

CONDITIONAL USE
Extension of Existing Quarry Operations
CU-004-25

Applicant: McCullough Crushing, Inc. Ian McCullough 548 McCullough Hill Road Middlesex, VT 05602 PH: 802-223-5693 Email: mcculloughcrushing@gmail.com	Owner: Claudette Rainville RD#2 Box 545 Fairfax, VT 05454 PH: 802-849-6266
	Property Tax Parcel & Location: 2286 Skunk Hill Road Parcel# 108420000(b) Zoning District: Industrial (I)

BACKGROUND

Ian McCullough of McCullough Crushing, Inc., hereafter referred to as Applicant, is requesting Conditional Use approval for an extension of existing quarry operations at the Rainville Quarry located at 2286 Skunk Hill Road, within the Industrial (I) zoning district. The parcel (108420000(b)) is ±35 acres in size.

The quarry is operating under a Conditional Use Permit (PC-023-16) and Conditional Use Amendment (ZBA-004-16) from the Town of Georgia that expired in 2024. The facility is still operating under the conditions and extraction limits set by the expired conditional use permit and latest Act 250 amendment (6F0515-3) and is seeking to extend the expiration date to 2030 to allow time to complete the currently proposed extraction volume and restore the site per the current reclamation plan. There is an Act 250 Permit #6F0515-4 application as of the date of this hearing.

Extraction rates over the last six (6) years have averaged 77,000 cy/yr. It is estimated the original approved 450,000 cy has been extracted along with approximately 400,000 cy of the expanded 750,000 cy. The remaining 300,000 cy will be extracted over an additional four (4) years with one (1) additional year to complete the reclamation.

There are no operational or extraction area changes proposed in this conditional use approval application. All previous conditions will remain as the final few years of extraction and reclamation are completed.

COMMENTS

3.3.9 Earth Resource Extraction Guidelines

Per Town of Georgia Development Regulations dated October 13, 2025

Earth resource extraction shall be allowed by the DRB as a conditional use provided it meets the standards of Section 6.2 Conditional Use Review, complies with other applicable sections of these Regulations, and meets the following additional standards:

1. **The removal shall not cause any hazard to health, property, or property values.** This is an existing quarry in operation for more than 20 years. There are no proposed changes that will cause any hazard to health, property, or property values.
2. **The depth of excavation shall not cause any hazard or injury to roads or adjacent properties.** This is an existing quarry in operation following existing Conditional Use approval and Act 250 conditions. There are no proposed changes that may cause any hazard or injury to roads or adjacent properties.
3. **The area excavated shall be regraded, reseeded, replanted, and mulched pursuant to a reclamation plan submitted and approved by the DRB.** All previous conditions for reclamation will be followed by Applicant.
4. **Hours of operation shall begin no earlier than 7:00 a.m. and end no later than 6:00 p.m. No excavation can be conducted outside the hours of 7:00 a.m. and 6:00 p.m. except in local-, state- or federally declared states of emergency which require earth resources.** This is an existing quarry in operation for more than 20 years. There are no proposed changes to operations hours.
5. **The removal meets the Performance Standards in Section 4.3 of these Regulations.**
Yes.
6. **The removal shall not cause any traffic hazards, unsafe conditions or excessive congestion or physical damage to Town or State highways on the expected routes of truck traffic.** This is an existing quarry in operation for more than 20 years. There are no proposed changes to traffic.
7. **The removal shall not have an undue adverse impact on water resources, significant wildlife habitat and agricultural land.** This is an existing quarry in operation for more than 20 years. There are no proposed changes to water resources, significant wildlife habitat and agricultural land.
8. **Any excavation of earth materials is prohibited within the Special Flood Hazard Area where activity will lower the level of the water table, interfere with natural flow patterns or fisheries habitat, or reduce the flood stage capacity, except in State- or federally declared states of emergency due to weather or flooding conditions.**
There are no special flood hazard areas on the property.

6.2 Conditional Use Guidelines

Per Town of Georgia Development Regulations dated October 13, 2025

1. **The proposed land development will not result in an undue adverse effect on the character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the Town Plan.** This is an existing quarry in operation for more than 20 years. There are no proposed changes that would affect the character of the area.
2. **The proposed land development shall not result in an undue adverse effect on traffic on roads and highways in the vicinity. The DRB may require the applicant to provide a traffic study to demonstrate compliance with this standard.** This is an

existing quarry in operation for more than 20 years. There are no proposed changes to traffic.

3. **The proposed land development shall not result in an undue adverse effect on bylaws and ordinances then in effect.** N/A
4. **The proposed land development shall not result in an undue adverse effect on the utilization of existing renewable energy resources.** See earth resource extraction reclamation plan from PC-023-16.

Additional Information Requested for Hearing based on the following past Town of Georgia Decisions:

1. 1999 Planning Commission Hearing, Site Plan Approval (Conditional Use approval was not necessary at this time). Act 250 Permit #6F0515.
 2. PC-07-00, Site Plan Amendment (Conditional Use approval was not necessary at this time). Act 250 Permit #6F0515-1.
 3. 2003 Site Plan Amendment (Conditional Use approval was not necessary at this time).
 4. PC-031-09, Site Plan Amendment. Act 250 Permit #6F0515-2.
 5. ZBA-015-09, Conditional Use
 6. PC-023-16, Site Plan Amendment. Act 250 Permit #6F0515-3.
 7. ZBA-004-16 Conditional Use
- A. Reclamation Escrow Agreement, dated 2004 in the amount of \$50,000. Who holds the escrow and is this enough money to cover reclamation costs?
- B. Was there a \$100,000 performance bond posted with the Town of Georgia Treasurer to ensure compliance with the terms and conditions of the PC-023-16 Site Plan Amendment approval?
- C. Reclamation, has any phased reclamation been done? There have been no notifications sent to the Zoning Administrator over the years.
- D. The Zoning Administrator should be receiving all blasting notices as well as yearly notices on the settlement pond. Property owners should also receive notification 24 hours in advance of any blasting.
- E. What is the total amount of the remaining cy to be extracted over the requested four (4) additional years?
- F. McCullough Crushing Inc. is making payments to the Town of Georgia from 2002-present day for impacts made to the road at 5 cents per cubic yard paid annually.
- G. Is there a sign indicating to drivers of the right turn only out of the quarry?
- H. Are the Conservation Easements for deer and wildlife habitat still being maintained? Are there any outstanding easements to be examined?
- I. Hours of Operation, what are the current times of operation as well as dates of the year. Have there been any changes since the 2016 Site Plan Amendment/Conditional Use approval?

Respectfully submitted,

Douglas Bergstrom
Zoning Administrator
Planning & DRB Coordinator