

Brentwood Planning Board

Minutes –April 2, 2015

Members Present: Bruce Stevens, Chairman Kevin Johnston
Steve Hamilton Mark Kennedy
Jane Byrne, BOS rep Glenn Greenwood, Circuit Rider Planner

Also present: Nick Cricenti, PB fire protection engineer

7:00 open

Minutes – Mail – Board Business

Chairman Stevens opened the meeting at 7:00 pm.

Public Hearings

New Hearing: Amendment to a previously approved site plan: Nordins, LLC tax map 204.003

Paperwork is in order and abutters notified from the list provided by the applicant. Sean Nordin was present for tonight’s hearing. There were no abutters present.

Motion made by Kennedy, 2nd by Byrne to accept the application: all were in favor.

Stevens said the PB previously approved a site plan for this property, and Nordin provided a bond for the cistern to be installed. During that process, Nordin provided an alternative plan for fire suppression was approved by both the Brentwood Fire Department, and Nick Cricenti. Documentation for this approval is on file in the PB office. Greenwood said he would like the Board to authorize him to write an affidavit that will be recorded at the registry stating that the cistern shown on the approved plan is no longer necessary, that there is an agreed upon alternative.

Motion made by Byrne, 2nd by Kennedy to approve the amendment as discussed, by way of an affidavit to be written by Greenwood and signed by the Board, to be recorded at the registry. All were in favor.

Motion made by Kennedy, 2nd by Byrne to release the balance of the bond (\$20,500) once the affidavit has been recorded: all were in favor.

Nordin thanked the Board for their time this evening.

Continued Hearing: Amendment to a previously approved site plan: Eric Lambert, LLC; tax map 209.066

Lambert has sent a request for a continuance to May 21.

Motion made by Byrne, 2nd by Hamilton to continue to May 21 at 7:00 pm: all were in favor.

Fire Inspector Jon True of the BFD was present to discuss the M & T site on Pine Rd (tax map 205.006). He met with the engineers today from AE Com and said they made a lot of “headway”. He said there have been both FD and PB issues at the site, and he knows they need to get rid of material, and to do that they need to get production going, and cannot until any fire protection issues are settled. He said they hope to have an FD approved plan in place within two weeks. He went on to say he will do what he can to keep the business going, as long as it is done safely. True asked to be put on the PB agenda for April 16, to provide that update.

Tom Zickell of M & T was present, as well as Gary Garfield, Jon McRobbie from Ae Com engineers, and Ed Orazine, Ras-Tech’s professional fire protection engineer. Zickell said there are three processes at Ras-Tech; one is the primary grinder, which is the main dust issue. Then there is the mixer that is outside that makes cold

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patch and there is another process that makes the crack seal, which is in another building. He said there were no issues with the last two. He said they need to run the crack seal, without running the main production line, and asked if True has any problem with that. True said one of the things he needs is a description of the processes, what are they doing and how are they doing it? He said he can't say it is safe if he does not know what the process is, and what they are doing before he can give any "good to go". He needs that information ASAP. Ed Orazine is the fire protection engineer working with M & T, and True wants the information submitted to him via Orazine because he knows what True is looking for and what needs to be done. True said they need to meet the intent of the code; he wants it operating safely.

Zickell said 25 years ago he started NEI, then M & T and back then the dust suppression was oil, and at that time they put in monitoring wells, etc, said the soils had PCP's etc in the ground, no fire safety, no pump house was there when they bought the property. He said now those properties are clean, all that stuff is gone. He said they initially put \$250,000 into the fire system, and \$100,000 just last year. He said there are 200 middle class jobs, and explained that they are working with the state on a program to design a product that can be used on the state roads. Stevens said the Board still has not received the letter from Zickell that would state that they (Ras-Tech) would not receive any more shingles, and Zickell said that he didn't want that letter "out there" without knowing the conditions that had to be met. He said about 45% of their income comes from the drop off of materials.

Stevens said he understood that the engineers for Ras-Tech are working on a plan that would marry with the acceptance of more material with the actual production on the site, so that material could be stored in accordance with the site plan.

Garfield told the Board that they have provided the memo stating they reviewed the inspection reports. He said they were at the site on Monday and he understands that there is now the required 20 foot fire lane on site. He said they estimate there is approximately 4,700 ton of material there. To determine how much they can produce they had to run the system, and they got it started but were asked to shut it down by the fire department. Garfield said that he learned tonight at his meeting with True that True had issued a letter in January saying they could not operate. He said they have some answers on how to move forward, but they need to understand the operation, and said they are still learning that. He said his mission is to get a site plan and a written narrative on what it is they are doing, with a short term and a long term plan, to get the material processed and off site. He said they need to consolidate the piles to provide more working space. He said Brox will take about 700 ton, and are trying to sieve the product and anything less than 3/8 of an inch can also be taken off site. These two steps will help reduce the piles.

Garfield said the canopy does not have much in it and they can fill it so they have room for new material that will provide some income for them. He said once they understand how much they can process they can put together a schedule and that will provide information for both the short and long term approaches. Zickell said they can process about 3 tons an hour. Zickell said that right now there is about 20 to 30% of the material on site that is not usable at this time, until they put another piece of equipment installed (a grinder). Zickell said to keep his business going he needs to have shingles come in and asked if they could clear and pave sections and put bunkers on the end, and by the end of the year nothing will be on the ground, it will be paved and they will be in compliance, and this project will be alive. He said they cannot operate without a change in the site plan, and Stevens said the PB is not against that. Zickell would like the year to put down paving, etc, to be compliant.

Hamilton asked if the business was feasible if they're running in this short period of time that True suggests, and can produce the 25 – 30 ton per day, knowing this is his prime season? Can he do this without bringing in more material and Zickell said no. He said they cannot use the wet material; they spread it out to dry. Zickell said they have 30 distributors for the crack seal and no material. True said the engineers may have a plan where they bring in some material and mix it with the existing, and process that. He suggested both a short term and

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a long term site plan. He said part of the problem is neither the PB nor the FD knows what the process is. True said he is not against them bringing in new material as long as it is done appropriately.

Zickell asked True if there was a way to expedite the crack seal portion, if Zickell could explain that and produce a diagram. He said that hasn't been discussed because there has been no problem with that, no dust, etc. He said the ingredients go into a pot and mix them. True said he does not care what that process is as long as he has something in writing that describes it, and he has something from Orazine where he has reviewed and says the pot is protected by whatever suppression there needs to be. True asked the PB if they would be against, for example, allowing them to use both old and new product together, that this will help get rid of what is there. Hamilton said to let them get together with True and if he says it is safe to run, and let them run to get some feedback, and not wait for the next meeting. Hamilton suggested that they only bring in what can be put under the canopy, start mixing it with the material there, saying this could be a motivator to get the rest out. He said this would keep people working and income going.

Stevens asked if Garfield can give the PB an estimate of how many ton of new material they can process before they shut down for the winter, and Garfield said only after they can get the system up and running.

Zickell said when new material comes in it must be tested for asbestos before it can be co-mingled with the material under the canopy, and asked for the allowance to put that on the ground while the testing occurs. He said this takes 24 hours. Garfield asked for a designated area for staging for this new material. Stevens said he is willing to see material come in, only if it can be kept under cover. Greenwood suggested that the PB allow only material to be brought in that can fit under the canopy, for the next several months. Zickell said they will close the gate when the bunker is full and they cannot accept more material. Greenwood said the PB is saying they need to make the bunker work for them. Stevens said to work with Garfield to come up with an amendment that shows more bunkers. True proposed that, once a part of this can be open and they can process material, he asked if the PB is willing to allow the flexibility that they can only store what can be kept under the canopy, and he will give them the okay to start processing once they have a process that is safe. Stevens said this would be working in compliance with that section of the site plan. Greenwood said by mid-summer there should be an amended plan that was reviewed by the Board.

Members agree to allow new material to be brought in, as long as it will be under the canopy and had True's approval. Zickell agreed to provide a letter stating that after True approves the process plan, they will only bring in material that will fit under the canopy. True will act as the PB agent to keep the Board informed where the operations stand, and when it is okay for them to operate.

Garfield asked to come back on April 16 for a work session on the 16th.

Motion made by Hamilton, 2nd by Johnston to hold a work session for the M & T site on April 16th: all were in favor. Zickell and Garfield thanked the Board for their time this evening.

Motion made by Hamilton, 2nd by Johnston to approve the March 19 minutes with the following amendment: on the first page, change True to Deputy Chief Gary Raymond. The motion carried with Byrne abstaining as she was not present.

Motion made by Hamilton, 2nd by Byrne to adjourn at 8:45: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire, Administrative Assistant, Planning Board