

Approved: \_\_\_\_\_

Approved with changes: \_\_\_\_\_

Unapproved: \_\_\_\_\_

**Effingham Planning Board**  
**Video Virtual Public Hearing Minutes**  
**June 25, 2020**

5 **Members Attending:** Theresa Swanick (Chair), George Bull (Assistant Chair) Michael Cahalane (Selectmen’s Representative), Paul Potter, Grace Fuller, Mark Hempton, Gary Jewell, and Elaine Chick

**Members Absent:** None

**Others Attending:** No members of the public requested access to this video conference.

10 Planning Board Meeting Called to order at 6:32 PM

Theresa Swanick took roll call attendance: Grace, Elaine, Michael, George, Mark, Paul, and Theresa all identified as present for this roll call.

**The Chair called the Public Hearing to order: 6:35PM**

15 Copies of the Draft Excavation Regulations were distributed prior to the meeting. Copies were available to the public on the town website (as a link within the posted public notice) and through the town office by request.

20 The Chair informed those present that this public hearing was being held to conduct the final review and adoption of the Excavation Regulations. Since there are no strong statutory guidelines around how to do this adoption, we, therefore, are going by the fact that it is good process to hold a Public Hearing to allow any interested members of the public to participate.

The Board began discussion of the regulations. It was noted that a couple of approved edits were missed between the prior draft from April 2020 and this final draft. Those edits were made along with some formatting corrections. No changes or corrections were necessary that would alter the content of the Final Draft.

25 **At 6:42 PM:** The Chair recognized Gary Jewell joining the Hearing and the discussion.

The Board continued discussion on the need to draft the Permit document and the Application checklist. This will be done in a future meeting.

30 There being no further discussion, the Chair asked for a motion: A motion was made by Elaine Chick to adopt the Excavation Regulations as amended during the Public Hearing. Grace Fuller seconded the motion.

A roll call vote for the motion was taken of all members: Grace Fuller, aye; Elaine Chick, aye; Michael Cahalane, aye; George Bull, aye; Mark Hempton, aye; Gary Jewell, aye; Paul Potter, aye; and Theresa Swanick, aye.

**Public Hearing closed at 6:53PM.**

35 Planning Board meeting continued at this point.

- The Chair stated the adopted Excavation Regulations will be posted on the Town website. Nate Fogg will notify any upcoming applicants for Excavation Permits be directed to these newly adopted Regulations.

40 The Board continued discussion regarding a Site Plan Application would still be required as part of the Excavation Permitting process. George Bull indicated the Site Plan will include detailed information incorporating all aspects of the Excavation Plan.

Paul Potter raised the question of the difference between the Application fee and the Permit fee.

- The Application fee is the fee paid to the town as part of the application. The Permit Fee is paid at the time the Permit is issued. The State RSA 155-E:8 placed a limit on the Permit fee not to exceed \$50.00.

Gary Jewell asked who determines the Bond value? And, who monitors the compliance of the Excavation operation throughout the years?

- Elaine Chick indicated this is addressed in the Performance Security section, the Surety amount is determined by an engineer. Cost covered by the applicant.
- The regulator or their designee is responsible to monitor the compliance. In addition, there are regular filings required.
- The Applicant is responsible for the cost of inspection. Michael Cahalane suggestion using our current Engineering firm.

55 Theresa Swanick raised the suggestion of developing a secondary check list for Excavation permits based on the current site plan check list.

Discussion continued regarding Accepting Application as Complete hearing and Application Review Hearing on the same date.

- Theresa Swanick clarified the Application Complete review and Application Public Hearing ‘could’ be held on the same date but that is not a requirement. The Board has the option to hold the Public Hearing on the Application on a different date from the Application Complete Hearing.

Further discussion was held on how to use the Zoom Video conferencing tools. Additional discussion and testing will be done.

Motion to adjourn by Elaine Chick, seconded by Grace Fuller.

65 Chair held a Roll call vote to adjourn: Grace Fuller, aye; Elaine Chick, aye; Michael Cahalane, aye; George Bull, aye; Mark Hempton, aye; Gary Jewell, aye; Paul Potter, aye; and Theresa Swanick, aye.

**Meeting Adjourned: 7:57 PM**

70 Respectfully submitted,

Elaine Chick