



TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Town Use Only

MAP: _____

LOT: _____

APP #: _____

EXCAVATION APPLICATION

Pursuant to RSA 155-E, the following application must be submitted to the regulator, the Pembroke Planning Board, to obtain an excavation permit. Prior to issuance of a permit, the regulator shall determine that the provisions of RSA 155-E, the Earth Excavation Regulations, and any other applicable local, state, or federal regulations or ordinances are met.

Applicants qualifying under the exemption provisions of RSA 155-E:2 and filing the reclamation plan pursuant to RSA 155-E:5 are to utilize this form noting the intent of this application.

Date: _____

PART 1. APPLICATION TYPE

Please check the appropriate Planning Board action:

Excavation Permit	
Excavation Permit Amendment	
Excavation Expansion Permit	
Reclamation Plan Submittal	

PART 2. PROJECT INFORMATION

Please type or print clearly.

Date	
Project Name	
Site Address or Location	
Tax Map Number	
Tax Lot Number	
Zoning District(s)	
Zoning Overlay District(s)	
Special Use Permit Required?*	

PART 2. PROJECT INFORMATION, continued

ZBA Variance or Special Exception Required?**	
Total Acres	
Total area of excavation in acres	
Total Frontage	
Purpose of Plan	
Exception Request Attached? Explain	
Waiver Request Attached? Explain	

**If special use permits are required, applications will need to be submitted with this Excavation Application.*

***If ZBA variances or special exceptions are required, the ZBA Notices of Decision must be submitted with this Excavation Application.*

PART 3. APPLICANT INFORMATION

The applicant is usually a professional (surveyor, engineer, developer, architect, attorney, etc) representing a property owner before the Board. This is to certify that the information contained in this application is complete and true to the best of my knowledge.

Name	
Company	
Address	
Phone Number	
Email (required)	
Fax	
Signature	

PART 4. PROPERTY OWNER INFORMATION

If the applicant (above) will be representing the property owner before the Planning Board, please submit a **notarized** letter of authorization from the property owner(s). This is to certify that the information contained in this application is complete and true to the best of my (our) knowledge.

	Owner 1	Owner 2
Name(s)		
Address		
Phone Number(s)		
Email(s)		
Signature(s)		

	Owner 3	Owner 4
Name(s)		
Address		
Phone Number(s)		
Email(s)		
Signature(s)		

PART 5. OTHER APPLICATION REQUIREMENTS

The following items are required for a complete application. The Board will make a determination at its next regular meeting, after the project has been publicly noticed, whether the application is complete.



Certified Notification Lists	
Notarized Letter of Authorization	
Project Narrative Letter describing the project in detail, existing conditions, etc.	
Waiver requests in writing, if applicable.	
Application and Escrow Fees (please refer to the appropriate checklist for fee schedule(s))	
Eight full sets of 22"x34" plans, folded to 8.5"x11" with original signatures and stamps (see Part 6. for required components)	

PART 5. OTHER APPLICATION REQUIREMENTS, continued

Copies of the excavation plan set reduced to 11" x 17", folded to 8.5"x11", as follows: *15 for the Planning Board *10 for Technical Review Committee and other Town Departments *1 copy per each certified notice	
Eight full sets of 22"x34" reclamation plans, folded to 8.5"x11" with original signatures and stamps copies of plan if not included with plan set (see Part 7. for components)	
Copies of any drainage, hydrologic, or other studies and associated plans if available	
Copies of any local, State, Federal or other applications (or permits if granted) including ZBA Special Exception, Comprehensive Shoreland Protection Act, NH EPA, NH DES Alteration of Terrain, NH DES Dredge and Fill, NH DOT Access, State Pit Agreement, Army Corps of Engineers , etc	

PART 6. SUPPORTING PLANS AND EXCAVATION PLAN COMPONENTS

The excavation plans submitted to the Board shall contain the information outlined the Earth Excavation Regulations **§197.24**. The plans shall also contain the NH DES Alteration of Terrain requirements, and the Site Plan Review Regulations checklist may also be required.



A. Sheet 1 Entitled "Cover Sheet: shall contain:	
(1) The name(s) and address(es) of the owner(s) and the excavator (if different) and signature boxes.	
(2) The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(3) Location or site vicinity map at a legible scale, with site highlighted and adjacent roadways and rivers.	
(4) Sheet index to plan sheets.	
(5) Project title, date, bar scale, magnetic and true north arrows, locus map, tax map and lot number(s), and legend (if applicable).	
(6) Table to reflect subsequent revisions to the plan.	
(7) General Notes section of the plan set.	
(8) Planning Board signature box in accordance with Subdivision Regulations Checklist, 205 Attachment 1.	

(9) Other items as identified by the Planning Board or Town Engineer.	
B. Sheet 1 Entitled "Cover Sheet: shall contain:	
(1) The name(s) and address(es) of the owner(s) and the excavator (if different) and signature boxes.	
(2) The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(3) A complete list of abutters, showing their names, addresses, tax map and lot numbers and location of their parcels in relation to the proposed excavation site.	
(4) Date, bar scale, magnetic and true north arrows, locus map, 1"x7" Merrimack County Registry of Deeds block, tax map and lot number(s), acreage, and legend.	
(5) Table to reflect subsequent revisions to the plan.	
(6) Adjacent roads and all waterbodies.	
(7) Survey bearings on all of the subject excavation lots.	
(8) Two-foot (2') to five-foot (5') topographic contours, with source cited in the notes.	
(9) Zoning district boundaries of the proposed area and within 200 feet of the excavation site property lines.	
(10) Lot lines, public streets, driveways, intersections, rights-of-way, and all easements within 200 feet of the excavation site property lines.	
(11) Sketch and description of the location and boundaries of the proposed and any existing excavations, the area in square feet and acres, and affected towns.	
(12) If there will be blasting as part of the proposed project, utilizing publicly available information, Applicant will show the location of property lines, public streets, driveways, intersections, rights-of-way, easements, dimensions and bearings of existing buildings, structures, and community wells/water systems within 500 feet of the property lines of the parcels upon which excavation will take place.	
(13) Other items as identified by the Planning Board or Town Engineer.	
C. Sheet 3, Entitled "Existing Conditions" shall include:	
(1) The name(s) and address(es) of the owner(s) and the excavator (if different).	
(2) The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(3) All surface drainage patterns including wetlands and standing water. Wetlands boundaries shall be delineated and stamped by a certified wetlands scientist.	
(4) Location and description of existing access roads, including width and surface materials.	
(5) Floodplain elevations and elevation of highest known flooding on site.	

(6) Any easements on the excavation site.	
D. Sheet 4, Entitled “Excavation Plan” shall include:	
(1) The name(s), address(es), signature(s) and professional stamp(s) of the person(s) preparing the plan and the date of plan preparation.	
(2) The name and address of the owner of the land to be excavated, the person who will actually do the excavating and all abutters to the premises on which the excavation is proposed (155-E:3-I)	
(3) Date, bar scale, magnetic and true north arrows, locus map, tax map and lot number(s), acreage, and legend.	
(4) Location and boundaries of the proposed excavation, the number of acres to be involved in the project, and the municipalities and counties in which the project lies. (155-E:3-II)	
(5) The size, depth, and slope of the proposed excavation and the estimated duration of the project. (155-E:3-IV)	
(6) Test pits and test pit data, which shall be stamped by a certified soil scientist or a licensed professional engineer that is a licensed also a licensed septic designer in the State of New Hampshire.	
(7) The location of test pits that extend to the seasonal high water table, ledge, or a minimum of six feet below the maximum proposed excavation depth, including soils data. Boring logs may be submitted separately and referenced on Sheet 6.	
(8) The location and design of site access roads leading to and from public highways.	
(9) The elevation of the highest annual groundwater table within or next to the proposed excavation, including width and surface materials. (155-E:3-V)	
(10) Proposed fencing, buffers or other visual barriers, to public highways and around the site, including height and materials, and existing visual barriers to be retained, as per RSA 155-E:4-V, 155-E:3-III, and 155-E:4-a(III).	
(11) Proposed facilities - if any covered structures other than refueling and/equipment storage areas are proposed, the application may be subject to the Pembroke Site Plan Review Regulations. The Code Enforcement Officer shall make the determination as to whether site plan review is required when a zoning determination is issued.	
(12) Proposed contours in appropriate increments of 2 to 5 feet, depending on the scope of the project, with spot grades in the flat areas to identify the slope across the bottom. No final grade shall consist of slopes less than 1%.	
(13) Narrative description on all measures to control erosion, sedimentation, water pollution, air pollution and hazards to human safety.	
(14) Planned sequencing or applications for permits showing excavation activities, the location of stockpiles, loam, temporary vegetation and material stockpiles areas, along with any other information as may be requested by the Board.	
(15) Narrative description on the phasing, volume of material to be	

removed in each phase, total volume of material removed, approximate timing of each phase and the overall duration of the earth excavation operation.	
(16) Information on truck and vehicle trip traffic, designated routes, hours of operation, maximum number of daily trips and weight limits and methods to prevent materials from the site being tracked onto public roadways.	
(17) A description of the proposed equipment, including but not limited to trucks (loaded weight) and crushers, including any water supply and disposal. In addition, plans or descriptions on machine shops and any other equipment must be provided to the regulator with the excavation plan.	
(18) If any waste material is planned to be stockpiled, or stored on the site, the location shall be indicated on the excavation plan. No earth material shall be stock piled or located outside the permitted area.	
(19) Distances between the limits of the proposed excavation and the closest property lines.	
(20) Aquifer limits/location as identified by the United States Geological Survey and Section 11.24 of the Pembroke Zoning Ordinance. Editor's Note: See Ch. 143, Zoning.	
(21) Any easements encumbering the excavation site.	
(22) An estimate of the total volume of earth to be excavated.	
(23) Other items as identified by the Planning Board or Town Engineer.	

PART 7. RECLAMATION PLAN COMPONENTS

The excavation plans submitted to the Board shall contain the information outlined the Earth Excavation Regulations **§197.25**. The plans shall also contain the NH DES Alteration of Terrain requirements, and the Site Plan Review Regulations checklist may also be required.

E. Sheet 5, Entitled "Reclamation Plan," shall include the following:	
(1) In accordance with Article VII Minimum and Express Reclamation Standards and RSA 155-E:5, the applicant shall submit a reclamation plan to the regulator. In addition, the character of the restored landscape shall blend with the surrounding natural features. The reclaimed site shall be rendered in a condition that will not preclude its future use in a manner consistent with the Zoning Ordinance and Map	
(2) The Reclamation Plan shall be drawn at the same scale and use the same base survey information as the Excavation Plan. The Reclamation Plan shall address the effects of the proposed excavation on soil, surface and groundwater, vegetation, overburden topography, and fill material, and should address future land use consistent with the Master Plan. At a minimum, the plan shall depict or be accompanied by the following items,	

unless waived by the Board:	
a) A plan for the reclamation of the area affected by the excavation at least in compliance with RSA 155-E:5 and RSA 155-E:5-a. Such plan shall address the effects of the proposed excavation on soil, surface water and groundwater, vegetation, overburden, topography, and fill material, and may and shall include a timetable for reclamation of fully depleted areas within the excavation site during said project;	
b) Specific actions to be taken by the applicant on the excavation site relative to fuel and chemical handling and storage, dust control, traffic, noise control and abatement, and comprehensive site safety of unauthorized persons; and	
c) Such other information or other special investigative studies as the regulator may reasonably deem necessary.	
(3) The name(s) and address(es) of the owner(s), the excavator (if different) and signature and professional stamp of the person(s) preparing the plan; date, bar scale and north arrow.	
(4) All boundaries of the area proposed for reclamation and the land within 200 feet of the boundary of this site.	
(5) Sections showing existing, excavated and reclaimed topography configuration at contour intervals of five feet or less along with cross section(s) showing restored topography every 100 feet.	
(6) Final surface drainage pattern, including the location and physical characteristics of all artificial and/or modified drainage facilities.	
(7) The phasing of site reclamation showing designated areas and completion dates.	
(8) Schedule of final reclamation activities including soil fertilization, seeding and mulching specifications, plant and other landscaping material to be used in reclamation, and their size and quantities. The specific vegetative reclamation element shall be designed and approved by an agronomist, soil scientist, conservation district representative or other specialist recognized by the State of New Hampshire.	
(9) Erosion and sedimentation control plan indicating the type and location of erosion and sedimentation control methods to be used. The plan must be EPA compliant. The New Hampshire Stormwater Management Manual, prepared by the NH Department of Environmental Services, as may be amended from time to time, shall be used at a minimum. The manual can be downloaded from: http://des.nh.gov/organization/divisions/water/stormwater/manual.htm	

PART 8. SUPPLEMENTAL COMPONENTS

The following supplemental information is outlined in the Earth Excavation Regulations **§197.25**. The plans shall also contain the NH DES Alteration of Terrain requirements, and the Site Plan Review Regulations checklist may also be required.

F. Sheet 6, entitled, “Supplemental Studies, Plans and Materials Index” shall include references to and be accompanied by, but not be limited to, as needed. All Plans must be Mine Safety and Health Administration (MSHA) compliant:	
(1) Details Plans;	
(2) Cross sections;	
(3) Overview Plans;	
(4) Stormwater Management Plan, including calculations, models showing pre- and post- development flow.	
(5) Traffic Study, the scope of which to be proposed by developer and reviewed by the Town Engineer.	
(6) Noise Control Study and Abatement Plan;	
(7) Hydrogeologic Study;	
(8) Dust Emissions Control Plan;	
(9) Site Security Plan;	
(10) Operations and Emergency Response Plan, to include:	
a) Description of typical operations and activities.	
b) Description of worker training with regard to emergency response, including identification of key personnel and respective contact information.	
c) Description of all operational equipment, fuel types and fuel storage containments and policy for equipment placement and storage during non-operational periods.	
d) Description of all potential groundwater contaminants and method of storage and use, including site restricted materials.	
e) Description of site security and access control.	
f) Detailed Emergency Response Plan, including a description and inventory of emergency response kits on site; the name, contact information and copy of emergency response agreement with a qualified environmental services firm; contact information for a site supervisor that can be reached at any time and a description of the response by applicant employees and standby	

environmental services firm in the event of a spill.	
g) Detailed description of Groundwater Monitoring Program, as applicable.	
h) Blasting plan (see Article VI).	
(11) A narrative description of compliance with future land use consistent with the approved master plan shall be submitted.	
(12) Copies of all necessary Town, State and Federal Permits, along with applications and supporting documentation submitted for such permits.	
(13) Any other studies deemed necessary by the Planning Board.	

PART 9. FINANCIAL GUARANTEE

A financial guarantee shall be required for reclamation prior to the issuance of an excavation permit. The amount shall be determined by the regulator.

PART 10. PERMIT

An excavation permit will be valid for a period of fifteen (15) years. A new application for a new permit must be submitted to the regulator by the owner if excavation is to be continued beyond the termination date.

PART 11. ESCROW BALANCES AND RETURNS

All applications for excavation require a positive balance in escrow accounts set up by the Town which are used for engineering, consulting, and legal fees. Along with application fees, an escrow check will be supplied by the applicant or property owner(s). The property owner(s) acknowledges that when escrow funds are depleted, all Town work on the project will stop until the fund is replenished. The Town will notify the applicant, on behalf of the property owner(s), when the escrow balance is low.

In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicant's expense.

If an escrow balance is in the negative, the property owner will be invoiced by the Town to bring the balance into compliance. The project will not receive final approval without a \$0 balance or positive balance in the project's escrow accounts. Unused project escrow balances will be returned within 90 days of plan denial or plan registration to ensure that outstanding invoices from consultants have been paid. You may attach additional sheets if there are more than four (4) owners.

Property Owner Name PRINT		Date:
Signature		
Property Owner Name PRINT		Date:
Signature		
Property Owner Name PRINT		Date:
Signature		
Property Owner Name PRINT		Date:
Signature		

Escrow balances are to be returned to (one name/address only):

Name	
Address	

Please Type for Project/Public Hearing Notification

Applicant: _____

Map: _____

Lot: _____

Property Owner (if different than the applicant):

Map: _____

Lot: _____

Property Owner (if different than the applicant):

Map: _____

Lot: _____

Surveyor: _____

Engineer: _____

Soil/Wetland Scientist: _____

Architect: _____

Please attach additional sheets as necessary

TOWN OF PEMBROKE CERTIFIED NOTIFICATION LIST

Abutters: All property owners adjoining the subject parcel either directly, at the corners, or across a street or stream must be notified. Please obtain the most current list of abutters from the Assessors' Office a maximum of 5 days prior to submission of the application per RSA 676:4.I.(b).

1.	<hr/> <hr/> <hr/>	Map:	<hr/>
		Lot:	<hr/>
2.	<hr/> <hr/> <hr/>	Map:	<hr/>
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TOWN OF PEMBROKE CERTIFIED NOTIFICATION LIST

8.	<hr/> <hr/> <hr/>	Map:	<hr/>
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15.	<hr/> <hr/> <hr/>	Map:	<hr/>
		Lot:	<hr/>

Please attach additional sheets as necessary

Please Type for Notice of Decision Notification

Applicant: _____

Surveyor/Engineer: _____

Property Owner: _____

Property Owner: _____

Property Owner: _____

Property Owner: _____

Please attach additional sheets as necessary

Town of Pembroke - Earth Excavation Fees

Planning Board Fee Worksheet

NAME: _____

CASE #: _____

APPLICATION & REVIEW FEES	FEE	PER UNIT	QUANTITY	TOTAL
Application Fee	300	per application	_____	_____
Excavation Permit Fee	50	per permit	_____	_____
ADMINISTRATION FEES	FEE	PER UNIT	QUANTITY	TOTAL
Certified Notices of Hearing	10	per address	_____	_____
Newspaper Legal Notice	90	minimum per notice, subject to adjustment based upon actual cost via legal escrow account	_____	_____
CHECK #1 TOTAL:				=====
ENGINEERING REVIEW ESCROW FEES	FEE	PER UNIT	TOTAL	
Engineering Review and Professional Studies	TBD *	To be determined by Planning Board per project, to be replenished when balance reaches \$750 or less.	_____	_____
INSPECTION AND ENFORCEMENT ESCROW FEES	FEE	PER UNIT	TOTAL	
Site Inspection Fee	TBD *	To be determined by Planning Board per project, to be replenished when balance reaches \$1,000 or less.	_____	_____
LEGAL ESCROW FEES	FEE	PER UNIT	TOTAL	
Legal Review	TBD *	To be determined by Planning Board per project, to be replenished when balance reaches \$750 or less.	_____	_____
CHECK #2 TOTAL:				=====

Check #1

Check #2

- Two separate checks must be paid to the Town. One is for application and administration fees, one is for escrow, and the other is for the State LCHIP fee.
- All fees must be paid by the applicant at the time of filing the application with the designated agent of the Board. Failure to pay all these expenses and fees as specified will be valid grounds for refusal to accept the application as complete or for disapproval of the application.
- In the review of applications, the Planning Board may contract with consultants to review all or portions of any application. This review shall be at the applicant's expense. The Planning Board, at its discretion, may request an applicant to prepare special studies at the applicant's expense, or contract with a consultant to perform these studies at the applicant's expense.
- Regular escrow fees shall be placed in an account which will be used to pay for engineering and legal review and notification fees, if required. If at any time the account needs to be replenished, the applicant will do so by the date of the next public hearing or the application may be denied because of a negative balance. Any funds remaining in the account, including interest, will be returned to the applicant within 90 days of Planning Board denial or plan registration to ensure that all outstanding consultant invoices have been paid.