

**Town of Goshen
Planning Board
Minutes of December 2, 2014**

Members Present: Doug O'Clair, Chair; Alicea Bursey, Vice-Chair; Chip Ball; George Hebert

Chair O'Clair called the meeting to order at 7:00 p.m.

MINUTES

The Board reviewed the minutes of November 6, 2014.

Ms. Bursey made a motion to accept the minutes of November 6, 2014 as written. Mr. Ball seconded the motion. All in favor.

PUBLIC HEARINGS

Newport Sand & Gravel Co., Inc - Gravel Permit Phase II - Tax Map 203 Lot 2

Newport Sand & Gravel Co., Inc. will present an application for an expansion of an existing permitted excavation site, to be known as Phase II of the Anderson Gravel Pit. The proposed excavation site is on the west side of Route 10, south of Brook Road Tax Map 203, Lot 2 in the Residential/Agricultural district.

Chair O'Clair advised the Board that on October 15, 2014 the Zoning Board of Adjustment granted Newport Sand & Gravel a special exception to move into Phase II. The fees for this hearing were addressed.

Shaun Carroll, Jr. provided the Board with copies of truck timing data for all of the loads that were transported out of the gravel pit for the summer. The first haul was on July 3, 2014, and the last haul was on October 2, 2014. None of the time stamps were prior to 7:00 a.m.

Richard Fraser, presented the application to the Planning Board on behalf of Newport Sand & Gravel. He reviewed pictures of the site to show the progress of the project over the past summer. Illustrated was the paved entrance way, bridge with concrete decking, followed by more pavement into the site for a total distance paved of approximately 30 ft. in from Route 10. He explained that the company chose to extend the guardrail for safety reasons, and 5.5 acres were hydroseeded on July 3, 2014 as part of the reclamation. Shortly after the seed began to germinate, there was a heavy rain storm which washed a good portion of the seed away. Those areas will be reseeded in the spring of 2015. The esker that was the focus of the excavation in the summer is now below the tree line, and on the southerly end of the site is a working sediment basin. The slopes have been reverse benched every 20 ft. which allows the storm water a chance to settle down and perk into the ground. The culvert crossing between Phase I and Phase II was installed after a Wetlands Board permit was obtained; permit is on file as part of the application.

There is not much left to be done in Phase I since the reclamation was performed concurrent with the excavation. Mr. Fraser noted that the Phase I permit expires on October 11, 2015, and at this point in time he does not see a need to ask for an extension of that permit since it appears Phase I reclamation will be complete if all goes as planned.

Mr. Fraser continued to explain that Phase I covered approximately 15 acres and the proposed Phase II will be approximately 17 acres. He reviewed a site map with the Board to show the location of the proposed site in relation to Phase I and Route 10 and the location of the test pits. A final grading plan for Phase II was also presented which included a reverse bench every 20 feet of slope, same as Phase I. All of the storm water in both phases will stay on site and dissipate into the ground. There are no storm water release points to direct runoff since it will be mitigated on site. The saturation level in the area of Phase II is at 980 ft., excavation will not go below 985 ft. Excavation activity will not be closer than 131 ft. to the nearest property line.

Mr. Fraser reviewed the profile of material to be used during the excavation activity. He showed a topographical illustration of grade the before and after excavation. Silt fence will be installed to protect any nearby water resources. Best Management Practices promoted by DES will be followed.

Mr. Fraser reviewed the Excavation Permit Application with the Board.

Page 1 - A written statement from Newport Sand & Gravel Co., Inc. Mr. Fraser stated *The proposed Phase II will be operated essentially in the same manner as Phase I. The access point primary established haul road, number of trucks and equipment operating the site, hours of operation, attention to excavation details and overall design, and the use of appropriate Best Management Practices will be employed at the new site. It should be noted that Phase II is located only 120' ± from the southeast boundary of Phase I. Only a seasonal stream separates the two. Simply stated, there are no substantial operational changes to the overall plan that the Planning Board previously approved just two years ago*

Page 2 & 3 - Town of Goshen Application for Excavation Permit

Page 4 - list of abutters

Page 5 - Permit for Excavation of Phase I issued October 30, 2012 by the Planning Board.

Page 6 - Notice of Decision dated October 16, 2014 that Special Exception for Phase II was granted by the Zoning Board of Adjustment.

Page 7 - Alteration of Terrain Permit from DES originally permitted in 2000. Mr. Fraser explained that the Alteration of Terrain Permit never expires but is required to be updated every five years. An updated plan has been submitted.

Page 8 - Letter to DES from Mr. Fraser dated August 19, 2014 which accompanied the most recent update of plans for the Alteration of Terrain Permit.

Page 9 & 10 - Wetlands Board Permit for the culvert between Phase I & Phase II.

Page 11 - Excerpt from a memo dated March 5, 2001 from Mary Pinkham-Langer, Sand and Gravel Appraiser for the NH Department of Revenue in which she states *"I would estimate that more than 1/2 of the listed operations are located in residentially zoned areas. Some are rural but a large percentage of them are fight in the middle of developed residential housing."*

Page 12 - 15 - Addresses the excavation citations in the Goshen regulations.

Page 16 - A sketch of the observations wells of the test pits in Phase II.

Page 17 - A GIS map which shows where the project is located in relation to the aquifer.

Page 18 - Same GIS map as on page 17, but a larger version.

Page 19 - 21 - Letter dated November 13, 2014 from Jeffrey Cloutier, Professional Geologist for North American Reserve, LLC which explains what an aquifer is and how it behaves, the purpose of the permitting process is to protect ground water quality. He summarizes that pursuant to accordance with Best Management Practices, the proposed excavation 'will not damage the aquifer or quality of water lying within it in any way.'

Page 22 - 32 Section II of the application contains DES Fact Sheets pertaining to Best Management Practices for Stump and Brush Management, Fueling and Maintenance of Excavation and Earthmoving Equipment, and Groundwater Protection.

Page 33 - 44 - USDA Technical Note on Vegetating New Hampshire Sand and Gravel Pits.

Page 45 - 53 - Section III of the application contains data pertaining to slopes and benching and the test pit results for the proposed Phase II.

Pages 54 & 55 - background information pertaining to Mr. Fraser's credentials.

Chair O'Clair opened the meeting to questions from the Board.

Ms. Bursey asked Mr. Fraser to itemize the differences between the operation of Phase I and the proposed operation of Phase II.

Mr. Fraser stated that there are no differences.

Don Bailey, resident on Rands Pond Road, asked if the entrance and exit to the proposed Phase II will be the same as Phase I. He stated that Phase I is pretty much invisible and asked if Phase II will be the same.

Mr. Carroll stated that the proposed Phase II will use the same entrance/exit as Phase I. There will be no changes in the egress. Phase II may be a little more visible coming down Route 31, but not much. Phase II will not be visible from Route 10 at all.

Mr. Bailey asked if the eskers have been removed and how is the depth of the excavation controlled so that the water table is not impacted.

Mr. Carroll stated that the esker in Phase I is almost totally removed. Based on soil studies, the excavation operation will not exceed a certain depth so as to stay well above the water table.

Mr. Bailey asked if Phase I reclamation has been completed.

Mr. Fraser explained that 11.5 acres of 15.6 acres was disturbed for excavation. The project did not and will not use all of the 15.6 acres due to the topography. There is currently 5.5 acres reclaimed and the remainder will be reclaimed by July.

Mr. Bailey asked when the esker in Phase II will be removed.

Mr. Carroll explained that the excavation on the first esker will be completed before the second esker is opened up in Phase II. Time-wise, the project may just get onto the Phase II esker at the end of next year.

Mr. Bailey surmised that there is not much of a visual impact. He asked for an update on the status of the Davis Pit.

Mr. Carroll explained that they are still working on reclamation of the Davis Pit, with a couple of more weeks to go, weather permitting.

Dan Peterson, Brook Road resident and Fire Chief, commented that Newport Sand & Gravel has been great neighbors to the community. He stated that there has not been one incident requiring town services for emergency response at any of the facilities, there is no negative financial impact on the town, and they pay their taxes. He commented that he hears more noise from the nearby lumber yard than he does from the gravel pits' operations.

Mr. Carroll advised that he is looking into discretionary safety back-up beepers for the equipment in an effort to keep the noise at a minimum.

The Board reviewed the Excavation Permit granted for Phase I to see if there are any changes in conditions that may be pertinent to Phase II.

Ms. Bursey suggested that the reference to changes being made in *October* should be changed to *the fall of each year*.

Chair O'Clair noted that the legal holidays are: New Year's Day, Memorial Day Observed, July 4, Labor Day Observed, Thanksgiving Day and Christmas Day. Veteran's Day is not a day required for gravel pit operations to be closed.

Ms. Bursey made a motion to issue Newport Sand and Gravel Co., Inc. an excavation permit for Phase II with the same conditions outlined in the October 30, 2012 permit for Phase I, based on the testimony and information provided in this hearing.

Mr. Ball seconded the motion. All in favor.

UNFINISHED BUSINESS

Subdivision Regulations

The Board reviewed the final proposed amendments to the subdivision regulations and driveway regulations to be proposed at the January 20, 2015 public hearing at 7:00 p.m.

No changes were made.

Mr. Ball made a motion to approve the final proposed amendments to the subdivision regulations and the driveway regulations as written for presentation at the January 20, 2015 public hearing. Ms. Bursey seconded the motion. All in favor.

The Board reviewed the fee schedule for applications to the Planning Board and Zoning Board of Adjustment. Fees will be discussed at the January 20, 2015 meeting, but do not need to be voted on. The Board agreed to change the fee structure to be more in line with what area towns charge.

OTHER BUSINESS

Next Meeting

Ms. Bursey made a motion to cancel the December 16, 2014 Planning Board meeting. Mr. Ball seconded the motion. All in favor.

Ms. Bursey made a motion to adjourn. Mr. Ball seconded the motion. All in favor.
Meeting adjourned at 8:30 p.m.

Next meeting: January 6, 2015

Respectfully submitted,

Linda Plunkett
Recording Secretary