



Town of New Boston

PLANNING BOARD

PO BOX 250 • 7 MEETINGHOUSE HILL ROAD • NEW BOSTON, NH 03070

APPLICATION FORM FOR EXEMPTION FOR EXCAVATIONS PERFORMED EXCLUSIVELY FOR CONSTRUCTION OF CLASS I, II, III, IV OR V HIGHWAYS

Date: _____

Permit No: _____

1. Application is submitted for: ☐ Exemption for Excavation Exclusively for Construction of Highways
2. Location of Proposed Excavation: Tax Map/Lot Number: _____ / _____ Zoning District: _____
Property Address: _____
3. Property Owner's Name: _____ Phone: _____
Address: _____ Town: _____ Zip: _____
4. Applicant/Excavator's Name (if different from above): _____
Address: _____ Town: _____ Zip: _____
Phone: _____
5. Have the names and addresses of all abutters as shown in Town records within the 5-day period immediately preceding the filing date been submitted on a separate sheet? Y ☐ N ☐
6. The undersigned hereby demonstrates by attaching the relevant documentation that the following conditions have been met:
 - a. The owner has entered into a written agreement with a governmental unit, the terms of which provide that the materials from the excavation shall be used exclusively for the lawful construction, reconstruction or maintenance of a Class I, II, III, IV, or V highway. A copy of the agreement shall be provided to the Regulator. Said agreement shall identify the highway to which the agreement pertains as well as the contemplated duration of the agreement. Furthermore, the agreement shall identify and limit the exemption granted under this Section to only that much of the excavation that is necessary for the public project.
 - b. The owner has executed a document confirming that the owner understands that any operation conducted under this exemption is, nevertheless, required to be done in a manner that will NOT result in a violation of the prohibited activity enumerated in RSA 155-E:4, agreeing to conduct such operation in compliance with the following, and such operation shall comply with the following irrespective of whether such document has been executed:
 - i. RSA 155-E:4-a, pertaining to Minimum and Express Operational Standards; and,
 - ii. RSA 155-E:5, pertaining to Minimum and Express Reclamation Standards; and,
 - iii. RSA 155-E:5-a, pertaining to Incremental Reclamation Standards.
7. I/We have read the Town of New Boston Earth Removal Regulations, and agree to be bound by them and all applicable State, Federal, and Local laws and regulations. I/We understand that failure to comply with this agreement or the applicable regulations, ordinances, and laws may result in revocation of or denial of approvals or permits by the Town.



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8. I/We understand that the Office of the Planning Board/Planning Department must have on file a completed application with all required submissions as outlined in the Earth Removal Regulations at least 15 days prior to a scheduled public meeting of the Regulator.
9. I/We understand that the Regulator or its designee may make periodic inspections, minimally on an annual basis, of all excavation sites, both permitted and exempt, to determine if the operations are in conformance with these regulations and the approved plans.

I/We am/are requesting that the application be scheduled for a public hearing by the Planning Board within thirty (30) days from the receipt date.

Signed: _____ (property owner) Date: _____

Signed: _____ (applicant) Date: _____

Authorization to enter subject property

I hereby authorize members of the New Boston Planning Board, Conservation Commission, Planning Department, and other pertinent Town departments, boards and agencies to enter my property for the purpose of evaluating this application including performing any appropriate inspections during the application phase, review phase, post-approval phase, construction phase, and occupancy phase. **Every effort will be made by the members of the above-noted Town organizations to give 24/48 hour notice of any site inspections, with the exception that inspections to respond to complaints regarding the operation may take place unannounced.** This authorization applies specifically to those particular individuals legitimately involved in evaluating, reviewing or inspecting this specific application/project. It is understood that these individuals must use all reasonable care, courtesy, and diligence when entering the property.

Signature of property owner: _____ Date: _____

Fee: \$50 Application Fee
\$7 per abutter for certified mailing
Cost of publishing notice in the Union Leader to be billed separately

3/7/11