

**CLEAN AIR COMMITTEE RECOMMENDATIONS  
BERKSHIRE CORPORATION CONCRETE (BCC) PERMITTING**

**Clean Air Committee:**

Chair: Tony Pagliarulo, Select Board

Vice Chair: Dave Pugh, Dalton Clean Air Coalition

John Boyle, Select Board

Dennis Croughwell, Planning Board

Nancy Hopper, Board of Health

Richard Hall, Dalton Citizen

**2025-10-07 - Rev 02**

**SUMMARY**

The following are the primary areas of concern, derived from multiple meetings of the Clean Air Committee, and it is the committee's recommendation that these items be taken into consideration when considering issuance of, or renewal of, a Special Permit for the Berkshire Concrete Property or others.

**1. Town of Dalton Bylaws**

- a. Centralized Comprehensive and Defined Reporting/Evaluation/Response Process
- b. Oversight of any permitted operations
  - i. Increased inspection frequency
  - ii. Third-party chosen by the town for inspection/review
- c. Compliance with bylaws and permit conditions
- d. Violations
  - i. Identification/Determination of (air monitoring requirements derived by Board of Health, Health agents, and 3rd party the applicant will have to respond to BOH)
  - ii. Enforcement actions - what is a defined violation, the defined enforcement - 3rd party

## **2. Resident/Residential Impacts**

- a. Health and safety
  - i. Nuisance - Dust/Noise
    - 1. Dust - eliminate dust leaving site - Mitigation of generation of, and transmission off-site
      - a. Source identification and mitigation during extraction, transporting, and processing activities.
    - 2. Noise - Bylaw Chp. 185 (Enforcement of)
  - ii. Health - Silica and other contaminants under 10 microns
    - 1. Evaluation of onsite/offsite particulate matter (sand) - Air Partners (Pending)
    - 2. Implementation of air monitoring (Air Partners)
      - a. Locations - TBD
- b. Air quality bylaws / procedures - development of
  - i. By? Which board/committee?
  - ii. Third-party monitoring
- c. Property
  - i. Proximity to residential areas (R-2)
    - 1. Boundary delineation - surveyed/fenced?
    - 2. Boundary width- 1000'?
    - 3. Boundary vegetation - untouched/maintained
  - ii. Contamination Leaving Property - Silica and other contamination under 10 microns
  - iii. Values

### **3. Permitting**

- a. Permit requirements
  - i. Fee(s)
  - ii. Submittals
    - 1. Documentation
    - 2. Drawings
      - a. Color coding
      - b. By lot/parcel
      - c. Other
- b. Permitting Process Review (Joint)
  - i. Institute joint review by Conservation Commission, Board of Health, Traffic Commission, Storm Water Commission, etc.
- c. Bylaw review and revisions?

### **4. General**

- a. Operating hours - limit to 7-4 M-F
- b. Fencing
  - i. Property
  - ii. Settling basin (impoundment/pond)
- c. Traffic
  - i. Speed limits both on-site and offsite
  - ii. Other restrictions
- d. Property Damage - Reimbursement for
  - i. Residential
  - ii. Municipal (roads/other)
  - iii. Cleaning
- e. Groundwater monitoring - 10' above
- f. Stormwater runoff and system impacts

## **5. Extraction**

- a. Plans - adequacy of for permitting requirements
- b. Proximity to residential areas (R-2)
  - i. Boundary delineation - surveyed/fenced?
  - ii. Boundary width- 1000'?
  - iii. Boundary vegetation - untouched/maintained

## **6. Processing**

- a. Dust generation/migration
  - i. Pile height limitations - Processed and unprocessed
  - ii. Processing equipment (DEP)
- b. Mining open areas and extraction equipment

## **7. Reclamation**

- a. Bonding and surety
- b. Design
  - i. Third Party Firm (Professional Architectural Engineering Firm)
- c. Oversight and Acceptance

## **8. Future**

- a. Earth Removal Bylaw Review
- b. Air Quality Bylaw Development
- c. Select board revamp/ restructure zoning enforcement office.

The purpose of these **recommended** terms and conditions for the Special Permit is to protect the public safety and well-being of the public in regulating the excavation/mining of the earth with consideration to the natural topography of the Town of Dalton and avoid creating hazardous conditions relating to excessive dust, noise, and hazardous conditions while protecting Dalton's natural resources.

**The DCAC point of view is that Excavation/Processing Permits should not be given to BC on parcels that are adjacent to residential pro**