

Antrim Planning Board

January 23, 2003

Members present:

Fred Anderson	Peter Beblowski	Bob Bethel
Jen Cunningham	Tom Mangieri	Mike Oldershaw
Bill Prokop	Ed Rowehl	Dan Valley

Member absent:

Spencer Garrett	Craig Oskello
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Public Attendees:

Diane Chauncey	Matt Chauncey	Tom Davis
Scott Burnside	Stuart Gross	Steven Jones
Ben Chadwick	Paige Spaulding	Smith Harriman
Mike Genest	Greg Halverson	Lloyd Henderson, The Villager

Chairman Rowehl opened the session and explained that this was an informal public meeting to discuss the existing 1992 Earth Excavation and Reclamation Regulation with site owners, operators and interested parties. He indicated that the Board had received comments from Southwest Regional Planning Commission (SWRPC) which in turn had heard from the State that municipalities were not doing an adequate job of enforcing RSA 155-E. Mr. Rowehl acknowledged that the Planning Board, as the regulator of excavation sites, had not been enforcing the regulation in past years. He indicated that the Board planned to have old sites restored and operating sites brought into conformance. He then opened the floor for discussion.

Mr. Parsons, Antrim's Building Inspector pointed out that the NH Department of Revenue did have inspectors traveling throughout the state monitoring excavation sites for the primary purpose of being sure appropriate revenues were being collected. He noted that once the State becomes involved, it followed that Antrim would become involved. Mr. Parsons described a case where a site started out as a small pit and over a number of years grew to cover a rather large area. During this time it was operating without a State permit. They were caught by the State and were required to pay taxes based on estimates of material removed over the years. Now in order to either continue operating the pit or reclaim the land they would have to obtain a permit from Antrim as well as the State. He went into detail of how this might become cost prohibitive for a small "Ma & Pa" operation and wondered if the Planning Board could deviate from requirements of the regulation for reclamation. He had contacted Carol Olgivey, formerly of SWRPC and the State Planning Office and she indicated that the Board could waive any of the requirements in the regulation. Mr. Parsons hoped that the Board would utilize waivers when appropriate, otherwise the consequence could be that the site owners could not financially afford to reclaim the sites.

Mr. Prokop delivered a message from Mr. Varnum, Antrim's Road Agent, who was not able to attend the meeting. Mr. Varnum had reviewed the 1992 regulation and in his opinion he felt it was adequate. He emphasized that excavation sites were very important to the town as a source of sand, gravel and fill. Mr. Varnum did feel that all excavation sites, whether existing or newly established should play by the same rules.

There was a brief discussion as to just what surface soil, grass and seedling was required in the reclamation process and the consensus was that the regulation did not address this matter in detail.

Mr. Beblowski pointed out that it was not the intention of the Board to close down any sites. The problem is that a review of the Towns files for excavation sites showed that most all sites were deficient in permits and reclamation programs. The intent of the Board was to meet with the site owners and operators and work together to bring all the sites into conformance with the regulation. There was some discussion regarding operating sites less than five acres at a time, e.g. open with two acres and then reclaim the two acres as the site expanded. Some of the owners and operators pointed out that this was not economically feasible because of the way most materials were situated in veins that were not concentrated in small areas. Mr. Mangieri stated that the State still requires operators to abide by the law.

Mr. Parsons felt that maybe the Board should not require that the site and reclamation plans be prepared by a licensed surveyor or engineer because of the high cost. Mr. Beblowski felt that this might not be required for any of the existing sites but should be required for anyone that wished to open up a new site. Mr. Davis felt that the regulations did not necessarily require a licensed surveyor. He pointed out that the excavation sites are there to serve the community and the Board should make it relatively simple to develop them. Mr. Davis asked if the Board intended to propose any new regulations. He was told that this was not necessarily the intent of the Board if it is determined that the existing regulation is adequate. Mr. Davis asked what were the intentions of the Board. Mr. Prokop replied that the Board intended to enforce the existing regulation.

The public attendees were asked to comment on the existing regulation. There was general agreement that the regulation was suitable except for the requirement for a licensed surveyor or engineer. A number of the owners and operators pointed out that they were sensitive to the matter of land values and their goal was to ultimately increase the value of the land upon completion of the excavation.

There being no further discussion or business before the Board, Mr. Mangieri made a motion to adjourn the meeting. The motion was seconded by Mr. Bethel and passed. Mr. Rowehl adjourned the meeting at 8:30 PM.

Respectfully submitted

Paul L. Vasques, Secretary
Antrim Planning Board