



May 24, 2021

Nancy Comeau, Chair
Town of Dalton Conservation Commission
756 Dalton Road
Dalton, NH 03598

Re: Request for Property Access

Dear Chairperson Comeau:

This letter formally responds to the Town of Dalton Conservation Commission's ("DCC") request for access to property owned by Douglas Ingerson, on which Granite State Landfill, LLC (the "Company") has contractual rights related to the Company's proposed landfill development in the Town of Dalton.

We understand that the DCC wishes to enter the property to conduct an additional site visit. The regulations governing wetlands applications state that a property owner's signature on the application constitutes authorization for a municipal conservation commission to inspect the site of the proposed project. N.H. Admin. R. Env-Wt 311.11(g). Accordingly, the DCC has had many opportunities to access the property and gather information. The Company accommodated site visits for the DCC on November 2, 2020, and again on January 8, 2021. The DCC's consultant, James McClammer, attended the second visit and had an opportunity to access the property and ask questions about the proposed landfill development.

At this time, it is not necessary for the DCC to visit the property for a third time. The DCC and its consultant have already been permitted access for further investigation, and the statutory period for the DCC to officially comment on the application has closed in accordance with RSA 482-A:11, III(a). The DCC is welcome to submit comments to NHDES along with the rest of the public, and it can draw from its previous visits to the property and conversations with the Company and its representatives to provide those comments.

If the DCC insists on an additional site visit, additional information will be required to accommodate that request. RSA 36-A:4, III states that the commission must notify the landowner of "the purpose of the data gathering, the specific features that will be evaluated, the manner in which the data collected will be recorded and distributed, and possible known consequences of the data collection" before requesting permission to enter private property. None of this information has been provided to the landowner or the Company in the context of the DCC's most recent request. Please provide this information, along with a list of proposed attendees for the site visit, for consideration so we can further evaluate your site visit request.

Sincerely,

Brian G. Oliver
Regional Vice President

cc: Douglas Ingerson