



Town of Tamworth New Hampshire

EARTH EXCAVATION REGULATIONS PERMIT APPLICATION

Check all applicable boxes.

Property Owner(s) Information:

Name(s): _____

Address: _____

City, State, Zip: _____

Email: _____

Telephone: () _____

Property Location:

Tax Map# / Lot#(s): _____/_____

_____/_____

_____/_____

Street Address: _____

**For Official Use:
TOWN CLERK RECEIVED STAMP**

Purpose: _____

Approved

Denied

Chair: _____

Date: _____

Agent: I/We authorize the following individual to represent me/us before the Planning Board:

Name: _____ Email: _____

Address: _____

City, State, Zip: _____ Telephone: () _____

Date of Filing _____

Type of Operation: _____

If existing, date of commencement: _____

Public Hearing: A Public Hearing is required for any Earth Excavation Permit or Waiver.

Waiver Request: To request a waiver from a specific standard of the regulation, please provide an explanation with a reasonable alternative on a separate sheet. (Section XIII)

EARTH EXCAVATION REGULATIONS PERMIT APPLICATION

The following checklist is intended as a reference for the Board to use in determining whether an application meets all the requirements for submission as specified in the regulations (Section XV).

- Excavation Plan at a scale of 1" = 100' showing the following information:
- 1. Name and address of the owner, the excavator (if different) and all abutters.
- 2. Name, address and signature of person preparing the plan; date of plan, scale, and north arrow.
- 3. Tax Map and Lot number(s) of the parcel(s) to be excavated.
- 4. Sketch and description of the location and boundaries of proposed and any existing excavations in square feet and acres, and the municipalities involved.
- 5. Lot lines, public streets, driveways, intersections, rights-of-way, and all easements within 200 feet of the excavation.
- 6. Location of existing dwellings, structures, septic systems and wells within 200 feet of the excavation.
- 7. Public streets, driveways, intersections, rights-of-way, and all easements within 200 feet; road network to be affected; intended transportation routes to be used.
- 8. Topography at contour intervals of five feet or less.
- 9. All surface drainage patterns including wetlands and standing water.
- 10. Sketch and description of existing and proposed access roads, including width and surface materials.
- 11. The breadth, depth and slope of the proposed excavation and the estimated duration of the project.
- 12. Elevation of the highest annual average ground water table within or next to the proposed excavation.
- 13. Test pit data to within either the seasonal high water table or a minimum of six feet below the proposed excavation depth, including location and soils data.
- 14. Fencing, buffers, or other visual barriers, including height and materials.
- 15. Measures to control erosion and sedimentation, water and air pollution, and any hazards to public safety.
- 16. Plans for storm water management.
- 17. Plans for equipment maintenance.
- 18. Methods to prevent materials from the site from being tracked onto public roadways.
- 19. Copies of all necessary state and federal permits.

- Reclamation Plan at a scale of 1" = 100' showing the following information:
- a. Name, address and signature of the person preparing the reclamation plan; date of plan, scale and north arrow.
- b. All boundaries of the area proposed for reclamation, and the land within 200 feet of these boundaries.
- c. Final topography at contour intervals of five feet or less.
- d. Final surface drainage pattern.
- e. Timetable as to fully-depleted sites within the project area.
- f. Schedule of final reclamation activities, including seeding mixtures, cover vegetation, fertilizer types and application rates.

EARTH EXCAVATION REGULATIONS PERMIT APPLICATION

OPERATION AND RECLAMATION CHECKLISTS

The following checklist is used by the Board to determine compliance with the provisions of the town regulation during permit application review and inspections of excavation sites, for those operations that require a permit. (Section VIII.B)

OPERATIONS STANDARDS

- 1. The excavation is not within 10 feet of the boundary of an approving abutter.
- 2. The excavation is not closer than 50 feet to the boundary of a disapproving abutter.
- 3. The excavation is not closer than 150 feet to an existing dwelling or to a site for which a building notification has already been issued.
- 4. The excavation is not below road level within 50 feet of a public right-of-way.
- 5. Vegetation or suitable berm or combination of both shall be maintained or provided within the peripheral areas of Items 3 and 4 of this section.
- 6. Fuels, lubricants, or other toxic or polluting materials are not stored on the site, unless in compliance with applicable State regulations.
- 7. If temporary slopes exceed a 1:1 grade, a fence or other suitable barricade shall be erected to warn of danger and/or to limit access to the site.
- 8. The excavation does not cause the accumulation of freestanding water for prolonged periods.
- 9. The excavation does not result in continued siltation of surface water or degradation of water quality of any public or private water supplies.
- 10. The excavation is not within 75 feet of any great pond, navigable river, or any other standing body of water 10 acres or more in area.
- 11. The excavation is not within 25 feet of any stream, river, or brook that normally flows throughout the year or any naturally-occurring standing body of water less than 10 acres, prime wetland, or any other wetland as defined by the Department of Environmental Services (DES) and the Town of Tamworth.
- 12. Sand and gravel extraction operations shall not excavate below an elevation six (6) feet six (6) inches above the seasonal high water table.
- 13. The owner or operator of the excavation shall install backup alarm systems using white noise technology.

(Sections VII.E & F)

- 14. Existing visual barriers will not be removed, except to gain access to the site.
- 15. The excavation will not substantially damage a known aquifer.

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RECLAMATION STANDARDS

The items in the reclamation checklist apply to all operations at the time of reclamation. (Section IX.B)

- 1. Except for exposed rock ledge, all disturbed areas shall be spread with topsoil or any other soil capable of maintaining vegetation, and shall be planted with seedlings or grass suitable to prevent erosion.
- 2. All earth and vegetative debris resulting from the excavation shall be removed or otherwise lawfully disposed of.
- 3. All slopes, except for exposed ledge, shall be graded to natural repose for the type of soil of which they are composed so as to control erosion or at a ratio of horizontal to vertical proposed by the owner and approved by the Board. Changes of slope shall not be abrupt, but shall blend with the surrounding terrain.
- 4. Any standing bodies of water created by the excavation that are judged to constitute a hazard to health and safety shall be eliminated.
- 5. 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 proportions of flow.
- 6. For excavation projects requiring a permit from the Division of Water Supply and Pollution Control, the provisions of RSA 485-A: 17 shall supersede this regulation. Copies of all such permits shall be filed with the Board.
- 7. Areas visible from a public way, from which trees have been removed, shall be replanted with tree seedlings, set out in accordance with acceptable horticultural practices.

Other Permit Approvals Required:

Attach a copy of any other local, state, or federal permit(s), permit(s) by notification, or application for permit(s), if required for this project. This includes, but is not limited to:

Permit	Application Date	Approval Date
<input type="checkbox"/> US Army Corps of Engineers Dredge & Fill Permit	_____	_____
<input type="checkbox"/> NHDES Wetlands Bureau Dredge and Fill Permit	_____	_____
<input type="checkbox"/> NHDES Alteration of Terrain (Site Specific) Permit	_____	_____
<input type="checkbox"/> Storm Water Pollution Prevention Plan	_____	_____
<input type="checkbox"/> Tamworth Wetlands Ordinance	_____	_____
<input type="checkbox"/> Air Resources Permit for Crushing Operations	_____	_____
<input type="checkbox"/> Hazardous Waste Small Quantity Generator Certificate	_____	_____
<input type="checkbox"/> Nonmetallic Mineral Processing Plants Permit	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____
<input type="checkbox"/> _____	_____	_____

EARTH EXCAVATION REGULATIONS PERMIT APPLICATION

Professional Support:

Indicate the name, profession, and telephone number of each individual who participated in preparing components of the application (attach extra sheets as necessary).

Name: _____ Profession: _____ () _____

Address: _____

Name: _____ Profession: _____ () _____

Address: _____

Name: _____ Profession: _____ () _____

Address: _____

LIST OF ABUTTERS AND PROFESSIONAL SUPPORT

Pursuant to RSA 676:7 of the State of New Hampshire, the Town of Tamworth is required to notify every abutter of the public hearing by certified mail, return receipt requested. The cost of required publication of said notice, and the cost of mailing said notice to abutters shall be paid by the applicant. It is the applicant's responsibility to provide a list of abutters, parties holding an interest in the property (Right of Way, Easement, Covenant), and any professional who has placed his or her seal on a plan that is being submitted (whether the plan was created for the current application or was created sometime before).

ABUTTER - "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board. RSA 672:3.

Taxes Paid: A written statement from the Tax Collector of the Town of Tamworth that all current property and excavation taxes levied against all properties in the operation have been paid in full and that there are no unreleased tax liens encumbering said properties. (Section XV.C.1)

Tax Map: Attach a tax map showing the property and abutting lots.

Notification List: Provide a list of abutters and parties to be notified. For each name, include the Tax Map# / Lot# or reason for notification, name, and mailing address.

Mailing labels: Attach 3 mailing labels for each party to be notified.

**EARTH EXCAVATION REGULATIONS
PERMIT APPLICATION**

- Fees:** When submitting an application, the following fees must be included:
- (1) Filing fee \$100.00
 - (2) Permit fee \$ 50.00
 - (3) Postage for _____ Abutters' certified notices @ \$12.00 each = _____

Note: The cost of any consultants required by the Board to properly administer and enforce this Regulation shall be borne by the applicant.

Total Fee Due \$ _____

THIS APPLICATION IS PROVIDED AS A GUIDE. IT IS INTENDED TO ASSIST IN MEETING THE REQUIREMENTS OF TAMWORTH'S EARTH EXCAVATION REGULATIONS. THE REGULATIONS ALONE SHALL BE LEGALLY BINDING. APPLICANTS ARE ADVISED TO READ, UNDERSTAND AND RELY ON THE REGULATIONS.

- Performance Guarantee:** A written statement with the recommended cost estimate of a bond or other surety to guarantee reclamation of the area, compliance with the permit, and to defray costs of any inspections, prepared by a professional civil engineer licensed in New Hampshire. (Section XI)
- Intent to Excavate:** A copy of the Notice of Intent to Excavate filed with the Assessor's Office of the Town of Tamworth. (Section XV.C.2)
- If the property is not owned by an individual(s), one copy of the legal document authorizing the signature must be submitted. Examples of this include, but are not limited to: Trust, LLC, Power of Attorney, and Executor of an Estate.
- Submission:** One copy of this completed form (signed by all property owners) should be returned to the Tamworth Town Clerk by the close of business on the 1st of the month for the application to be considered at that month's meeting. A digital copy, with all attachments, shall be emailed to tamplanboard@gmail.com.
- Endorsement:** (All property owners must sign.)

I/We hereby request that the Tamworth Planning Board review this application for approval, including all plans, documents, and information herewith. I/we represent to the best of my/our knowledge and belief, this application is being submitted in accordance with the regulations of the Town of Tamworth, NH.

Signature(s) of Property Owner(s) Date