

PLANNING BOARD

Monday, November 24, 2008
Belmont Corner Meeting House
Belmont, New Hampshire

Members Present: Chairman P. Harris; W. Peterson, C. Patten, R. Caldwell, C. Long and R. Davis.
Members Absent: G. Flack.
Alternates Present: W. Rollins.
Alternates Absent: W. Otto.
Staff: C. Daigle, R. Ball and E. Murphy.

The chairman opened the meeting at 7 p.m. and appointed W. Rollins as a voting member for tonight's meeting.

PLAN SUBMISSION MEETING AND PUBLIC HEARING – ROBERT & MELISSA

ATHERTON: Request for subdivision approval to subdivide one lot into two. Property is located at 269 Brown Hill Road, Tax Lot 229-041 in the “RS & R” Zones. PB # 1908.

P. Harris stated that the applicant is asking for two waivers. One is for additional soils information which staff supports based on the size of the lot, no wetlands, NH DES Subdivision approval and the test pit information. The second request is for a full perimeter survey of the remaining lot which staff supports because of the size of the lot and this being a minimal application and the lot previously being surveyed.

BOARD'S ACTION – ROBERT & MELISSA ATHERTON:

MOTION: W. Peterson moved to grant the following waivers:

- a. Additional soils information based on size of lot, no wetlands, requires NH DES Subdivision approval, test pit information provided.
- b. Full perimeter survey of remaining lot based on size, minimal application and previous record survey.

The motion was seconded by C. Long and carried. (6-0-1) P. Harris abstained.

Mr. Dave Krause and Mr. Robert Atherton presented the application.

Mr. Krause explained that the lot is a 20.9 acre parcel on the north side of Brown Hill Road. The property is mostly in the “RS” zone with the rear of the lot in the “R” zone. The rural section follows

along the stonewall. The proposed driveway is at the top of the hill. Each lot will have its own driveway. The proposal is to subdivide off 1.83 acres to convey to his son. They have received State Subdivision approval. The existing lot has a workshop on it that will meet setbacks.

MOTION: W. Peterson moved that the application be accepted as complete for the purpose of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/28/09 subject to extension or waiver.

The motion was seconded by R. Davis and carried. (6-0-1) P. Harris abstained.

The chairman opened the public hearing.

W. Peterson noted that there are three existing driveways. P. Harris wanted to know if the sight distance was met. Mr. Krause stated that the sight distance for the new driveway exceeds 320' in both directions.

R. Ball wanted to make sure the applicant is aware that the subdivision will prohibit the expansion of the workshop because of the close proximity to the boundary line. Mr. Atherton stated that he will not be expanding the workshop.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: C. Patten moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions.

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (2 mylars & 6 paper copies):
 - a. All pins/bounds to be set and so certified on final plans.
 - b. Add statement of "total lot frontage" for both lots.
 - c. Correct new lot acreage in note 8.
 - d. Add zone line that bisects existing lot, show both zones, show extended 50' SB on corner of new lot.
 - e. Show abutting burial ground.
 - f. Add "Subject to revocation..." note on plan.
 - g. Add "Not in aquifer zone" note on plan.
 - h. Utilities to new lot shall be underground from ROW.
 - i. Show new driveway with paved apron.

- j. Show sight distances for driveway.
 - k. Submit one additional paper copy of approved plan with graphic and square footage calculations of categories within Current Use and areas not-in-Current Use (currently 1.9 ac.) dimensioned on the plan.
2. Payment of decision recording fee.
 3. Compliance hearing shall be held by Board as necessary.

Construction conditions to be complied with once plan has been signed and decision recorded:

4. New Driveway requires town permit.

General conditions to be complied with subsequent to plan being signed and decision recorded.

5. No changes shall be made to the approved plans unless application is made in writing to the Town.
6. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by W. Peterson and carried. (6-0-1) P. Harris abstained

PLAN SUBMISSION MEETING AND PUBLIC HEARING –BELKNAP LANDSCAPE CO., INC.: Request for site plan approval for a Contractors Yard (landscaping) with owned equipment and vehicle maintenance and storage of aggregate, snow, sand & salt, woodchips, logs, compost and loam. Light manufacturing (existing welding shop). Property is located at 595 Laconia Road, Tax Lot 224-042 in the “C & R” Zones. PB # 1708.

Mr. Ron Johnson, Mr. Steven Nix and Mr. Hayden McLaughlin presented the application.

Mr. Johnson outlined the waiver request for additional soils information, additional stormwater management information and Aquifer Plan and Report. He explained that it is an existing site that is stabilized. They have prepared a Quality Assurance Program and the aquifer inspection will be done.

W. Rollins wanted to know if the concrete pads are existing. R. Ball stated that they are existing.

BOARD'S ACTION – BELKNAP LANDSCAPE CO., INC.:

- MOTION:**
- W. Peterson moved to grant the following waivers:
 - a. Additional soils information based on developed condition of site and delineation of wetlands.
 - b. Additional stormwater management information based on developed condition of site and material/runoff containment proposals and on the condition that Best Management Practices be applied.
 - c. Aquifer Plan & Report to the extent of more information on the aquifer based on the proposed uses, their location in relation to the mapped aquifer, their compliance with uses permitted under the Aquifer Ordinance and conditioned upon the receipt of a QAP.

The motion was seconded by C. Patten and carried. (6-0-1) P. Harris abstained.

MOTION: R. Davis moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/28/09 subject to extension or waiver.

The motion was seconded by C. Long and carried. (6-0-1) P. Harris

The chairman opened the public hearing.

Mr. Johnson explained the site is located at 595 Laconia Road. It has 13.7 acres on the easterly side of Rte 106. They did a boundary line adjustment last year to increase the size of the lot. The lot is in the "C" and "R" zones. The proposed use is in the commercial zone. The mobile home that is on site will be removed. The wetlands have been delineated. There are two separate wetlands on the site. A small area along the southern boundary is in the aquifer district. This is a level site. They are seeking approval for a Contractors Yard (landscaping) with owned equipment and vehicle maintenance and storage of aggregate, snow, sand & salt, woodchips, logs, compost and loam. There is a welding shop on site.

Mr. Steve Nix explained that Mr. McLaughlin, Belknap Landscaping, is leasing the property from the Sleeper Family Trust. The proposal is to utilize the existing metal structure for truck maintenance and indoor salt and sand storage. Aggregate will be stored outside. There are a number of existing concrete pads and they will remain where they are. There will be truck parking on the side of the building. The snow storage area will have a berm around it. The compost pile will contain only yard waste. There is a Quality Assurance Plan and there will be an operational manual on site to familiarize everyone with the procedure. Heating fuels and equipment fuels will be stored inside. There will be six to eight employees on site, three or four maintenance people and three or four employees coming and going. They own three other sites so there will be no office building or use on this site. The plan doesn't show many changes because they will be using the existing facilities. If there are more changes or a change of use the applicant will come back to the Board for approval. There is an existing septic on site with a bathroom. The facilities were working when Arcon was using the site and there should be no problems with them. There will be no retail sales on site. There were fuel tanks on the site but they have been removed and there are monitoring wells on site now. The Sleepers will be responsible for the monitoring of the wells. Mr. Tom Sleeper will continue to operate his on site welding shop.

Mr. Nix explained that they anticipate between 20-30 daily trips to the site but during a storm event there will be more. The hours of operations will be 7am to 5 pm, with extended hours during a snow event. The outside noise will be from idling machinery and vehicles. There is a distance from the abutters so that should not create a problem. The compost pile will only be yard waste and does not need a DES permit. The pre-existing mobile home will be removed. There is a second access to the site and the wood road will be closed. They have applied for a curb cut from the State. Mr. Sleeper stated that he has talked to the State and there should be no problem with it. It should be ready in about a week. Mr.

Nix stated they are proposing a paved apron to protect the road at the entrance. DOT will address sight distance if necessary. The exterior lighting and dumpster location are shown on the plan. There will be no removal of trees increasing visibility from the highway. The gate will be locked at the end of the day except during a storm event. Accessory structures and concrete pads will be inspected by the building official. Diesel fuel will be kept in a 300 gallon tank and kept in a containment system in the storage building away from the aquifer. They will meet all Aquifer requirements.

P. Harris wanted to know if they are bringing snow onto the site. Mr. Nix stated that they will bring snow onto the site. Mr. McLaughlin explained that most of their accounts are commercial accounts and most of the snow is left at the site but when it gets too deep and they have to remove it then it will go back to the site. The snow storage area will have a berm around it. DES recommends a snow storage area be 25' from wetlands so that the water runs off and in the spring the pile of trash can be removed.

Mr. Nix stated that there will be a Knox lock on the gate.

C. Daigle stated that there is a 1975 approved septic design on file. It is a 400 gallon a day system which is more than they need.

W. Rollins stated that he has concerns about the noise from the snow plowing that could happen in middle of night. The equipment would be going back and forth for sand and salt which can be noisy. Mr. McLaughlin stated that in the salt industry the amount of salt you can purchase is based on being sent to a certain address and this is not the address they are using this year. They will be bringing small amounts on site from their other sites. The only time there will be a lot of night activity on site would be during a snow event when they operate between 7PM and 3AM but typically it is 7PM to 10PM. The sanders are kept undercover and they just load the trucks and leave the site. It takes about five minutes to load a truck and it is not a steady stream of sanders going to and from the site. The loading is done inside the building and that will keep the noise down. W. Rollins stated that typical complaints the Board gets is that the construction back up beepers make too much noise. Mr. McLaughlin stated that he has one large and two small trucks. They make maybe one trip an hour and three trips tops per truck. They are 750' from the road. C. Daigle stated that there are residences on both the north and south sides of the property. Mr. Nix stated that the lay of the land is that the building sits down from the abutters. The Price house is shielded from the property by their own shop. W. Rollins stated that the prior commercial business on site was more of a daytime job. R. Caldwell stated that it is not any noisier than the State shed down the street and they will be loading inside.

W. Rollins wanted to know if they cut, split and sell logs on site. Mr. McLaughlin stated that have done it in the past but no longer do it. C. Daigle wanted to know about chipping. Mr. McLaughlin stated that 95% of the chipping is done on the job site. Currently they do not chip but do burn on the Gilford site.

R. Ball wanted to know if the fueling on site will be done on an impervious surface. Mr. McLaughlin stated that it will be in building two and three which are roofed and have concrete floors. Mr. Ball wanted to know where the trucks are being fueled. Mr. McLaughlin stated that the trucks don't refuel on site; only the equipment that stays on the site get refueled on the site and that is done on

concrete pads.

C. Daigle wanted to know why one shed has not been numbered. Mr. McLaughlin stated that he doesn't plan to keep the shed because of its condition. C. Daigle stated it will be helpful during the Aquifer inspection to have the structures numbered. Mr. McLaughlin stated that he will have to make a decision on what to do with the shed.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: W. Peterson moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded. No site improvements or approved uses shall commence and no building permit shall be issued until plan is signed and decision recorded.

1. Submission of final plans (6 paper copies):
 - a. septic and well locations
 - b. paved driveway apron
 - c. 911 number to be posted at the street
 - d. no retail permitted
 - e. total number of people on site 6-8, hours of operation 7am- 5pm.
 - f. exterior lighting and dumpster locations
 - g. close woods road
 - h. remove mobile home
 - i. locked access requires knox padlock and knox box
 - j. no removal of vegetative screen to property lines and highway
 - k. number or otherwise individually ID each separate structure for ease of permitting, inspection and reporting.
2. Payment of decision recording fee.
3. QAP including items listed in Article 5.D.5 of Site Plan Regs, Dalton's 10/4 letter, participation in Town's annual aquifer inspection program, any other applicable info.
4. Confirm septic loading
5. NH DOT driveway upgrade permit
6. Applicant shall sign and follow Inspection Schedule prepared by Planning staff.
7. Compliance hearing shall be held by Board as necessary.

Construction conditions to be complied with once plan has been signed and decision recorded:

8. All structures to be inspected for construction/proposed use and shall comply with all applicable building, fire (including monitored alarm system), health and life safety codes and uses shall comply with all applicable Best Management Practices (see 10/4 Dalton letter w/attachments).

General conditions to be complied with subsequent to plan being signed and decision recorded:

- 9. All exterior lighting shall be shielded from abutters and traffic.
- 10. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.
- 11. No changes shall be made to the approved plans unless application is made in writing to the Town.
- 12. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
- 13. Approval is subject to expiration, revocation and changes in the Ordinances.

The motion was seconded by R. Davis and carried. (6-0-1) P. Harris abstained.

PLAN SUBMISSION MEETING AND PUBLIC HEARING – JOHN O’CONNOR SAND & GRAVEL LLC: Request for site plan and earth excavation approval to operate a sand and gravel pit. Property is located on Province Road, Tax Lots 204-027 & 204-029 in the “C” Zone. PB # 1808.

Mr. William Stack presented the application.

Mr. Stack stated that they are asking for a waiver for soils map and report because this is currently an operating gravel pit.

BOARD'S ACTION – JOHN O’CONNOR SAND & GRAVEL LLC:

MOTION: C. Long moved to grant the following waiver:

- 1. Soils map & report as soil types are evident, no development is proposed, wetlands have been identified, test pit information provided, SHWT separation to be maintained, stormwater to be retained on site.

The motion was seconded by R. Davis and carried. (6-0-1) P. Harris abstained

MOTION: C. Patten moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted to complete review and act on the application. Action on this proposal shall occur by 1/28/09 subject to extension or waiver.

The motion was seconded by C. Long and carried. (6-0-1) P. Harris abstained

The chairman opened the public hearing.

Mr. Stack explained that this is an existing gravel pit on a 24 acre tract of land. The current operation is on the lower area of the site. The site has been a gravel pit since the early 1930's. The pit was used as a gravel source for the 3/11 bypass done in 1964. They have an Alteration of Terrain permit from the State. The aerial flight was done in the spring. They want to continue to utilize the pit and have outlined the plans for the next 15 years. Currently they are mining and that will remain active. The newest excavated area had a test pit done and the excavation will be done in three phase. The site is in the commercial zone and in the aquifer zone. They mine between 7,000-8,000 yards a year. The sites are graded so that the run off does not exit the property. The berms keep the run off on site. There is no fueling done on site except for refueling the excavator and backhoe and that has been added to the plan. Each phase takes about two or three years to mine then they restore the slopes and reseed it. The stump area will be updated yearly on the plan and will be 5' above the water table. Slopes will be 1:1 or steeper and will have snow or barrier fencing. They are working on the bonding for restoration. They are working with staff on amount and wording of the bond.

Mr. Stack stated that there is a portable screen for the aggregate and occasionally they bring in a crusher but this is not done on a long term basis. C. Daigle stated that crushers are allowed. Mr. Stack wanted a clarification of back hauling material. C. Daigle explained that it is limited to anything that can be used in their process but it is not a contractor's yard. Unrelated materials are not permitted. Concrete and asphalt that comes back and is crushed and sent out as aggregate is allowed. Dumping of material that will not be used is not allowed.

Mr. Stack explained that there is an easement for the same existing driveway. He addressed the Police Department's concern on signage by stating that the signage has to come from DOT. They are not changing the use. The entrance is very narrow and serves as a driveway to a house. They are not changing operation. Mr. John O'Connor stated that the ROW is in Laconia and is only 14' wide. The residential house is closer to Gilbert Block. What is there is there because of the size of the land; they can't widen it. W. Peterson stated that a truck entering ahead sign would be good. Mr. Stack stated that they have dropped the speed limit to 35mph in that area. C. Daigle suggested that they should have a paved apron and a 911 street number. The driveway needs to be permitted. Mr. Stack stated that the driveway is permitted by right and making any changes may be a problem with DOT. C. Daigle stated that you cannot change a driveway without a permit. The 911 number needs to be in place for emergency purposes.

C. Daigle wants the stump piles clarified between stump compost and stump burial site. She clarified that no retail sales means that they cannot sell to anyone off the street but they can sell to other contractors. They are still allowed to keep it as it. Staff will also provide bond language for the applicant to review. They did provide a reclamation plan. Security is for the open area. They give us a yearly written report and every second year they can make adjustments to the open area and a complete review every six years.

C. Daigle explained the 10' vs 50' setback State law states that they can reduce the excavation setback if they have an approving abutter. In order to encroach into the 50' they have to provide the town with a letter from the approving abutters.

The chairman asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

MOTION: W. Peterson moved that the application be granted Final, conditional approval as it appears to meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with or secured (as appropriate) prior to plan being signed and decision recorded.

1. Security – (also see Town of Belmont Reclamation Security Process):
 - a. Reclamation security.
Amount to be set by staff based on engineer's estimate and Town's review. Security to be in a form approved by the Town. Retainage of 2% for one year post-completion. Applicant can request hearing by Board to review reclamation security.
2. QAP as a separate document or included on the plan:
 - a. fueling spill containment on site, training, notification to all operators, etc.
 - b. reference applicable DES BMPs
 - c. Operational hours/days
 - d. Any anticipated processing equipment other than screening plant to be employed on site
3. Submit 6 paper copies of final plan set w/any required changes.
 - a. reduction to 10' property line setback requires submission of written approval by abutter prior to encroaching on 50' setback.
 - b. stump compost areas vs burial areas.
 - c. knox padlock on gate.
 - d. Days/hours operation.
 - e. portable screen and portable crushing permitted.
 - f. ID 911 street # on plan.
 - g. unrelated back-hauling not permitted.
 - h. unscheduled retail operation not permitted.
 - i. permit is subject to renewal and reporting.
4. Provide/post street address for access driveway.
5. Construct and maintain stabilized construction entrance.
6. Compliance hearing shall be held by Board as necessary.

General conditions to be complied with subsequent to plan being signed and decision recorded:

7. Attached Excavation Summary is made a condition of this approval.

Permit Summary

Application:

Number: #18/08 Date: 10/31/08
 Accepted: 11/24/08 Approved: 11/24/08

Waivers: Soils Plan & Report (requested)
 Approved Plan Date: **TBD**

Excavation:

Lot Size: 33.91ac

Excavation size: Current – 5.0ac
 Phase 1 – 1.7ac (21,700cy)
 Phase 1A – 1.5ac (26,800cy)
 Phase II – 1.7ac (24,000cy)
 Phase III – 2.0ac (33,500cy)

Maximum Vertical: 25'

Maximum Breadth: 1,250'

Estimated Annual Qty: 7,000-8,000cy

Duration: 15 Yrs/Market dependent

Permit

Duration: Two yrs – May 31, 2011

Renewal: Requires application/notification and Security review.

Non transferable.

Shall be available on site.

No changes shall be made to the approved plans unless application is made in writing to the Town.
 The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.

Approval is subject to expiration, revocation and changes in the Ordinances.

Located:

Aquifer: Yes – Coarse Grained Stratified Drift

Zones: – Commercial

Access: Existing commercial access from (#TBD) Province Road located in Laconia

Other Permits: NH DES Site specific (#WPS-8252)

Applicable Regulations/BMPs (as amended):

Belmont Zoning Ordinance

Belmont Earth Excavation, Site Plan and Wetlands Regulations

NH RSA 155-E

NH DES Site Specific 485-A:17 and Administrative Rules, Wetlands

NH Department of Labor, Mine Safety and Health Administration (MSHA)

Approved Plan Set

Applicant Representations during public meeting/hearing

USDA/NRCS *Vegetating NH Sand and Gravel Pits*

NH DES Environmental Fact Sheet WD-WSEB-22-6, WQE-1, 2 & 3, WMD-SW-6
 (backhauling), WMD-SW-7

Rockingham County Conservation District's *Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in NH*

Security

Based on independent review

In place until released by Town

Form acceptable to Town

Subject to increase based on price increases expanded open area and decrease based on expanded reclaimed areas

Public Road security

1. N/A

Reclamation security

1. For initial 2 years **(TBD)** Ac area = \$
2. Release/reduction requests shall be accompanied by Town Reviewer's comments.
3. Upon completion of reclamation, or any portion thereof, 2% of the applicable reclamation (or an amount then determined by the Town based on site conditions) shall be retained until one successful winter and growing season has passed.

Other

TBD

Operational Summary

- A. **Operational Hours/Days:** Mon-Fri **(TBD)** and Sat. **(TBD)**. Includes all on-site business activity.
- B. **Trucking routes/existing road conditions/volume**
 1. Loaded route restricted to existing commercial access.
 2. A stabilized construction entrance shall be installed followed by a minimum 50' crushed stone driveway.
 3. Highway warning signs to be employed if required by NH DOT.
- C. **Fueling**
 1. No on-site storage
 2. On-site fueling shall employ Best Management Practices WD-WS-22-6
 3. Shall occur only on Designated Refueling Area shown on plan constructed in accordance with approved Typical Section
 4. Employees, clients, subcontractors and all others shall be trained in all aspects of storage, handling and spill containment and notified of the approval conditions prior to fueling on-site.
- D. **Dust & Debris**
 1. Windborne dust is a problem for abutters. Applicant shall use effective methods as necessary and as required by the Town.
 2. Public highway debris management. Applicant shall use crushed stone and loading and covering techniques to assure that no material is tracked out/spilled within the public highway ROW. Other effective methods shall also be employed as necessary and as required by the Town. Debris within the public road ROW resulting from this operation shall be cleaned on a daily basis or more often as needed.

E. Aggregate processing

1. Portable screening and portable crushing allowed.
2. Wash plants are not permitted.

F. On Site Facilities:

1. 911 street number to be erected/maintained posted at entry.
2. DES requires locked gate, Town requires Knox padlock.
3. Permits must be obtained for all signage, and signs for inactive, closed or abandoned uses shall be removed within 30 days.

G. Independent Review of Site/Operation

1. Board retains right at any time a problem occurs or becomes evident in the design or implementation of the approved plan(s) at the applicant's expense if any.
2. Board retains right to have excavation and reclamation monitored and certified by a consultant appointed by the Board at the applicant's expense if any.

H. Excavation

1. None below road level
2. None w/in 50' of road ROW and no tree clearing, grubbing, stumping or removal of overburden within same area.
3. Setbacks are 50' from all P/L, plus 150' from dwellings, plus 25' from all wetlands and surface water and no tree clearing, grubbing, stumping or removal of overburden within same area. To reduce setbacks to 10' (approving abutter), a letter stating that approval shall be submitted from the applicable abutter prior to encroaching on the 50' setback.
4. Spoils shall be removed or otherwise lawfully disposed of.
5. No free-standing water for prolonged periods. No standing water that may constitute a hazard to health and safety shall be permitted.
6. Slope stabilization
 - a. Slope benching shall occur every 40 vertical feet
 - b. Designed in accordance with USDA NRCS Vegetating New Hampshire Sand and Gravel pits.
 - c. Slopes in excess of 1:1 shall be barricaded
 - d. Shall be finally graded to natural repose or 2:1, whichever is greater
7. Topsoil
 - a. Shall be stripped, retained on site, used in reclamation of site.
 - b. Stockpiles shall be vegetated and enclosed w/silt fence.
8. Stumps
 - a. Disposed of in a legal manner.
 - b. On-site stump dump locations to be noted on plan at next subsequent review and referenced in next deed transfer.
 - c. On-site stump dump compost areas to be noted on plan.
 - d. Maintain 5' separation to SHWT.
 - e. Stumps may be brought from off site for composting, but not for burial.

I. Stormwater

1. Maintained on-site in on-site infiltration basins.
2. Temporary and permanent measures, facilities and structures shall be implemented, installed, maintained and removed as shown on the approved plan set.

3. When available shredded stumps will be utilized in place of silt fence. Requires maintenance, but not removal.
- J. **Seasonal High Water Table**
1. See 10 pit test results.
 2. Monitoring: Additional pits shall be dug as necessary to confirm the required 5' minimum separation to SHWT.
 3. Buffer: Minimum 5' vertical separation shall be maintained between pit floor and SHWT
 4. Dredging – not permitted.
- K. **Backhauling**
1. Backhauling or deposit of unrelated materials not permitted. Unrelated materials shall be those that are not used in the excavation and/or material processing. Such unrelated materials could include, but not be limited to metal, white goods, and construction debris). Related materials include, but are not limited to stone, fill, broken concrete or asphalt to be processed, and stumps to be composted.
- L. **Retail**
1. Retail of material not permitted. Retail is defined as opening the site for unscheduled sales to all customers by some or all of the following means; street signage, other types of advertising, having scheduled open hours with a salesperson on-site, targeting sales to small quantity purchasers, etc.

Reporting Summary

- K. **Annual Excavation Report to Planning Board:**
1. Under cover of Belmont Earth Excavation Application Form
 2. Reports due annually on May 31st (First Report Due 5/31/09)
 3. The operating pit:
 - a. Report on the previous year's operations – based on operator's site report/calculations:
 1. Amount of material removed w/copy of most recent Report of Excavation.
 2. New area opened
 3. Report on any aggregate processing machinery that was/is on site
 4. The condition of detention ponds, berms, silt fences and level spreaders
 5. Status of on-site stump disposal
 6. Report on any unusual or unanticipated occurrences
 7. Elevation changes
 8. SHWT testing
 9. Confirmation that required property line/other setbacks (for vegetation & excavation) have been adhered to.
 10. Report of any back-hauling activities/materials.
 - b. Report on the year ahead:
 1. Expected level of activity w/copy of most recent Intent to Excavate
 2. Information on any unusual or non-typical activities or events scheduled for the year
 4. The reclamation of any areas

- a. Report of the previous year's reclamation work
 1. Area reclaimed
 2. Health of the vegetative cover
 3. The condition of detention ponds, berms, silt fences and level spreaders
 4. Erosion events
 5. Unusual or non-typical occurrences
 6. Copy of NRCS inspection comments for reclaimed areas
 - b. Report on the year ahead
 1. Plans for the upcoming year
 2. Information on any unusual events or non-typical events scheduled for the year
 - c. Security
 1. Recalculate for upcoming year.
5. Photos:
- a. Open
 1. Open areas
 2. Stump repository
 3. Back-haul areas
 - b. Reclamation
 1. Reclaimed areas
 - c. Stormwater Management
 1. Detention ponds, etc.
 - d. Site access
6. Plans:
- a. One copy of the approved plans:
 1. Areas open
 2. Areas reclaimed
 3. Elevations
 - b. Every 6-years – engineer's confirmation (scheduled to run concurrent w/NH DES reporting) and at project end
 1. Plan shall also include accesses, stormwater management facilities, and elevations
 2. Copy of renewed Site Specific permit.

Reclamation Summary

- L. Reclamation:**
1. Time period as applicable. Areas Designated "A" to be reclaimed as soon as possible. Other reclamation shall occur:
 - a. Within 1 year of permit expiration
 - b. Within 1 year of completion of excavation or 2-year period without removal of commercially useful volume.
 - c. Immediately for any 5Ac or larger area that is depleted of commercial earth materials with the exception of processing/operations area.

- 2. Method shall be in conformance with approved plans and NRCS recommendations.
- M. **Closure**
 - 1. Pit/pit areas shall continue to be monitored post-closure to cure any erosion, sedimentation or stabilization problem.
 - 2. No other uses are currently approved to occur on site either during or after the excavation operation.

The motion was seconded by C. Patten and carried. (6-0-1) P. Harris abstained.

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by R. Davis, seconded by C. Long, it was voted to approve the minutes of the November 10, 2008, meeting as submitted. (7-0).

STAFF REPORT:

LYMAN BREWER TAX LOT 209-002:

The chairman signed the approved subdivision plans for Lyman-Brewer on Horne Road.

INNOVTIVE LAND USE PLANNING TECHNIQUES:

The Board received a copy of the introduction and table of contents for the Innovative Land Use Planning Techniques Manual. C. Daigle explained that the Land Use Office has a copy of the book for any member to use. They also can refer to the table of contents to look up chapters on the website.

TRI-TOWN AQUIFER:

C. Daigle explained that they had a successful Tri-Town Aquifer opening meeting. The surrounding towns were impressed on how proactive Belmont and its voters are in adopting an Aquifer Ordinance and an inspection program. Staff will continue to meet with the surrounding towns and when they adopt an aquifer ordinance the will work together to determine a common area and work to protect the aquifer.

ZONING CHANGES:

C. Daigle informed the Board that they are hoping to get responses from abutters to the zone change by the December meeting.

ADJOURNMENT:

MOTION: On a motion by W. Peterson, seconded by R. Caldwell, it was voted unanimously to adjourn at 9:11 p.m. (7-0)

Respectfully submitted,

Elaine M Murphy
Administrative Assistant