

**TOWN OF ALTON PLANNING BOARD
 SITE WALK MINUTES OF 2022
 THURSDAY, APRIL 28, 2022**

APPROVED

Members Present

- Drew Carter, Chairman
- Roger Sample, Vice- Chair
- Scott Williams, Member
- Bill O’Neil, Member
- Douglas Brown, Alternate
- Lee Hillsgrove, Alternate
- Tom Diveny, Alternate (Attending as a Conservation Commission member)

Others Present

- Jessica A. Call, Town Planner
- John Dever, III, Code Official
- Dana Huff, P.E., Town Engineer
- Keith Babb, Owner
- Tom Varney, P.E., Applicant’s Engineer
- David (Conservation Commission member) & Roberta Mank, Abutters
- Gene Young, Conservation Commission Chair
- Earl Bagley, Conservation Commission
- Andrew Morse, Selectman
- Scott Simonds, Solid Waste Director
- Marty Cornelissen, Historical Society
- John Goodrich
- Kelly Sullivan
- Mike Currier

Call to Order

Site Walk was called to order at 3:36 pm +/-

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| <p>Case #P22-14 Varney Engineering, LLC, Agent for Green Oak Realty Development, LLC, Owner</p> | <p>Map 5 Lot 72 NH Route 28/ 398 Suncook Valley Road</p> | <p>Excavation Permit Application Rural (RU) Zone</p> |
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Mr. Babb talked about the application that was before the Planning Board and that he was trying to come up with a plan that the Conservation Commission would agree with. He noted that he tried to address some issues with the Board of Selectmen, but was refused an appointment because it was a planning issue. Mr. Babb stated he talked to his neighbor, Mr. Mank, and stated that he no longer needed an approval letter from him because he was no longer excavating within the 50’ setback. All he was doing now was reclamation of the slope. He wanted to come to some conclusion because he wanted to go back to work. The areas of disturbance were due to the test pits that he dug for the stabilization report done by Miller Engineering. The north side of the pit abutting the Mank’s property had not been excavated for over three (3) years. Mr. Babb stated that there was no erosion on the slope. There was 400’ remaining to reclaim. Mr. Babb talked about the inflation of diesel gas prices and the costs involved for him to move product to complete the slope.

Mr. Carter stated that he was on a site walk about two (2) years ago and it appeared that there was further restoration of the slope than previously observed. Mr. Babb stated that he continued with the restoration to

appease the Conservation Commission so he could continue to operate. He stated that there were people that depended upon his operation. He wanted to be proactive instead of ending up where he was today. He noted that all of the material going into the slope came from the southern side of the pit; it was indigenous material to the area. The clay content was approximately 20%. On top of the break, it was tipped up slightly higher in elevation to the Mank property, so that rain water would shed onto the property. He stated he stopped because he could not come to an agreement.

Mr. Carter suggested that the group walk the length of the slope. Mr. Babb stated that the shelf started to transition away somewhere around where the dozer was parked. He noted that there was another 15' of material to create the slope the rest of the way down; approximately 8,000-9,000 yards. He stated that he wished there could have been some agreement previously because the cost of gas is going up and noted that people looking to purchase materials had to drive further out to other towns to obtain them. Mr. Carter noted that the rules of etiquette were that all questions were to go through the Chairman. Mr. Williams asked if the Conservation Commission could speak to what they would like to see as an end result.

Mr. Babb spoke to the standing water towards the back of the pit. He noted that was part of the stormwater management plan. Mr. Hillsgrove asked Mr. Babb about building the slope out further. Mr. Babb stated that he had to build the slope on a 2:1 so that there was a shelf on the top to shed the rainwater back on the Mank's property. Mr. Huff asked about the grade. Mr. Babb noted that the slope was higher in grade than the Mank's property; it consisted of super gnarly clay till that did not drain well.

Mr. Hillsgrove asked about the previous concerns of the Conservation Commission. Mr. Carter thought that there were some perched wetlands that drained (northwest side). Mr. Sample asked if it was a seasonal wetland that dried up after spring. Mr. Babb stated that there were two (2) factors, 1. The pit was opened up to more sunlight than was previously there, and 2. The blasting caused the rock to fracture, therefore, the wetland drained. He was confident that once the slope was done, it would cause it to replenish itself.

Mr. Hillsgrove asked about how far the slope was being restored. Mr. Babb stated down to the corner and noted that everything was 50' away from everybody. Mr. Hillsgrove noted that he logged the Mank's property previously. Mr. Hillsgrove asked about the gravel piles and stump pile located at the northwest side of the pit and whether those materials were being used to restore the slope. Mr. Babb stated that those materials were dropped off last summer and that some of those materials were used. Mr. Huff asked about the content of the organics in the slope. Mr. Babb stated that the material came from on site and from stumps that were hauled in. He stated that when stumps were brought in, they were stored out back. He then checked them for loam content and sold the loam. Mr. Babb stated that the stumps stayed where they were because of Mr. Dever. It was noted that there was no erosion to the slope. Mr. Babb stated that there was enough rock in the slope to make it stable. Mr. Hillsgrove shared that when he logged the abutting property, it was more like swampy areas. He noted that certain types of grass grow in wetlands and that people should be aware that it was not wet like some may think. Mr. Carter stated that there were many types of wetlands.

Mr. Sample asked if the Conservation Commission was going to make any comments. Mr. Bagley asked what was going to be placed on the slope. Mr. Babb stated that there was loam on it currently and he was going to spread grass seed on it. Mr. Dever noted that the Conservation Commission may not want to speak. Mr. Hillsgrove thought that was why they were there. Mr. Carter stated that was not the only reason. Mr. Hillsgrove thought that this had gone around the circle from what he heard. Mr. Dever stated, then he had not heard the whole story. Mr. Carter stated that there were a lot of layers to this application. Mr. Carter asked if the Conservation Commission wanted to speak. Mr. Bagley asked when the grass started to grow,

who was responsible for repairs if the slope washed out; Mr. Babb stated that it would be up to him as the property owner.

Mr. Varney noted that the bench would be stretched out from the northern side of the pit and go all the way to the end (northwestern side of the pit); Mr. Babb stated, correct. The bench at the top of the pit would end up being wide enough to accommodate a 14' wide machine. Mr. Huff suggested that the top of the berm be observed. A group of people went up to the top of the berm while the remaining crowd stayed down in the pit.

Mr. Babb approached Ms. Call and wanted her to talk to town counsel about the fact that he was not currently excavating within the 50' anymore, therefore, he did not need approving abutter letters any longer. He noted that the toe of the slope was outside of the 50'. Ms. Call stated she would discuss this matter with town counsel. The slope was 14' out and roughly out 72-74' feet at the toe; the 2:1 slope went out about 60'. He asked if the toe of the slope should be delineated on the plan. Ms. Call stated that she wanted to speak to town counsel first to see how to move forward with things before another plan was submitted.

Roughly 15-20 minutes later, the group of people that walked the top of the slope came back to join the remaining crowd. Mr. Huff informed Mr. Babb that he needed to go back up to the top to reexamine the surface because it was not pitching back; Mr. Babb stated it probably settled as it had been three (3) years. Mr. Huff provided some feedback as to how he recommended the top should be maintained, see attached memo from Mr. Huff dated May 2, 2022.

Mr. Carter noted that for the most part, the slope was 2:1, but in some areas it appeared to be a 1:1. Mr. Babb stated that Mr. Varney had an As-Built that he submitted. Mr. Babb noted that the slope percentages were in the report prepared by Miller Engineering. Mr. Carter noted that property markers were found during the walk up on top.

Mr. Carter asked if anyone had any further comments. Mr. Young asked Ms. Call to make sure that the Conservation Commission Secretary, Katherine Bowden, had copies of the plans for their meeting that night. Ms. Call stated that they had received copies of the plan at their last meeting. Mr. Williams asked again about whether the Conservation Commission was going to provide any comments because it was important to know their position sooner than later. Mr. Carter thought that their comments would be provided at the next public hearing. Mr. Williams stated that if they were to provide a letter, that a subsequent letter could not add additional items for an applicant to complete, and as a Board, they had decided that years ago. Mr. Carter thought that was a reasonable expectation. Mrs. Sullivan asked when the next meeting was scheduled; Mr. Carter stated, May 17th. Mr. Young stated that the Conservation Commission had two (2) meetings before the May 17th meeting and that they would submit comments before that.

Mr. Huff asked if he could receive a copy of the As-Built and if it was submitted with the application packet; Mr. Babb stated yes, he should receive a copy. Ms. Call stated that the As-Built had not been looked at by a town engineer yet, nor had it been presented to the Planning Board. There was some confusion if the As-Built plan was submitted with the application packet, or if the Existing Conditions Plan was being referred to. Mr. Huff thought he should take a look at the As-Built plan; Ms. Call thought that would be appropriate at this time because Mr. Babb was coming in with a new application. It was noted that the As-Built plan that was prepared by Paul Zuzgo, LLS, was going to be submitted to the office by Mr. Varney in .pdf and two (2) large paper copies.

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APPROVED

Adjournment:

Mr. Carter adjourned the site walk at 4:24 pm +/-.

Respectfully Submitted,

Jessica A. Call
Town Planner

Minutes approved as amended: May 17, 2022