



**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 # 4, Lot # 15

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 xxx

2. Date of Submission 4/1/2024

3. Name of Property Owner Fremont Park LLC

Address (mailing) 38 School St. Salem NH 03079

Contact # Gary Merrill 603-898-2236 or 603-231-0967 cell

4. Name of Applicant/Contractor George E Merrill & Son Inc.
(person actually doing the excavation)

Address (mailing) 38 School St.
Contact # 603-898-2236

5. Location of proposed/existing excavation (municipality, nearest roads, other locational information) 107 Beede Hill Rd. Fremont NH

6. Type of material to be removed. gravel
(gravel, loam, top soil, clay, stone, etc.)

A. Type of material removed during the last year. gravel

7. Area of land to be excavated: 20 acres
(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. 1 acre

B. Area to be excavated during the next year. 1 acre

8. Total estimated volume to be excavated: 20,000
(in cubic yards)

A. Total volume excavated during the last year. 6912
(in cubic yards)

B. Total volume to be excavated in the next year. _____

9. Removal schedule: 7:00am to 4:00pm mon thru fri occasional sat 7:00am to noon

10. Description of the breadth, depth and slope of proposed excavation:
3:1 slopes with maintaining 4 feet above water table

11. Elevation of the highest annual average ground water table within and next to the proposed excavation: 177.3

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. **on file with the town of Fremont**
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. **on file with town of Fremont**
16. Proposed bond by applicant to cover restoration.
(this may be changed by the regulator)
17. Hauling Information:
 - a. Routes to be utilized **left out of pit on Beede hill Rd.**
 - b. Frequency of truck traffic over routes **Market dependent**
 - c. Size and weight of trucks used **triaxles 73,000 and dump trailer 99,000**
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 thru Friday 7am to 4pm and occasional sat 7am to noon

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 (ESHWT), 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: EMERY MERRILL

Signature



Date

3/29/24

APPLICANT: _____

Signature

Date

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:

REPORT OF EXCAVATED MATERIAL

RSA 72-B:9

See instructions on back of form

OPERATION # 23-167-03-E

For Tax Year : April 1, 2023 to March 31, 2024

Mailing Address:

GARY MERRILL
 GARY MERRILL FOR FREMONT PARK LLC
 38 SCHOOL ST
 SALEM NH 03079-2714

1. Town/City of: FREMONT, NH

2. Tax Map/Lot # or Road Project Name or #:

4 / 153. Total permitted area under RSA 155-E (acres): 40.84. Excavation area as of April 1 : 1.5 Acre5. Reclaimed area as of April 1 : 12.5 Acres

6. Remaining cubic yards of earth to excavate:

30,000 +/-

7. DESCRIPTION OF EARTH EXCAVATED DURING TAX YEAR:

EARTH TYPE	EXACT CUBIC YARDS EXCAVATED
GRAVEL	<u>6912</u>
SAND	
LOAM	
STONE PRODUCTS	
OTHER:	
TOTAL	<u>6912</u>

8. EXEMPT EARTH

Excavated earth that was used on the parcel of land, or other parcel that is contiguous and in common ownership, in the construction, reclamation, reconstruction or alteration of such parcel of land during the tax year is exempt from the excavation tax. Excavation of earth from a parcel of land which does not exceed 1,000 cubic yards during the tax year is also exempt from the excavation tax but must be reported.

The amount of exempt earth should not be included in # 7.

EXEMPT EARTH TYPE	CUBIC YARDS EXCAVATED
<u>0</u>	<u>0</u>

I / We hereby report the amount of earth excavated under penalty of perjury (If Corporation, an Officer must sign) :

GARY MERRILL

PRINT OWNER(S) NAME OR CORPORATION CLEARLY

Gary Merrill3/22/24

SIGNATURE (IN INK) OF OWNER(S) OR CORPORATE OFFICER & TITLE

DATE

PRINT OWNER(S) NAME CLEARLY

SIGNATURE (IN INK) OF OWNER(S)

DATE

38 School St.

MAILING ADDRESS

SalemNH03079

CITY / TOWN

STATE

ZIP CODE

PHONE #: 603 898-2236CELL #: 603 231 0967

PENALTY: Any person who fails to file a Report of Excavated Material (PA-39) with the proper municipal assessing officials or fails to send copies to the Department of Revenue Administration in accordance with RSA 72-B:9 shall be guilty of a misdemeanor.

DOOMAGE: If an owner neglects to file a Report of Excavated Material (PA-39) or willfully falsifies a report, the assessing officials shall assess doamage which is two (2) times what the tax would have been if the report had been properly filed. Refer to RSA 72-B:10 for the statute on doamage.

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
NOTICE OF INTENT TO EXCAVATE
RSA 72-B

YR	TOWN	OP#
		E

For Tax Year April 1, ____ to March 31, ____

GENERAL INSTRUCTIONS FOR FILING THIS FORM ON REVERSE

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

- Town/City of: Fremont
- Tax Map/Block/Lot #: M-4 Lot 15
- Name of Road From Which Accessible:
Beede Hill Rd.
- Total Acreage of Lot: 40.8
- Date of Permit per RSA 155-E:2: _____
or (Municipal Excavation Permit)
- Date of Report, if required, per RSA 155-E:2, I (d): _____
- Permit Number per RSA 485-A:17, if any: _____
(Alteration of Terrain Permit)
- Incidental Construction/155-E Exception: Check if Yes ☐
- Total Permitted Area (acres): 40.8
- Excavation Area (acres) as of April 1: 1.5
- Reclaimed Area (acres) as of April 1: 12.5
- Remaining Cubic Yards of Earth to Excavate: 30,000 +/-
- Type of Ownership (Check only one):
☒ 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 way
- DESCRIPTION OF EARTH TO BE EXCAVATED DURING TAX YEAR

EARTH TYPE	ESTIMATED CUBIC YARDS (CY)
GRAVEL	20,000
SAND	
LOAM	
STONE PRODUCTS	
OTHER ()	20,000
TOTAL	

FOR DRA USE ONLY

SIGNED ORIGINAL COPY - RETAINED BY CITY/TOWN
SIGNED COPY TO - OWNER, RETURNED BY ASSESSING OFFICIALS
SIGNED COPY TO - DEPT. OF REVENUE, PROPERTY APPRAISAL DIVISION

15. CHECK ONLY THE BOX THAT DESCRIBES THIS INTENT

- ☒ ORIGINAL WITH \$100.00 FEE
(check payable to to State of New Hampshire)
- ☐ ORIGINAL WITH NO FEE
(excavation of 1,000 cubic yards or less)
- ☐ SUPPLEMENTAL WITH \$100.00 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.)

A. [Signature]
SIGNATURE (in Ink) OF OWNER(S) OR CORPORATE OFFICER(S)DATE SIGNED 3/22/24

PRINT OWNER(S) OR CORPORATE OFFICER(S) NAME CLEARLY

B. [Signature]
SIGNATURE (in Ink) OF OWNER(S) OR CORPORATE OFFICER(S)

DATE SIGNED

PRINT OWNER(S) OR CORPORATE OFFICER(S) NAME CLEARLY

MAILING ADDRESS

CITY OR TOWN STATE ZIPCODE

E-MAIL ADDRESS

TELEPHONE (Type numbers only; no symbols) CELL PHONE (Type numbers only; no symbols)

DATE INTENT SENT TO TOWN:

E-MAIL REPORT & CERTIFICATE? ☐ (Check if YES. If No, they will be mailed to the address above)

TO BE COMPLETED BY ASSESSING OFFICIALS

Amount of Security Required \$

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

SIGNATURES & DATE OF ASSESSING OFFICIALS

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

- All owners of record have signed the Intent;
- If the land is in Current Use, the land use change tax shall be assessed on the non-qualifying land;
- The form is complete and;
- Any bond required under RSA 72-B:5 has been received.

SIGNATURE (IN INK)

SIGNATURE (IN INK)

SIGNATURE (IN INK)

SIGNATURE (IN INK)

SIGNATURE (IN INK)