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LAND USE OFFICE

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January 7, 2013

Planning Board
Town of Barrington
137 Ramsdell Lane, P.O. Box 660
Barrington, NH 03825

Re: Trinity Conservation, LLC Proposed Excavation
Site Plan Review

Dear Board Members:

I represent Cilia Bannenberg of 231 Greenhill Road, Barrington, whose home is quite near the entrance to the proposed Trinity excavation site.

While I understand that the Board has already taken the pro-active steps to engage its own consulting engineer to review this application, and that it has the benefit of the Marcia Gasses' planning expertise, Cilia and her neighbors are very concerned about the effects of blasting on their water wells and properties (damages to wells and foundations), about noise and vibration impacts arising from blasting and the materials crushing activities on-site and about the ability of the bridge to adequately handle safely the anticipated truck traffic loads.

The Board is authorized by Site Plan Regulation Article 7.1 to determine if it "requires technical assistance/and or special studies to adequately and properly evaluate an application or perform subsequent inspections," in which case it may "secure such professional assistance." The Board shall be reimbursed by the applicant for the cost of this technical assistance. May we suggest that the Board engage the following experts to advise it on these technical matters:

1. A blast specialist who can advise the Board on the applicant's proposed blasting plan, on appropriate blasting best management practices, and on a protocol for monitoring the blasting for compliance both with such conditions for blasting, as the Board may adopt, and for compliance with the vibration standards in section 7.1.1. of the zoning ordinance both as to blasting, and, if applicable, non-blasting site operations.

It would seem appropriate to have the blasting consultant advise you on the mechanics of establishing a pre-blast survey at the applicant's expense of homes in the neighborhood and to require that the applicant post a performance guaranty to address any bona fide claims for property damage that may arise from such blasting.

2. A noise specialist who can advise the Board on appropriate best management practices to minimize off-site noise impacts from the applicant's proposed blasting and site operations, and who can monitor for compliance with the noise standards set forth in section 7.1.2. of the zoning ordinance.

3. A hydrogeologist who can advise the Board about the types of harms to water wells that can arise from blasting and an appropriate base line study of nearby home wells. As has been noted, N.H. DES may be able to provide guidance on this issue. It may be advisable to require the applicant to offer to nearby homeowner a well owner protection policy to ensure that nearby homeowners will be able to have their wells replaced or restored to prior functionality, if blasting causes well damage. A performance guaranty should be required.

4. A bridge consultant should be engaged by the Town to evaluate the safety of the bridge and the prospect of undue wear and tear as a result of the anticipated truck loads traveling over the bridge.

My client and her neighbors understand the burden of responsibility that the Board bears for evaluating an application like this, one that presents the prospects of so many off-site impacts. For this reason, we believe the Board should be equipped with the best advice that it can obtain to properly evaluate these issues.

Thank you for your consideration.

Very truly yours,

DONAHUE, TUCKER & CIANDELLA, PLLC

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JJR:nes
cc: Cilia Bannenberg