11.3.4.C, uses should "not be...detrimental to the area by reason of...vibrations..." 11.3.4.D states there should be " no adverse effect....to property values or historic features of the immediate neighborhood.

I realize that these articles are possibly anecdotal, and that you have limited time. I would also like to reiterate that I am not accusing anyone of acting in bad faith. I do think that even with strict adherence to codes and regulations, there is good possibility for unnecessary damage, and little chance of restitution for anyone effected.

Thank you for your time and consideration,
Lynn S Wilkinson

NEWS // LOCAL

Residents near construction site in Greenwich complain about blasting: 'It felt like an earthquake'

By **Ken Borsuk**, *Reporter*

Oct 19, 2021



Neighborhood resident and HOA president Tabitha Young speaks outside her home in Greenwich, Conn. Monday, Oct. 18, 2021. Residents at 223-233 Milbank Ave. have been complaining of powerful blasting noises coming from the construction site nearby.

Tyler Sizemore / Hearst Connecticut Media

GREENWICH — Blasting work at a large construction site has been disrupting the peace and tranquility on Milbank Avenue for weeks, residents said, pushing them to seek relief — or at least some warning about the noise and vibration.

The construction project — for a two-building apartment complex with 30 units at 255 Milbank Ave., will require a few more weeks of blasting work.

“We weren’t expecting any of this,” said Tabitha Young, a resident of 233 Milbank Ave. and president of her building’s homeowners association board. “We had no idea and no warning. And when the first blast happened, I actually ran out of my house thinking that a car had crashed into my neighbor’s home. I ran out thinking that someone was hurt. I was walking down the stairs when it happened and the blast was so strong I had to grab hold of the banister.”

The blasts are so powerful they have rattled windows and even set off home alarms, Young said.

“It’s more what we feel rather than what we hear. On Friday, we heard one and the room literally shook. The pictures shook on the wall. It felt like an earthquake,” resident Joe Kaliko said. “My wife said it scared the hell out of her. She lost her breath and was really shaken. I’m concerned this will cause damage to the foundation, and I don’t know what recourse we have.”

Town Fire Marshal Chris Pratico said his department has tested the sound level at the site and said the blasting appears to be within the legal limits.

But resident Roger Lob, another association board member, compared it to the sound of a bookshelf repeatedly crashing down.

“The one we felt last Friday was more than disturbing,” Lob said. “The builders had to go through hoops to get approval for this project, but now it feels like they’re operating with no supervision.”

The blasting needs more supervision, Lob said. And Young said neighbors need more information about the timing of the work.

The residents are worried about potential physical damage to their homes’ foundations or windows, they said. The sudden noise and vibrations can take an emotional toll as well, Young said.

“Part of the problem is we don’t know when to expect (the blasts),” said Young, who has lived through earthquakes in Southern California. “So when you’re not prepared for it, it’s a shock. We’ve heard this from other residents. You’re afraid when it happens. Your heart feels like it’s in a vise. You can’t catch your breath. You don’t know what’s happening. For some of our elderly residents, they’re afraid to be home because they don’t want to be here when it happens.”

Response from developers

First Selectman Fred Camillo said he has heard from Kaliko and plans to check out the situation this week.

The project has been a controversial one since it was first proposed in 2017. The town’s Planning and Zoning Commission initially turned the development down but the developer filed suit and as part of a settlement a revised proposal was accepted two years later.

The developer is listed as Milbank Development in conjunction with Belpointe Capital. Belpointe did not return multiple phone calls asking for comment about the

project and the blasting complaints.

The company conducting the blasting is Maine Drilling and Blasting. Residents can be added to the list of alerts by calling the company at 860-906-3907.

Margarita Alban, commission chair, said the plans achieved a transition between the downtown commercial district and the nearby residential neighborhood. She also pointed out that “there's a need for units of housing for young families,” she said.

The proposal combined that lots at 71 Havemeyer Place and at 255, 257, 259, 261, and 263 Milbank Ave. into one property.

Noise at Agnes Morley Heights

The construction site is next to Agnes Morley Heights, a senior living complex overseen by Greenwich Communities and the home of the offices for Greenwich Communities.

“It's very unnerving to the residents and to some of our employees,” said Anthony Johnson, executive director of Greenwich Communities. “It's jarring for me, too.”

Johnson and Terry Mardula, Greenwich Communities' deputy director, said they have heard complaints from their residents.

“You know a bomb is going to come and when it hits you still feel it. It's like, ‘Oh man, what's that?’ I don't know if it's better to know or not to know,” Johnson said.

Their office gets a phone call warning of each blast, Mardula said, and signs are posted at the site.

This post was contributed by a community member. The views expressed here are the author's own.

[Politics & Government](#)

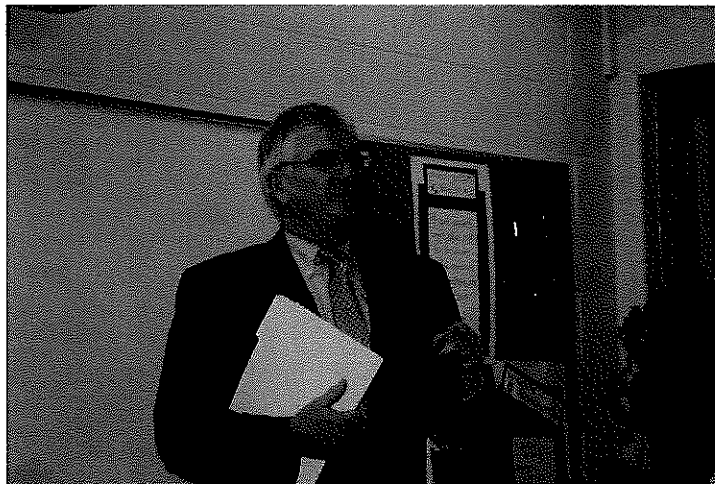
Glover Neighbors Told They Are On Their Own To Fight For Blasting Damages

Almost 30 claims have been filed against blasting company for damages to homes on the same ledge as the new school.



Stewart Lytle, Neighbor

Posted Fri, Feb 1, 2013 at 2:30 am ET Updated Fri, Feb 1, 2013 at 3:30 am ET



The attorney for the town and school district was blunt Thursday night with his advice to the neighbors of the under-construction Glover School. He said they should "pool their resources and hire an attorney."

Neither the school district nor the town government was able to do more to resolve their complaints about cracked walls and foundations than it already

has, said Pat Costello, a partner with the Boston firm of Louison, Costello, Condon & Pfaff.

"The town has done all it can and more," Costello said.

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He said he understood how frustrating the situation is for the homeowners.

"We want to work with you to bring closure for you on these issues," Costello said.

But when pressed on what the town might do, he said it would hurt the process if the town got involved.

The more than two dozen neighbors who came to the meeting in the music room at the Village School were frustrated. One said he was "offended" by Costello's message.

"That is ridiculous and insulting to tell us we are on our own," said neighbor Barton Hyte. "You are throwing us under the bus."

Costello said state law was very specific. The blasting company, Maine Drilling and Blasting, has a strict liability to pay for the damages it caused.

Twenty-seven homeowners along Alden, Columbia, Homestead Roads and Tedesco Street have filed claims against Maine Drilling and Blasting. Most of the houses where the owners say they now have cracks and other problems are on the same ledge formation as that of the school, but many of them are outside a 250-foot radius from the blast site, which is supposed to be the potential damage zone.

To build the foundation for the new \$25 million school, the construction company had to blast away a substantial amount of rock.

The blasting company, after a post-blast inspection of the homes, sent the homeowners a form letter denying their claims and suggesting that they file a claim with their personal homeowners' insurance company.

"If I were representing you, I would send a poison pen letter to the insurance company, demanding that it pay up or go to court," Costello said.

He noted that the insurance companies were liable for treble damages if the court finds the blasting company caused the damages to the homes.

Several homeowners said they were considering filing suit, but they were not sure who they would sue. In addition to the blasting company and its insurance company, several suggested they might also sue the general contractor, G&R Construction, and possibly the town for not protecting their properties from the school construction.

Costello, who has been representing cities and towns for 25 years, said he would expect any suit against the town would be dismissed quickly.

The neighbors are planning to hold a meeting in the next couple of weeks, where they will decide on the next steps.

"We will write a formal complaint letter and send to all involved parties (including various insurance companies), stating that there are 27 or more houses that have sustained damage," wrote Kaarina Kvaavik, a neighbor, after the meeting.

School Superintendent Dr. Greg Maass said he has sent the claims of 15 homeowners to USI Insurance Services of New England, the insurance company for the blasting company. The company is based in Manchester, N.H.

MARBLEHEAD REPORTER

N.H. residents: Fighting blasting company no easy road

William Dowd / marblehead@wickedlocal.com

Published 11:01 p.m. ET Jan. 31, 2013 | Updated 12:17 a.m. ET Feb. 1, 2013

Neighbors of the Glover School have a long — and perhaps futile — fight ahead of them as they pursue compensation for damage they believe has been caused by blasting at the site.

That's the message of residents of Merrimack, N.H., who said that back in 2010, they had a experience with Maine Blasting and Drilling similar to the one dozens of Marblehead residents are living through at the moment.

Contacted by The Reporter, a spokeswoman for Maine Blasting and Drilling declined comment for this story.

As reported by the Nashua Telegraph, the Merrimack project was not a school but rather a \$100 million, 130-store outlet mall, which subsequently opened in June 2012 as Merrimack Premium Outlets.

A month into blasting for the project in mid-December 2010, Merrimack's Fire Chief Michael Currier briefly revoked Maine Drilling and Blasting's blasting permit, which had been granted by the town's planning board, because the company had exceeded the town's noise-level threshold three times in seven days.

After the second noise violation in December, Merrimack couple Phil Straight and his wife, Nancy Harrington, now a member of the Merrimack Town Council, noticed cracks in their home's sheet-rock wallboards and around a window set in cement in their basement and filed a complaint with the fire department. Fellow Merrimack resident Mike Mills filed two complaints during the project's blasting phase.

"We have numerous door frames that don't open and close properly and door frames that don't fit on the top or bottom anymore," Mills said. "The whole house shifted. We have a

crack in our living room that was there initially, but had grown four feet horizontally and three to four inches vertically.”

He estimated the overall cost of the damage to his property at around \$7,800.

Shortly after reporting their complaints to Merrimack’s fire department, the residents received visits from a representative from Maine Drilling and Blasting to inspect whether their claims were valid.

“They came out, looked at everything, and said, ‘Oh, you have damage to your home,’” said Mills, who filed another complaint after he had noticed more damage. “They came out and inspected again, and they said, ‘Oh, yeah, you have more damage now, but it wasn’t caused by us.’”

Once home inspections were over, the company sent similar-looking denial claim letters to the residents. In those letters, Maine Blasting and Drilling wrote that after they conducted a thorough investigation, looking at pre-blast surveys, project-blasting logs and seismograph readings, it had concluded that damages were “not the result of our blasting.”

“I’m not aware of a single instance in all the 25 blasting complaints filed in the town of Merrimack anyone ever receiving anything from the company,” said Mills, who organized abutters who filed damage complaints to explore options they could pursue collectively. “Other than their denial letters, saying, ‘Everything is fine, and damages had nothing to do with our blasting.’”

On the other hand, they were told in those letters to contact their homeowners’ insurance, which the couple did.

“They told us we could file a claim and pay the \$500 deductible; they would then go after a reimbursement from Maine Drilling and Blasting, but if they didn’t get reimbursed, we would be penalized,” said Mills. “The reality is sheet rock can be fixed — it’s not going to add up to the \$500 deductible, but there is nothing we can do near the window cracks — that’s just too costly. I consider myself lucky, but it’s the moral of the story that they didn’t accept responsibility, and that bothered me more.”

Other options they explored offered uncertain outcomes. They could file a lawsuit and risk losing, or file a claim on their homeowners’ insurance and risk higher premiums.

The option most, if not all, ultimately settled on: Pay for the damages themselves.

“Everyone had to just eat it,” said Straight.

As for what he would recommend to Marblehead’s Glover School abutters, Straight was pessimistic about them gaining satisfaction from Maine Drilling and Blasting.

“They’re just going to tell you it’s going to be a long process to get the claims resolved until you give up and go away — that seems to be their mode of operation,” he said.

Mills has not given up on pursuing the company for his damages, however. He explained he has taken Maine Drilling and Blasting to small claims court, noting that the trial is set for early February.

His advice for Marbleheaders, though it may be too late, would be to have the source of the damage be determined by an independent company, not Maine Drilling and Blasting nor its insurance company. In his case, “The determination of whether blasting damage was caused by Maine Drilling and Blasting was [made by] Maine Drilling and Blasting,” he noted.

Mills also recommended, “Any community that allows any blasting of any magnitude to take place should require the blasting company to post a bond for damages caused. An independent company needs to be chosen by the town or someone without interests in the blasting who is paid by the general contractor or subcontractor to conduct pre-blast and claim inspections.”

Had a third-party, independent company inspected his damage and determined it wasn’t caused by blasting, Mills said, “I would have said, ‘OK, Mike, you were wrong,’ and moved on.”

He added, “When you have 25 families in Merrimack with filed damage complaints — I’ve lived here since 1982 and my wife has for 42 years — these people don’t have an agenda; it’s an honest town. We just want our home to look like it did before blasting occurred.”

Harrington advised Marbleheaders to “document everything.”

She said, “I know for a fact that there were people who didn’t put a claim in because, they said, ‘Well, it’s not worth it.’”

Had more Merrimack residents gone through the process of documenting damage, she believes they would have had a stronger case to bring about more accountability.

“I wish there was more accountability that came out of our situations,” Harrington said.
“When it becomes a pattern, it’s a problem.”

LOCAL

Blast from Taunton quarry sends rocks into neighborhood. What happened?



Daniel Schemer

The Taunton Daily Gazette

Published 4:08 a.m. ET May 9, 2024 | Updated 11:40 a.m. ET May 9, 2024

TAUNTON – Scott Schofield was gardening in his back yard at 175 Fremont St. when a “louder-than-normal” blast came from the rock quarry about 700 feet away from his home. He recalls seeing debris hitting some of the maple trees on his property.

A roughly 2 pound rock landed about 40 feet away from him.

“We’re not talking little pebbles; these were big rocks,” said Jennifer Elsinger, resident at 179 Fremont St., who was “terrified” when the blast from the Taunton rock quarry, located at 203 Fremont St. sent rocks flying off the property and into the surrounding neighborhood.

When the blast happened the morning of April 29, Elsinger's kids, who are homeschooled, were inside but heard the debris “ricochet” off some trains parked on the railroad tracks they live next to.

Schofield also heard the rocks hit the train cars, which, he said, have CO2 tanks attached to them, which “could have been a disaster” if the rocks had hit them.

Schofield and Elsinger don't believe anyone was hit by the debris.

Initial response

Schofield initially walked over to the quarry and told management. He said while employees of the site did come to his property to inspect, he felt like “they dismissed the whole thing.”

The Gazette reached out to the Taunton rock quarry, as well as the Northeast U.S. office for Holcim Industries, which owns the quarry.

Lynn Safranek, Head of U.S. Corporate Communications for Holcim had a prepared statement:

"We are aware of the allegations of our neighbors in Taunton and are actively investigating the potential actions of that day. At this time we don't have a firm conclusion. The mining industry is a heavily regulated one and Holcim is committed to being compliant with our operating permit and meeting the highest standards. We take community concerns seriously and want to do everything we can to minimize our impact on those who live near the quarry."

Schofield contacted the Taunton Fire Department about the incident and Elsinger called the Mayor's Office.

Taunton Mayor Shaunna O'Connell did confirm through e-mail that "an incident occurred at the Holcim quarry in Taunton on Monday, April 29, 2024 in which debris from a quarry blast resulted in rocks leaving the quarry property."

DEVELOPMENT: Taunton finally breaks ground on new public safety complex. See what land looks like

Has this ever happened before?

Both Schofield and Elsinger agreed nothing like this has ever happened as long as they have lived in the neighborhood, 6 and 8 years, respectively.

Both said it does get noisy at the quarry during the day, not just with the weekly blasting, but also with trucks going in and out of the property. "We hear the chiseling and beeping trucks sometimes as early as 6:30 a.m.," said Elsinger. "It sounds like living near a constant construction zone."

But both recognize the noise is to be expected as they live near a rock quarry.

Schofield said the neighborhood is informed of the blasting schedule through email, though he is not on the list. A siren also goes off from the quarry warning the neighborhood right before a blast occurs.

Fire department investigated incident

The Mayor said the Taunton Fire Department has broad discretion over permitted blasting within city limits. Each blasting permit has a 30-day duration. Following the April 29

incident, the fire department halted re-issuing a new blasting permit to the quarry, pending an investigation.

Captain Robert Bastis of Taunton's Fire Prevention Office told The Gazette there was no suspension of operations at the quarry during this time; all other operations were allowed to continue.

Jason Guilmette, of Maine Blasting and Drilling, who conducted the blasting at the quarry that day, said in a letter to fire prevention, that it is believed the incident with "fly rock" occurred due to the timing sequence of the blast, which resulted in debris flying vertically and off the property, instead of horizontally and staying within the quarry, as intended. He added, "I will be working with our technical services department on a timing sequence to avoid this on future blasting."

According to O'Connell, the fire department recently completed its investigation and, based on the information provided by Maine Blasting and Drilling, were satisfied new procedures were being "put in place to ensure such an incident does not occur again."

A news release published on May 8 from Taunton Fire stated the company performing the blasting, as well as the owner of the quarry, had the appropriate permits at the time of the incident on April 29. "It is an on-site blasting operation in a quarry that has been operating at that site for many decades. Taunton fire will continue to monitor any blasting operations in the city and ensure all state and local codes are followed to ensure the safety of the neighbors and citizens of Taunton," the news release stated.

The Taunton Quarry's blasting permit was reissued on May 6.