



TOWN OF NEWPORT, NEW HAMPSHIRE

Application # _____

Date of Filing _____

Payment Rec'd _____

APPLICATION FOR EARTH EXCAVATION TOWN OF NEWPORT, NEW HAMPSHIRE

1. Name of owner/applicant: _____
2. Name of Agent or Pit Owner, if different from owner: _____
2. Current mailing address/telephone number: _____

3. Date of acceptance: _____
4. Location of proposed and/or existing excavation: _____

5. Tax Map# _____ Lot # _____ Zoning District(s): _____
6. Type of Operation: _____
7. If existing, date of commencement: _____
8. Submission Items:
 - a. Abutters list
 - b. Excavation and/or Reclamation Plans
 - c. Evidence of ability to provide bond or surety.
 - d. Local, state and/or federal permits
 - e. Fees: \$100.00 plus \$7.50 per abutter

DO NOT WRITE BELOW THIS LINE

PLANNING BOARD APPROVAL

Conditions: _____

Date of Approval: _____

PLANNING BOARD DENIAL

Reasons: _____

Date of Denial: _____

Town of Newport

EXCAVATION APPLICATION CHECKLIST

The following checklist is intended as a reference for the Newport Planning Board to use in determining whether an application meets all the requirements for submission.

Date Submitted

- | | |
|-------|--|
| _____ | 1. Signed and dated application form. |
| _____ | 2. List of all abutters. |
| _____ | 3. Copies of any required local, state or federal permits. |
| _____ | 4. Excavation Plan at a scale of 1"-100' showing the following information: |
| _____ | a. Name and address of owner, excavator, and all abutters. |
| _____ | b. Name, address and signature of person preparing the plan; date of plan, scale, and north arrow. |
| _____ | c. Sketch and description of the location and boundaries of proposed and any existing excavations in square feet and acres, and the municipalities involved. |
| _____ | d. Zoning district boundaries of excavation area and within 200 feet of the area boundary. |
| _____ | e. Lot lines, public streets, driveways, intersections, rights-of-way, and all easements within 200 feet of the excavation. |
| _____ | f. Location of existing dwellings, structures, septic systems and wells within 200 feet of the excavation. |
| _____ | g. Topography at contour intervals of five feet or less. |
| _____ | h. All surface drainage patterns including wetlands and standing water. |
| _____ | i. Sketch and description of existing and proposed access roads, including width and surface materials. |
| _____ | j. Breadth, depth and slope of the proposed excavation. |

Date Submitted

k. Elevation of the highest annual average ground water table within or next to the proposed excavation.

l. Test pit data to within either the seasonal high water table or a minimum of six feet below the proposed excavation depth.

m. Fencing, buffers, or other visual barriers, including height and materials.

n. Measures to control erosion and sedimentation, water and air pollution, and any hazards to public safety.

o. Plans for stormwater management.

p. Plans for equipment maintenance.

q. Methods to prevent materials from the site from being tracked onto public roadways.

r. Copies of all necessary state and/or federal permits.

4. Reclamation Plan at a scale of 1-100' showing the following information:

a. Name, address and signature of the person preparing the 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.

EXCAVATION AND RECLAMATION CHECKLISTS

The following checklist is used by the Newport Planning Board to determine compliance with the provisions of RSA 155-E during application review and inspections of excavation sites, both for new operations as well as yearly inspections of existing operations. For existing, non-permitted operation, only items #1-10 apply, while new, permitted operations are subject to all items in the checklist. The items in the reclamation checklist apply to all operations at the time of reclamation

OPERATING STANDARDS

Yes

No

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. The excavation is not closer than 50 feet to the boundary of a disapproving abutter. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. The excavation is not closer than 150 feet to an existing dwelling or to a site for which a building permit has already been issued. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The excavation is not below road level within 50 feet of a public right-of-way. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Vegetation is maintained within the peripheral areas of items 2 and 3 above. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Fuels, lubricants, or other toxic or polluting materials are not stored on the site, unless in compliance with applicable state regulations. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. If temporary slopes exceed a 1:1 grade, an appropriate barricade is provided. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. The excavation does not cause the accumulation of freestanding water for prolonged periods. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. The excavation does not result in continued siltation of surface water degradation of water quality of any public or private water supplies. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. 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. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. 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 greater than 5 acres in area. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. The excavation is permitted by the zoning ordinance. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. The excavation is not within 50 feet of the boundary of a disapproving abutter or 10 feet of the boundary of an approving abutter. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. The excavation will not diminish area property values or unreasonably change the character of the neighborhood. |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. The excavation will not create any nuisance or health or safety hazards. |

Yes

No

- | | | |
|---------------|---------------|--|
| <u> </u> | <u> </u> | 15. The excavation will not unreasonably accelerate the deterioration of highways or create any safety hazards in their use. |
| <u> </u> | <u> </u> | 16. Existing visual barriers will not be removed, except to gain access to the site. |
| <u> </u> | <u> </u> | 17. The excavation will not substantially damage a known aquifer. |

RECLAMATION STANDARDS

- | | | |
|---------------|---------------|---|
| <u> </u> | <u> </u> | 1. Except for exposed rock ledge, all areas which have been stripped of vegetation shall be spread with soil capable of sustaining vegetation, and shall be planted with seedlings or grass. |
| <u> </u> | <u> </u> | 2. Areas visible from a public way from which trees have been removed shall be replanted with tree seedlings in accordance with acceptable horticultural practices. |
| <u> </u> | <u> </u> | 3. Provision is made for the removal or disposal of all stumps and other vegetative debris. |
| <u> </u> | <u> </u> | 4. Slopes, except for exposed rock ledge, will be graded to natural repose according to the soil type, or at a ratio of horizontal to vertical proposed by the owner and approved by the Board. |
| <u> </u> | <u> </u> | 5. No standing bodies of water created by the excavation will be left if they create a public safety hazard. |
| <u> </u> | <u> </u> | 6. The topography will 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. |

Irrevocable Standby Letter of Credit

DATE

Beneficiary: Town of Newport (hereinafter "Town")
15 Sunapee Street
Newport, NH 03773

Re: **APPLICANT'S NAME**

Dear Chairman and Members of the Planning Board:

We, **BANK'S NAME**, hereby establish in favor of the Town, for the account of **APPLICANT'S NAME**, our Irrevocable Standby Letter of Credit (hereinafter "Credit") in the amount of **AMOUNT (\$#)**. Funds under the Credit are available to the Town, in any number of draws, by your sight draft(s) drawn on us identifying the above-referenced Credit Number, if presented at our office at **BANK'S ADDRESS**, prior to the expiration of this Credit together with the original of this Credit and either of the following statements signed by you:

1. "We are drawing under Irrevocable Standby Letter of Credit No. ____ because **APPLICANT'S NAME** is in default of completion of the reclamation improvements required by the Newport Planning Board for the property located at **GRAVEL PIT ADDRESS**, said reclamation improvements being shown on the plan of land entitled "Plan Showing Property of **APPLICANT'S NAME**, dated _____, as prepared by **SURVEYOR'S NAME** (Hereinafter "Plan")."; or
2. "We are drawing under Irrevocable Standby Letter of Credit No. ____ because **BANK'S NAME** has elected not to renew such Credit."

The Credit expires at the close of business on _____. However, unless we elect not to extend the Credit, it will be automatically extended for additional consecutive one-year periods. If we elect not to extend the Credit beyond any applicable expiration date, we shall provide written notice of such election at least sixty (60) days prior to such expiration date, sent by Certified Mail Return Receipt Requested, to the Town's Chairman of the Planning Board at 15 Sunapee Street, Newport, NH 03773.