



# Village of Manchester, Vermont

## Minutes of a Regular Meeting of the Planning Commission Held on the 10<sup>th</sup> day of April, 2019

**Members Present:** Chair Donald Brodie, Renee Waller, Marian Haines, Audrey Kolloff

**Member(s) Absent:** Consie West, Anthony MacLaurin, Nina Mooney (non-voting)

**Others Present:** Mike Monroe, Trevor Mance, Bradley Myerson, Brian Knight, Eric Scott, Administrative Officer and PC Clerk

Chair Brodie called the meeting to order at 10:00 A.M.

### **Minutes:**

The draft minutes of the meeting of March 13, 2019, were reviewed. The Chair asked Scott if Commissioner Waller recused herself (Waller was absent March 13), would the Commission have a quorum? Scott stated that because this body has six members, four members constitute a quorum. Chair Brodie tabled the approval until the next regular meeting.

### **Business:**

Review of waste management practices and ordinance consideration.

Chair Brodie opened this review by stating the issue at hand i.e. early morning waste dumpster noise emulating from commercial establishments and a proposed citizen ordinance. Brodie stated that the purpose of this meeting was to better understand the refuse haulers routes, schedules and practices. Brodie introduced Mr. Monroe and Mr. Mance representing Casella Waste Systems and TAM, Inc. respectfully.

Mr. Monroe explained a typical day for a driver. Drivers report to work around 4:00 AM and leave for the route areas, both commercial and residential customers. Regular drivers know their route, but sometimes substitute drivers find the addresses, but may miss the "note". The day for the driver typically ends around 3:30-4:00 PM. Both representatives stressed how much easier and safer it is for both the haulers and traffic to do early morning pick-ups. Sometimes a driver might alter a route to make the pick-up easier, for example a driver might alter the route depending if school is in session or not.

Brodie asked, who creates long-term routes? Monroe stated that the drivers have control of the routes and some businesses have special requests of the driver and these are in the "notes". Member Waller asked, how frequently the garbage is picked-up? Monroe and Mance stated that residential waste is collected weekly and commercial is weekly, but could be more frequent. Member Kolloff asked, how many trucks visited a customer per week? Monroe stated that Casella uses two trucks, one for garbage and one for recyclables. Mance stated the TAM uses compartmentalized trucks so that one truck picks up both garbage and recyclables.

Brodie asked, what affect would restricting the hours of pick-up would have on the operation? Monroe stated that there are only so many hours in a day and starting later would push the work that is completed after the drivers go home to unacceptable late hours. Brodie mentioned he thought it would be better for all, if the haulers would self-regulate rather creating an ordinance.

Mr. Mance concurred with Mr. Monroe's comments, but iterated how early morning pick-up is the safest time of day for everyone and if certain customers have time restrictions the driver simply picks up at other locations, hence moving the noise associated with garbage pick-up to other neighborhoods. Mr. Mance stated that the waste hauling business is very regulated. He stated his company maintains 13 different permits. Starting later in the day makes compliance at the end of the day difficult. He added, 90% of garbage pick-up in cities are at night.

Chair Brodie asked if the Commissioners had any further questions for the Mr. Monroe or Mr. Mance. Hearing none, Brodie offered the floor to Mr. Myerson. Myerson's proposed ordinance would not allow garbage/recycling pick-ups at commercial businesses before 7 AM. Myerson believes this ordinance is needed for a number of reasons. Mr. Myerson stated that he has been dealing with this noise for decades (minutes of 1985 PC meeting had Myerson on the agenda) and only an ordinance can solve the problem. Myerson believes that these two large companies can adjust the operations slightly and it wouldn't put them out of business. He asked rhetorically, if Casella can comply with noise ordinances in New York, why not the Village? Finally, Myerson believes this a general health and safety issue for the residents of the Village.

Waller asked, if the haulers can't start before 7 AM, were will they go to start the day? Myerson explained that he has been trying for years and that the Town didn't believe a noise ordinance was doable. He didn't believe that two extra hours wouldn't matter, and the companies were big enough to absorb these changes. Commissioner Kolloff stated that it seemed to her, the problem just moves somewhere else. Chair Brodie asked Mr. Myerson to explain what he hears in the mornings.

Mr. Myerson explained the emptying and repeated banging of garbage dumpsters (not carts) repeatedly, emanating from the commercial area of Main Street and Ways Lane. He hears weekly as early as 5:30 AM, but typically around 6 AM. Commissioner Haines pointed out the at the proposed ordinance originated with Mr. Myerson, not the Village. Haines asked Myerson, how does the proposed ordinance benefit all the Village residents versus just those near Main St. and Ways Lane? Myerson answered, all residents living near commercial businesses would benefit if the banging of dumpsters didn't start before 7 AM. Haines stated that she believed Mr. Myerson was talking about a small percentage of Village residents who would benefit from this ordinance. Myerson answered, that the number effected by early morning noise would be larger than you think, sometimes benefits are hard to measure, Myerson added that noise can affect others differently.

Mr. Mance stated that he thought there was a lot of misunderstanding about the business and how the proposed ordinance pushes so many schedules back or later. He asked, why just waste haulers? What about other deliveries and services that occur in the early hours or overnight such as fuel delivery trucks and snow plowers? Mr. Monroe agreed and stated that deliveries and services to commercial customers typically happens early in the day and residential customers later in the day. Mr. Myerson thought that implying the "slippery slope model" was unfair and the ordinance could and should target waste haulers exclusively.

Commissioners Waller and Haines tried to determine how much neighborhood or Village support Mr. Myerson's proposed ordinance has. Myerson did not have a survey or petition, but Myerson thought the proposal would have a broad and permanent effect on Village residents.

Chair Brodie stated that it sounded like the conversation was beginning to re-visit issues and asked the Commissioners to survey their neighbors before the next meeting. Brodie thanked Myerson, Mance and Monroe for their attendance.

There being no further business to come before the Commission, the meeting was adjourned at 10:40 A.M.