



TF BERNIER

A Division of Hoyle Tanner

Planning Board
Site Plan Application
R. D. Edmunds Land Holdings, LLC
Article 4 Section DD.1: Earth Excavations
Johnson Road Map 15 Lot 58
April 10, 2024

RECEIVED
APR 10 2024
BY:

This application is to make a minor revision to the business plan that was previously approved by the Zoning Board of Adjustment in 2021. The proposed revisions to the business plan are to allow for limited crushing operations of gravel mined at the site for 2 weeks in the spring and 2 weeks in the fall. The revisions will also allow the restoration of completed portions of the pit to occur on Saturdays.

The revisions to the Business Plan are in italics and underlined for easier review.

Please find attached:

- A Site Plan Application for amendment of a previously approved commercial excavation.
- Revised Business Plan, Mitigation Standards & Local Regulations.
- The application fee.
- One full size copy of the original plan set (revisions through 3/18/2021).
- An updated abutters list with envelopes, certified and return receipt cards.

Timothy Bernier
603-224-4148

FOR PLANNING BOARD USE ONLY
Town of Sanbornton
APPLICATION FOR SITE PLAN REVIEW
Receiving Checklist

Applicant's Name: R. D. Edmunds Land Holdings, LLC

Address: 221 Franklin Street

Franklin, NH 03235

Phone #: 603-934-4929

E-Mail: rdeinc@metrocast.net

RECEIVED
 APR 10 2024
 BT:

Items Received:

	Town Planner	Planning Board
A. Completed Application Form	✓	
B. Three Copies of Site Plan	1 only	
C. Two Tax Map Sketches	✓	
D. Addressed Envelopes, Stamps Affixed, Certified Mail Forms and Return Receipt Forms	✓	
E. Site Plan Review Application Fee (Payable to Town of Sanbornton) Amount: \$ 50.00 Check #: 1946 <i>abutter mailing</i>	✓	
F. Belknap County Registry of Deeds/Site Plan Recording Fee (Payable to Belknap County Registry of Deeds) Plan Size: <input checked="" type="checkbox"/> 22"x34" Amount: \$51.00 Check # _____ <input type="checkbox"/> 24"x36" Amount: \$53.50 Check # _____	n/a	
G. Administrative Charge (Payable to Town of Sanbornton) Amount: \$50.00 Check#:	n/a	

Received By: *S. Quinn* Date: 4/10/24

Additional Information:

TOWN OF SANBORNTON

APPLICATION FOR SITE PLAN REVIEW

FOR PLANNING BOARD USE ONLY

____ Date Completed Application Filed
____ Date Application Fees Paid; Amount \$ ____
____ Date Registry of Deeds Fees Paid; Amount \$ ____
____ Date of Public Hearing
____ Date of Final Plat () Approval () Disapproval
____ Date of Registry Recording

1. Name of Legal Owner(s) of Record R. D. Edmunds Land Holdings, LLC
Address 221 franklin Street Franklin, NH 03235

E-Mail rdeinc@metrocast.net Phone Number (603)934-4929

2. Name of Authorized Agent Timothy Bernier, Hoyle Tanner & Associates
Address 50 Pleasant Street Concord NH 03301
Phone Number (603)224-4148

[Section 16 must be completed if an agent is authorized by the property owner(s).]

3. Zoning District Gen. Agriculture Zoning Overlay District Appl for Censu Dist
4. Location of Property (Road Name) Johnson Road PT
5. Tax Map and Lot Number Map 15 Lot 58
6. Total Acreage 19.9 Acres Portion Being Developed 0 Acres*

7. Application Fee

- ☐ MULTI-FAMILY RESIDENTIAL: \$200 + \$50 per dwelling unit
☐ COMMERCIAL PROJECT: \$200 + \$100 per acre of disturbance
☒ AMENDMENT (\$50)

8. Description of proposal _____
Revise prior approval to allow crushing of gravel for a maximum of 4 weeks per year.

9. Water Supply and Pollution Control Division Approval Certificate:

Number N/A Date _____

10. List any impact studies or statements submitted:

11. USEPA / NH DES Storm Water Permit # AOT-0968

12. NHDOT / SDPW Driveway permit # _____

13. **Abutters of Record** (Enclose a business size envelope addresses to each abutter. Each envelope shall have postage for certified mail. Please do not use meter-dated postage. Please fill out certified slips.)

Name ****See Attached list**** _____ Tax Map # _____

Address _____

Name _____ Tax Map # _____

Address _____

Name _____ Tax Map # _____

Address _____

Name _____ Tax Map # _____

Address _____

Name _____ Tax Map # _____

Address _____

NOTE: If there are any additional abutters, check here ☐ and list names and addresses on reverse side of this form.

14. The name and business address of every architect, landscape architect, engineer, land surveyor, or soil scientist whose professional seal appears on the plat. (Enclose a business size envelope addressed to each above listed professional. Each envelope shall have postage for certified mail. Please do not use meter-dated postage. Please fill out certified slips.)

Name ****See attached list**** _____

Address _____

_____ Phone Number _____

Name _____

Address _____

_____ Phone Number _____

NOTE: If there are any additional professionals, check here ☐ and list names and addresses on reverse side of this form.

15. **Authorization of Owner**

I hereby submit to the Sanbornton Planning Board a completed application as required by the Town of Sanbornton Site Plan Review Regulations and respectfully request approval of said application.

I certify that this application and the accompanying plans and supporting information have been prepared in conformance with all applicable Town regulations, including but not limited to the Town of Sanbornton Site Plan Review Regulations and the Town of Sanbornton Zoning Ordinance.

I hereby authorize the Sanbornton Planning Board to make on-site inspections of the proposed site plan to determine its acceptability.

I hereby authorize the Sanbornton Planning Board to record all accepted site plan plats with the Belknap County Registry of Deeds and any other authority, as appropriate.

Owner(s) Signature

Richard D. Tanner

Date

4-10-24

Date

16. Authorization of Agent

I hereby authorize the named agent to act on my behalf in all matters pertaining to the above application for site plan approval to the Sanbornton Planning Board.

I hereby acknowledge responsibility for all agreements negotiated by the named agent pertaining to the above application for site plan approval.

Name of Authorized Agent Timothy Bernier, Hoyle Tanner

Address 50 Pleasant Street

Concord, NH 03301

Phone Number (603)224-4148

Owner(s) Signature

Richard D. Tanner

Date

4-10-24

Date

STATE OF NEW HAMPSHIRE

COUNTY OF

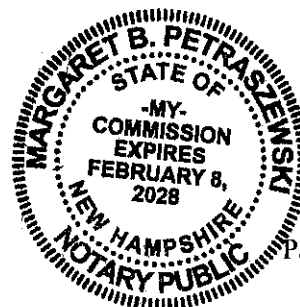
Belknap

Richard Edmund personally appeared before me on this
10 day of April, 1924, and acknowledged that he/she executed the foregoing
instrument for the purposes stated therein.

Margaret B. Petraszewski

Notary Public or Justice of the Peace

My commission expires 2/08/2028



CHECKLIST FOR SITE PLAN APPLICATION

This checklist is to be completed as a guide for complying with the Town of Sanbornton Site Plan Review Regulations. Please complete this checklist by marking each item in the column labeled "Applicant" with one of the following: "X" (information provided); "NA" (not applicable); or "W" (waiver requested). All waiver requests must be submitted in writing and will be acted on by the Planning Board at a Public Hearing.

Site Plan Applicant's Name: R. D Edmunds Land Holdings, LLC

Property Location: Johnson Road

Tax Map / Lot: 15/58

Applicant	Planning Board	Plan Requirements
X		1. Standard size sheets (as per sizes accepted by Belknap County Registry of Deeds): 24" x 36" maximum. If more than one sheet number and relationship to each other.
x		2. Tax map and lot number(s) and names and addresses of owner(s).
x		3. Names and addresses of applicant.
X		4. Name, address, license #, and seal of engineer, architect, landscape architect, land surveyor, or soil scientist.
x		5. Names and addresses of abutters, tax map and lot number(s).
x		6. Date of preparation.
x		7. Proposed project name or identifying title.
x		8. North arrow.
x		9. Scale: 50' (preferably) but not more than 1" = 100'.
x		10. Location key sketch, Scale: 1" = 2000' (preferably).
x		11. Zoning District(s) and Zoning Overlay District(s).
x		12. Planning Board signature and stamp block.
X		13. Surveyed property lines showing their deflection angles, distances, radius, lengths of arcs, control angles, along property lines and monument locations.
X		14. Existing natural features including water courses and water bodies, trees and other vegetation, topographical features and other features which should be considered in the site design process.
X		15. Existing and proposed contours and finished grade elevation – all contours shall be a minimum of 2 foot intervals.
N/A		16. Existing and proposed buildings with their type, size, location (setbacks), land elevation of first floor indicated (assume permanent on-site elevation).
x		17. Easements and rights-of-way.
N/A		18. An elevation view or photograph of all buildings indicating their height, bulk, and surface treatment.
N/A		19. Location of off-street parking and loading spaces with a layout of parking indicated.
N/A		20. The location, width, curbing, and type of access ways and egress ways (driveways), plus streets within and around the site.
N/A		21. The type and location of solid waste disposal facilities.
N/A		22. The location, size and design of proposed signs and other advertising or instructional devices.
N/A		23. The location and type of lighting for all outdoor facilities, including direction and area of illumination.
N/A		24. The size and location of water supply and sewage facilities and provisions for future expansion of sewage and water facilities, and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200'.
N/A		25. The location, elevation, and layout of catch basins and other surface drainage features.
N/A		26. The size and location of all public service connections – gas, power, telephone, fire alarm, overhead or underground.
X		27. The type, extent and location of existing and proposed landscaping and open areas indicating what existing landscaping and open areas will be retained.

APPENDIX A: FEE SCHEDULE

Note: This fee schedule may be adopted and amended by the Board of Selectmen at any time following a public hearing.

SITE PLAN REVIEW FEE SCHEDULE

Multi-Family Residential Projects:

Site Plan Review Application Fee of \$200 plus \$50 per dwelling unit.

Commercial, Industrial and Institutional Projects:

Site Plan Review Application Fee of \$200 plus \$100 per acre of disturbance.

Amendment:

Amendment of a previously approved Site Plan shall be \$50.

Additional Fees:

Additional fees may also be charged for any costs incurred by the Planning Board as a result of review of the application (such as legal fees, engineering reviews, traffic studies etc.)

Note: Any additional fees are due as part of the completed application. Any other costs must be paid in full before final approval is granted by the Planning Board.

RECORDING FEES

Belknap County Registry of Deeds: A recording fee, payable to the Registry of Deeds, shall be paid in the amount currently being charged by the Belknap County Registry of Deeds for recording plans based on sheet size and the number of pages recorded. This fee must be paid in full at time of final Planning Board approval.

Town of Sanbornton: A one-time administrative fee, payable to the Town of Sanbornton, shall be paid in the amount of \$50 to cover transportation and labor costs incurred by the Sanbornton Planning Office. This fee must be paid in full at time of final Planning Board approval.

DOCUMENTS

Text documents will be billed at the rate currently being charged by the Belknap County Registry of Deeds for recording of documents.

**TF BERNIER***A Division of Hoyle Tanner*

Trusted Experts | Innovative Results

ABUTTERS LIST**R. D. Edmunds Land Holdings, LLC****Johnson Road Sanbornton**

TAX MAP 15 LOT 58

Public Hearing Notifications

<u>MAP</u>	<u>LOT</u>	<u>OWNER</u>
15	58	R. D. Edmunds Land Holdings, LLC 221 Franklin Street Franklin, NH 03235
15	50, 51	Dennis & Elizabeth Manning 164 Johnson Road Sanbornton, NH 03269-2206
15	53	Lonagran Family 2023 Rev. Trust 181 Johnson Road Sanbornton, NH 03269
15	61-1, 61-2B, 105	Stuart W. Dymont 184 March Road Sanbornton, NH 03269
15	61-2A	Crockett's Corner LLC c/o Sarah Kossick 32 Beacon Street Concord, NH 03301
15	59	Tracy A. Seavey 95 Johnson Road Sanbornton, NH 03269

RECEIVED
APR 10 2024
BT:

20

53

Megwood LLC
c/o Bob Benson
P.O. Box 1340
Grantham, NH 03753

(Interstate 93)

State of New Hampshire
Department of Transportation
7 Hazen Drive P.O. Box 483
Concord, NH 03302

Applicant / Professional:

Timothy F. Bernier, LLS, CWS
Hoyle, Tanner & Associates, Inc.
50 Pleasant St.
Concord, NH 03301

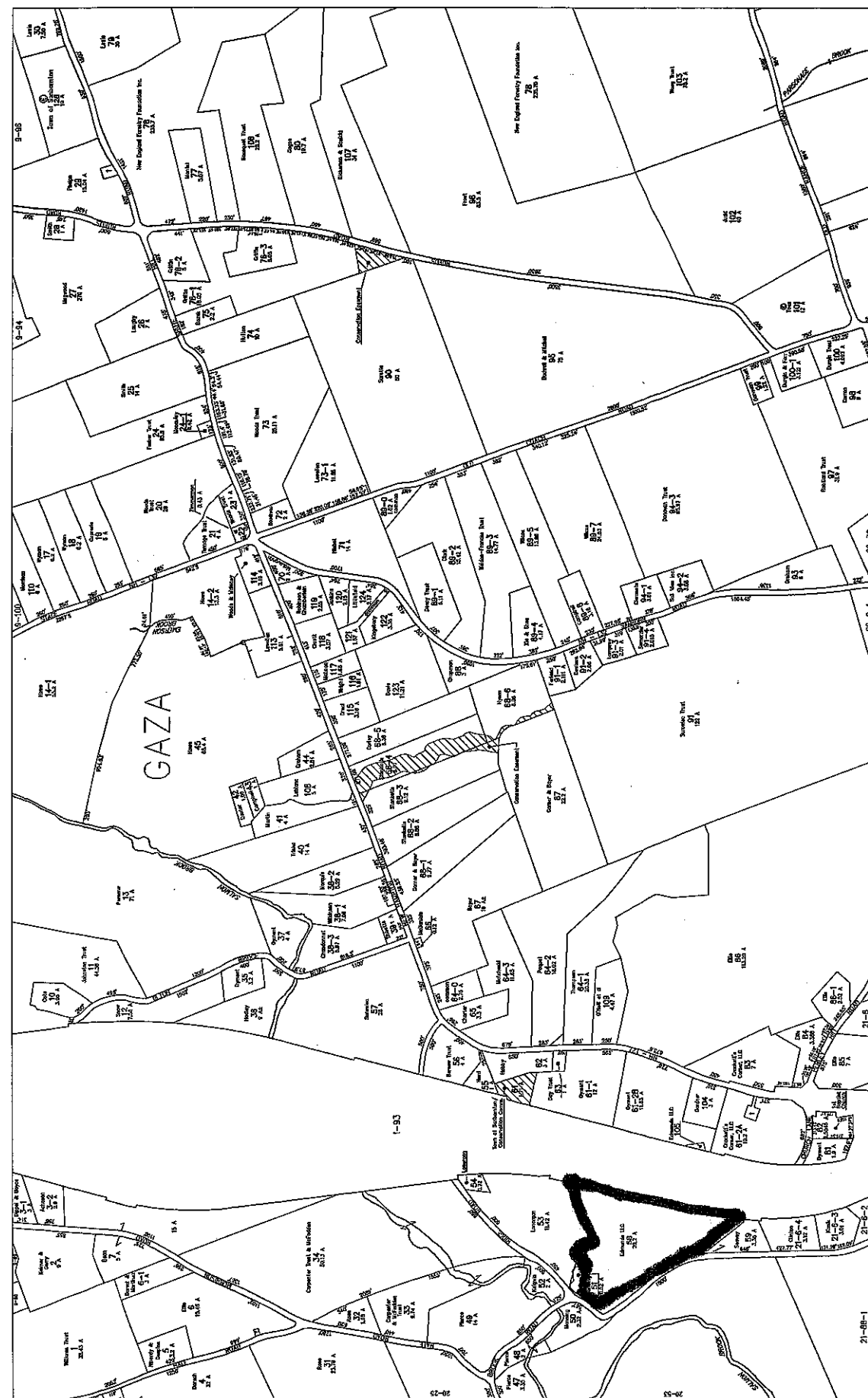
Notice of Decision Notifications:

Applicant/Surveyor/Wetland Scientist:

Timothy F. Bernier, LLS CWS
Hoyle, Tanner & Associates, Inc.
50 Pleasant St.
Concord, NH 03301

Property Owner:

R. D. Edmunds Land Holdings, LLC
221 Franklin Street
Franklin, NH 03235




THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

ORIGINAL PREPARED BY:
DONALD MITCHELL & ASSOCIATES INC.
ELFORD, NEW HAMPSHIRE

PRODUCED IN 1989 BY

CAI Technologies
PERSONAL DIGITAL GROUP INCORPORATED
1100 EAST STREET, LITTLETON, COLORADO 80120

LEGEND

AREA.	A	EDMONT PROPERTY.
DRAINAGE.	100'	SIGHT OF WAY/ACCESS.
WATER.		COUNCIL OWNERSHIP.

PROPERTY MAPS
SANBORNTON

EX DIAGRAM

8	10	16	
4			20

MAP NO. 15



TF BERNIER

A Division of Hoyle Tanner

**JOHNSON ROAD GRAVEL PIT
Business Plan, Mitigation Standards
&
Local Requirements**

Revised 02/09/21

(Revised 04/10/24) (*Changes in Italics and underlined*)

RECEIVED
APR 10 2024
BT:

This report is part of the approval to mine the property locate on Johnson Road and defined in the excavation and reclamation plans. The operator of the mine shall adhere to all requirements and operational standards contained in this report and detailed on the approved plans.

Business Plan

The mining operation shall meet or exceed all standards and specifications contained in New Hampshire Revised Statutes Annotated (RSA) 155-E and the New Hampshire Department of Environmental Services Alteration of Terrain Permit #AoT-0968. The pit shall be operated solely and exclusively as a mining operation for the retrieval, processing, and export of earth materials consisting of sand and gravel. The operation of the pit shall follow the following operational standards:

1. The hours of mining, crushing and trucking operations shall be Monday through Friday 7 am to 5 pm local time. No mining, processing shall occur at the pit on any weekend or on the following holidays:
 - New Year's Day
 - Easter
 - Memorial Day
 - Independence Day (4th of July)
 - Labor Day
 - Thanksgiving and the Friday after Thanksgiving
 - Christmas Day
2. As with all true 155E mining operations this operation will be temporary. The duration of the activity can be defined, as we know how many yards are available for mining, how many yards of material will fit into a truck and we can estimate the number of trucks that can be loaded per day. Using this information combined with the number of days per week, holidays, spring thaw and a factor for down time, the mining would be completed in about 4 years. The only assumption in this calculation is that the market for earth materials will remain consistent for the next four years. Within the industry this does not seem to be an unrealistic assumption, however it is possible that it may take six or seven years to complete the mining. It should be noted that if this occurs there would be significant reductions in activity at the site for extended periods of time. These reductions however would not relieve the operator from ensuring the site is stable in accordance with the state permits.
3. All organic material and topsoil shall be retained and stockpiled on the property. Stumps shall be ground up and mixed with the topsoil or used for site stabilization. Upon the final closing of the pit any remaining stumps shall be ground and spread over the site for added stabilization and reclamation. No stumps shall be buried on site.

4. No earth materials, construction materials, or waste of any description shall be hauled onto, stored, or maintained on the property during the use of the property as a mining operation. Erosion control material, topsoil, grass seed, and lime can be hauled onto and stored on the site for the sole purpose of stabilizing and reclaiming the pit. All of these materials must be used on the site.
5. No more than five (5) acres of the property shall be actively mined at any one time. As new areas of the property are open for mining the same area shall be final graded and reclaimed in accordance with the approved plans.
6. In accordance with RSA 155-E the operator shall maintain a reclamation bond or surety with the Town of Sanbornton in the amount of \$20,000. The bond shall be in a form approved by the town and shall remain in place until all of the property is reclaimed in accordance with the approved plans.
7. All trucking to and from the mining operation shall enter and exit the site from the south. No trucking from or to this mining operation shall travel from or to the north on Johnson Road. No trucks or vehicles associated with the mining operation shall park on Johnson Road.
8. Crushing of gravel mined on the property shall only occur for two weeks in May and two weeks during the months of October and November. Crushing activities shall occur for no more than the specified four weeks per year and shall comply with the hours of operation defined above.
9. Restoration activities shall be allowed on Saturdays from 7:30 am to 3:30 pm. Restoration activities shall be limited to the placing of loam seed and mulch on the completed portions of the approved pit. No mining, trucking or processing of material is allowed on Saturdays.

Traffic Assessment Mitigation and Operational Standards

The proposed access location to the facility has been relocated to the existing and historical access to the site. The driveway location was selected as it has significantly improved intersection site distance improvements and noise attenuation potential than the previously proposed location. In addition to being safer and less noisy than the prior location it will have less disruption to the neighborhood as it is an existing driveway. The intersection sight distance is over 400 feet in both directions in year-round site conditions. The driveway has been designed to accommodate all types of vehicles that may utilize the site as well as protecting Johnson Road. The driveway was designed to direct stormwater away from Johnson road and into appropriate facilities on site.

The traffic generated from this facility is an easily quantifiable number. Mining operations as proposed have a limited life time and single purpose. The operation will typically utilize a single loader and operator to load an anticipated thirty trucks having twenty-eight-yard capacity each per day. There are times during the operation when additional operators, laborers may be used to stump, strip loam, complete final grading, loam and seeding operations. However, this expanded workforce will be limited in duration compared to the daily operation. For this reason, the normal day will consist of 64 trips. This will include the loader operator arriving and leaving, fuel delivery for the loader, and thirty trucks arriving and leaving. In the event of an expanded workforce the trips may increase by a small amount.

We also know that the mining as proposed will produce 592,218 cubic yards of material to be trucked off site, resulting in a duration of operation of 3.1 years (see sheet 2 of 5 of the plans for a detailed calculation). These numbers are based on an anticipated typical day. Unforeseen circumstances may change these numbers however we do not foresee a significant change (20%) in any direction on any given day.

Although this is a relatively low volume of traffic the following standards shall be followed to mitigate the impact of this traffic on the neighborhood:

1. The facility mining operations shall only operate Monday through Friday as detailed above.
2. All traffic shall enter and exit from and to the south as detailed above.
3. A paved apron shall be installed at the entrance of the pit to protect the edge of pavement of Johnson Road.
4. A construction entrance shall be installed and maintained behind the apron to prevent soil from migrating onto Johnson Road.
5. In the event that soil is being carried onto Johnson Road the operator shall have the road swept and shall expand the length of the construction entrance until the issue is resolved.
6. A road maintenance bond or surety shall be established with the Town of Sanbornton in the amount of \$35,000. This surety shall remain in place until the completion of all mining activity. The purpose of this surety is to repair any damage caused by the trucking of material from the pit over Johnson Road. The operator may choose to video the road prior to opening the pit to detail existing damage not resulting from the operation. If this is done a copy of this information shall be provided to the Town of Sanbornton.
7. During the spring thaw the operator shall coordinate with the Sanbornton Road Agent on necessary closures and possible changes to operation times. Under no circumstances shall this result in operation outside of the specified operation times.
8. If the operator anticipates a 20% or greater increase in the number of daily trips for a period greater than two weeks the operator shall notify the Town of Sanbornton of the total number of trips anticipated and the length of time this increase will continue. It should be noted that an increase in daily trips will not result in a change in the total number of trips and will reduce the duration of the mining operation.
9. The operator shall insure that all drivers and employees working at the facility are informed of the operational standards including that no parking is allowed in the Johnson Road right-of-way.

Noise Mitigation and Operational Standards

The noise generated from the site will be from trucks entering and exiting the facility and the operation of construction equipment used to load trucks, open the site, and reclamation efforts. The noise generated from the truck movements will be less than that generated from the Interstate. The primary noise that may migrate offsite is from required backup alarms used to comply with work site safety and material processing equipment. In an effort to mitigate the impacts of noise generated from the site the following standards shall be followed:

1. The facility shall only operate mining and truck activities Monday through Friday as detailed above.
2. All traffic shall enter and exit from and to the south as detailed above.
3. The access to the pit shall be constructed as designed prior to the start of mining operations.
4. All construction equipment and trucks required to have or having a backup alarm operating on the property shall be equipped with "white noise" alarm system.

5. The pit shall be operated as detailed on the approved plans. Namely the operator shall utilize the existing depression as the "Origin of Mining". All mining shall be carried out from the floor of the pit.
6. All truck loading shall be carried out from the floor of the pit.
7. In accordance with the approved plans a berm shall be maintained around the entire mining area.
8. In accordance with the approved plans a minimum 50' buffer shall be maintained around the entire property. No cutting or clearing of any vegetation shall occur in this buffer.
9. No blasting, hammering or mining of ledge shall occur on the site.
10. The operation of a crusher shall be limited to four weeks per year as specified above, in accordance with mining operation hours.
11. Saturday work at the site shall be limited to restoration as specified above with no mining, processing or trucking allowed on weekends.

Groundwater Protection and Operational Standards

The property has been studied extensively over the last six years to determine the existence and extent of any groundwater that exists on the site. Three wells have been installed on the property for the original purpose of determining if an aquifer existed on the property. That purpose has been completed however the wells provide information of groundwater elevations and the possibility to monitor those elevations during excavation. In addition to the expressed requirement of the AoT permit that no degradation of surface waters shall occur as a result of the excavation the following standards shall be followed:

1. The three wells established by Geotechnical Services, Inc., shall be maintained throughout the excavation process in functional order.
2. No excavation shall occur lower than five feet above the groundwater table as measured from time to time in the wells. The proposed grading on the approved plans was prepared to meet this standard. They shall be verified as the excavation proceeds.
3. All refueling of construction equipment shall be carried out in accordance with the "Source Control Plan" detailed on sheet 2 of 5 of the approved plans.
4. No trucks shall be refueled on site.
5. All equipment used and or stored on site shall be inspected daily for leaks. If any are found the equipment shall be repaired immediately or removed from the property.
6. No materials from off-site shall be brought onto the site from off site as detailed above.
7. The site shall be reclaimed in accordance with the approved plans which will insure a stabile vegetated site.
8. A surety will be maintained with the Town of Sanbornton to ensure the site is fully reclaimed.
9. All stumps generated during the stripping and mining operation shall be stockpiled on site, ground and utilized for slope stabilization and reclamation. No stumps shall be buried on the property.
10. A fully functional dust control water truck shall be maintained on site throughout the excavation activities. The water truck shall be utilized for dust suppression at anytime airborne dust is observed on the property.

Sanbornton Zoning Requirements

ARTICLE 18-B(3)

In accordance with Sanbornton Zoning Article 18-B(3)(f) the Zoning Board of Adjustment is the "Regulator" of proposed 155-E excavation (mining) operations. Article 18 (3) establishes the criteria under which the Board will assess and grant a permit for excavation (mining) under RSA 155-E. Specifically, the requirements are as follows with an explanation of how the proposed activity will comply with the criteria:

18-B(3)

(a) The activity will not impair the health or property of others or create a hazard to life or property generally.

The proposed mining activity will be regulated by the federal Mine Safety and Health Administration (MSHA). This agency has established operational activities which will ensure the safe operation of the facility. The mining activity will be operated in accordance with the standards and criteria contained herein which will ensure that the activity will not impair the health or property of others. The activity was designed to meet or exceed all environmental rules, regulations, and Best Management Practices (BMP's) established by the federal, state, and local regulatory agencies including the Environmental Protection Agency (EPA), MSHA, American Association of State Highway and Transportation Officials (AASHTO), New Hampshire Department of Environmental Services (NHDES), New Hampshire Department of Transportation (NHDOT), and the Town of Sanbornton.

(b) That the operation will not have an adverse impact on the environment, including but not limited to pollution of streams and other surface waters, pollution of air, landslides or cave ins, stagnant water, flooding and damage to known aquifer; The Board of Adjustment must require adequate surety to repair Town roads where adverse effect on Town roads is in question. The Board must also require that operators improve roads when in the opinion of the Board of Adjustment the road is incapable of handling anticipated hauling. Additionally, the operation shall not adversely impact the normal flow of traffic or use of Town roads by residents. The Board may impose restrictions on commercial hauling to and from the operation to insure [sic] this requirement is met.

The operation was designed to meet or exceed the requirements of the NHDES Alteration of Terrain Bureau which regulates land grading to prevent hazardous and environmental harm. Daily operations are regulated by MSHA to ensure safe site conditions. There will be no time during the operation or when it is completed that there will be any hydrologic connection to any wetland, surface water stream, or aquifer. Extensive environmental investigations have determined that there is not an aquifer below the property however the facility will not excavate within five feet of the ground water table, a separation which is 2.5 times the separation required by the NHDES for the discharge of sewage.

All traffic generated from the site shall turn right only onto Johnson Road and travel to the state highway system. This portion of the road was constructed by the NHDOT and has been recently improved. The traffic generated from the site is limited to standard business hours and is not a significant traffic generator. In addition, a surety in the amount of \$35,000 shall be maintained with the Town of Sanbornton for the duration of the operation. All traffic generated from the facility will conform with the standards of operation as defined herein including travel restrictions during spring thaw.

(c) The accepted plan shall be binding upon the owner/operator and his heirs or assigns. Upon completion of the reclamation by the owner/operator, he shall notify the Board of Selectman. The

selectman shall be responsible for on-site inspection of the reclaimed site and upon finding that the reclamation plan has been fulfilled, may release any portion or all of the surety.

The plans and documents prepared with this application have been completed to clearly define how the operation will be conducted. Superfluous information that had been previously submitted was removed from the application to eliminate confusion and dispute over the intent of the operation. It is included in the documents that the individuals and organizations operating this facility shall do so in accordance with the approved documents. In addition to the road surety the operator will establish a \$20,000 surety with the Town of Sanbornton to ensure the reclamation is completed appropriately and in accordance with the approved plans.

(d) The Town may draw upon sources of gravel and other road building materials for the purpose of the public use within the town without the above hearing and permit; however, the provision for restoration shall apply.

The operation proposed is not proposed by the Town of Sanbornton for use by and within the town. Therefore, it is subject to all of the requirements defined in this section.

(e) The requirements of NH RSA 485-A:17 and NH RSA 155-E and as from time to time have been met. RSA 485-A:17 deals with and establishes the NHDES Alteration of Terrain Program (The Department). This operation has received the required permit established under this section in 2015 permit #AoT-0968. The current applicant and their consultant have worked with The Department to address inconsistencies with the approved plans, RSA 155-E and RSA 485-A:17. Those inconsistencies have been corrected on the updated plans and those plans have been submitted to The Department to ensure the permit is in full compliance with RSA 485-A:17. The application currently before the Board is in full compliance with all requirements of RSA 155-E. Those requirements specifically associated with the operation have been detailed on the design plans and the documents submitted for approval. Those requirements have been a part of the application and will be adhered to by the operator.

(f) The Selectman, or their agents, shall be responsible for the enforcement of the conditions of any special exception and shall have all the enforcement powers described in RSA 676:15 and RSA 617:17-a. In addition, any exception shall be subject to the fines and penalties set forth in RSA 676:17.

In instances where RSA 155-E:10 requires the "regulator" to enforce the terms of RSA 155-E, the zoning Board of Adjustment, as regulator, shall be responsible for any enforcement action for violations of RSA 155-E [March 1994].

This section spells out the clear authority of the Town of Sanbornton to enforce all specifications and operational standards established in this proposal. This also assigns the "regulator" for applications of RSA 155-E applications as the Zoning Board of Adjustment.

RECEIPT

No. 005300

DATE 4/10/24

FROM Shelley Tim Borden \$ 1400

One Thousand Fourty + 100/100 DOLLARS

☐ FOR RENT
☒ FOR BB acct - \$150 for better

ACCT. ☐ CASH
PAID ☒ CHECK 11/1/46
DUE ☐ MONEY ORDER FROM TO
☐ CREDIT CARD BY A. Lavin

A-1152
T-4161