

December 15, 2010
Notes from Public Meeting regarding EAC Disposal, Inc.

PUBLIC MEETING
Wednesday, December 15, 2010
7:00 pm
Library - Horace Mann Charter School (Grades 4/5 Building)
730 Osterville/West Barnstable Road
Marstons Mills, MA

JoAnne Miller Buntich – Director of Growth Management, opens the meeting and introduces Art Traczyk and Carol Puckett who are staff for the Zoning Board of Appeals. She also indicates that present tonight are Councilor Jan Barton, Greg McCarron (the consultant), Attorney Charles Sabatt who is representing EAC Disposal a/k/a WeCare Organics, LLC., and Will Conrad from WeCare Organics, LLC..

Ms. Buntich indicates that the purpose of the meeting is to hear the community's concerns. She reads the four letters which have also been received by the Zoning Board of Appeals from:

- Edgar Cook of 80 JB Drive, Marstons Mills
- Carmen Corso Dineen of Sandy Valley Road
- Donna M. Colbert of 156 Chuckles Way, Marstons Mills
- The Marstons Mills Village Association

Ms Buntich asks if anyone would like to speak. Peter Kohler of 150 Chuckles Way speaks and indicates that they went through the same kind of process around 1994/1996 with a decision that was never fully enacted. He hopes this time the commitment is there and that his concerns are:

- Noise – in general but also from the grinders on the outside of the building
- Dust - which also comes from the grinders

- Mosquitoes – stemming from standing water and thinks it might be attributable from conditions on-site
- Odors – from turning of leaves which can be any number of times in a month
- Fires – from combustible materials at the site which might have been a factor in numerous fires there in 2004. He would like to see more measures to prevent fires on site.

He points out a large berm on the aerial photo which he indicates isn't functioning as designed. He indicates the guidelines should be enforceable and that there should be measurable standards for noise, odor and dust.

Mr. Terry Maloney of 16 Braddock Drive indicates that his biggest concern in enforceability along with fires and the odor from turning of the leaves. Ms Buntich clarifies that he would like to see activity such as the leaf turning kept to a certain time period. He indicates that along with a certain time period for the activity that it should be restricted from being done on Saturdays. He reiterates that his concerns are noise, dust, odor and enforceability.

Kathy Maloney of 16 Braddock Drive is concerned about the stench from the steaming mountains of mulch during the summer months when the windows are open. She is also concerned when the landscapers come and dump wet compost which reeks until it dries. Ms. Buntich clarifies that the odors are from the mulch and delivery of materials. Ms. Maloney indicates she is also concerned about the noise from the bulldozer, the hours of operation, fires, dust and noise.

Mr. Maloney comments that the original height of the berms and the point of the berms in the 1996 decision were to create a bowl which would keep the noise down and keep the noise from traveling through the neighborhood. He would like to see the conditions of the decision posted at the EAC Disposal site. .

John Yurkinas of Sandy Valley Road indicates that the neighbors have been fighting this for over 30 years and that he is also concerned about fire, odors, and groundwater and thinks that Will Conrad has helped to clean this up.

Thomas Pluta of 197 Old Falmouth Road is also concerned with the noise, dust and odor and comments that it isn't breathable and that during the summer months the noise, dust and odors prevent him from having family functions. He indicates that the noise from the dump trucks is also very loud and would like to see processing restricted on Saturdays which might take the odor away. He

comments that they can't open their windows during the summer months because of the dust.

Bob Harris of 105 Black Oak Road is concerned about the noise and the odor which he indicates can be overwhelming.

Mr. Kohler asks about more people getting notified. Ms. Buntich explains that they are notified according to Massachusetts General Law regarding abutters. Mr. Kohler comments that this neighborhood should be notified because of the type of operation. Ms. Buntich explains that they will notify anyone who wants to be notified. Mr. Kohler is also concerned that he has to be the enforcement agent as he indicates that he has to continually call the town and complain to enforce the conditions of the decision. He thinks that inspections at the site should be more frequent.

Councilor Jan Barton indicates that people call her with issues as stated but one of the minor ones is that trucks coming out of the operation leave debris on the road making it difficult for cars. Also, another issue was it is not all fenced in and was a safety issue.

Bob Frazee of the Marstons Mills Village Association indicates that it has been intolerable for a lot of people for a long time. He believes it has outgrown the location and scope of what it was originally. He wonders if the Association can be helpful with spreading the word. He will contact ZBA staff.

Kathy Maloney talks about making the berm higher but each time they touch the berm it makes it more difficult and ask that they step gingerly with it. Also, could they limit the operation to late October through February. Ms. Buntich suggests maybe October 15th to February 15th and that they need things that are measurable that can be enforced.

Ms. Buntich indicates the next appearance of EAC Disposal before the Zoning Board of Appeals will be on February 2, 2011 and that the consultant will be reviewing the management plan.

Mr. Kohler asks what happens when the management plan comes out. Ms. Buntich explains and that the consultant will make recommendations to the ZBA. Mr. Kohler asks if the neighbors could review the plan before it goes to ZBA. Ms. Buntich explains and indicates that they would like it to be in a public hearing but

will make sure he can get all the materials he needs from the public record via email, etc.

Thomas Pluta of 197 Old Falmouth Road recommends that signs be posted about trucks exiting and entering the site for safety reasons. .

Meeting adjourned at 8:13 PM.