



Town of Boscawen

116 North Main Street, Boscawen, NH 03303 | Telephone: 603.753.9188 | Fax: 603.753.9183

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January 13, 2016


Cold Brook Gravel, Inc.
ATTN: R.D. Edmunds
221 Franklin St
Franklin NH 03235

Notice of Decision

At a regularly scheduled and duly noticed meeting of the Boscawen Planning Board, on **Tuesday, January 12, 2016 at 7:00 PM**, the board conditionally approved the following:

Application for a **Earth Excavation Permit**, submitted by **T.F. Bernier, Inc.**, for **Cold Brook Gravel, 221 Franklin St, Franklin, NH, Map 81, Lot 24**, with the location of the property at **267 Queen St in a AR zone**.

By Order of the Planning Board,



Bruce Crawford, Chair

Town of Boscawen

Excavation Permit

Pursuant to RSA 155-E

Town of Boscawen Earth Excavation Permit #: PB01122016-1

Effective Date: January 12, 2015 Expiration Date: January 11, 2020

New Hampshire – DES Alteration of Terrain Permit #: AoT-1020

Updated: December 4, 2015

Permit Holder: Cold Brook Gravel, Inc.

Physical Address: 267 Queen Street, Boscawen, NH 03303

Town of Boscawen Tax Map #: 81 Lot #: 24

Mailing Address: 221 Franklin Street, Franklin, NH 03235

The conditions, if any, under which this permit was issued, appear on the reverse side of this permit. A copy of this permit and its conditions are available either at the Cold Brook Gravel, Inc. business office or at the offices of the Town of Boscawen, 116 North Main Street, Boscawen, NH 03303.

This permit is not assignable or transferable without the prior, written approval of the Boscawen Planning Board pursuant to RSA 155-E:8.

Pursuant to RSA 155-E:10 – The regulator or its duly authorized agent may suspend or revoke the permit of any person who has violated any provision of his permit or this chapter or made a material misstatement in the application upon which this permit was granted. Such suspension or revocation shall be subject to a motion for rehearing thereon and appeal in accordance with RSA 155-E:9.

Issued by:
Town of Boscawen Planning Board


Chairman

THIS PERMIT IS TO BE PROMINENTLY POSTED AT THE EXCAVATION SITE OR AT
THE PRINCIPAL ACCESS PURSUANT TO RSA 155-E:8.

Regulations: The Cold Brook Gravel Inc. earth excavation operation in Boscawen is governed by the following local, state and federal regulations:

- Boscawen Zoning Board of Adjustment Notice of Decision dated July 29, 2009.
- Boscawen Zoning Board of Adjustment Notice of Decision dated May 27, 2015.
- Boscawen Planning Board Notice of Decision dated January 14, 2016.
- New Hampshire RSA 155:E Local Excavations Regulation.
- New Hampshire RSA 485-A: 17 - Terrain Alteration.
- Alteration of Terrain Permit, AoT-1020 dated December 4, 2015.
- US Department of Labor – Mine Safety & Health Administration Regulations.
- Any other permits that may be required as indicated in the Alteration of Terrain Permit AoT-1020.

Cold Brook Gravel Excavation Permit

Cold Brook Gravel has been granted a Conditional Approval subject to the following conditions required by the Boscawen Planning Board at a regularly scheduled and duly noticed public meeting held on January 12, 2016. As noted below in condition 6, conditions 1-5 shall be completed by December 31, 2016. Conditions # 7 and 8 shall be completed before Cold Brook Gravel reopens in the spring of 2016. The conditional approval shall become final upon the verification by the applicant's consultant and the code enforcement officer that conditions 7 and 8 have been met.

Conditions of approval:

1. Pit area 1 shall be loamed and seeded in early spring of 2016, as soon as weather permits. The restoration shall be verified by the applicant's consultant and the code enforcement officer once completed.
2. To the extent feasible, applicant shall coordinate the closure of that portion of pit area 1 that extends over the property line during the 2016 growing season. Understanding that the work can only be accomplished with the blessing of the land owner. The restoration shall be verified by the applicant's consultant and the code enforcement officer once completed.
3. All wetland buffers, adjacent to the active quarry shall be clearly marked with appropriate signage to be verified by the applicant's consultant and the code enforcement officer once completed.
4. All wetland restoration work shall be completed in accordance with the wetland restoration as amended by Conservation Commission Comments and to be approved by the NHDES Wetlands Bureau to be verified by the applicant's consultant and the Boscawen Conservation Commission once completed.
5. All property lines and property setbacks, abutting current and future quarry expansion shall be clearly marked such as blaze and paint shall be verified by the applicant's consultant and the code enforcement officer once completed.
6. All above items shall be completed by December 31, 2016.

7. The Phase 2 boundary as shown on the phasing plan shall be clearly marked on the ground in accordance with the plan and shall be verified by the applicant's consultant and Boscawen Code Enforcement Officer once completed.
8. The applicant's consultant and the code enforcement officer shall inspect the phase boundary annually to insure compliance with the permit and phasing boundaries.
9. All work shall be completed in accordance with the NHDES Alteration of Terrain Bureau permit Aot-1020 and the plans submitted to the board as follows;
 1. Overall Lot Plan Cold Brook Gravel, Inc. Sheet 1 of 7 dated March 2015 last revised 8/26/15
 2. Overall Lot Plan Cold Brook Gravel, Inc. Sheet 2 of 7 dated March 2015 last revised 8/26/15r
 3. Excavation/Grading/reclamation Phasing Plan Sheet 2A of 7 dated December 2015 no revisions
 4. Excavation/Grading/Reclamation Plan Sheet 3 of 7 dated March 2015 last revised 12/17/15
 5. Excavation/Grading/Reclamation Plan Sheet 4 of 7 dated March 2015 last revised 12/21/15
 6. Excavation/Grading/Reclamation Plan Sheet 5 of 7 dated March 2015 last revised 12/17/15
 7. Interim Pit Area 1 Reclamation Plan Sheet 6 of 7 dated May 2015 last revised 11/3/15
 8. Detail Sheet Cold Brook Gravel, Inc. Sheet 7 of 7 dated March 2015 last revised 4/23/15.

General Operating Conditions: The Cold Brook Gravel Inc. earth excavation operation in Boscawen is subject to the following conditions as approved at the Boscawen Zoning Board of Adjustment public meeting held on:

1. General Hours of Operation for Cold Brook Gravel shall be Monday through Friday, 7:00 AM to 5:00 PM and Saturday 7:00 AM to Noon. There is to be no activity before or after stated hours, on Sunday or the following Holidays: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day.
2. The use of the Gravel Crusher is limited to May 1st through November 1st each year; the crusher may be operated Monday through Friday, from 7:00 AM until 5:00 PM and Saturday 7:00 AM until Noon.
3. The use of the Hydraulic Hammer is limited to May 1st through November 1st each year; the hammer may be operated Monday through Friday, from 8:00 AM until 5:00 PM.
4. Blasting on site is limited to May 1st through November 1st each year; Monday through Friday, from 8:00 AM until 5:00 PM.
5. Forty floating days are available for Cold Brook Gravel's use before May 1st or after November 1st. The use of the floating days must comply with the general restrictions and hours in conditions 1 and the specific use in 2, 3 and/or 4. Cold

Brook Gravel shall contact the Boscawen Code Enforcement Officer to use these floating days.

6. Excavation is limited to the area indicated as "Phase 1" on the Phasing Plan prepared by Cold Brook Gravel, dated May 24, 2009.
7. This operation shall be reviewed by the Code Enforcement Officer and Conservation Commission starting no later than one year from the date of issue of this permit and thereafter on an annual basis.
8. The integrity of Cold Brook is to be maintained.
9. A one hundred foot buffer strip or green area shall be maintained as a screen for abutters.
10. The dust suppression system is subject to the review and approval of the Boscawen Conservation Commission.
11. Cold Brook Gravel shall follow local, state and federal regulations for mining and excavating activities.
12. This permit shall expire five years from the date of issue. Local review is to be concurrent with the New Hampshire Department of Environmental Services Alteration of Terrain review.