

Planning Board Comments on the 11/30/25 draft Mining Ordinance (MO)

Dec. 3, 2025

The following comments are in roughly the order of the 11/20/25 draft.

- **Consistent format** – Ideally the Mining Ordinance and the Blasting Ordinance would have consistent formats (Title, Purpose, Authority, Applicability, etc.). It may be best to amend the Blasting Ordinance (BO) to be consistent with the MO if/after the MO is adopted.
- **Consistent Purpose** (p. 1) Add “protect the quality of life” (found in the BO) and/or “peaceful enjoyment of property (found in the subsequent Findings).
- **Threshold Criteria/Exempt Activities** (p. 2 - 4) These sections seem duplicative and could be combined to avoid confusion.
- **Prohibited Activities (5)** (p. 4) There should be a limit on the total size of the affected area of new or expanded mining operations – not just the “working pit.”
- **Prohibited Activities (5)** (p. 4) The limit on the size of the non-vegetated extraction area of a mining operation should be ½ acre (consistent with Section VII(1)(H) (p. 20.)
- **Fees** (p. 5, 7, and 27)– All specific fee references (Article VI(1)(A) and (B); Article VIII(3)(A) and (B)) should be replaced by a reference to the Selectboard fee schedule.
- **Registration (4)** (p. 5) The required annual report (Article VI(A)(3)) should be a report that documents the nature and frequency of use.
- **Registration (4)** (p. 5) For mining operations that do not have permitting or reporting requirements and are submitting a signed statement, there should be some process (for example, site visit by the CEO) for reviewing the adequacy of the statement and verification of the frequency of use.
- **Registration (6)** (p. 5 - 6) There needs to be a depiction of the actual mining or quarrying operation on a map more detailed than the town tax map e.g. (USGS, DeLorme, survey, etc.) that shows the size and location of the affected area.

- **Application Process** (p. 13) Residents near existing operations have consistently asked for better notice of applications and public hearings. Given the rural nature of Alna, notice should be given to landowners within 5000 ft of the pit.
- **Performance Standards Section 1(C) Hours/Days of Operation** (p. 16) Commercial mining operations should be limited to the same hours and days as quarries.
- **Performance Standards Section 2(A) Liability Insurance** (p. 22-23) Large commercial mining operations should also be required to have liability insurance, not just quarries.
- **Performance Standards Section 2(B) Noise** (p. 23); **(C) Air Quality, Dust and Odors** (p. 23-24); **(D) Secured Vehicles** (p. 24); **(E) Roads** (p. 24) These standards should apply to both commercial mining operations and quarries.
- **Permit Expiration** (p. 29) As with new quarries and mining operations (Article IX, Section (1)(D)), existing operations should also have a five year renewal requirement to either monitor whether the pit has been abandoned or expanded, or to come into compliance with current standards.
- **Abandonment** (p. 32) The definition referencing “activity of any kind” is vague and overly broad, and could be interpreted to include taking one shovel of gravel. Some defining language, such as “actual and substantial mining activity,” would avoid this overly broad interpretation.
- **Storage or processing of materials brought in from off-site** - The ordinance needs some provisions to regulate the bringing in, storage, and processing of materials from off-site (such as reclaimed asphalt or fill from construction sites.)

NOTE: The moratorium will expire on Feb. 6, 2026 and will need to be extended before that time to protect the town through the town meeting and adoption of the ordinance.

Respectfully submitted on behalf of the Planning Board

by Planning Board Chair, Cathy Johnson

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