

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
FEBRUARY 22, 2017

MINUTES OF MEETING

PRESENT: Board members Peter Schibbelhute, Kate Hartnett, Selectmen's Representative Fred McGarry, William Perron, David Doran. Also present Planning Consultant Sylvia von Aulock 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 \$229.81 and a time sheet for Jane Boucher (Upton & Hatfield \$209.48, Jane Boucher Mileage \$20.33, Time Sheet 20 1/2 hours) William Perron seconded. Voted in favor.

APPROVAL OF MINUTES

Fred McGarry moved to approve the minutes of February 8, 2017. David Doran seconded.

The following correction was made to the minutes:
Page 2 Paragraph 3: Correct to read "Copies of the Draft Permit..."

Voted in favor with William Perron abstaining.

4 NH HOMES

Sylvia von Aulock reported that she had met with Eric Mitchell to discuss the Minor Subdivision Application submitted for 4NH Homes. It was determined, after discussion, that there was a great deal of information missing from the application and therefore Mr. Mitchell withdrew it. One of the items mentioned was that it should have been submitted as a Major Subdivision Application and several waivers should be requested.

Ms. von Aulock said that Mr. Mitchell will first submit an application for a Lot Line Adjustment and, after further discussion with herself and Steve Keach, for a Major Subdivision.

7:15PM CONTINUATION; RENEWAL OF EARTH EXCAVATION PERMIT; NELLIE ROLLINS , PARADE ROAD

Board members reviewed the revised Permit which was drafted after a meeting with Town Counsel James Raymond. A copy is attached to these minutes.

The following revisions were made:

Page 1 : Delete NOTE

Page 3: #13 Add lines for Permittee to describe source of

water

Page 5: Signatures Permittee to sign first; Note that the "Effective Date of this permit shall be the date signed by the Regulator" Followed by Regulator Signature and Date.

Fred McGarry will make the revisions. Copies will be sent to Nellie Rollins and Steve Rollins.

Fred McGarry moved to continue the Public Hearing to March 8, 2017 at 7:15PM. David Doran seconded. Voted in favor.

DRAFT SIGNAL WARRANT STUDY

The Planning Board received information for SNHPC on a "Draft Signal Warrant Study" for the Intersection of NH 43 North Road and Deerfield Community School Driveway.

Sylvia von Aulock was not familiar with the study and will find out who requested the study and report back to the Board.

COMPLETE STREETS

Sylvia von Aulock presented a slide demonstration outlining the "Complete Streets Program" by SNHPC.

Ms. von Aulock spoke of the Pilot Program in Deerfield, which was very successful. She showed what the outcome was of the Pilot Program effort. She showed five chapters with an overview including history, the approach and who in NH have incorporated Complete Streets.

BECOMING AGE FRIENDLY PROGRAM

Ms. von Aulock also spoke on the "Becoming Age Friendly Program" sponsored by SNHPC. She said they were urging Deerfield residents to complete the Survey on the SNHPC web site focusing on

- .Safe walkable streets
- .More housing and transportation options
- .Access to key services and
- .Opportunities for residents to participate in community activities.

The meeting was adjourned at 8:15PM.

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

EXCAVATION PERMIT

Issued to

Nellie A. Rollins

Parade Road

By

Town of Deerfield, Planning Board

P.O. Box 159

Deerfield, NH 03037

Nellie A. Rollins (hereinafter referred to as the **Permittee**) of 30 Raymond Road, Deerfield, N.H., is hereby authorized to excavate materials from property located at NH Route 43 and Parade Road, Tax Map 209, Lot 35, and in accordance with the plan entitled "Gravel Excavation and Restoration Plan, Tax Map 209, Lot 35, Nellie Rollins, NH Route 43 and Parade Road, Town of Deerfield, Rockingham County" prepared by Sandford Surveying and Engineering dated June 27, 2007 and revised October 5, 2016. During the month of May and **no later than June 1st of 2018**, the Permittee shall apply for a renewal of this permit from the Town of Deerfield Planning Board (hereinafter referred to as the **Regulator**), granted the authority under RSA 155-E. This permit is NOT TRANSFERABLE.

The Alteration of Terrain (AoT) permit from the Department of Environmental Services for this site must be updated by September 1st of 2018. If this permit is renewed in 2018, the frequency of renewal will be increased to every five (5) years to coincide with the updating of the AoT permit.

This permit allowed under RSA 155-E:4a, 155-E:5, 155-5a and the Town of Deerfield Excavation Regulations dated April 5, 1989 is granted subject to the following conditions and restrictions:

NOTE – For review purposes, conditions shown in *italics* contained in the permit previously issued for this site. Conditions and text shown in **bold** are new additions to this permit. Numbers shown in brackets () were taken directly from the original permit. This note and the bracketed numbers will be removed from the final permit.

1. *(1) No excavation shall be permitted below road level within 50 feet of the right-of-way of any public highway as defined in NH RSA 229:1.*
2. *(2) No excavation shall be permitted within 50 feet of the boundary of any abutter or within 150 feet within any dwelling which either existed or for which a building permit has been issued at the time the excavation is commenced.*
3. **(3) Existing vegetation shall be maintained or additional vegetation provided within all buffer areas described in paragraphs 1 and 2 above to maintain a vegetative screen from the activities in the pit.**
4. *(4) Drainage shall be maintained as to prevent the accumulation of free standing water for long periods. Excavation shall not result in siltation of streams or degradation of any water supplies.*

5. (5) No fuels, lubricants or other toxic polluting materials shall be stored on site unless in compliance with State laws or rules pertaining to such materials.
6. (6) Where temporary slopes will exceed 1:1, a fence or other suitable barricade shall be erected to warn of danger or limit access on the site.
7. (7) **Restoration bond** - Prior to the removal of top soil or other **overburden** material from any land area that has not yet been excavated ~~a new excavation area~~, the Permittee shall have in place a reclamation bond or other security prescribed by the Regulator in the amount of \$5,000 per acre **disturbed**. No more than two acres shall be open or un-reclaimed at any time unless the Permittee has increased the size of the reclamation bond to reflect the area open. **The total amount of security currently held for this excavation is \$10,000, allowing no more than two acres be open.**
8. (8) Any excavated area of one contiguous acre or more, which: is depleted of commercial earth materials, including bedrock, has been excavated to finish grade or from which no earth materials have been removed for a two-year period shall be reclaimed in accordance with NH RSA 155-E:5, within twelve months following such depletion or two years of non-use, regardless of whether other excavation is occurring on adjacent land in contiguous ownership.
9. **Site Restoration - Restoration shall consist of either of the following:**
 - a. **Placement of wood chips to a minimum depth of 6-inches or**
 - b. **Placement of topsoil a minimum of 4-inches deep, fertilized with a fertilizer suitable to grow and sustain grass on the soil placed.**
 - c. **Restoration using topsoil shall be in accordance with US Department of Agriculture, Natural Resources Conservation Services, Technical Note PM-NH-21 "Vegetating New Hampshire Sand and Gravel Pits" , as amended, a copy of this document is attached to this permit.**
10. **Reclamation - The previous permit allowed the Permittee to consider reclamation as a gravel surface. However, due to the dust created by a non-vegetated surface, reclamation shall be in accordance with Condition 9 and RSA 155-E:5, I. The Permittee shall reclaim all disturbed areas with either wood chips or have vegetation actively growing by 30 June 2017. Any area not meeting the conditions of Condition 9 shall be considered as unreclaimed and subject to the bonding requirement (\$5,000/acre) contained in Condition 7. Any area which is paved or has a structure in accordance with an approved site plan approved by the Regulator shall not be included in the unreclaimed area. The Permittee shall notify the Regulator when the reclamation conditions have been met or increase the reclamation bond to match the total area of the site which is disturbed and/or unreclaimed.**
11. **Drinking Water Well Sampling of on-site and neighboring wells - Sampling domestic wells shall be conducted every three months. Collected water samples shall be analyzed for nitrate and nitrite nitrogen by EPA Method 352.1, as revised. Results shall be forwarded to the Regulator, the Deerfield Health Officer and the owner of the well or their successor within 30 days of the completion of the analysis. Should the concentration of total nitrate nitrogen equal or exceed 9 mg/l in any well, the**

Permittee shall discontinue all blasting until the concentration shows a clear downward trend over two subsequent rounds of sampling. Should the concentration of nitrate nitrogen exceed 10 mg/l in any well, the Permittee shall provide alternate drinking water to the property owner(s) with the well in exceedance, and discontinue all blasting until approved by the Regulator. The following wells of the property owners of the Tax Map and Lot shall be sampled:

Map	Lot	Current Owner
208	132	Carl Savard, 9 Mountain View Road
209	35-1	Cheryl and Ronald Brosnahan, 29 Parade Road
209	45	Mark and Debra Todd, 32 Parade Road
209	35	Nellie A. Rollins, 35 Parade Road (both wells on the lot)

Should any property owner refuse to have their well sampled, the Permittee shall notify the Regulator to determine if an alternate well shall be sampled. Should the concentration of nitrates be less than or equal to 5.0 mg/l for two consecutive rounds of sampling for a well, the Regulator, at the request of the Permittee, may reduce the frequency of sampling of that well to no less than annually until all blasting activities have been permanently terminated.

12. Control of dust - Control of fugitive dust emissions has been an ongoing issue at this site. At a minimum, the control of fugitive dust emissions shall be in accordance with the "Deerfield Sand & Gravel Fugitive Dust Action Plan" dated November 16, 2016 and submitted to the NH Department of Environmental Services. A copy of that Plan is attached to this permit.
13. Identification of a source of water for dust control - The Permittee has identified ???? as the primary source of water for dust control. The alternate source of water shall be ????
14. Particulate monitoring – Particulate concentrations may be monitored by the Regulator or its agent at the perimeter of the site. A particulate monitor such as a Dust Trak II particulate monitor, equipped with an impactor that monitors particulates less than 10 micrometers in size (PM-10). Downwind particulate concentrations shall not exceed 150 µg/m³ above the upwind background conditions. Exceedance of this value would be prima facie evidence that dust control measures are insufficient and work on site shall be stopped or suspended and dust control activities shall be re-evaluated.
15. Hours and days of operation – Hours of operation for the site shall be 7:00 AM to 6:00 PM Monday through Friday, excluding State or Federal holidays. Operation outside these hours shall only occur during municipal or State declared emergencies.
16. Marking of property lines on the south and northwest side of the site - The property lines along the southerly side of the site, abutting Map 209, Lot 35-1, from Parade Road to the northeasterly corner of Lot 35-1 and the westerly property line abutting Route 43 and Map 208, Lot 132 a minimum of 300' from the existing utility platform shall be clearly marked with blaze marks and paint on trees. Such markings shall be no more than 50' apart and shall clearly mark the appropriate property line. Marking of property lines shall be completed within 60 days of the date of approval by the Regulator.

17. **Extension of the earthen berm** – The earthen berm near the property line of Map 209, Lot 35-1 shall be extended 140' to the east from its existing terminus point along the edge of the 50-foot buffer to Lot 35-1. The berm shall be a minimum height of 6-feet above the existing undisturbed ground. The slopes of the berm shall be no steeper than 2:1 and shall be fertilized and seeded with a suitable grass seed in accordance with the requirements in Condition 9. Extension of the berm, including seeding and fertilizing, shall be completed by June 30, 2017.
18. **The Permittee's engineer shall certify that Conditions 10, 16 and 17 have been completed and the dates of their completion. That certification shall be provided to the Regulator no later than July 7, 2017.**
19. **Parade Road Maintenance - Soil sweeping of Parade Road shall be conducted to maintain the surface in a clean condition, free from any material tracked from the pit in either direction from the entrance to the pit as conditions require and as determined by the Regulator or its agent.**
20. **Letters of Deficiency - Any Letter of Deficiency issued by the NH Department of Environmental Services or any other state or federal agency identifying a deficiency or deficiencies in the operation of the excavation shall be grounds for suspension of this permit by the Regulator unless or until a Letter of Compliance is issued that acknowledges that the deficiencies have been corrected.**
21. *(12) All slopes, except exposed ledge, shall be graded to natural repose for the type of soil of which they are composed, but should not in any case be left steeper than 2:1. Change of slope shall not be abrupt, but shall blend with the surrounding terrain.*
22. *(13) Any standing body of water created by the excavation which constitutes a hazard to safety or health shall be eliminated.*
23. *(14) The topography of the land shall be left so that water draining from the site leaves the property at the original, natural drainage points and in the natural rate of flow.*
24. *(15) Within twelve (12) months of the expiration date of the permit or the completion of any excavation, whichever occurs first, the Permittee shall have completed the reclamation of the areas affected by the excavation to meet the conditions contained in this permit.*
25. *(16) Excavation shall only occur in accordance with the terms of this permit and shall be limited to the areas and to the depths as shown on the approved excavation plan.*
26. **Earth and vegetative debris resulting from the excavation shall be stockpiled for reuse, reclamation or removed or otherwise lawfully disposed of.**

- 27. **Notification of blasting operations – The Permittee shall notify the Deerfield Police Department and abutters listed in Condition 11, above, a minimum of 24 hours before any blasting takes place.**
- 28. **Site inspections - The Regulator or its duly authorized agent may enter onto the property to inspect and verify compliance with this permit.**
- 29. **Inspection costs - Costs incurred by the Regulator in the enforcement of this permit, including inspections and any and all testing, shall be reimbursed by the Permittee.**

VIOLATION OF ANY CONDITION OF THIS PERMIT MAY RESULT IN THE **SUSPENSION OR** REVOCATION OF THE PERMIT BY THE REGULATOR IN ACCORDANCE WITH RSA 155-E:10. NOTICE OF **SUSPENSION OR** REVOCATION SHALL BE EFFECTIVE WHEN DELIVERED TO THE FOREMAN OPERATING IN THE EXCAVATION AREA OR THE PERMITTEE AT THE FOLLOWING ADDRESS – 30 Raymond Road, Deerfield, NH 03037. **THE EFFECTIVE DATE OF THIS PERMIT SHALL BE THE DATE SIGNED BY THE (REGULATOR?) (PERMITTEE?).**

Dated: _____

 Regulator/ Chair
 Town of Deerfield, Planning Board

I UNDERSTAND THE CONDITIONS CONTAINED WITHIN THIS PERMIT AND AGREE TO ABIDE BY THEM.

Dated: _____

 Nellie A. Rollins, Owner

Dated: _____

 Steven T. Rollins, Operator