

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
AUGUST 24, 2016

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Selectmen's Representative Fred McGarry, David Doran. Also present Planning Consultant Gerald Coogan and secretary Jane Boucher.

Chair Peter Schibbelhute called the meeting to order at 7PM.

APPROVAL OF MANIFEST

Fred McGarry moved to approve the manifest in the amount of \$167.28 and a time sheet for Jane Boucher (Upton & Hatfield \$167.28/Time Sheet 21 1/2 hours.) David Doran seconded. Voted in favor.

APPROVAL OF MINUTES

Fred McGarry moved and David Doran seconded to approve the minutes of August 10, 2016. The following corrections were made to the minutes:

Page 3 Paragraph 6: Correct to read "...she did receive.."

Page 4 Paragraph 5: Correct to read "...can obtain four-three year.."

Page 4 Paragraph 8: Correct to read "...we should re-do our current regulations and incorporate them to develop an application for an Earth Excavation Permit, making sure that it does not conflict with RSA 155 E."

Page 5 Paragraph 1: Add colons and commas following RSA numbers.

Chair Schibbelhute called for a vote on the motion. Voted in favor.

7:15PM CONTINUATION OF PUBLIC HEARING; MINOR SUBDIVISION;
CASSIER FAMILY TRUST; MIDDLE ROAD
James Franklin was present.

James Franklin provided revised plans for the proposed subdivision. He said that the new plans address the Board's concerns ie:

1. Added distance from site to locus map
2. Town's Road File does show Middle Road as a 50 foot right of way
3. Typos corrected
4. A/F added to Legend
5. State Subdivision # shown
6. Proposed Protective Memorial Easement/ Letter submitted to Board by Mr. Cassier. (a copy is attached to these minutes)
- . Impact Fee Notation on Plan.

Mr. Franklin noted that re-bars have not been set.

Kate Hartnett referred to Lot 95 and removal of stones and questioned if they would be removed.

Mr. Franklin replied that Mr. and Mrs. Cassier have indicated that, at this time, they have no intention of selling lot 95, however, he could not guarantee that if someone did purchase it in the future, that the stones would remain in place.

Fred McGarry moved to grant conditional approval for a Minor Subdivision for the Cassier Family Trust for property located on Middle Road with the condition that pins be set. Approval to lapse in 60 days. (October 24, 2016) David Doran seconded. Voted in favor.

EXCAVATION REGULATIONS/APPLICATION FOR PERMIT

Peter Schibbelhute referred to the Excavation Regulations ie. Definitions:

which states Applicant: Owner of the excavation or the owner's designee. It was noted that Attorney Raymond had clarified that the "Owner" should be the applicant. It was agreed to delete "owner's designee"

The Board referred to Excavation Fee "\$50.00" and the Permit Fee Schedule "\$500.00 per disturbed acre for the first 5 years, \$300 per acre for the next 5 years and \$200 per acre for the next 10 acres and \$100 per acre for all land in excess of 20 acres shall be levied by the Planning Board "

Kate Hartnett suggested outlining the fees in the first paragraph on Page 1.

Board members felt the fees were clearly defined in the regulations.

7:45PM INFORMAL MEETING; JIM AND WENDY RAPPA; BLUE BOWL STORE
Jim and Wendy Rappa were present along with Glenda Smith and Donald Smith.

Wendy Rappa advised that she and her husband have received a Building Permit from the Building Inspector and have filed for State Permits. They would like to continue operation similar to what was open in the past. It will not be a "sit down" restaurant, but they will offer food to go.

Mr. and Mrs. Rappa submitted a floor plan, septic plan, parking plan and a site plan.

Fred McGarry asked what the floor area of the retail store. Mr.

Rappa replied 48 x 36 feet.

Wendy Rappa advised that it was a grocery store and did have to install a filter system to improve the water. After the system was installed the store was operated as a consignment shop. After her mother passed away, she and her husband purchased the property with the intent of re-opening the store. She added that she resigned her job with UNH, after 22 years, and she and her husband have been working to renovate and re-open the Blue Bowl.

Mr. McGarry advised that they should consider having a grease trap be installed in the kitchen.

The Board questioned entry and access. Wendy Rappa said that she preferred not to have cars exiting out around the building.

The Board agreed that by installing islands or plants, parking could be controlled on the side of the building.

Fred McGarry noted that parking space is covered with 1675 square feet.

Kate Hartnett said that this was an informal meeting and complemented the Rappas for the plans they have submitted.

The Board agreed that the Rappas may continue the renovations and re-open the Blue Bowl Store.

8:15PM APPLICATION FOR PUBLIC HEARING; MAJOR APPLICATION FOR THE PLEASANT LAKE WATERSHED; SCOTT AND MARYANNE FISHER
Scott and Maryanne Fisher, Tobin Farwell, David Whatmough and abutter Donald Jsirandanis were present.

Chair Schibbelhute read the Notice of Public Hearing by which Scott and Maryanne Fisher, 56 North Road, Deerfield, NH will make application for a Public Hearing to consider approval of a Major Application for the Pleasant Lake Watershed Protection Ordinance Land Development for property located at 6 Loon Ledge Lane, Deerfield, NH (identified as Tax Map 207 Lot 29). The intent of the application is to obtain approval for development that will render post-development impervious surface of more than 20% or more than 2,500 square feet of the entire lot, whichever is greater and approval of new home construction.

Fred McGarry advised that he had done work for Mr. and Mrs. Fisher for property on North Road.

Board members did not feel that Mr. McGarry need recuse himself.

Fred McGarry moved to accept the application. David Doran seconded. Voted in favor.

Chair Schibbelhute read a letter from Steve Keach, KNA, which is attached to these minutes.

Tobin Farwell provided plans for the Board's review. Mr. Farwell said this is the 50 foot Shoreland Protection, the town requires 75 feet , and they are not encroaching upon the 75 feet. He added that the regulations state that no driveways are allowed within the 75 feet and he noted a dirt area is within the 75 feet and a note has been added that it will be removed.

Mr. Farwell said he had no problem with complying with Steve Keach's recommendations.

Donald Jsirandanis noted that he was in support of the application.

Fred McGarry moved and David Doran seconded to grant conditional approval to Scott and Maryanne Fisher, 6 Loon Ledge Lane, of a Major Application for the Pleasant Lake Watershed Protection Ordinance with the following conditions:

- . Add approval line to plan
- . Note be added specifying all land disturbed by construction activities is to be loamed, seeded and mulched in order to properly stabilize the site at the conclusion of construction.
- . In order to satisfy the requirements of Section 330.6.E of the Ordinance the final drawing should be stamped by a Licensed Professional Engineer.

Conditional approval to lapse in 30 days (September 24, 2016).
Voted in favor.

9PM Kate Hartnett left the meeting at this time.

REVIEW OF EARTH EXCAVATION APPLICATION FORM

A copy of a Draft of an Earth Excavation Form prepared by Gerald Coogan was reviewed by the Board. A copy is attached to these minutes.

The following revisions were made to the Form:

Page 3 of 9: "Three sets of 22" x 34" excavation plans and copies of the reclamation plan to be submitted for this project.

List of any local,.....

6 copies of 11 x 17 plans, 1 set of mylars, 2 CDs of both Excavation and Reclamation plans.

Page 4 of 9 B 4: Delete " Rockingham County Registry of Deeds Block".

Page 7 of 9 E 4 : Change III.B 3 to 111.B7

PLANNING BOARD 8/24/16

Peter Schibbelhute referred to the Excavation Regulations (Page 6 Pit Agreement) and read it. He questioned if it was necessary. A copy of the section is attached to these minutes.

After some discussion, Board member agreed that it should remain as part of the Regulations.

It was agreed that Permit Fees be placed in an escrow account to be used to cover costs of site inspections.

Under "Permit Renewal" it was agreed that applications for renewals must be submitted 90 days prior to the termination date.

A Public Hearing will be held on September 28, 2016 to revise our current Excavation Regulations.

RFP/TOWN PLANNER CONTRACT PLANNING SERVICES

The Request of Proposals for Town Planner Contract Planning Services will be put on line and in the Forum in early September.

The meeting was adjourned at 10:15PM.

Recorded and transcribed by Jane Boucher
Pending Approval by the Planning Board

July 29 '16
PATRICK J CASSER
94 South Rd
DEERFIELD, N.H. 03037

PLANNING BOARD
DEERFIELD, N.H. 03037

GENTLEMEN,

REGARDING MY SUBDIVISION PROPOSAL ON MIDDLE ROAD, THERE IS NO DUG GRAVE THAT I KNOW OF ON THE PROPERTY, PERHAPS BEFORE MY OWNERSHIP, BUT I HAVE NEVER FOUND ANY STONES DENOTING SUCH.

WE HAVE A MEMORIAL THERE TO THREE FAMILY MEMBERS:

ANITA + ARTHUR PROVOST, SIGN.

CHRIS EBERSOLE, MARKER IN STONE.

THERE IS A UNIQUENESS TO THE EXISTING BARN FOUNDATION, AS WE HAVE PROPERTY HISTORY. IT COULD BE THE FIRST OR ONE OF THE FIRST SETTLEMENTS IN DEERFIELD. WE HAVE DATED RECORDS + CAN SUPPLY THEM IF SO NEEDED.

WE ARE WILLING TO DONATE A PORTION TO THE TOWN FOR HISTORICAL SIGNIFICANCE BUT NOT TO DELAY THE PROJECT,
Sincerely Patrick Casser

Memo

To: Peter Schibbelhute; Chairman – Deerfield Planning Board

From: Steven B. Keach, P.E.

Date: August 24, 2016

Subject: 6 Loon Ledge Lane (Map 207 / Lot 20); Deerfield, New Hampshire
KNA Project No. 16-0822-1

At your request we have completed a technical review of project plans (one drawing dated June 14, 2016 and last revised on August 03, 2016) which depicts the intent to raze an existing dwelling and construct in its place a new two bedroom single family dwelling and related site improvements at the subject address. We understand the subject parcel is situated within the Pleasant Lake Watershed Protection District. Correspondingly, we have reviewed this application for consistency with applicable requirements of Section 330 of the Zoning Ordinance. On that basis, we offer the following comments and recommendations:

1. The applicant seeks Planning Board approval of a Major Watershed Application, pursuant to the provisions of Section 330.6.C of the Zoning Ordinance, for the purposes of permitting construction activities, which when complete will cause in excess of 20 percent of the subject parcel to be covered by impervious surface. On that basis, and consistent with the requirements of Section 330.6.E of the Ordinance, the applicant's consultant has included provisions for erosion and sedimentation control on the project plans. Given the limited extent of site work required for implementation of all planned improvements, we find those erosion and sedimentation control measures specified to be acceptable as presented.
2. We recommend a note be added to the final plan specifying all land disturbed by construction activities is to be loamed, seeded and mulched in order to properly stabilize the site at the conclusion of construction.
3. In order to satisfy the requirements of Section 330.6.E of the Ordinance the final drawing should be stamped by a Licensed Professional Engineer.

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

Town Use Only

MAP: _____

LOT: _____

APP #: _____

2nd Draft (08 24 16)
Town of Deerfield, NH
EARTH EXCAVATION APPLICATION FORM

In accordance with the Town of Deerfield's Earth Excavation Regulations and NH RSA 155-E, the following application must be submitted to the Deerfield Planning Board (aka "Regulator"), to obtain an excavation permit. Prior to issuance of a permit, the regulator shall determine that the provisions of RSA 155-E, the Town's Earth Excavation Regulations, and any other applicable local, state, or federal regulations or ordinances are met.

Applicants qualifying under the exemption provisions of RSA 155-E: 2 and filing the reclamation plan pursuant to RSA 155-E: 5 are to utilize this form noting the intent of this application.

Date: _____

PART 1. APPLICATION TYPE¹

Please check the appropriate Planning Board action:

Excavation Permit	
Excavation Permit Amendment	
Excavation Expansion Permit	
Reclamation Plan Submittal	

PART 2. PROJECT INFORMATION²

Please type or print clearly.

Date	
Project Name	
Site Address or Location	
Property Owner	
Address	
Applicant, if not owner	
Address	
Tax Map Number	
Tax Lot Number	
Zoning District(s)	
Zoning Overlay District(s)	
Special Use Permit Required? *	

¹ Basic information

² Basic information

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

PART 2. PROJECT INFORMATION, continued

ZBA Variance or Special Exception Required?*	
Total Acres	
Total area of excavation in acres	
Total Frontage	
Purpose of Plan	
Exception Request Attached? Explain	
Waiver Request Attached? Explain	

**If special use permits are required, applications will need to be submitted with this Excavation Application.*

***If ZBA variances or special exceptions are required, the ZBA Notices of Decision must be submitted with this Excavation Application.*

PART 3. APPLICANT INFORMATION³

The applicant has engaged a design professional (surveyor, engineer, developer, and architect) to represent a property owner before the Deerfield Planning Board. This is to certify that the information contained in this application is complete and true to the best of my knowledge.

Name of Professional	
Company	
Address	
Phone Number	
Email (required)	
Fax	
Signature	

³ Basic Information

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

Part 4: OTHER APPLICATION REQUIREMENTS⁴

The following items are required for a complete application. The Board will make a determination at its next regular meeting, after the project has been publicly noticed, whether the application is complete.

Letter of Authorization	
Project Narrative Letter describing the project in detail, existing conditions, etc.	
Waiver requests in writing, if applicable.	
Application and Escrow Fees	
Three full sets of 22"x34" plans, folded to 8.5"x11" with original signatures and stamps	
Copies of the excavation plan set reduced to 11" x 17", folded to 8.5"x11	
Three full sets of 22"x34" reclamation plans, folded to 8.5"x11" with original signatures and stamps copies of plan.	
Copies of any drainage, hydrologic, or other studies and associated plans, as required	
Copies of any local, State, Federal or other applications (or permits if granted) including ZBA Special Exception, Comprehensive Shoreland Protection Act, NH EPA, NH DES Alteration of Terrain, NH DES Dredge and Fill, NH DOT Access, State Pit Agreement, Army Corps of Engineers , etc.	

⁴ Guidance to the applicant / design professional for plan submission standards.

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

PART 5. EXCAVATION PLAN COMPONENTS⁵

The excavation plans shall comply with the requirements of the Town’s Earth Excavation Regulations and NH RSA 155-E Local Regulation of Excavations. The plan shall include all of the submission items in the checklist below, unless waivers are requested in writing at the time of application. If the project is subject to Deerfield Site Plan Review Regulations and/or a NH DES Alteration of Terrain permit, that information shall also be submitted. If any of the items in the checklist are addressed in the other applications noted above, that information can be used to meet the submission requirements of this checklist. If so, please indicate in the right-hand column where the information can be found.

A. Sheet 1 Entitled “Cover Sheet”: shall contain:	Existing
(1) The name(s) and address(es) of the owner(s) and the excavator (if different) and signature boxes.	
(2) The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(3) Location or site vicinity map at a legible scale, with site highlighted and adjacent roadways and rivers.	
(4) Zoning district boundaries of the proposed area and within 200 feet of the excavation site property lines.	
(5) Sheet index to plan sheets.	
(6) Project title, date, bar scale, magnetic and true north arrows, locus map, tax map and lot number(s), and legend (if applicable).	
(7) Table to reflect subsequent revisions to the plan.	
(8) General Notes section of the plan set.	
(9) Planning Board signature box in accordance with Site Plan Regulations Part B, Site Plan Information (14).	
(10) Other items as identified by the Planning Board or Designee of the Planning Board.	
B. Sheet 2 Entitled “Boundary Plat” shall contain:	
(1) The name(s) and address(es) of the owner(s) and the excavator (if different).	
(2) The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(3) A complete list of abutters, showing their names, addresses, tax map and lot numbers and location of their parcels in relation to the proposed excavation site.	
(4) Date, bar scale, magnetic and true north arrows, locus map, 1”x7” Rockingham County Registry of Deeds block, tax map and lot number(s), acreage, and legend.	
(5) Table to reflect subsequent revisions to the plan.	
(6) Adjacent roads and all waterbodies.	
(7) Survey bearings on all of the subject excavation lots.	

⁵ Information requested in Sections A, B and C is basic and typical of the type of information a Board would expect in an Earth Excavation application.

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

(8)	Lot lines, public streets, driveways, intersections, rights-of-way, and all easements on or within 200 feet of the excavation site.	
(9)	Open	
C. Sheet 3, Entitled "Existing Conditions" shall include:		
(1)	The name(s) and address(es) of the owner(s) and the excavator (if different).	
(2)	The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(3)	Date, bar scale, magnetic and true north arrows, locus map, tax map and lot number(s), acreage, and legend.	
(4)	Table to reflect subsequent revisions to the plan.	
(5)	Sketch and description of the location and boundaries of any existing excavations and the area in square feet and acres.	
(6)	All surface drainage patterns including wetlands and standing water. Wetlands boundaries shall be delineated and stamped by a certified wetlands scientist.	
(7)	Location and description of existing access roads, including width and surface materials.	
(8)	Floodplain elevations and elevation of highest known flooding on site.	
D. Sheet 4, Entitled "Excavation Plan" shall include: ⁶		DEERS ⁷
(1)	The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(2)	The name and address of the owner of the land to be excavated, the person who will actually do the excavating and all abutters to the premises on which the excavation is proposed.	
(3)	Date, bar scale, magnetic and true north arrows, locus map, tax map and lot number(s) and legend.	
(4)	Table to reflect subsequent revisions to the plan.	
(5)	Location and boundaries of the proposed excavation, the number of acres involved in the project, and a phasing program, if appropriate.	
(6)	The size, depth, and slope of the proposed excavation and the estimated duration of the project.	III A. 10
(7)	The location of test pits that extend to the seasonal high water table, ledge, or a minimum of eight (8) feet below the maximum proposed excavation depth, including soils data. Boring logs may be submitted separately and referenced on Sheet 6.	III A. 12,18
(8)	The location and design of site access roads leading to and from public highways.	III A. 11
(9)	The elevation of the highest annual groundwater table within or next to the proposed excavation, including width and surface materials.	III A. 12
(10)	Proposed fencing, buffers or other visual barriers, to public highways and around the site, including height and materials, and existing visual	III A. 4

⁶ Information requested in Sections D and Part 6 (Reclamation Plan) E is generally found or inferred to in the Town's Earth Excavation Regulations (April 1989) and NH RSA 155-E.

⁷ Section reference in the Deerfield Earth Excavation Regulations (DEERs)

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

	barriers to be retained.	
(11)	Proposed facilities. If any covered structures other than refueling and/equipment storage areas are proposed, the application may be subject to the Deerfield Site Plan Review Regulations	
(12)	Proposed contours in appropriate increments of 2 to 5 feet, depending on the scope of the project, with spot grades in the flat areas to identify the slope across the bottom. No final grade shall consist of slopes less than 1%.	III A. 1
(13)	Narrative description on all measures to control erosion, sedimentation, water pollution, air pollution and hazards to human safety.	155-E:5
(14)	Narrative description of the phasing plan, including the volume of earth material to be removed in each phase, total volume of material removed, approximate timing of each phase and the overall duration of the earth excavation operation. Total volume to be excavated.	III A. 10
(15)	Information on truck and vehicle trip traffic, designated routes, hours of operation, maximum number of daily trips and weight limits and methods to prevent materials from the site being tracked onto public roadways.	Reasonable ⁸
(16)	A description of the proposed equipment, including but not limited to trucks (loaded weight) and crushers, including any water supply and disposal. In addition, plans or descriptions on machine shops and any other equipment must be provided.	Reasonable
(17)	If any waste material is planned to be stockpiled, or stored on the site, the location shall be indicated on the excavation plan. No earth material shall be stock piled or located outside the permitted area.	Reasonable
(18)	Distances between the limits of the proposed excavation and the closest property lines.	III A. 2
(19)	Aquifer limits/location as identified by the United States Geological Survey	III A. 5
(20)	Any easements encumbering the excavation site.	Reasonable
(21)	If an excavation requires the blasting of materials, the applicant shall so indicate in the application and certify that all blasting operations shall conform to NH RSA 158, along with the rules and regulations for Explosives promulgated by the Division of State Police, NH Department of Safety. No blasting will occur without receiving state and local approval during the permitting process.	Conform w State laws
(22)	The Planning Board may require a hydrogeological report, prepared by a qualified professional, describing the impact the proposed excavation will have on groundwater.	III A. 16
(23)		
(24)		
(25)		

⁸ These items are reasonable and have been requested previously.

PART 6. RECLAMATION PLAN COMPONENTS

The reclamation plans shall comply with the requirements of Article III Section B Restoration Plan of the Excavation Regulations and include all of the submission items in the checklist below, unless waivers are requested in writing at the time of application. If the project is subject to Deerfield Site Plan Review Regulations and/or a NH DES Alteration of Terrain permit, that information shall also be submitted. If any of the items in the checklist are addressed in the other applications noted above, that information can be used to meet the submission requirements.

E. Sheet 5, Entitled "Reclamation Plan," shall include the following:⁹		
(1)	The Reclamation Plan shall be drawn at the same scale and use the same base survey information as the Excavation Plan. At a minimum, the plan shall depict or be accompanied by the following items:	
a)	A plan for the reclamation of the area affected by the excavation at least in compliance with RSA 155-E: 5 and RSA 155-E: 5-a. Such plan shall address the effects of the proposed excavation on soil, surface water and groundwater, vegetation, overburden, topography, and fill material, and may and shall include a timetable for reclamation of fully depleted areas within the excavation site during said project;	155 E
b)	Specific actions to be taken by the applicant on the excavation site relative to fuel and chemical handling and storage, dust control, traffic, noise control and abatement, and comprehensive site safety of unauthorized persons; and	
c)	Such other information or other special investigative studies as the regulator may reasonably deem necessary.	OK
(2)	The name(s) and address(es) of the owner(s), the excavator (if different) and signature and professional stamp of the person(s) preparing the plan; date, bar scale and north arrow.	OK
(3)	All boundaries of the area proposed for reclamation and the land within 200 feet of the boundary of this site.	OK
(4)	Sections showing existing, excavated and reclaimed topography configuration at contour intervals of five feet or less along with cross section(s) showing restored topography every 100 feet.	III B. 3
(5)	Final surface drainage pattern, including the location and physical characteristics of all artificial and/or modified drainage facilities.	III B 2
(6)	The phasing of site reclamation showing designated areas and completion dates.	III B 3
(7)	Schedule of final reclamation activities including soil fertilization, seeding and mulching specifications, plant and other landscaping material to be used in reclamation, and their size and quantities. The specific vegetative reclamation element shall be designed and approved by an agronomist, soil	III B 5

⁹ Reclamation Plan requirements can generally be found in the DEERs and RSA 155-E

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

scientist, conservation district representative or other specialist recognized by the State of New Hampshire.	
(8) Erosion and sedimentation control plan indicating the type and location of erosion and sedimentation control methods to be used. The plan must be EPA compliant. The New Hampshire Stormwater Management Manual, prepared by the NH Department of Environmental Services, as may be amended from time to time, shall be used at a minimum. The manual can be downloaded from: http://des.nh.gov/organization/divisions/water/stormwater/manual.htm	155-E 5 V

PART 7. PERMIT

An excavation permit will be valid for a period of fifteen (15) years and shall be renewed every three (3) years. A new application for a new permit must be submitted to the regulator by the owner if excavation is to be continued beyond the termination date.

PART 8. REVIEWS and ESCROW ACCOUNT

In the review of applications, the Deerfield Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies or contract with a consultant, acceptable to the Planning Board, to perform these studies at the applicant's expense.

The owner / applicant shall provide sufficient funds to the Town of Deerfield to cover the expenses of 3rd party reviews, investigative, studies, inspections services, when required and related legal expenses.

PART 9. SIGNATURE

By signing this Earth Excavation application form, the owner and or applicant agrees to provide the above information and to comply with the Excavation Regulations Town of Deerfield as revised April 5, 1989, NH RSA 155-E and other appropriate regulations and rules as promulgated by state regulatory agencies, including, but not limited to the NH Department of Environmental Services. The owner / applicant also allows the Deerfield Planning Board and its representatives to make periodic site visits as appropriate.

Name of Property Owner / Applicant

Signature of Property Owner / Applicant

Date:

TOWN OF DEERFIELD EARTH EXCAVATION APPLICATION FORM

Accepted by the Town of Deerfield Planning Board:

Name of Deerfield Planning Board Chair

Signature of Deerfield Planning Board Chair

Date:

- H. For excavation within 75 feet of wetlands (poorly or very poorly drained soils), streams or open bodies of water. The natural vegetation shall be retained within this 75 foot buffer. A high intensity soil survey may be required by the Planning Board to accurately identify wetland areas.

VI. APPLICATION PROCEDURE

- A. **Preparation and Submission:** The applicant shall adhere to RSA 155-E:3 and these regulations during the process of application preparation and submittal. The completed application shall be submitted on duplicate form (one copy to each) to the Deerfield Planning Board as well as the Deerfield Conservation Commission

Applicant shall be responsible for reasonable costs incurred by the Planning Board in association with application.

- B. **Excavation Fee:** An excavation fee of \$50.00 shall be paid to the Planning Board by the Applicant prior to issuance of excavation permit.
- C. **Bonding:** The Planning Board shall establish the amount of the performance surety in the form of an irrevocable letter of credit or cash prior to issuance of the excavation permit. The surety amount shall be adequate to restore the excavation site in accordance with RSA 155-E:5. The surety will be returned to the applicant when restoration work has been completed and a final satisfactory site inspection has been conducted by the Planning Board.
- D. **Action on Permit:** Within 20 days of the hearing in RSA 155 E: 7, the Planning Board shall make a decision to grant or deny the requested permit. Excavation permit approval by the Planning Board shall be in the form of a memorandum citing all permit issuance conditions, accompanied by a weatherable permit sign depicting the location of the excavation site, the signature(s) of the Planning Board and the permit expiration date. The permit sign shall be posted in a secured manner at a prominent location near the excavation site. If the application is denied, the owner shall be notified in writing, by the Planning Board, stating the reasons for denial.
- E. **Pit Agreement:** A pit agreement between the owner, the contractor and the governmental unit shall be executed whenever the excavated material is to be used in the construction or modification of Class I, II, III, IV, V highways. A copy of the agreement shall be submitted for acceptance to the Planning Board. Excavation shall not proceed until the Planning Board has accepted the pit agreement and has been placed in an assured position that the excavation site will be restored in conformance with RSA 155-E: 5. The pit agreement for class IV and V highway construction projects shall be essentially the same as the pit agreement set forth in the of "Standard Specifications for Highways and