



# TOWN OF RAYMOND

Planning Board Agenda

November 10, 2022

7 p.m. - Raymond High School  
Media Center - 45 Harriman Hill

## Public Announcement

*If this meeting is canceled or postponed for any reason the information can be found on our website, posted at Town Hall, Facebook Notification, and RCTV. \**

### 1. Pledge of Allegiance

### 2. Public Hearing-

**Application #2022-013:** An application for an Earth Excavation Permit has been submitted by Candia South Branch Brook, LLC. The applicant is proposing the permitting of an existing excavation operation. The property is identified as Raymond Tax Map 38, Lot 34; 263 NH Route 27.

### 3. Work Session-

**Zoning Amendments/Ordinances/Regulations/Rules of Procedure**

### 4. Public Comment

### 5. Other Business

- Staff Updates-
- Board Member Updates
- Any other business brought before the board- Zoning Amendments/Regulations

\* Note: If you require personal assistance for audio, visual or other special aid, please contact the Selectmen's Office at least 72 hours prior to the meeting. If this meeting is postponed for any reason, it will be held at a time TBD.



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## 6. Adjournment (NO LATER THAN 10:00 P.M.)

<b>PLANNING BOARD MEETING DATES 2022</b>	
<b>Planning Board Meeting Dates</b>	<b>Projects Scheduled</b>
November 10, 2022**	Work Session-Zoning Ordinances Severino
November 17, 2022	Jewett Warehouse(con't) & ONYX-Industrial Dr.(con't)
December 1, 2022	
December 8, 2022	Work Session-Zoning Ordinances
December 15, 2022	

\*\*Quorum-Day before a holiday-long weekend.

\* Note: If you require personal assistance for audio, visual or other special aid, please contact the Selectmen's Office at least 72 hours prior to the meeting. If this meeting is postponed for any reason, it will be held at a time TBD.



# TOWN OF RAYMOND

Community Development Department  
Office of Planning & Zoning  
4 Epping Street  
Raymond, NH 03077  
Tel: (603) 895-7016 • Fax: (603) 895-7064

## Application for Earth Excavation Permit

### Site Information

Tax Map: 38 Lot: 34 Zone: C1

Location of Proposed and/or Existing Excavation: 263 Route 27

Type of Operation: SAND PIT

### Property Owner Information

Name: ROD SEVERINO Phone: 274-8501 Fax: 483-2598

Company Name: BRANCH BROOK HOLDINGS, LLC

Company Address: PO BOX 410  
CANDIA, NH 03034

### Applicant/Agent Information

Name: SAME Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

By signing this application, you are agreeing to all rules and regulations of the Town of Raymond, and are agreeing to allow agents of the Town of Raymond to conduct inspections of your property during normal business hours to ensure compliance with all Raymond Zoning and Earth Excavation Regulations while your application is under consideration and during any construction and operational phases after approval is granted.

Signed\* [Signature] Date: 9-6-2022

\*Requires notarized letter of permission from the property owner.

### Application Submittals Must Include:

- Completed Application Form
- Notarized Letter of Permission from Property Owner
- Application Fee (\$150.00) and Notice Fees for Abutters and Associated Professionals (\$10.00 each)
- Escrow Deposit (separate from application fee)
- List of Abutters & Associated Professionals
- Eight (8) full-size copies of plans
- Ten (10) 11x17 copies of plans

## 1.0 INTRODUCTION

The proposed Severino Trucking Co. Inc. Sand & Gravel Pit is located on the north side of Route 27 on Lot 7, Tax Map 4 & 4A, on land of Ronald A. Severino. The land has been used as a fill, sand and gravel pit throughout the construction of Route 101 and an unknown quantity of fill and sand have been harvested from the property. The property will be reclaimed in the area of excavation, and there are adequate stockpiles of topsoil that are left on the property. Two buildings exist on the property that will be removed. Access to the excavation operation will be over existing stabilized haul roads. The haul roads connect to Route 27 with that allows quick access to Route 101 and Route 107.

The boundary survey was conducted by James E. Franklin, Licensed Land Surveyor, 173 Deerfield Road, Candia, NH 03034 and was prepared for the current owner. The Existing Conditions Plan are shown on Sheet C-1 by Jones & Beach Engineers, Inc.(J&B), at a scale of 1" = 60' and contour interval of 2 feet. The proposed excavation is demonstrated on Sheet C-2 at a scale of 1" = 50' and Cross Sections will be on sheets X-1 & X-2 at a scale of 1" = 50' Horizontal and 1" = 5' Vertical. The proposed reclamation plan is demonstrated on Sheet C-3 at a scale of 1" = 50'. The topographic datum for the project is USGS, located from a USC&GS Standard Disk located on the east abutment of Alternate State Route 101 bridge of Lamprey River.

The parcel of land, zoned, Commercial and Residential B and will be allowed to operate as a gravel pit because the Raymond Zoning Board approved a Special Exception for the site. The site is within the aquifer protection district and the geology is identified on the USGS Maps as being Stratified-Drift Aquifer. The existing buildings onsite are to be removed from the site. The existing trees located in the front of the parcel will remain as the visual barrier in order to block sight and noise pollution from Route 27.

The owner has excavated a portion of the property for gravels and sands to be used in the construction of the Route 101 Highway Expansion project. This excavation pit disrupted an area greater than 100,000 square feet and thus required a Site Specific Permit. (Application Enclosed)

In addition to excavation, the site is presently being used to store 22,000 cubic yards of topsoil and humus which was salvaged from the NH Route 101 construction project. It is Severino Trucking Company's intent to utilize the topsoil for reclamation purposes as well as to screen and sell excess topsoil. The topsoil stockpiles have naturally growing vegetated material and as stated above, the site is circumvented with silt fencing. The topography of the site has been drawn to demonstrate the ground elevations and not include the stockpiles. A portion of the property is currently permitted as a refuge deposit area.

## 2.0 DRAINAGE ANALYSIS / RAINFALL CHARACTERISTICS

A drainage analysis of the Proposed Excavation Site was conducted which includes two models, one for the area in its Existing Condition and a second in the Proposed Condition or Post-Construction conditions for the site. The analysis was accomplished using the USDA SCS TR-20 Method within the HydroCAD Stormwater Modeling System. The curve numbers were developed using the SCS TR-55 Runoff Curve numbers for Urban Areas. A Type III SCS 24-hour rainfall distribution was utilized in analyzing the 2 Year, 10 Year and 25 Year - 24 Hour storm event. A rainfall of 3.1, 4.4 and 5.2 inches was used for these events. A summary of the existing conditions peak run-off and the proposed conditions peak run-off is listed below.

<u>ANALYSIS</u>	<u>AREA</u>	<u>PEAK DISCHARGE (CFS)</u>		
		2 yr	10 yr	25 yr
Existing Conditions (Reach #1)	18.49 acres	0.47	3.76	7.45
Proposed Conditions (Reach #1)	18.49 acres	0.16	0.80	1.71

### 3.0 EXISTING CONDITIONS ANALYSIS

Reference: Sheet W-1, Existing Watershed Conditions, (Enclosed)  
Sheet C-1, Existing Conditions Plan

The land area that is proposed for excavation consists of approximately 22.4 acres located between Route 27 and a tributary that feeds the North Branch of the Lamprey River. The existing natural contours of the parcel ranged from a slope of fifteen percent to extremely flat before the excavation of any gravel. The uplands soils consist of Hinckley fine sandy loam (12B & 12E - Hydrologic Soil Group A). A wooded vegetated wetland that consists of the 100 year flood plain wraps around the toe of slope of the uplands. The wetlands adjacent to the tributary consist of Greenwood Mucky Peat (295 - HSG D).

The existing conditions drainage analysis consists of 2 watersheds, or subcatchments, which are demonstrated on the Watershed Plan and the results contained within Appendix 1 of this document. The existing woods were sparse with a fair amount of brush and small pine trees. The wooded sections have been modeled with poor conditions and the meadow area has a good condition Curve Number.

Subcatchment #1 consists of woods, in poor condition, meadow in good condition and a portion of the existing road with the gravel shoulder, which all drain into the wetlands and then west into the North Branch of the Lamprey River. Subcatchment #2 consists of woods, in poor condition, meadow in good condition, existing onsite buildings and parking lot and a portion of the existing road with the gravel shoulder. Undefined Reach #1 represents the runoff from our parcel that flows through a tributary into the North Branch of the Lamprey River and is used to combine the composite hydrograph for the runoff that is leaving the property.

#### 4.0 PROPOSED EXCAVATION PLAN

Reference: Sheet W-2, Proposed Watershed Conditions (Enclosed)  
Sheet C-2, Proposed Excavation Plan

The land area that is proposed for excavation consists of approximately 22.4 acres located between Route 27 and a tributary that feeds the North Branch of the Lamprey River. The existing natural contours of the parcel ranged from a slope of fifteen percent to extremely flat before the excavation of any gravel. The uplands soils consist of Hinckley fine sandy loam (12B & 12E - HSG A). A wooded vegetated wetland that consists of the 100 year flood plain wraps around the toe of slope of the uplands. The wetlands adjacent to the tributary consist of Greenwood Mucky Peat (295 - HSG D).

Excavation of the 220,000 cubic yards of fill, sand and gravel material from the pit with an operational area of 13.27 acres. The site will be graded to an average slope of 0.5 percent, from the current low spot of the pit towards the rear of the parcel. The site will be graded down to a low depression in the rear, which will be used for detention. The outlet of this area will be exfiltration, which will recharge the local groundwater aquifer. Slopes adjacent to abutting properties and throughout the pit will not exceed a maximum of 3:1 slope. The intent of reclamation is to return the excavation site to grass pasture. The run-off from the site will be reduced in peak rate of run-off after proposed excavation. Filter strips and berms are proposed at the edge of wetlands to catch and treat run-off during excavation.

The proposed conditions drainage analysis consists of 3 watersheds, or subcatchments, which are demonstrated on the Watershed Plan and the results contained within Appendix 1 of this document. The proposed grading has altered the size and shape of the existing watersheds. Since the parcel is located in an aquifer protection zone, the use of infiltration in order to recharge the groundwater supply is important. A downstream berm has been constructed will allow the overland stormwater runoff from the gravel pit to enter a shallow depression (Pond #1) in the rear of the parcel. The gravel pit area consists of short grass in good condition after the implementation of the reclamation plan.

The slight pitch from the roadway will treat the runoff with the use of grassed filter strip. The stormwater will slowly travel in sheet flow down to the depression in the rear of the parcel. The grass filters provide sedimentation and infiltration of the overland flow, which will remove soil particles and nutrients from the overland sheet flow. The runoff that becomes concentrated along the toe of slope of the downstream berm will travel over shallow vegetated grass swales. The runoff will follow the toe of slope for up to 1000 feet for a slope of 0.5% before settling in the depression. The buildings and parking lot are planned to be removed from the site which reduces the amount of impervious material onsite.

## 5.0 SEDIMENT & EROSION CONTROL PLAN BEST MANAGEMENT PRACTICES (BMP's)

Reference: Sheet E-1, Sediment & Erosion Control Detail Plan  
Sheet C-2, Proposed Excavation Plan

The proposed site development is protected from erosion and the roadways and abutting properties are protected from sediment by the use of Best Management Practices as outlined in the Rockingham County Conservation District's manual, referenced plans and Appendix 3. The use of vegetation for long term cover, silt fencing and the sediment control swale / detention pond are demonstrated on the Site Plan and addressed in this publication. Any area disturbed by construction will be re-stabilized within two years and abutting properties and wetlands will not be adversely affected by this development.

All swales and drainage structures will be constructed and stabilized prior to having run-off directed to them.

### 5.1 Vegetated Stabilization

All areas that are disturbed during excavation will be stabilized with vegetated material within two years of the granting of the excavation permit. The construction sequence is specified on Sheet E-1. Construction will be managed in such a manner that erosion is prevented and that no abutters property or wetlands will be subjected to any siltation. All areas to be planted with grass for long term cover will follow the specification in Appendix 3 and on Sheet E-1 using a seeding mixture suitable for hay.

### 5.2 Construction Sequence

All swales and drainage structures will be constructed and stabilized prior to having run-off being directed to them. The site has been partially grubbed and cleared. The fill and gravel will be excavated using a front-end loader and reclamation as outlined below will be accomplished incrementally. Additional detail can be found on Sheet E-1.

### 5.4 Filter Strip

At the eastern edge of excavation, in the western segment, a seventy-five foot filter strip of land is to be retained adjacent to the bisecting wetlands. The 2 Year - 24 Hour runoff is less than 4.4 cubic feet per second, so the minimum width of design would be the minimum criteria of 75 feet in width. The Filter Strip will be a well maintained stand of woodland between the excavation and delineated wetlands.



### 5.5 Silt Fence / Construction Fence

The Proposed Excavation sheets, Sheet C-2 demonstrates the location of silt fence for sediment control. In areas where the limits of construction need to be emphasized to operators, construction fence for added visibility, will be installed. Sheet E-1 have the specifications for installation and maintenance of the silt fence. Orange construction fence will be VISI Perimeter Fence by Conwed Plastic Fencing, or equal. The four foot fencing to be installed using six foot post at least two feet in the ground at a spacing of six to eight feet. Silt fence is to be established in increments between excavation and sensitive wetlands. In most cases, the silt fence installed will be less than 300 feet in length and will be installed prior to excavation. At such time that excavation is complete and the silt fence is no longer required, it will be removed and utilized in a new location.

### 5.6 Dust Control

Dust will be controlled on the site by the use of multiple Best Management Practices. Mulching and temporary seeding will be the first line of protection to be utilized where problems occur. If dust problems are not solved by these applications, the use of water and calcium chloride can be applied. Calcium chloride will be applied at a rate that will keep the surface moist but not cause pollution. Additional measures that can be applied include the use of a stabilized construction entranceway.

### 5.7 Stabilized Construction Entrance

A temporary gravel construction entrance provides an area where mud can be dislodged from tires before the vehicle leaves the construction site to reduce the amount of mud and sediment transported onto paved roads. The stone size for the pad should be between 1 to 2 inch coarse aggregate with a minimum length of 50' for the full width of the access road. The aggregate should be placed at least six inches thick. A plan view and profile are shown on E1 - Sediment and Erosion Control Detail Plan.

## 6.0 OPERATION PLAN

The hours of operation for trucking will be Monday through Saturday, 6:30 AM to 5:00 PM and the hours of operation for work internally within the pit will be Monday through Friday 6:30 AM to 5:00 PM. All topsoil will remain on site for use in reclamation. Topsoil will be stockpiled and seeded with winter rye for temporary cover.

A metal gate and D.O.T. fence will be installed across the entrance of the proposed excavation to limit access to the site. No excavation will be completed within 50 of the Route 27 Right of Way. The proposed side slopes of the excavation will be 3:1 during the operational period. The side slopes of the downstream berm will remain 3:1 after excavation is completed.

A fuel storage area and refueling area is proposed on the parcel that complies with all State laws. The first phase will include a 500 gallon storage tank with precast concrete secondary containment for the storage of #2 diesel fuel. The refueling area will consist of a poly/plastic liner covered by sand and outlined by the use of construction fence. The second phase will consist of a poured concrete slab for the refueling area and either the above mentioned 500 gallon tank or a 1000 gallon tank in a pre-cast concrete secondary container. The refueling area will be located within the western segment of the proposed excavation.

Phasing: The existing east-west haul road bisects the parcel into a northern portion and southern portion. It is anticipated that the northern portion will be excavated from west to east, continueing the existing excavation. The southern portion will be excavated from west to east. Excavation will be conducted in five acre increments and incremental reclamation will follow the excavation. The 220,000 cubic yards of material are anticipated to be removed within a five year time frame.

## 7.0 RECLAMATION PLAN

Reclamation of the sand and fill pit areas will be returned to grassed vegetation incrementally as the excavation is accomplished. It is the intent of the operators to return the land to productive agricultural land for use as grass fields within 12 months of the expiration date of the issuance of the permit according to Title XII, Public Safety and Welfare, Chapter 155-E. This reclamation process will involve the spreading of the reserved loam and or stripping to a settled depth of four inches, application of lime to the topsoil as required, fertilization and seeding for long term cover. Reference is made to USDA Soil Conservation Service Technical Note PM-NH-24, Vegetating New Hampshire Sand and Gravel Pits as revised through April 1991, which will be utilized in the reclamation of the pit. Reference is also made to Rockingham County Conservation District and NH Department of Environmental Services Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire, August 1992, which will be utilized in applying Best Management Practices in the prevention of erosion and the control of sediment. The area will not be re-vegetated with seedling trees because of the operators desire to use the land for grass fields. A seeding specification chart and planting recommendations are enclosed. A seeding mix that is suitable for grass will be used.

Phase I of the reclamation plan is to clean, smooth and reclaim the area adjacent to Route 27 that has previously experienced excavation during the Route 101 Highway Project. The finished grade of the pit becomes a wide shallow grass vegetated filter strip at a slope of 0.5% from the beginning of the pit to the downstream berm. This shallow slope will treat the stormwater runoff and allow infiltration through the remaining gravel into the local aquifer.

Phase II of the excavation is to will begin with the southern portion, which will be excavated from west to east. Excavation will be conducted in five acre increments and incremental reclamation will follow the excavation. The 220,000 cubic yards of material are anticipated to be removed within a five year time frame.

## 8.0 CONCLUSION

The proposed site development will have no adverse effect to the abutters of the parcel. The post-construction peak flow is equal to or less than the existing conditions peak flow through the use of Best Management Practices developed for use by the state. Degradation of surface waters will not be allowed to occur and an increase in the peak run-off will be mitigated by the detention pond and a net decrease in run-off from the site will occur. A Site Specific, Terrain Alteration Permit (RSA 485:A-17) is required for this site plan due to the area of disturbed area being greater than 100,000 square feet.



1420-10000-100/1/4  
**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**

**LEON S. KENISON**  
COMMISSIONER

April 10, 1997

Severino Trucking Co., Inc.  
P.O. Box 202  
512 Raymond Rd.  
Candia, NH 03034

RE: Dover I2478

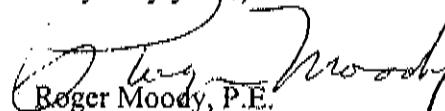
Gentlemen:

Conditional approval is hereby granted to open and operate a pit on the Ronald A. Severino property, effective April 20, 1997, subject to the following stipulations:

1. Operation of the pit will be limited to referenced project and shall be in conformance to the "Pit Agreement Form" dated April 7, 1997.
2. It is understood that the property will be restored in accordance to the landscaping provisions of the above mentioned agreement.
3. A written release from the owner will be required for the Project Engineer's record prior to acceptance of the project.
4. It is mutually understood that this approval shall terminate upon completion of referenced project, anticipated to be October 31, 1997.
5. The approval hereby granted shall not supersede the authority of the Municipal Regulator given in RSA 155-E:10, nor the provisions of RSA 155-E:4 regarding prohibited projects.
6. The approval hereby granted is contingent upon and shall not relieve the contractor/property owner from obtaining State and Federal permits as may be required by, but not necessarily limited to, RSA 149:8-a, RSA 483 A, Sect. 9 and 10 of the River and Harbor Act and Sect. 404 of the Clean Water Act.

Your attention is directed to the Administrative Rules and Regulations Part WS 415 implementing RSA 149:8-a. Compliance may require applicable permits if the pit is in or adjacent to surface waters of the State; or if the pit disturbs more than 100,000 square feet (2.3 acres) of ground surface by excavation, topsoil removal or by other means.

Very truly yours,

  
Roger Moody, P.E.  
District Construction Engineer

RM/kac

Attachment

CC: Contract Administrator, Kevin Prince  
Town of Raymond, (cert. mail #30112)  
Project Pit Folder, (Audit Section)  
Owner, Ronald Severino

TOWN OF RAYMOND, N. H.  
Zoning Board of Adjustment

Town Office Building  
4 Epping Street  
Raymond, N. H. 03077

Telephone (603) 895-4735  
Fax (603) 895-0903

RECEIVED NOV 21 1997

**NOTICE OF DECISION**  
**Board Hearings of May 15, 1997**

Case 1 of 5.

The Board unanimously approved a Variance for Map 23, Lots 89 and 89-1, to allow the subdivision of a lot located on Main Street, formerly owned by Josephine Welch, on which are three preexisting uses, each of which was bequeathed to a different individual by the former owner. It was determined that the special hardship of the land that causes literal enforcement of the zoning ordinance to be an unnecessary hardship is the pre-existing, nonconforming existence of separate uses on a single undersized lot.

Case 2 of 5.

The Board unanimously voted to grant a Special Exception for the purpose of allowing a gravel removal operation on lots 4 and 4A of Tax Map 7, to Ronald Severino of Severino Trucking. As a condition of the Special Exception, it was agreed that evidence of compliance with State regulations and requirements for operation and reclamation will be delivered within a two-week period to Code Enforcement Officer Richard J. Mailhot, Sr., and that operations subsequent to that currently proposed, i. e., for provision of gravel for the State Route 101 highway project, will undergo site plan review by the Planning Board.

Case 3 of 5.

The Board unanimously voted to grant a Special Exception for the purpose of allowing a gravel removal operation on lot 38A of Tax Map 7, to Thomas Severino of Severino Trucking. As a condition of the Special Exception, it was agreed that evidence of compliance with State regulations and requirements for operation and reclamation will be delivered within a two-week period to Code Enforcement Officer Richard J. Mailhot, Sr., and that operations subsequent to that currently proposed, i. e., for provision of gravel for the State Route 101 highway project, will undergo site plan review by the Planning Board.

Case 4 of 5.

The Board continued until May 28, 1997 the application for reconsideration of a Variance denial for lot 3 of Tax Map 27 owned by Charles Stathos. The application is for a Variance from the town's requirement that all newly constructed commercial buildings be sprinkler protected in compliance with NFPA 13 design criteria.

Case 5 of 5.

The Board voted, by a vote of four to one, to grant upon reconsideration, a Variance for lot 13 of Tax Map 24, that will allow construction of an apartment for the elderly parents of the owner, over an existing garage on property owned by Albert Lang, Jr. It was determined that the hardship of the land that causes literal enforcement of the zoning ordinance to be an unnecessary hardship, is the insufficient size of the lot that renders non-conforming the use required by the owner. A condition attached to the Variance was stated to be that the use of the property will, upon termination of tenancy by Albert Lang, Sr. and Loreita Lang, revert to its pre-Variance state of compliance with Zoning Ordinances existing at that future time. It was determined that the Code Enforcement Officer will enforce the condition.

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# RAYMOND PLANNING BOARD NOTICE OF DECISION

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**DATE:** 6/5/98

**TO:** SEVERINO TRUCKING

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The Raymond Planning Board hereby grants an Excavation Permit to Severino Trucking. The following conditions shall apply:

- ◆ Hours of Operation: 7 a.m. to 5 p.m. Monday through Friday. 7 a.m. to noon Saturdays and no operation on Sundays or Holidays.
- ◆ A Bond to be posted for reclamation in the amount of \$25,000.
- ◆ Execution of a Performance Agreement within 30 days.
- ◆ One month period of stabilization of trees and grubbed area.

LB/BDP

SEVERINO TRUCKING AGREEMENT

TOWN OF RAYMOND

SEVERINO TRUCKING CORP. INC.

EARTH EXCAVATION APPROVAL

This **MEMORANDUM OF AGREEMENT**, entered into this 9<sup>TH</sup> day of July, 1998 by and between Severino Trucking Corp. of New Hampshire, a corporation existing under the laws of the State of New Hampshire with a principle place of business in Candia, New Hampshire and a mailing address of Post Office Box 202, Candia, New Hampshire hereinafter referred to as the Petitioner, their heirs, successors and assigns and the Planning Board of the Town of Raymond ( hereinafter referred to as the "Town" ) represents the understanding between the parties with regard to the Raymond Planning Board granting approval of an Earth Excavation Permit for the Petitioners on property located on New Hampshire Route 27, identified as Tax Map #7, Lots 4, and 4a, for the purpose of earth excavation

**WHEREAS**, the Planning Board has been duly authorized to regulate earth Excavation Permits and has established regulations relating thereto, and,

**WHEREAS**, the Petitioner has applied for approval of an Earth Excavation Permit, all in compliance with the Town of Raymond Zoning Ordinance, Earth Excavation Permit Rules and Regulations, and Rules and Regulations of the Raymond Planning Board.

**WHEREAS**, the Petitioner has agreed to certain conditions and commitments for the earth excavation of this property:

**NOW THEREFORE**, in consideration of the Raymond Planning Board granting Earth Excavation Permit Approval, on plans titled EARTH EXCAVATION SEVERINO TRUCKINGS CO. INC. prepared by Jones & Beach Engineers, Inc. 85 Portsmouth Avenue, Stratham, N.H. 03885

1. That the Petitioner will abide by all the Earth Excavation Rules and Regulations and Zoning Ordinance Regulations in effect on this date, which have been promulgated by the Town, copies of which have been made available for the Petitioner.
2. That the Petitioner will follow the plans submitted for approval including, but not limited to, the construction of access drives, drainage control measures, excavation limits reclamation and structures, hereinafter referred to as "improvements", which shall be constructed in accordance with the plans and the standards required by the Town of Raymond, with any deviations or amendments thereto to be made with the written approval of the Town or it's designated agent, only.



## SEVERINO TRUCKING AGREEMENT

3. That Petitioner will post a performance guarantee/ reclamation bond in a sufficient amount based on a review of the excavation and reclamation plans by the Planning Board or it's designee and a determination of the work to be completed. The purpose being to ensure completion of said improvements and the performance of this Agreement subject to the following terms:
  - A. The performance guarantee/reclamation bond shall be cash, a performance bond or passbook, in a form reasonably acceptable to the Town, naming the Town as the sole obligee:
  - B. It shall be a term and condition of the performance guarantee/reclamation bond that all improvements contemplated, be completed within the time frames established by this agreement.
  - C. In the event Petitioner fails to complete the improvements by the end of the periods specified, the Town, acting through the Selectmen of the Town, shall have the right to complete the improvements at the expense of the applicant out of the performance guarantee/reclamation bond. The sum of the performance/reclamation bond shall not be construed as any limitation of the Town's right to recover from Petitioner for breach of this agreement and completion of the work.
  - D. When Petitioner completes the improvements, Petitioner may notify the Town of such completion. The Town shall then promptly determine whether the improvements are in compliance with this agreement in all material respects. If the improvements do not comply, the Town will detail their non-compliance in writing setting forth in reasonable detail the specific deficiencies which need to be corrected. Petitioner will then forthwith correct said deficiencies and will notify the Town in writing of said completion and the Town will then follow the same procedure.
  - E. Upon acceptance by the Town of the completion of the improvements, the Town will release the performance guarantee/reclamation bond to Petitioner provided Petitioner is otherwise in full and complete compliance with this agreement.
  - F. Within the sole discretion of the Town, a portion of the performance guarantee/reclamation bond may be released if the Town finds that a portion, but not all, of the improvements are complete to the point where they can be approved by the Town, provided, however, that the amount reasonably required to complete the improvements not yet completed, including an increase in the cost of same and to further secure Petitioner's compliance with this agreement is maintained.
  - G. The performance guarantee/reclamation bond shall consist of \$25,000.00 to cover the Town actions necessary to promptly address condition violations by the Petitioner and to insure completion of all reclamation work.

SEVERINO TRUCKING AGREEMENT  
completion of all reclamation work.

H. The Petitioner certifies that he is the sole owner of the loam on Lots 4 & 4a, map 7 and that said loam is for reclamation of the subject site exclusively. Any loam removed from the following lots reflected on Tax Map 7 shall be considered a material breach of this agreement and subject to appropriate action. That the Petitioner agrees to the following conditions that were placed on the earth excavation approval by the Raymond Planning Board at its June 4<sup>th</sup>, 1998 meeting.

- Hours of Operation shall be from 7:00 a.m. to 5:00 p.m. Monday through Friday. 7 a.m. to noon Saturdays and no operation on Sundays or Holidays.
- Any importation of materials for re-processing of sale on site is prohibited without applicable site plan review and approval.
- Areas under stationary power equipment shall receive adequate spill preventative measures such that any fuel spills or leaks do not impact the ground or groundwater.
- Reclamation shall be in accordance with the standards reflected on the reclamation plans and recommendations made by the Rockingham County Conservation District. One month period of stabilization of trees and grubbed area allowed.

Posting of the excavation perimeter shall be implemented at fifty foot intervals with signs being a minimum of 8 1/2" x 11", weather resistant, of a highly noticeable color and read "Warning Steep Slopes."

Dust Control shall be implemented on an as necessary basis or at the direction of the Planning Board or its designated agent. Said control shall be the judicious use of water in such quantities that dust problems are mitigated by environmental hazards are not created.

Explosive Blasting of any kind or nature shall not be employed or take place for any reason what so ever.

Refueling of all vehicles and mobile equipment shall take place at a single, specially constructed refueling area reflected on the Petitioner's plans. Said refueling area shall be constructed in accordance with the Petitioner's plan details provided to and approved by the Planning Board. Said area shall be located outside the Aquifer Protection Area.

## SEVERINO TRUCKING AGREEMENT

4. Petitioner agrees that if in the future, Town determines that Petitioner has committed a material breach of this agreement or has violated any Town Zoning, Earth excavation or other land use ordinance or regulation or any State and/or Federal land use or environmental laws or regulations applicable to this site and breach or violation is adjudicated against Petitioner by a court of competent jurisdiction in a legal action brought by Town against Petitioner, Petitioner agrees to pay, on demand, all reasonable attorney's fees, court costs, sheriff's charges and related costs incurred by Town in connection with said breach or violation to the extent that said fees, costs and charges would not have been incurred had the breach of violation not occurred.
5. That the Petitioner shall monitor the groundwater through the existing monitoring wells and the seasonal high ground water elevation shall be determined to be the highest ground water elevation actually recorded in any of the wells or by experience viewed in the test pits.
6. No excavation shall be allowed within six feet of the seasonal high ground water elevation as determined in the above.
7. Any existing areas which have been previously excavated to less than six feet above the seasonal high ground water (SHGW) elevation shall be refilled with material similar to that which has been removed to an elevation at least six feet above the SHGW elevation.
8. That the Petitioner shall agree to and pay for an inspection and compliance program consisting of the following:
  - Once every two weeks, the Public Works or Code Enforcement Officer shall perform a stop-by inspection of the subject site.
  - A written report of the inspection will be made by the designated inspector with copies forwarded to the Petitioner, Town Manager and the Raymond Planning Board.
  - The Petitioner shall be billed on a monthly basis for costs incurred by the Town relative to the inspection and shall reimburse the Town of Raymond for said cost within thirty (30) days of receipt of the bill.
9. The effective date of this agreement is that which is reflected at the commencement of the agreement. Said agreement shall remain in effect for two years from said date subject to yearly renewal proceeding held by the Planning Board each fall.
10. The Earth Excavation Approval represented by this agreement shall not be transferable to other individuals, corporations or entities. Transfer of any parcel contained in this approval shall be considered a material breach of this agreement.

SEVERINO TRUCKING AGREEMENT

**THIS AGREEMENT** represents the entire agreement of the parties and may only be modified in writing and shall be binding upon the heirs, executors, administrators, and assigns of each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto and hereunto set their hands ( and seals) the day and year first written above.

SEVERINO TRUCKING CORP. INC.

By: *Ronald Severino*

Name: Ronald Severino

Title: President

TOWN OF RAYMOND, N.H.

By: *Edward Wójcicki*

Name: Edward Wójcicki

Title: Town Manager

Witnessed:

By: *Sue E. Sheridan*

Name: Sue E. Sheridan

Title: Secretary

Witnessed:

By: *Catherine Grant*

Name: Catherine Grant

Title: Secretary

RAYMOND PLANNING BOARD

By: *Lynn Booth*

Name: Lynn Booth

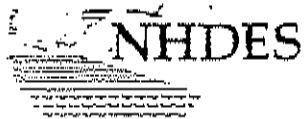
Title: Planning Board Chairman

Witnessed:

By: *Belle Peterson*

Name: Belle Peterson

Title: Admin. Assnt./Planning



January 28, 1998

Mr. Ronald Severino  
P.O. Box 202  
Candia, New Hampshire 03034

Re: Sand & Gravel Pit  
Raymond, NH

WPS-5001

Dear Applicant:

Based upon plans and application approved January 28, 1998, we are hereby issuing RSA 485-A:17 Site Specific Permit #WPS-5001. The permit is subject to the following conditions:

1. Water quality degradation shall not occur as a result of the project.
2. Revised plans shall be submitted for permit amendment prior to any changes in construction details or sequences. The Department must be notified in writing within ten days of a change in ownership.
3. The Department must be notified in writing prior to the start of construction.
4. The approved plans and supporting documentation in the permit file are a part of this approval.  
  
The Department must be informed, in writing, of the status of the project every two years and furnished with an updated plan of the project every six years from the issuance of this permit.
6. Other permits from the local municipality, the State of New Hampshire and the Federal Government (US EPA and US Army Corps of Engineers) may be required for this project.

Yours truly,

James T. Spaulding, P.E.  
Wastewater Engineering Bureau

JTS/mjv

cc: Dudley S. Dean - WEB/WD/DES  
Raymond Planning Board  
Jones & Beach Engineers, Inc.  
PO Box 219, Stratham, NH 03885.

# **Operations and Emergency Response Plan**

## **OPERATOR:**

**Severino Trucking Co., Inc**

**PO Box 202**

**Candia, NH 03034**

## **SITE:**

**263 Route 27**

**Raymond, NH**

Description of Typical Operations and Activities:

Property is owned by Candia South Branch Brook Holdings, LLC of Candia, NH.

Property is used primarily as a sand and gravel pit.

Pit is operated by Severino Trucking Co., Inc. of Candia, NH.

Pit is operated under the Performance Agreement issued by the Town of Raymond.

Key Personnel and Contact Information:

Ronald Severino	President	603-483-2133
Tom Severino	Vice President	603-483-2133

Fueling Operations:

There is no fuel stored on site. Equipment is very rarely left on site.

Equipment is usually fueled at the operator facility located in Candia.

In the event that fueling takes place on site, a Spill Prevention Plan is supplied.

Training:

Severino employees have been trained for best management practices.

Materials Stored on Site:

There are no contaminants or hazardous materials stored on site.

Blasting:

There is no blasting on this site.

**EQUIPMENT  
FUELING  
POLLUTION  
PREVENTION  
PROCEDURES**

263 Raymond Road  
Raymond, New Hampshire  
Severino Trucking Company, Inc.

---



# **POLLUTION PREVENTION PROCEDURES**

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## **1.0 PURPOSE**

These procedures have been developed to provide operational environmental protections at the Severino Trucking (Severino) Route 27 Site (the "Facility" or the "Site") during the temporary fueling of vehicles by mobile fuel carriers. These procedures are intended for all Severino employees, contractors, and vendors operating at the Facility.

---

## **2.0 BACKGROUND**

### **2.1 Facility Features**

The Site is located on Route 27 in Raymond, New Hampshire. It includes 2 existing buildings and an existing gravel pit area for employees and equipment staging. Heavy construction equipment and trucking equipment will be utilized on-site to perform excavation activities to support the gravel pit operation. Since some of the proposed equipment to be used at the Site are not listed for "on-road" use, fueling of the equipment is proposed by mobile fuel carriers.

---

### **2.2 Fueling Infrastructure and Operations**

Fueling operations at the Site will be limited to mobile fuel carrier transfer to on-site construction equipment used at the Site. No permanent fuel storage tanks either above ground or below ground will be installed for vehicle fueling and mobile fuel carriers will not be stored at the Site. While there are not necessarily specific regulatory guidelines or requirements for a Pollution Prevention Plan to refuel construction equipment by mobile fuel carriers per se, there are several best management practices that will be followed to reduce the potential for any impact to the environment.

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## **3.0 OPERATIONAL REQUIREMENTS**

### **3.1 Delivery Controls and Supervision**

A trained employee shall be present and supervise all fuel deliveries, in addition to the required trained fuel delivery truck operator. The employee shall ensure that the delivery driver follows industry standard fueling procedures which include the following, but not limited to:

- Park all equipment involved with the fuel delivery process in a designated area over an impermeable surface. Insure that all vehicles involved with the transfer are properly secured, including the use of wheel chocks where required;
-

- Cover catch basins in the drainage path of the fueling areas, if any, with rubber containment mats;
- Secure the fueling area from other traffic and visitors using cones and temporary signage;
- Inspect all on board equipment fuel storage tanks for damage, corrosion, etc. prior to filling;
- Inspect all hoses and fittings associated with the fuel delivery process;
- Verify that a spill kit is readily available and properly stocked, including personal protective equipment;
- Do not employ the use of any "Hold Open" latches or devices which will prevent an operator from leaving the fueling area during delivery. Both the fuel truck operator and the Severino employee shall remain in the transfer area controlling the transfer during all transfer events; and
- All fuel transfers shall be terminated when the receiving tank reaches 90% capacity.

The owner shall ensure that all deliveries occur during normal working daylight hours or within a well lighted area.

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### 3.2 Training

All key Site personnel, including all persons designated to supervise fuel deliveries and conduct routine inspections, shall receive Site fueling procedures training. That training shall include facility specific health and safety requirements, vehicle fueling procedures, inspection procedures, emergency procedures, fire emergency procedures and operational procedures for facility equipment.

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### 3.3 Spill Kit

The Facility Manager shall ensure that the Spill Kit is present at the facility at all times and properly maintained. The Spill Kit shall be regularly inspected and inventoried to verify that it include, but not limited to booms long enough to surround fuel transfer area, wipes, gloves, bags and absorbent materials. Additionally, a designated approved drum shall remain on-site to handle any used materials.

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## 4.0 MAINTENANCE REQUIREMENTS

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### 4.1 Monthly Maintenance Requirements

The following maintenance items shall be completed:

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#### 4.1.1 Spill Kit

Driver should have spill kit in vehicle at all time. Spill kit shall be inspected monthly.

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#### 4.1.2 Fuel Transfer Area

The fuel transfer area shall be inspected to insure that soils are not stained.

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## 5.0 SPILL RESPONSE PROCEDURES

In the event of a release of fuel to the impervious pavement of the environment, the following procedures shall be followed:

1. Assess whether the conditions are safe for personnel. If so, don personal protective equipment and act to contain and clean the spill. If the area is not safe for personnel, evacuate the area and immediately call 911 for assistance.
2. Immediately secure all fuel transfer equipment to stop the spill source;
3. Immediately deploy spill response equipment consistent with the nature and amount of the spill. Contain the spill to the impervious area, if possible;
4. If the spill is small and contained to the impervious area, clean up the spill with the on-site equipment and dispose of the contaminated materials in the disposal drums for proper removal by a licensed environmental contractor;
5. If the spill cannot be immediately contained to the impervious area or immediately cleaned up, call the on-call spill response contractor and 911 in accordance with Section 6.2; and
6. Call the NHDES, if required, in accordance with Section 6.2.

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## 6.0 REPORTING REQUIREMENTS

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### 6.1 Spill Reporting

In the event of release, the following notifications are required:

1. Severino Trucking Management;
2. The On-Call Environmental Spill Contractor if the spill is not contained and cannot be immediately cleaned up; and
3. The NHDES Spill Hotline (603-271-3644 or 603-271-3636 after hours). Current NHDES requirements do not require notification if all of the following are true:
  - a. The spill is less than 25 gallons;
  - b. The spill does not reach surface water, ground water, or the surrounding soils; and
  - c. The spill is immediately contained to the impervious area and can be removed within 24 hours.



# TOWN OF RAYMOND

Community Development Department  
Office of Planning & Zoning  
4 Epping Street  
Raymond, NH 03077  
Tel: (603) 895-4735 • Fax: (603) 895-0903

## PERFORMANCE AGREEMENT

Application #2010-010  
Candia South Branch Brook, LLC  
Raymond Tax Map 38, Lot 34  
NH Route 27

This Performance Agreement for the EARTH EXCAVATION PERMIT conditionally approved on AUGUST 26, 2010, by and between CANDIA SOUTH BRANCH BROOK, LLC (hereinafter referred to as "PETITIONER"), A BUSINESS with a principal address of P.O. BOX 202, CANDIA, NEW HAMPSHIRE, 03034, their heirs, successors and assigns, and the Raymond Planning Board, with participation of the Selectmen of the Town in their capacity as bearing responsibility for the maintenance of all roads and other public improvements, with a mailing address of 4 Epping Street, Raymond, New Hampshire 03077 (hereinafter referred to as "TOWN") represents the understanding between the parties with regard to the Raymond Planning Board granting conditional approval of a certain EARTH EXCAVATION PERMIT for the PETITIONER for property located on RAYMOND TAX MAP 38, LOT 34; NH ROUTE 27.

WHEREAS, the Raymond Planning Board is duly authorized to review and regulate EARTH EXCAVATIONS and has established regulations relating thereto, and;

WHEREAS, the PETITIONER has applied for approval of an EARTH EXCAVATION PERMIT all in compliance with the Town of Raymond Zoning Ordinance, EARTH EXCAVATION REGULATIONS and Rules and Regulations of the Raymond Planning Board, and;

WHEREAS, the PETITIONER has agreed to certain conditions and commitments for the development of the plan identified as:

*Severino Trucking Co., Inc.; Proposed Excavation Plan; NH Route 27, Raymond, NH; Plan Marked as Revised by Severino Trucking Co., Inc. on August 25, 2010.*

NOW, THEREFORE, in consideration of the Raymond Planning Board granting conditional EARTH EXCAVATION PERMIT approval on plans prepared by SEVERINO TRUCKING CO., INC., it is agreed:

- That the PETITIONER shall abide by all EARTH EXCAVATION REGULATIONS, Building Codes and the Town of Raymond Zoning Ordinance in effect as of the date herein and made a part of this agreement.
- The PETITIONER will be responsible for obtaining such State and Federal permits as may be necessary or occasioned by the proposed development.

The PETITIONER'S representations to the Raymond Planning Board, made by the PETITIONER at the various Raymond Planning Board meetings as documented in the minutes of those meetings, were relied on by the TOWN in approving the PETITIONER'S proposal and material compliance with same is required as a condition of the Agreement.

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The following conditions shall apply:

- I. The conditions of approval designated as conditions precedent must be completed within two (2) months and confirmed in writing by the Raymond Community Development Director or designee, or this approval shall become null and void.

The following are conditions precedent:

- A. The applicant must obtain all required local, State and Federal permitting for the project, and provide copies of the applications, application supporting documentation and permits to the Community Development Department, to include:
  1. New Hampshire Department of Environmental Services Alteration of Terrain permit. Copies of all studies, surveys, plans or other submissions required to be made to agencies as a condition of the Alteration of Terrain Permit must also be submitted to the Town of Raymond Community Development Department;
  2. United States Environmental Protection Agency Storm Water Pollution Prevention Plan and proof of submission to by the EPA NOI (Notice of Intent) Processing Center and final approval of U.S. EPA to operate;
- B. All fees authorized to be charged to the applicant pursuant to the Raymond Earth Excavation Regulations including, but not limited to application fees, costs of special studies, and legal and engineering review, shall be paid by the applicant;
- C. Deeds, easements, conservation easements, condominium documents, maintenance agreements, and any other legal documentation pertinent to this project shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
- D. Applicant shall make the following additions to the plans:
  - 1) Provide a note on the plan identifying the estimated duration of the project (Section XIV (A)(10) of the Raymond Earth Excavation Regulations);
  - 2) Planned sequencing of excavation activities including approximate dates and areas (Section XIV (A)(15) of the Raymond Earth Excavation Regulations);
  - 3) Applicant shall submit a detail of proposed signage required under Section XIV (C)(17)(A) of the Raymond Earth Excavation Regulations and illustrate proposed location(s) on the cover sheet.
- E) A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the date of this approval, or September 26, 2010. Failure to execute the required agreement will result in plan approval revocation.
  - 1) Bonding & Inspection and Enforcement Escrow Account
- F) Reclamation Bond: A reclamation bond, renewed annually as approved by the Planning Board at its final review hearing, shall be posted with the Town of Raymond.

II. This approval is subject to the following waivers, as granted by the Raymond Planning Board:

- A. Section XIV (B) (2) of the Raymond Earth Excavation Regulations, adopted 1989, amended 2001.

III. Other Conditions imposed by the Planning Board:

- A. Applicant shall not exceed a sound level of 65 decibels, Scale A, at any property lines of the lots included in this decision. If at any time during operations the sound level at any property line is determined to be at a level exceeding 65 decibels, Scale A, from an onsite operations-related source, not to include blasting, then this excavation permit shall be eligible for revocation by the Raymond Planning Board.
- B. Fugitive dust control within site, which includes all lots included in this approval, shall be employed in accordance with NH Code of Administrative Rules ENV-A 2805.01 and 2803.02, as may be amended from time to time (see below);

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART Env-A 2805 FUGITIVE DUST CONTROL WITHIN THE PLANT PROPERTY

Env-A 2805.01 Fugitive Dust Control Within Plant Property.

(a) For a source or plant subject to this chapter, the owner or operator shall control emissions of dust from vehicular movement within the plant property boundaries. Fugitive dust control methods shall include, but shall not be limited to, paving or wetting the roadway.

(b) For a source or plant subject to this chapter, the owner or operator shall control emissions of dust from stockpiling. Fugitive dust control methods shall include, but shall not be limited to, wet suppression, windbreaks, enclosures, or soil stabilization.

Source. #6428-B, eff 1-18-97 (formerly Env-A 1210); ss by #8218, eff 11-24-04

Env-A 2803.02 Fugitive Emission Control Systems for Sand and Gravel Sources. The owner or operator of a sand and gravel source shall not operate the source unless it is equipped with a fugitive emission control system that is operated and maintained to control the emission of particulate matter.

Source. #6428-B, eff 1-18-97 (formerly Env-A 1210); ss by #8218, eff 11-24-04

- 1) Amend the plan to certify that there is nothing within 200' of the boundaries as indicated in Section XIV (A) (5) and (6) of the Raymond Earth Excavation Regulations, amended 2001.
- 2) Add a note on the plan as to the duration of the project up to 20 years, along with a description of the sequencing of excavation.
- 3) Provide copies of additional permits as granted and list them on the plans.
- 4) Amend Note 7 on the plans to include days/times of operation consistent with the Raymond Earth Excavation Regulations, amended 2001.
- 5) Provide signage on site in accordance with Section XIV (C) (17) of the Raymond Earth Excavation Regulations, amended 2001.

IV. This permit shall expire on June 14, 2012. In accordance with Article XIV, Item 8 of the Amended Raymond Earth Excavation Regulations adopted on May 20, 2010 (to be attached to

the Official Notice of Decision), Applicant shall fully comply with the amended regulations upon application for a new excavation permit at that time. Applications, plans and fees are due in the Community Development Department by April 16, 2012.

\_\_\_\_\_  
Petitioner/Representative

\_\_\_\_\_  
Community Development Director

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



# TOWN OF RAYMOND

Community Development Department  
Office of Planning & Zoning  
4 Epping Street  
Raymond, NH 03077  
Tel: (603) 895-7016 • Fax: (603) 895-7064

## PERFORMANCE AGREEMENT

Application #2017-009  
Candia South Branch Brook, LLC  
Raymond Tax Map 38, Lot 34  
263 Route 27

This Performance Agreement for the EARTH EXCAVATION PERMIT conditionally approved on JUNE 1, 2017, by and between CANDIA SOUTH BRANCH BROOK, LLC (hereinafter referred to as "PETITIONERS"), A LIMITED LIABILITY COMPANY with a principal address of P.O. BOX 410, CANDIA, NEW HAMPSHIRE, 03034, their heirs, successors and assigns, and the Raymond Planning Board, with participation of the Selectmen of the Town in their capacity as bearing responsibility for the maintenance of all roads and other public improvements, with a mailing address of 4 Epping Street, Raymond, New Hampshire 03077 (hereinafter referred to as "TOWN") represents the understanding between the parties with regard to the Raymond Planning Board granting conditional approval of a certain EARTH EXCAVATION PERMIT for the PETITIONERS for property located on RAYMOND TAX MAP 38, LOT 34; 263 ROUTE 27.

WHEREAS, the Raymond Planning Board is duly authorized to review and regulate EARTH EXCAVATION OPERATIONS and has established regulations relating thereto, and;

WHEREAS, the PETITIONERS have applied for approval of an EARTH EXCAVATION PERMIT all in compliance with the Town of Raymond Zoning Ordinance, EARTH EXCAVATION REGULATIONS and Rules and Regulations of the Raymond Planning Board, and;

WHEREAS, the PETITIONERS have agreed to certain conditions and commitments for the development of the plan identified as:

- Prepared for: Severino Trucking Co., Inc.
- Prepared by: Severino Trucking Co., Inc.
- Map & Lot: Map 38, Lot 34
- Plan Date: January 3, 2017
- Last Revised: January 3, 2017

NOW, THEREFORE, in consideration of the Raymond Planning Board granting conditional EARTH EXCAVATION approval on plans prepared by SEVERINO TRUCKING CO., INC., it is agreed:

- That the PETITIONERS shall abide by all EARTH EXCAVATION REGULATIONS, Building Codes and the Town of Raymond Zoning Ordinance in effect as of the date herein and made a part of this agreement.
- The PETITIONERS will be responsible for obtaining such State and Federal permits as may be necessary or occasioned by the proposed development.



The PETITIONERS' representations to the Raymond Planning Board, made by the PETITIONERS at the various Raymond Planning Board meetings as documented in the minutes of those meetings, were relied on by the TOWN in approving the PETITIONERS' proposal and material compliance with same is required as a condition of the Agreement.

---

The following conditions shall apply:

1. The conditions of approval designated as conditions precedent must be completed within three (3) months and confirmed in writing by the Raymond Community Development Director or designee, or this approval shall become null and void.

The following are conditions precedent:

- a. The applicant must obtain all required local, State and Federal permitting for the project, and provide copies of the applications, application supporting documentation and permits to the Community Development Department, to include;
    01. New Hampshire Department of Environmental Services Alteration of Terrain Permit. Copies of all studies, surveys, plans or other submissions required to be made to agencies as a condition of the Alteration of Terrain Permit must also be submitted to the Town of Raymond Community Development Department;
    02. United States Environmental Protection Agency Storm Water Pollution Prevention Plan and proof of submission to by the EPA NOI (Notice of Intent) Processing Center and final approval of U.S. EPA to operate;
  - b. All fees authorized to be charged to the applicant pursuant to the Raymond Earth Excavation Regulations including, but not limited to application fees, costs of special studies, and legal and engineering review, shall be paid by the applicant;
  - c. Deeds, easements, conservation easements, condominium documents, maintenance agreements, and any other legal documentation pertinent to this project shall be reviewed and approved by Town Counsel, and where applicable, the Board of Selectmen pursuant to RSA 41:14-a;
    01. The applicant must submit an Operations and Emergency Response Plan.
  - d. A Performance Guarantee Agreement shall be executed between the Town of Raymond and the Applicant within 30 days of the date of this approval, or July 1, 2017. Failure to execute the required agreement will result in plan approval revocation.
  - e. Bonding & Inspection and Enforcement Escrow Account
    01. Reclamation Bond, which shall be renewed annually as approved by the Planning Board at its final review hearing, shall be posted with the Town of Raymond.
2. This approval is subject to the following waivers, as granted by the Raymond Planning Board:
    - Article XIII, Section A which requires plans to be presented in a particular format using six sheets and also that plans be provided in GIS format.
    - Article XIII, Section A(2)(iii) which requires showing on the plan lot lines, easements, etc., within 200' of excavation site property lines.



- Article XIII, Section A(3)(ii) which requires showing on the plan all surface drainage patterns, including wetlands with the stamp of a certified wetlands scientist.
- Article XIII, Section A(3)(iv) which requires showing on the plan floodplain elevations and elevation of highest known flooding on the site.
- Article XIII, Section A(5)(ii) which requires showing on the plan the boundaries of area of reclamation and land within 200 feet of the site boundary.
- Article XIII, Section A(6)(ii) which requires a traffic study.
- Article XIII, Section A(6)(iii) & Article XIII, Section B(9) which require a Noise Control Study and Abatement Plan.
- Article XIII, Section A(6)(iv) which require a hydro-geologic study.
- Article XIII, Section A(6)(vi) which requires a site security plan to be submitted.
- Article XIII, Section B(18)(b) which requires provision of signage every 50 feet along the perimeter of the excavation site.
- Article XIV, Paragraph 3 pertaining to length of permit.

**3. Other Conditions imposed by the Planning Board:**

- Applicant shall not exceed a sound level of 65 decibels, Scale A, at any property lines of the lots included this decision. If at any time during operations the sound level at any property line is determined to be at a level exceeding 65 decibels, Scale A, from an onsite operations-related source, not to include blasting, then this excavation permit shall be eligible for revocation by the Raymond Planning Board.
- Fugitive dust control within site, which includes all lots included in this approval, shall be employed in accordance with NH Code of Administrative Rules ENV-A 2805.01 and 2803.02, as may be amended from time to time (see below);

**NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES**

**PART Env-A 2805 FUGITIVE DUST CONTROL WITHIN THE PLANT PROPERTY**

Env-A 2805 01 Fugitive Dust Control Within Plant Property.

(a) For a source or plant subject to this chapter, the owner or operator shall control emissions of dust from vehicular movement within the plant property boundaries. Fugitive dust control methods shall include, but shall not be limited to, paving or wetting the roadway.

(b) For a source or plant subject to this chapter, the owner or operator shall control emissions of dust from stockpiling. Fugitive dust control methods shall include, but shall not be limited to, wet suppression, windbreaks, enclosures, or soil stabilization.

Source #6428-B, eff 1-18-97 (formerly Env-A 1210); ss by #8218, eff 11-24-04

Env-A 2803.02 Fugitive Emission Control Systems for Sand and Gravel Sources. The owner or operator of a sand and gravel source shall not operate the source unless it is equipped with a fugitive emission control system that is operated and maintained to control the emission of particulate matter

Source #6428-B, eff 1-18-97 (formerly Env-A 1210); ss by #8218, eff 11-24-04

- This permit shall expire on June 30, 2022.



Petitioner/Representative



Community Development Director



Witness



Witness

6-19-17

Date

06/09/2017

Date



# TOWN OF RAYMOND

Community Development Department  
Office of Planning & Zoning  
4 Epping Street  
Raymond, NH 03077

Tel: (603) 895-7016  
Fax: (603) 895-7064  
<http://www.raymondnh.gov>

## NOTICE OF DECISION

ZBA Application#2018-002  
Candia South Branch Brook Holding LLC.  
Ronald Severino  
Map 38/Lot 34  
263 Route 27

**Date of Decision:** May 23,2018

You are hereby notified that the Raymond Zoning Board of Adjustment has **GRANTED** a **Variance** to Candia South Branch Brook Holding LLC./Ronald Severino for property identified as Raymond Tax Map 38, Lot 34 and located at 263 Route 27 currently an existing permitted excavation site within Zone C1 for relief from Article 6.6.3 Section 6.6.3.3 for processing which is not permitted in Zone C1.

**NOTE:** In accordance with the Raymond Zoning Ordinance, Section 9.5.2, this variance shall only be valid for a period of four (4) years from the date of this decision. If this time period is to lapse with substantial completion of any improvements, modifications, alterations or other changes in the property for which this approval was granted not having taken place, then the applicant may seek an extension to this time period per Section 9.5.3.

  
\_\_\_\_\_  
Ernest Cartier Creveling  
Community Development Director

05/23/2018  
Date

The Selectmen, any party to the action or any person directly affected has a right to appeal this decision within thirty (30) days of the date of decision. See New Hampshire Revised Statutes Annotated, Chapter 677, available at the Town Clerk's Office during regular business hours. This notice has been placed on file and made available for public inspection in the records of the Zoning Board of Adjustment.



# TOWN OF RAYMOND

Community Development Department  
Office of Planning & Zoning  
4 Epping Street  
Raymond, NH 03077

Tel: (603) 895-7016  
Fax: (603) 895-7064  
<http://www.raymondnh.gov>

## NOTICE OF DECISION

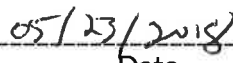
ZBA Application#2018-002  
Candia South Branch Brook Holding LLC.  
Ronald Severino  
Map 38/Lot 34  
263 Route 27

**Date of Decision:** May 23, 2018

You are hereby notified that the Raymond Zoning Board of Adjustment has **GRANTED** a **Special Exception** to Candia South Branch Brook Holding LLC./Ronald Severino for property identified as Raymond Tax Map 38/Lot 34 and located at 263 Route 27 currently an existing permitted excavation site within Zone C1 for relief from Article 6.6.3, allowed uses, Section 6.6.3.2 Allowed in the following zones by Special Exception only and Section 6.6.3.3 Zone C1-Screening of such imported material is secondary and incidental to a primary commercial use or excavation, no processing allowed

**NOTE:** In accordance with the Raymond Zoning Ordinance, Section 9.5.2, this Special Exception shall only be valid for a period of four (4) years from the date of this decision. If this time period is to lapse with substantial completion of any improvements, modifications, alterations or other changes in the property for which this approval was granted not having taken place, then the applicant may seek an extension to this time period per Section 9.5.3.

  
Ernest Cartier Creveling  
Community Development Director

  
Date

The Selectmen, any party to the action or any person directly affected has a right to appeal this decision within thirty (30) days of the date of decision. See New Hampshire Revised Statutes Annotated, Chapter 677, available at the Town Clerk's Office during regular business hours. This notice has been placed on file and made available for public inspection in the records of the Zoning Board of Adjustment.