

## PLANNING BOARD NOTICE OF DECISION

### EXCAVATION APPLICATION

#### CASE 2008-011

Map 1 Lot 99 located on NH 114 (70 Bradford Road) in the Medium Commercial (CM) Zoning District. The applicant, Jennifer McCourt, on behalf of Mink Hills Land, LLC, is proposing a commercial excavation operation on Lot 99 with access through Lot 44 to NH 114.

At the March 11, 2009 Planning Board meeting, the Board voted 6-0 to **Conditionally Approve** the application with the conditions listed below.

- 1) Additional funds are required to be deposited into the Planning Board escrow account.
- 2) Provide revised financial guarantee documents using the figures from 3/2/09 Town Consulting Engineer email.
- 3) Provide Phasing and Financial Guarantee agreement, which is to be reviewed and approved by Town Legal Counsel and Planning Board.

Once all the conditions have been meet, please provide one Mylar and four full-size plan sets, with all original seals, stamps, and signatures, for Planning Board signature.

Per the Earth Moving Regulations, section 201-8 Conditions of Approval, the following conditions apply to the application:

- 201-8H** If removal/excavation operations stop for more than one year and said stoppage is not in accordance with the approved excavation plan, the excavation permit may be revoked and the performance bond forfeited with the proceeds used for reclaiming the land in accordance with the approved restoration plan.
- 201-8O** When the scope of a project for which a permit has been issued is proposed to be altered so as to affect either the size or location of the operation, the owner shall submit an application for amendment of the approved plan. Such application for amendment shall be subject to approval in the same manner as provided for an application for a permit in 201-6 and 201-7 of this regulation.
- 201-8P** In any event, the permit holder shall, within 12 months after the expiration date in the permit therefore, or upon completion of the excavation, whichever first occurs, reclaim, or cause to be reclaimed, the area affected by the excavation to meet the standards set forth in this regulation.

Any person aggrieved by any decision of the Planning Board has the right to follow the procedure outlined in RSA 677:15.

Kristin Claire  
Planning Board Chair  
March 16, 2009