

OBJECTION TO PROPOSED LAVALETTE FIREWOOD OPERATION ON BEAVER POND ROAD

We want to make clear that we do not relish objecting to our neighbors' use of their property to generate income. If they proposed to build a barn-like structure to confine noise, and place it somewhere on their 10-acre property where it isn't visible to the neighborhood, and help with road maintenance necessitated by the traffic they generate, we would probably not object. But that is not the case. We don't believe we and our neighbors should have to lose some of the enjoyment of our properties so that the Lavalettes can run this operation.

From Lavalette Conditional Use Application:

"The embankment and the surrounding forest shield the site visually from the adjoining residence to the southwest. The existing topography and vegetation will also buffer the noise generated by processing operations."

"The Proposed commercial firewood operation will not adversely affect existing or future residential or forestry uses on adjacent properties."

These statements are not true. See the photo below, a composite of two shots taken with the camera at eye level while standing on the deck outside our dining room. At least in winter, the processing area is directly visible through gaps in the trees.



NOISE

We have direct experience of the noise the operation would make because the Lavalettes previously ran it without a conditional use permit. The steep bank up from the processing area to our yard does not block the sound; we think it actually amplifies it by reflecting it upward toward our house, much as putting your hand at an angle behind your ear amplifies sound in front of you. Moreover, there are at least two other dwellings close enough to be seriously affected by the noise, and others, farther away, whose owners have told me they could hear it. It was very loud. We know of no reason why it should be any quieter in the

future. The processor itself makes a continuous drone, (admittedly not as loud as a chain saw) and it dumps firewood into a truck via a conveyor belt, making a noise ranging from loud clunks up to something akin to cannon fire when the truck is empty and the chunks are falling into the bare steel truck bed. This repeatedly awakened us from sound sleep; the processing area is closest to our bedroom on the northeast corner of our house, about 220 ft.

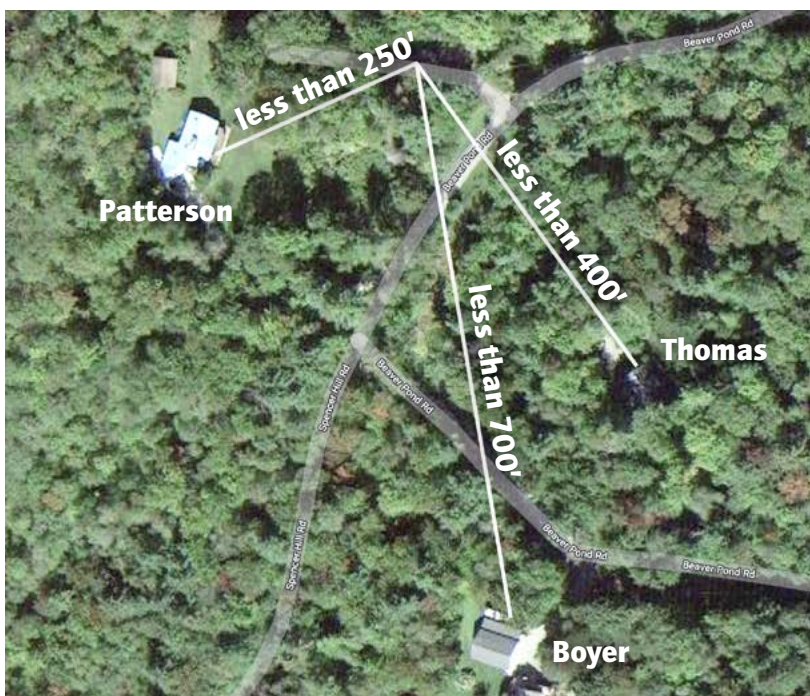


Wood processor seen through trees from our front lawn

Using the voice memo feature of my phone, I made a recording from our front deck, "lavalette firewood processor noise.mp3," attached with this PDF. I did not time it correctly to capture the "cannon shot" effect that occurs when the truck is empty.

(I don't want to be deceptive; I have no way to establish the peak absolute sound pressure level of the noise, but I think just the fact that my phone picked it up so clearly should be sufficient to establish that it is intrusive at our house.)

There are also other associated sources of noise, not all of which are mentioned in the application, such as the tractor that is used to load logs onto the processor. The trucks beep when backing up, and the logging trucks make a racket delivering logs.



30+ years ago, as refugees from South Burlington, we bought our property at least partly because we wanted some peace and quiet. We understand and do not object when neighbors use chain saws or other machinery for short periods; in fact we have done that ourselves from time to time. But the continuous noise from the

un-permitted operation substantially interfered with our enjoyment of our property. Surely that's an adverse effect on our "existing residential...use of [an] adjacent propert[y]." We hope it will not be permitted in the future.

ROAD MAINTENANCE

Beaver Pond Road is a private road serving 8 homes and 2 additional landowners. It is steep and somewhat fragile, and requires annual maintenance, often including truck-loads of new gravel, to keep it graded and relatively smooth. 100± dump truck trips down and back up plus several logging truck deliveries will likely have a deleterious effect on it, and cost us all additional upkeep.

To facilitate maintenance and plowing, all of the owners except the Lavalettes formed an informal "road association" to vote on decisions about maintenance and to collect moneys to be used for those purposes. The Lavalettes have refused to join this cooperative effort, and have refused to pay their share of the costs, despite the fact that all of our deeds, including theirs, require that owners pay their share of road upkeep expenses. (The Lavalettes once or twice have done some work themselves on the road but they do not consult or coordinate with the rest of us about this). Their non-cooperation in the past does not give us confidence that they will pay for damage they cause.

It does not seem fair to the rest of us to have to bear the cost of wear and tear likely to be caused by heavy truck traffic on a road that was not designed for it.

PROPERTY VALUES

It is hard to imagine how this noisy industrial operation could **not** have a negative impact on the market value of our home and other homes on Beaver Pond and Spencer Hill Roads—another adverse effect on the existing or future residential use of these properties.

—Michael and Doreen Patterson
284 Beaver Pond Road
802 324 4430

(Additional photos on next page.)



Proposed processing area photographed from the bottom of Patterson driveway. The pile of pallets marked near the middle is the same one seen through the gap in the trees in the first-page photograph.



Proposed processing area photographed from Beaver Pond Road, just below Patterson driveway. This is where uncut logs would be unloaded, based on past experience.