



ESTABLISHED 1975

GRANITE STATE LANDFILL, LLC

581 Trudeau Road • Bethlehem, NH 03574 p. 603-869-3366

Town of Dalton, NH
Planning Board
756 Dalton Road
Dalton, NH 03598

Dear Members of the Board:

As you well know, Granite State Landfill, LLC (GSL), a subsidiary of Casella Waste Systems, Inc., is actively engaged in the permitting process for its planned facility in Dalton.

We submit to you this public comment, not as a means to influence your work in developing a zoning ordinance for the town of Dalton, but to simply state, for the record, that our company takes no position on this issue.

Let me be clear, whether or not to enact zoning is a decision for the Town of Dalton. It is up to local officials, staff and the citizens to decide the issue and Casella is very respectful of the process.

That said, because our proposed project has been part of the zoning discussion to date, we thought we would continue our good faith practice of engaging with the town and providing accurate information about the proposed GSL. As such, we respectfully submit these brief comments for consideration by the Planning Board and to ensure that the people of Dalton clearly understand our position.

Permanent zoning, just like temporary emergency zoning, **does not prohibit the siting and operation of a landfill**. This is the ruling of the New Hampshire Supreme Court in a case between North Country Environmental Services and the Town of Bethlehem.

The NHDES regulates the siting, construction, and operation of landfills. Local land-use regulation is substantially limited by the state's regulatory framework and cannot have an exclusionary effect. An ordinance that prohibits landfills would be an impermissible veto in the words of the Supreme Court.

Again, we take no position on whether or not the Town of Dalton decides to adopt a permanent zoning ordinance. We only point this out so that the people of Dalton can clearly understand what is being brought to them for discussion and that the topic of zoning should be viewed separately from our project.

Sincerely,

Brian Oliver, Region Vice-President