

Candia Zoning Review Committee
Minutes of January 16, 2013
APPROVED

Present: Sean James; Albert Hall III; Ginny Clifford; J. Lindsey, K. Byrd, D. Snow

Meeting was opened at 8:20pm

Earth Excavation Regulation Updates

S. James said the Earth Excavation Regulations were adopted in 1989 and updated, replaced and adopted in 2010, with the help of the state. Mary Pinkham-Langer Dept of Revenue helped in updating the regulations by sending us Alexandria's Earth Regulations as a model. D. Snow said he had asked J. Munn, SNHPC to look at our current regulations and he said J. Munn came back with some good comments. S. James said he went through the comments as well and put together the changes as amendments and sent them around. G. Clifford asked about granite quarrying. S. James said he didn't put that in yet and wanted to talk about it. G. Clifford thanked S. James for all the work he did on the amendments.

There was a discussion on granite quarry which is covered under RSA 12 and Earth Excavation which is covered under RSA 155e. D. Snow said there are different criteria, permits and rules for each. They discussed what would be exempt. The discussion continued about what was exempt and what was not. They discussed when it would be a quarry and when it was considered earth excavation. They wanted to make it more clear. S. James it is confusing which is exempt from a permit. He said excavation performed exclusively for construction or reconstruction or maintenance of class 1-5 highways is exempt. He said J. Munn said the reconstruction of a highway is exempt but they still need to follow regulations. D. Snow said if someone is selling stone to a highway project this does make them exempt. S. James said J. Munn wanted to help clarify in the regulations how quarry and earth regulations are regulated.

Discussion continued on the proposed changes J. Munn had given them. S. James said if someone comes in and moves material around they do not need a permit. G. Clifford asked how the material could be prevented from being taken offsite. D. Snow said the developer would then fall under the Site Plan Regulations and the Planning Board would then be able to tell the developer if you move the earth off site and sell it we can call you an excavation which would require a permit. Also, he said when a developer has to excavate it would require an alteration of terrain from DES.

S. James asked to have the comments back to him by the end of the weekend on the proposed amendments to the Earth Excavation Regulations. He said he will then send the proposed amendments to town counsel for review. A Public Hearing for March 6, 2013 was set to consider the proposed amendments to the Earth Excavation Regulations.

The meeting was adjourned at approximately 9:10pm. S. James thanked everyone who stayed.

Respectfully submitted,
Sharon Robichaud
Land Use Secretary