

**BETHLEHEM PLANNING BOARD  
MEETING MINUTES  
December 10, 2014  
BETHLEHEM TOWN HALL MEETING ROOM**

Present: Dave Wiley, Sandy Laleme, Peter Roy, Libby Staples, Mike Bruno, Alecia Loveless, and Chris McGrath

Dave Wiley opens the meeting at 6:00 pm and reappoints Libby as a full board member.

Dave opens the public hearing for the Gould lot line adjustment and reads the public hearing notice. Gardner Kellogg presents the plans while Libby and Dave read through the checklist.

**Motion made by Dave Wiley and seconded by Libby Staples to accept the application as complete. All members in favor, motion carries.**

Dave asks the board if they have any questions for Gardner.

**Motion made by Sandy Laleme and seconded by Mike Bruno to approve the lot line adjustment. All members in favor, lot line adjustment for Dick Gould is approved.**

Dave reopens the public hearing for the NCES Stage 5 Landfill Expansion at 6:15.

Dave requests that town attorney Brenda Keith respond to the request for information presented to the board by the Menards at the last meeting. Brenda presents the board with a letter for public record. (See Attached) Dave asks the board if there are any questions for Attorney Keith in regards to her response. There were none.

Dave then presents the engineer's report and again asks if the board has any questions. Dave reads the summary to the public. (See Attached) Libby questions a new matrix that was presented. NCES Attorney Phil Hastings explains the new matrix was in response to town engineer Tom Roy's request for more information regarding ground water monitoring. The new matrix is reflected in the engineer's report.

Dave opens the floor to the public.

Eileen Regan reads a statement for Rita Farrell. (See Attached)

Andrea Bryant presents a box full of complaints submitted to DES. She questions 23 conditions that were part of the original approval and wonders if those conditions will be upheld. Andrea would like the

board to consider setting new conditions in an effort to limit complaints, i.e. no noise before 6:00 am, and odors.

Sandy looks to Attorney Keith and asks if the board can consider these concerns with the stipulations on the SPR, and also asked about the original 23 conditions that Andrea referred to. Wants to know what the Planning Board's boundaries are. Attorney Keith feels matrix provided by NCES's council as well as the highlighted version of the SPR regulations prepared by Attorney Keith provide this information and suggests the board ask the applicant about these concerns.

The subjects of an environmental impact statement, truck traffic, and illegal parking are addressed. Phil Hasting states there are specific site plan requirements that the board is able to address, no more no less. The stipulation restricts the planning board's authority to impose any conditions, whether they were the original 23 or beyond.

Kevin Roy addresses the issue of overnight parking. He offers that each driver signs a document noting that they are not allowed to park overnight, and cannot approach the facility prior to 6:30 am.

Brenda addresses the 23 original conditions by stating they were part of the 1985 stipulation, and were litigated later and the new conditions are incorporated into the new matrix.

Julian Czarney addressed the board by stating "the board has backed the public into a corner and left them grasping for straws." He goes on to state that the character of those who complain has come into question. He feels people have no appreciation for "what this place is; God's country. He finishes by asking what the end date of the expansion is.

A discussion takes place regarding the end date.

Jeanne Robillard would like to know what the process is for a citizen who smells odors after operating hours. It is suggested that they call DES. Jeanne states the current process is to call the State Police and not DES. She feels there could be some kind of procedure/process, with a phone number, provided by NCES for reporting purposes.

Jeanne points out that she is still an alternate member of the Planning Board and she did not recuse herself from this application, and wonders why she did not receive the same emails that other board members received. She assumes it was an oversight and requests that the emails be forwarded to her the following day.

Joyce Menard would like the email she sent early in the week addressed. (See Attached) Brenda feels all of these questions should be asked of DES and not the Planning Board.

Andrea again brings up impact fees. Brenda offers that NCES is paying a host community fee. Sandy confirms this fee is being paid, and, along with the property taxes, is current. Sandy also feels that the

board cannot impose impact fees on this application because they are not imposing them across the board.

Dave asks if there is any more input from the public.

**Motion made by Sandy Laleme, seconded by Chris McGrath, to approve the NCES Stage 5 Landfill Expansion application without conditions. Dave Wiley, Peter Roy, Mike Bruno, Chris McGrath, and Sandy Laleme vote in favor of approval. Libby Staples and Alecia Loveless abstain. Motion carries.**

**Motion by Mike Bruno, seconded by Libby Staples to adjourn the meeting at 7:45. All members in favor, meeting adjourned.**

Respectfully Submitted,

Dawn Ferringo  
Planning and Zoning Clerk