

Town of Johnsbury  
Zoning Board of Appeals  
Tannery Pond Community Center  
September 9, 2019

**Attendance:** Jim Jones, Cathy Allen, Dave Skibinski, Kevin Bean, Danae Tucker ZEO, and Secretary Joann Morehouse

**ABSENT:** Phil Goodman

**Applicants:** Thomas Hall, and Mario Canaemi for Barton Mines

**Guests:** Richard Carlson, Joanne Millis, Will Davis, Carol Fosdick, Sheridan Millington, Rick Moon, Jane Moon, Christian Holt, Ellen Schaefer, Laura Klinski, Richard Klinski, Tom Forrest, Roger Thomas, Cheryl & Oleh Rymar, Don Potter, Peter Horvath, Lee Keeler, Jane Derrickson, Byron Schafer, Larry Blackhurst, Ken Clarkson, Tera Clarkson, Thomas Ludlow, Mary Goddard, John Goddard, Tom Welsh, Laurie Arnheiter, Judi Powers, Marko Schmale, Stella Sasse, Vic Sasse, Charles Clusen, Cheryl Gillespie

**Call meeting to order:** Meeting called to order by Mrs. Allen at 7:10

- **Public Hearing: V-02-2019-Stoddard – 5 Ordway Lane - Tax Map # 66.10-1-7** was opened no one was present to represent the owner for this variance. The board discussed the application and at 7:25pm closed the public hearing and opened the regular meeting. After some discussion Mr. Bean made a motion to deny application V-02-2019, seconded by Mr. Skibinski all in favor.
- **V-03-2019-Barton Mines- Thirteenth Lake Rd- Tax Map # 46.-1-63** Tom Hall and Mario Canaemi were on hand to represent Barton Mines. Mr. Hall gave a short summary of the project on 13<sup>th</sup> Lake Brook, explaining the need for a variance.

**Project Description:**

Construction of a 10.5' wide x 12.5' long x 4' deep Stilling Pond adjacent to the left bank of Thirteenth Brook (see attached Partial Site Plan). The perimeter of the off-stream Stilling Pond will be lined on three (3) sides by precast, concrete Bin Blocks (see Creek Bank Breach Detail Plan). A diversion channel on the open (south) side of the Stilling Pond will connect the Stilling Pond to Thirteenth Brook. A 4.5' x 4.5' x 5' high precast, concrete Water Intake Structure will be installed on the north side of the Stilling Pond. The new Stilling Pond and Water Intake structure will replace an existing water intake located approximately 200' downstream on the same property. The existing water intake consists of a pipe and pump assembly situated in the approximate center of the stream channel of Thirteenth Brook.

The Bin Blocks walls on the perimeter of the Stilling Pond will be 3' high and will interconnect on both the upstream and downstream ends with a short (12' long), low-profile (3' high) retaining wall to provide structural stability and to maintain stream channel geometry (see Creek Bank Breach Detail Plan).

Construction of the Stilling Pond and Water Intake has been approved by the NYS DEC (permit issued August 20, 2019).

The structure for which a Shoreline Variance is being sought (32' of precast Bin Block wall and precast Water Intake) is a key part of a Project designed to upgrade water service to the Ruby Mountain Mine. The Purpose of the Project is threefold:

- to decrease/eliminate the need for any in-stream maintenance work related to the mill facility's water intake;
- to improve/increase the reliability of the mill facility's water service system
- to improve the safety of mine workers by eliminating the need to enter Thirteenth Brook during maintenance operations related to the water intake.

There were many questions from the audience, which the Barton representatives tried to answer. Mr. Jones made a motion at 8:06pm to close the public hearing, seconded by Mr. Bean all in favor. Opened regular meeting after much more discussion from the audience and a request that the decision be postponed for 1-month Mr. Bean a motion to table the decision until the October 7, 2019 meeting, seconded by Mr. Jones passed with 3 yes (Mr. Bean, Mr. Jones, and Mr. Skibinski) and 1 no ( Mrs. Allen)

**Approval of Minutes:** Mr. Jones made a motion to approve July meeting minutes, seconded by Mr. Skibinski all in favor with Mr. Bean abstaining because he was not on the board in July.

**ZEO Report:** Report is in the Boards packets.

Mr. Bean made a motion to close meeting at 8:15, seconded by Mr. Jones all in favor.

Respectfully,

Joann M. Morehouse

**Next Zoning Board meeting scheduled for October 7, 2018 at Tannery Pond**

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