



**TOWN OF FREMONT NEW HAMPSHIRE
EARTH REMOVAL PERMIT APPLICATION**
(New, Renewal, Reclamation)

This entire form must be completed with questions answered in square footage, acreage, etc. ("see plan" is not acceptable) and relevant documents provided, including an updated abutters list, or the renewal may be delayed or denied.

RENEWAL: The application must be signed by the actual owners and must be received by the Planning Board no later than ninety (90) days prior to the expiration date if the excavation is to be continued beyond the termination date.

The renewal application must identify and adjust all information contained in the original application that is no longer effective for the renewal period.

If this is a new application: Submit completed application together with fees and additional required information via certified mail to:

Town of Fremont Planning Board, PO Box 120, Fremont, NH 03044

Renewal applications can be sent via regular mail or walked in to the Land Use Office.

Excavation Regulation 14.2

Surety of a minimum of one thousand (\$1000.00) dollars will be required for engineer review as deemed necessary by the regulators. This amount is to be held in escrow and will not be used for payment of any fees, but will be released to the owner at such time as the excavation pit is completely finished and reclaimed.

Map # 2, Lot # 151.002

Pursuant to RSA 155-E, the following application must be submitted to the Regulator to obtain an Excavation Permit. Prior to issuance of a Permit, the Regulator shall determine that the provisions of RSA 155-E, these Regulations and any other applicable 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.

1. Intent of Application

Excavation Permit _____

Reclamation Plan Submittal _____

Permit Renewal ✓

2. Date of Submission 3-15-24

3. Name of Property Owner FREMONT LAND LLC

Address (mailing) 453 ROUTE 125 BRENTWOOD NH 03833

Contact # 603-679-2260

4. Name of Applicant/Contractor MICHAEL RISLOVE
(person actually doing the excavation)

Address (mailing) 453 ROUTE 125 BIRENTWOOD NH 03833
Contact # 603-674-2260

5. Location of proposed/existing excavation (municipality, nearest roads, other locational information) ADJACENT TO 88 IRON HORSE DR. FREMONT

6. Type of material to be removed. STONE PRODUCTS, LOAM & FILL
(gravel, loam, top soil, clay, stone, etc.)

A. Type of material removed during the last year. STONE PRODUCTS LOAM & FILL

7. Area of land to be excavated: LESS THAN 1 ACRE
(if excavated area is in excess of one (1) acre, topographical map illustrating area to be excavated must be provided)

A. Area excavated during the last year. QUARRY FACE

B. Area to be excavated during the next year. QUARRY FACE LESS THAN 1 ACRE

8. Total estimated volume to be excavated: 50K-100,000 CY
(in cubic yards)

A. Total volume excavated during the last year. 30,000 +/- CY
(in cubic yards)

B. Total volume to be excavated in the next year. 50,000-100,000 CY

9. Removal schedule: MARCH-DECEMBER 2024

10. Description of the breadth, depth and slope of proposed excavation:

VARIES DUE TO LEDGE

11. Elevation of the highest annual average ground water table within and next to the proposed excavation: NONE- LEDGE DOES NOT HOLD WATER

12. Access to public highways:

a. Detailed plan to be provided by proposed excavator indicating position of entry to public highway.

b. If access to public highway is to be across land other than that owned by permit applicant, the following must be provided:

1. Plan for proposed access indicating distances from dwellings, other buildings, water wells and sanitary systems.

2. Notarized signed permission from owner (s) of land to be used for access.

13. Copies of all local, state and federal permits required and obtained. Permits include, but are not limited to the following:

(a) WSPCD (RSA 485-A:17, RSA 148:5-a)

(b) Wetland Board (RSA 483-A)

(c) State Highway Department (Access Permit, RSA 249:13-18)

(d) State Pit Agreement (per NHDOT Standards Specifications for Road and Bridge Construction, Section 106)

(e) Army Corps of Engineers Dredge & Fill Permit

(f) Discussions with Wetlands Board

14. Excavation Plan: six (6) full size sets of the plan, and eight (8) 11' x 17' sets of the plan, at least two (2) of which are colored.
15. Reclamation and Restoration Plan – with timetable: six (6) full size sets of the plan, and eight (8) 11' x 17' sets of the plan, at least two (2) of which are colored.
16. Proposed bond by applicant to cover restoration.
(this may be changed by the regulator)
17. Hauling Information:
 - a. Routes to be utilized
 - b. Frequency of truck traffic over routes
 - c. Size and weight of trucks used
18. Tax Map and Lot number, name and address of all abutters (see definition). Names must be current, based on town records, five (5) days prior to the submission of the application. (List below or attach separate sheet and show clearly on plan).
19. Application Fees--See "Town of Fremont Fee Schedule".
20. Permit
21. Hours of operation MONDAY - SATURDAY 7am - 5pm

An application for permit renewal must be submitted to the Regulator by the owner if excavations are to be continued beyond the termination date. The renewal application must identify and adjust all information contained in the original application that is no longer effective for the renewal period.

TEST PITS: At least one test pit is required to demonstrate that work being performed on the site is consistent with the approved excavation and properly maintains required depth to seasonal high groundwater (ESHW), more than one test pit might be required if the owner's Engineer believes it is necessary. Test pits are witnessed by the Code Enforcement Officer or Planning Board designee. A test pit report is to be submitted with each excavation permit renewal application. In cases where it is not practical to do a test pit (ie; ledge outcroppings) a benchmark which shows the seasonal high water table in the adjoining areas and demonstrates compliance with the four (4) feet above the seasonal high water table (eight (8) feet if the property is in the Aquifer Protection District) would be an acceptable alternative to digging test pits.

This is to certify that the information contained in this Application is complete and true to the best of my knowledge.

This Application must be signed by the current owner of the property.

Submitted by:

OWNER: FREMONT LAND LLC
MICHAEL RISQUE

Signature

Date

3-15-27

APPLICANT: MICHAEL RISQUE

Signature

Date

3-15-27

FOR OFFICIAL USE ONLY
(do not write in space below)

Permission to remove the above described earth:

APPROVED: _____
Conditions

NOT APPROVED: _____
Attached reasons

Expiration date: _____

Fee: _____

Date paid: _____

Planning Board/Regulator:

Witness

Date:

NOTICE OF INTENT TO EXCAVATE

RSA 72-B

(Assigned by Municipality)

For Tax Year April 1, 2024 to March 31, 2025

YR

TOWN

OP#

24 - 167 - 01 - E

PLEASE TYPE or PRINT (If filling in form on-line; use TAB key to move through fields)

1. Town/City of: FREMONT NH2. Tax Map/Block/Lot #: MAP 2 LOT 151.23. Name of Access Road: ROUTE 1074. Total Acreage of Lot: 112.4 / 1645. Date of Permit per RSA 155-E:2: DECEMBER 15, 1995
or
(Municipal Excavation Permit)6. Date of Report, if required, per RSA 155-E:2, 1(d): 3-15-247. Permit Number per RSA 485-A:17, if any: WPP4436
(Alteration of Terrain Permit)8. Incidental Construction/155-E:2-a Exception: Check if YES ☐9. Total Permitted Area (acres): 44 ACRES10. Excavation Area (acres) as of April 1: 3 ACRES11. Reclaimed Area (acres) as of April 1: 18 ACRES12. Remaining Cubic Yards of Earth to Excavate: 300,000 +/- CY

13. Type of Ownership:



Owner of land



Previous owner retaining deeded earth excavation rights



Owner of earth or earth excavation rights on public lands



(Fed., State, Municipal, etc) or, removes earth from public lands or right-of-ways

14. DESCRIPTION OF EARTH TO BE EXCAVATED DURING TAX YEAR

EARTH TYPE	ESTIMATED CUBIC YARDS (CY)
GRAVEL	50,000 CY +/-
SAND	
LOAM	
STONE PRODUCTS	50,000 CY +/-
OTHER (FILL)	2500 CY +/-
TOTAL	102500 CY +/-

FOR DRA USE ONLY

Ch 1560 \$100.

SIGNED ORIGINAL COPY - RETAINED BY CITY/TOWN

SIGNED COPY TO - OWNER, RETURNED BY MUNICIPAL ASSESSING OFFICIALS

SIGNED COPY TO - DEPT. OF REVENUE, MUNICIPAL & PROPERTY DIVISION

15. CHECK THE BOX THAT DESCRIBES THIS INTENT



ORIGINAL WITH \$100 FEE

(check payable to State of New Hampshire)



ORIGINAL WITH NO FEE

(excavation of 1,000 cubic yards or less)



SUPPLEMENTAL WITH \$100 FEE

(exceeding original estimate of 1,000 cubic yards or less)



SUPPLEMENTAL WITH NO FEE

(fee previously paid with original intent)

16. We hereby assume responsibility for reporting all earth excavated within 30 days of completion or by the end of the tax year, whichever comes first. (If a Corporation, an Officer must sign.)

FREMONT LAND
MICHAEL RISLOVE

PRINT CLEARLY OR TYPE NAME OF OWNER

SIGNATURE (in ink) OF OWNER(S) OR OFFICER(S)

DATE SIGNED

MICHAEL RISLOVE MANAGER
PRINT SIGNATORY NAME (AND TITLE IF APPLICABLE)[Signature]
SIGNATURE (in ink) OF OWNER(S) OR OFFICER(S)

DATE SIGNED

PRINT SIGNATORY NAME (AND TITLE IF APPLICABLE)

<u>453 ROUTE 125</u>		
MAILING ADDRESS		
<u>BRENTWOOD</u>	<u>NH</u>	<u>03833</u>
CITY OR TOWN	STATE	ZIP CODE
<u>mrislove@romeconstructioninc.com</u>		
E-MAIL ADDRESS		
<u>603-679-2260</u>		
HOME PHONE (Enter number without dashes)	CELL PHONE (Enter number without dashes)	

DATE INTENT SENT TO TOWN: 3-15-23

E-MAIL REPORT & CERTIFICATE?

YES ☐ NO ☒

If NO, Report and Certificate will be mailed to the address above.

TO BE COMPLETED BY MUNICIPAL ASSESSING OFFICIALS

Amount of Security Required \$

Security Posted (Bond, Certified Check, etc.) \$

SIGNATURES OF MUNICIPAL ASSESSING OFFICIALS & DATE

The Municipal Assessing Officials hereby acknowledge receipt of the Notice of Intent to Excavate and certify that:

1. All owners of record have signed the Intent;
2. If the land is in Current Use, the land use change tax shall be assessed on the non-qualifying land;
3. The form is complete; and
4. Any bond required under RSA 72-B:5 has been received.
5. The Tax Collector shall be notified within 30 days of signing the Intent pursuant to RSA 72-B:8

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO EXCAVATE
 GENERAL INSTRUCTIONS

WHO TO CONTACT	Any person who may have questions pertaining to the completion of this form may contact the Department of Revenue Administration, Municipal & Property Division, at (603) 230-5950.
WHO MUST FILE	Every owner who intends to excavate earth shall file a Form PA-38 with the municipal assessing officials in the town or city where such excavation is to take place. Owners shall include: <ol style="list-style-type: none"> 1. Any person who owns land upon which earth is excavated; 2. A previous owner who retains earth excavation rights to the land and who registers a claim with the registry of deeds; or 3. Any person who has purchased excavated earth or earth excavation rights upon public lands, or removes earth from a public right-of-way.
WHEN TO FILE	A separate Form PA-38 must be filed for each tract of land where the excavation will occur: <ol style="list-style-type: none"> 1. Prior to excavation; and 2. At the beginning of the tax year (April 1) for excavation not yet completed or in progress.
ADMINISTRATION & ENFORCEMENT FEE	The original Form PA-38 must be accompanied by the \$100 administration and enforcement fee if the estimated amount of earth to be excavated exceeds 1,000 cubic yards during the tax year. MAKE CHECKS PAYABLE TO: STATE OF NEW HAMPSHIRE and submit it to your municipal assessing officials along with the completed PA-38.
SUPPLEMENTAL NOTICE OF INTENT TO EXCAVATE	Every owner who has filed a Form PA-38 under RSA 72-B:8 shall file a supplemental Form PA-38 for the amount of earth which exceeds the original amount of earth estimated. If the owner originally stated an estimate of 1,000 cubic yards or less and was exempt from the \$100 enforcement fee, the owner shall provide the \$100 enforcement fee with the supplemental Form PA-38 if the total excavated volume exceeds 1,000 cubic yards. If the owner paid the \$100 enforcement fee with the original Form PA-38, no additional fee is required for the supplemental Intent. Failure to file a supplemental Form PA-38 and failure to provide the required enforcement fee shall constitute a violation by the owner or any other person doing the excavation, or both.
BOND	<p>If an owner does not own land in the town in which the owner intends to excavate and has filed a Form PA-38, the municipal assessing officials shall notify the owner in writing of the amount and conditions of any other security deemed necessary to secure the payment of the excavation tax.</p> <p>If an owner ceases to own land in the town where such owner is excavating after filing a Form PA-38, such owner shall notify the municipal assessing officials and the Department in writing of the change in ownership within 15 days of the change. An owner who neglects to so notify the municipal assessing officials or the Department shall be guilty of a misdemeanor.</p> <p>Any person who commences excavation or continues to excavate without furnishing a bond or other securities as deemed necessary by the municipal assessing officials shall be guilty of a misdemeanor.</p> <p>Bonding is for excavation purposes only, not for reclamation purposes.</p>
LIEN	Unless a bond or other security is provided, all excavation tax assessments create a lien upon the land on the date of excavation on account of which it is made and against the owner of record of such land.
PENALTY	Excavation before the appropriate Form PA-38 has been filed with and signed (in ink) by the municipal assessing officials shall constitute a violation.
DISTRIBUTION	<p>The owner shall file the Form PA-38 with the municipal assessing officials. After the municipal assessing officials sign the Form PA-38, the following distribution will occur:</p> <ol style="list-style-type: none"> 1. The municipal assessing officials will retain the original; 2. A signed copy will be provided to the owner; and 3. A signed copy will be mailed, with enforcement fee (<i>if applicable</i>), to: <p style="text-align: right;">NH DEPT OF REVENUE ADMINISTRATION MUNICIPAL & PROPERTY DIVISION PO BOX 487 CONCORD NH 03302-0487</p>
TDD ACCESS	Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department. TDD Access: Relay NH 1-800-735-2964.