

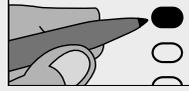


Sample Ballot
Town Election
March 10, 2026
 Ashland, NH

Instructions

To Vote:

To vote, completely fill in the oval next to your choice.



To Vote for a Write-in:

To vote for a person whose name is not on the ballot, write the person's name on the "Write-in" line and completely fill in the oval next to the line.



ARTICLE 2 COMPACT ZONE

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the town zoning ordinance as follows:

All properties abutting NH Route 3 (Main Street and Riverside Drive) Extending from the interstate 93 Overpass to River Street and Winona Road.

All properties abutting West Street to include North Street and Hillside Avenue.

All properties abutting School Street.

All properties abutting Highland Street, up to Summer Street.

All Properties situated between Highland Street and NH Route 3 (properties abutting Summer Street, Spring Street, Prospect Street, Cottage Place and Cottage Avenue).

All properties abutting Thompson Street extending from Main Street to High Street and those abutting High Street and Potter Place.

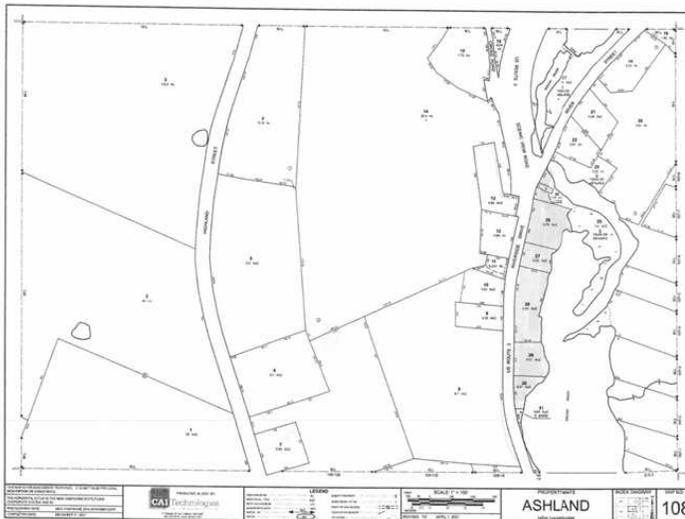
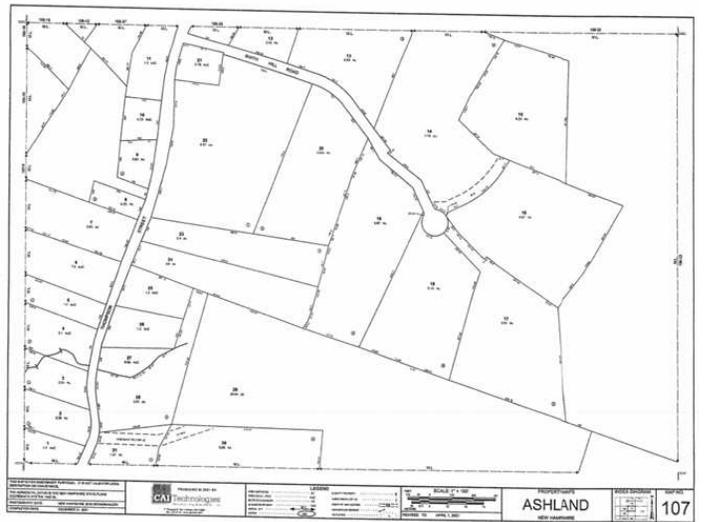
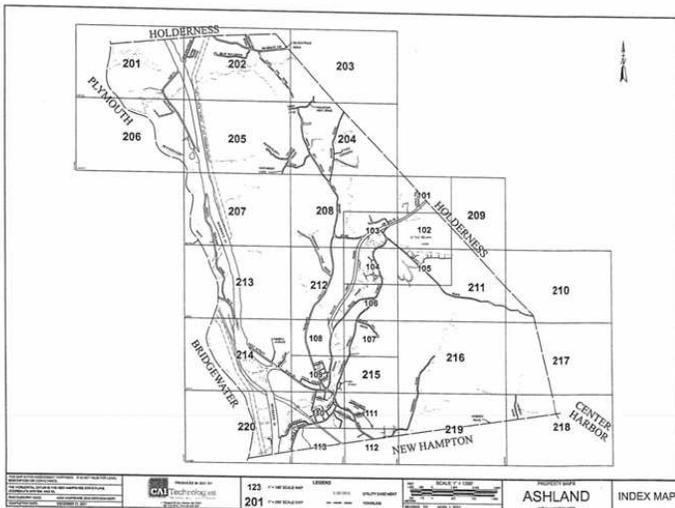
All properties situated between Route 3 (Main Street) Depot Street and Winter Street.

All properties situated between Winona Road and Carr Ave, including those situated on Washington Street and Ames Drive.

Properties along Depot Street extending from Main Street to the Rail Road Tracks.

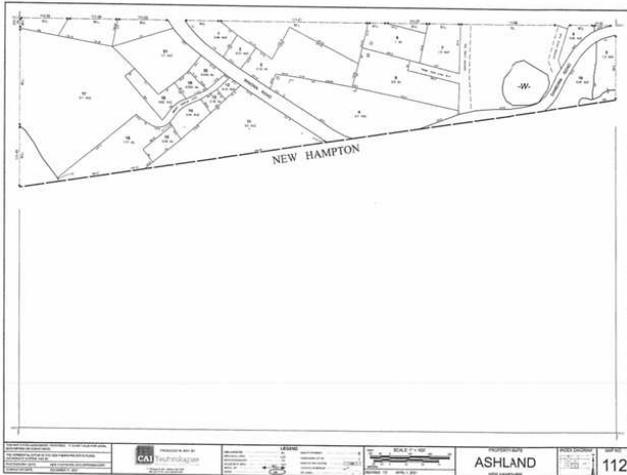
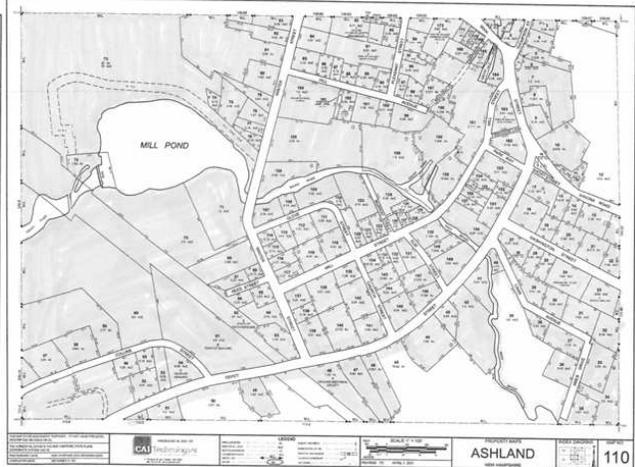
All properties situated between Collins Street and Depot Street extending to the New Hampton town line.

Includes all developments that house three or more units as well as mobile home parks



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ARTICLE 2 COMPACT ZONE (Continued)



Yes
No



ARTICLE 3 MIXED USE ZONE

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the town zoning ordinance as follows:

GENERAL REFERENCE – ZONING ORDINANCE

C. Mixed Use District (MU)

1. District Boundaries

The Mixed-Use District, as shown on the adopted Zoning Map, begins at the Holderness town line, at NH Routes 3 and 25 to Cottage Street on the right side of the road as you come into Town, then from Cottage Street to Main Street on both sides of the Road.

Geographic area to be added and map to be included.

2. General Purpose and District Characteristics

Intended to guide growth while preserving a rural, small-town character, include the establishment of a Mixed-Use District with single and multi-family housing and commercial establishments on a traditional village scale, which will foster pedestrian use, promote safe traffic patterns, reduce curb cuts, and encourage shared parking and driveways wherever feasible and prudent. Within the Mixed-Use District, a principal structure may, itself, be mixed use. For example, a residential apartment(s) may be located on the floor above a commercial establishment. The purpose of this District is to allow for increased density in a limited area while also reflecting a more nuanced understanding of the area's unique geography. Provisions for frontage or secondary access roads are required in this District to serve better the community's concern for preserving scenic views and an attractive rural character, while still providing a workable venue for mixed-use growth near the interchange of a state highway and Interstate 93.

3. District Property Uses Table of Uses

USE	MIXED USE WITHIN STRUCTURE Residential Use Mixed with Non-Residential Use				
	PERMITTED	CONDITIONAL USE	SPECIAL EXCEPTION	PERMITTED	SPECIAL EXCEPTION
Single-Family Dwelling	X				
Two-Family Dwelling	X				
Accessory Dwelling Unit (ADU) See Article 4	X		X		
Agriculture (See Article IV, Section C.5)	X				X
Agritourism			X		
Accessory Building, incidental to the principal structure	X				X
Home Occupations	X				X
Bed & Breakfast Houses	X				
Restaurants – excluding drive-through facilities	X	X	X		

Yes

No



ARTICLE 4 BLASTING ORDINANCE

Are you in favor of the adoption of the blasting ordinance as proposed by the Planning Board?

GENERAL REFERENCES

Excavations Ordinances
Zoning ordinance
Purpose, statutory authority, and enforcement.

Definitions

- A. Blasting is an activity essential to Ashland's economic viability. Unregulated and/or irresponsible blasting may cause undue psychological, physical, or nuisance damage to the Town's people, property, and environment.
- B. This chapter establishes specific standards for blasting operations, notice requirements, instrument monitoring requirements of blasting operations, a permit process for blasting, and other associated standards and requirements.
- C. It is intended to minimize the effects of air blast overpressure, ground vibration, dust, and noise associated with blasting, which may be detrimental to the enjoyment of life, property, and the conduct of business for those individuals affected.
- D. It also intends to provide standards to prevent permanent damage to the geological, hydrogeological, and wildlife resources and ecological balance in the region outside the immediate blast area. The chapter is intended to protect the quality of life and the homes of residents, neighborhoods, property, groundwater, wildlife resources, scenic beauty, and/or businesses, all lying outside the approved work area and potentially affected by the blasting.
- E. It is intended to be effectively and efficiently administered without causing undue financial and administrative hardship to blasting operators.
- F. It is intended to provide standards and requirements in conjunction with the Town of Ashland Extraction Ordinance. If quarrying is utilized in the mineral extraction process.
- G. This chapter is enacted under the power of the Ashland Zoning Ordinance and shall be administered by the Code Enforcement Officer.

Definitions

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

AIR BLAST (Fluff) An airborne shock wave resulting from the detonation of explosives. An air blast may be caused by the movement of a burden or the release of expanding gas into the air. An air blast may or may not be audible.

APPLICANT The owner or other individual, corporation, or other business entity that applies for the legal right to conduct blasting at real property, which it has the legal right to use.

BLAST SITE The area where explosive material is handled during the loading of drilled blastholes, including the perimeter formed by the loaded blastholes and 50 feet in all directions from the loaded blastholes.

BLASTER An applicant who has been awarded a permit to conduct blasting.

BLASTING The use of explosives to break up or otherwise aid in extracting or removing rock or other consolidated material.

BLASTING OPERATIONS All processes are conducted in association with the site or other preparation for blasting and the detonation of explosives.

DECIBEL The unit of sound pressure is commonly used to measure air blast from explosives. The decibel scale is logarithmic.

EXPLOSIVES Any substance, chemical compound, or mechanical mixture used to produce an explosion to fragment rock for mining, quarrying, excavation, and construction. Initiating devices (detonators, detonating cords, etc.) are also included under this definition.

FLYROCK Rock propelled through the air or along the ground leaves the secured blast area due to the detonation of explosives.

GROUND VIBRATIONS Shaking of the ground caused by blasting. Ground vibrations will be measured along three principal axes (x, y, z): transverse, vertical, and longitudinal, all subject to the performance standards herein.

GROUNDWATER Water beneath the earth's surface is often between saturated soil and rock that supplies wells and streams.

HERTZ In blasting, a term expresses the frequency of ground vibrations and air blasts. One hertz is one cycle per second.

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ARTICLE 4 BLASTING ORDINANCE (Continued)

PARTICLE VELOCITY A measure of ground vibration in the case of blasting. Particle velocity describes the velocity at which a ground particle vibrates when excited by a seismic wave. It is measured in inches per second.

PRODUCTION QUARRY A quarry is primarily used to produce material for commercial sales or beneficiation. Its distinguishing characteristic is that it is not operated with an approved and permitted on-site development or construction project.

QUARRY The property designated in the application and permit where rock is excavated

SECURED BLAST AREA The area designated by permit in which blasting is permitted.

SEISMOGRAPH An instrument that measures and can provide a permanent record of hertz and decibel readings concerning ground vibrations caused by blasting.

A blasting permit is required; it will affect other regulations.

A. No blasting within the Town of Ashland shall be allowed unless a permit has been obtained from the Building Inspector / Code Enforcement, except as otherwise exempted by this chapter.

B. This chapter's requirements are in addition to any other applicable ordinances, regulations, and statutes; where different standards are contained, the more restrictive standards shall apply.

C. This chapter does not replace or negate federal and/or state requirements about explosives.

Permit requirements.

A. Blasting permit required. The following shall require a permit:

(1) Production quarry. Production quarries must be approved by the Planning Board as required by the Excavation Ordinance. After the Planning Board issues an approval authorizing production quarrying, the Building Inspector / Code Enforcement may issue a blasting permit, subject to conditions outlined in the ordinance required by the Planning Board.

(2) Project. The following construction projects require a blasting permit:

(a) Planning Board approved. Construction projects required by the Subdivision ordinance, to be reviewed and approved by the Planning Board, shall follow the process for approval outlined in the Subdivision and Zoning ordinances. After Planning Board review and approval, the Building Inspector / Code Enforcement may issue a blasting permit.

(b) Non-Planning Board approved. Any construction project that does not require Planning Board review, requires a building permit, and is not exempt from the permit process by virtue of this chapter shall be required to obtain a blasting permit from the Building Inspector / Code Enforcement.

B. Notice required. The following activities shall not require a blasting permit from the Building Inspector/Code Enforcement, but shall require notice of blasting to be given to the Building Inspector/Code Enforcement. Notice shall be provided in writing to the Building Inspector / Enforcement at least one business day before the proposed start of blasting.

(1) Public roadway: road projects conducted by the NHDOT, Town of Ashland, or a contractor under contract with NHDOT or the Town of Ashland.

(2) Utility: projects undertaken by any entity whose business is to provide water, sewer, electricity, telephone, gas, cable television, or other underground services.

(3) Other. For any project that does not fit into another category, the Code Enforcement Officer will determine if an application for a blasting permit is required.

C. Blasting application information. All applications for permits to conduct blasting shall contain the following information, referred to as the "blast plan":

(1) Applicant: the applicant's name, address, daytime telephone number, fax number, and e-mail address.

(2) Blasting contractor: the contractor's name, address, daytime telephone number, fax number, and e-mail address (if other than the blaster).

(3) General contractor: the general contractor's name, address, daytime telephone number, fax number, and e-mail address.

(4) Work site: the street address, Tax Assessor's map, and lot number for the proposed blasting activity.

(5) Volume of material: the estimated number of cubic yards (measured in place) of material to be removed by blasting.

(6) Number of blasts: the estimated number of blasts required to remove the specified amount of material.

(7) Blast period: the planned starting and ending dates of the blasting activity.

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ARTICLE 4 BLASTING ORDINANCE (Continued)

(8) Purpose of blast: a brief description of the work for which the blasting activity is requested.

(9) Site diagram: a sketch or diagram showing the property where blasting will be conducted, including the location of adjacent structures and the distance to those structures.

D. Insurance. Prior to commencing blasting operations, evidence of liability insurance in a minimum amount of \$5,000,000 combined single limit per occurrence shall be submitted to the Code Enforcement Office.

E. Public hearing. A public hearing shall be required for all blasting permits issued by the Planning Board.

F. Fees. Fees for blasting permits shall be determined and amended from time to time by the Board of Selectmen in a published fee schedule.

G. Permit duration.

(1) Production quarry: as stipulated by the Planning Board.

(2) Project, Planning Board approved. Blasting permits for projects approved by the Planning Board shall be valid for one year from the date they are issued.

(3) Project, non-Planning Board approved. Blasting permits for projects not requiring Planning Board approval shall be valid 90 days from the issue date.

H. Pre-blast survey. The following pre-blast survey requirements shall be required for all blasting permits before commencing blasting:

(1) Production quarry: as stipulated by the Planning Board.

(2) Project, Planning Board approved. A pre-blast survey shall be conducted for all occupied structures within 500 feet of the blast site.

(3) Project, non-Planning Board approved. A pre-blast survey shall be conducted for all occupied structures within 300 feet of the blast site.

(4) All other blasting. No pre-blast survey shall be required, but one may be conducted at the discretion of the blaster.

Performance standards.

All blasters must comply with the following performance standards:

A. Hours of detonation.

(1) Production quarry. As stipulated by the Planning Board, Blasting may occur between 11:00 a.m. and 3:00 p.m., Monday through Saturday, except for Major Holidays such as New Year's Day, Memorial Day, the Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day. Emergency blasting for misfires shall be allowed after the 3:00 p.m. cutoff time, provided the Town and abutters are notified before detonation. For the town, Emergency notification will include the Fire Department, Police Department, and Building Inspector/Code Enforcement.

(2) All other blasting. Hours of detonation are limited to between 11:00 a.m. and 3:00 p.m., Monday through Saturday inclusive, except by special exception. In no case shall a blast occur on the following legal holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving, and Christmas. Blasting as part of a mineral extraction license must occur between 11:00 a.m. and 3:00 p.m.

(3) Emergency situations. Blasting of any type may occur in situations deemed to be emergencies by the Building Inspector / Code Enforcement after possible consultation with the Fire Chief/or designee and Police Chief/or designee. Emergency situations may include, but are not limited to, blasting to install utilities damaged by weather events or to correct a misfire of explosives in an otherwise permitted blast event.

B. Water quality protection. Water is a precious resource, and the applicant must take measures to protect groundwater quality. Before the initial blast, the applicant must conduct water quality tests on all non-applicant-owned wells within 300 feet of the property line or as determined by the Planning Board for production blasting and Planning Board-approved projects. Water quality testing must also be done post-blast if requested by the property owner because of evidence of a substantive change in water quality. Turbidity in wells tested shall be no greater than that which existed before the blasting as established in the pre-blast survey.

C. Ground vibration.

(1) Peak particle velocity. Peak particle velocity limits (inches per second) not to be exceeded at any time, and in any one of the three principal directions:

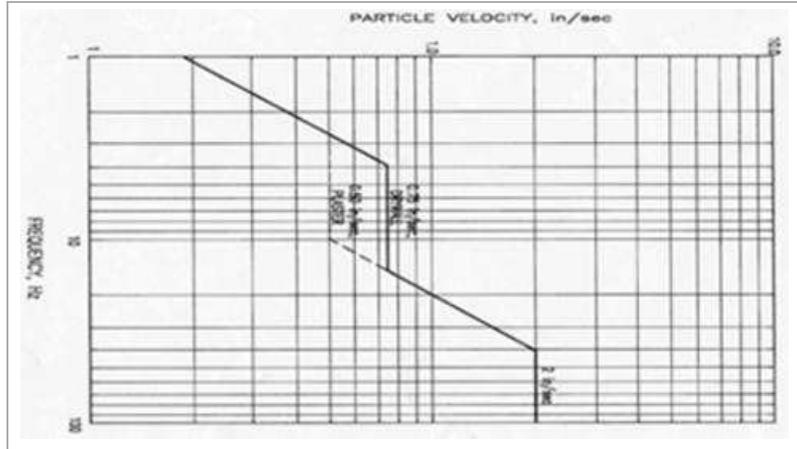
(a) Production quarry:

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ARTICLE 4 BLASTING ORDINANCE (Continued)

Distance From Blast (feet)	Maximum Peak Particle Velocity (inches/second)
Less than 300	1.25
300 to less than 500	0.94
500 to less than 5,000	0.75
5,000 or more	0.54

(b) Other:



Source: U.S. Bureau of Mines USBM RI 8507, 1980

[1] Up to 30 hertz: 0.5 inch per second.

[2] Thirty to 40 hertz: 1.0 inch per second.

[3] More than 40 hertz: 2.0 inches per second.

(2) Measurement. Ground vibration shall be measured as particle velocity. Particle velocity shall be recorded in three mutually perpendicular directions (x, y, z). The maximum allowable peak particle velocity shall apply to the three measurements.

(3) Seismographic record. The applicant shall retain a seismographic record for all blasts and provide it to the Building Inspector / Code Enforcement or the Planning Board. The applicant is responsible for such records and providing proper instrumentation as specified in this chapter. Personnel conducting such monitoring shall be adequately trained to operate the equipment being used.

D. Air blast overpressure. The level not to be exceeded is 133 peak dB (linear) in a two-hertz high-pass system.

E. Instrumentation. All seismographs used for compliance with this chapter shall meet the following minimum specifications:

(1) Seismic frequency range: two Hz to 200 Hz (\pm three \pm Hz).

(2) Acoustic frequency range: two Hz to 200 Hz (\pm one \pm dB).

(3) Velocity range: 0.02 inch to 4.0 inch per second.

(4) Sound range: 110 dB to 140 dB linear.

(5) Transducers: three mutually perpendicular axes.

(6) Recording: provide a time history of the waveform.

(7) Calibration: laboratory calibrated as often as necessary, but at least once every 12 months or according to the manufacturer's recommendations, whichever is less.

(8) Measurements. The requirements established herein shall be measured at the closest building(s) on abutting properties as determined by the Code Enforcement Officer or Planning Board.

F. Other permits. The applicant must also comply with all standards and conditions of other permits issued for such projects and local, state, and federal statutes and regulations.

Notices.

A. Required notification of blasting. The blaster shall adhere to the following notice requirements for any blast requiring a blasting permit.

(1) Initial notice. The following initial notice of blasting shall be required:

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ARTICLE 4 BLASTING ORDINANCE (Continued)

(a) Production quarry. Notice shall be sent no later than 10 calendar days and no earlier than 14 calendar days before the initiation of blasting. The blaster must develop and implement a plan that provides an opportunity for prior notification of a blast to all property owners within 2,000 feet of the blast site. Notification may be made by telephone, /by mail, /or by public notice in the local newspaper, as outlined in the permit.

(b) Project blasting (any type). The blaster must deliver, or send by first-class mail, an advisement notice to all property owners within 300 feet of the secured blasting area. If notification is sent by first-class mail, it shall be mailed no later than five calendar days before the initiation of blasting with a return receipt. If notification is hand-delivered, it shall be delivered no later than two calendar days before the initiation of blasting. Such notice must include the description of the blasting signals to be utilized during the operation. The blaster of either a production quarry or project must notify the property owner who has made a written request to the blaster.

(2) Twenty-four-hour requirement. Before every blast, the blaster shall notify all property owners within 300 feet of the secured blasting area for project blasting and 2,000 feet for production quarries. This will be done whether or not the property owners requested to be notified. The blaster shall also inform all others who have requested to be notified in writing. Such notifications shall be given by telephone or door hangers on the residence or business door between 24 and 48 hours before the blast. The notification shall state the time the blast is proposed to occur, and the explosion may occur as early as one hour before the noticed time and as late as one hour after the noticed time. The burden of proof of notification is the responsibility of the blaster.

B. Waiver of notice. The requirement of notice per this section for a project blast may be waived by the Building Inspector / Code Enforcement for removing less than 50 cubic yards of rock, as estimated in place, when that rock is unexpectedly encountered after work on the project has begun.

Inspection, monitoring, and recordkeeping.

A. Entry and testing. The Code Enforcement Officer or his authorized representative may enter the secured blasting area or adjacent area to conduct tests and observe any authorized blasting operations and may order that additional ground vibration and air blast overpressure measurements using approved instrumentation be made by persons responsible for blasting operations to ensure that the limits specified in this chapter are not exceeded, if excess readings are indicated.

B. Additional monitoring. The blaster shall maintain a record of each blast. All records shall be retained for at least three years following cessation of the blasting operation, and shall be available for inspection by the Code Enforcement Officer and shall contain the following minimum data for traceability purposes:

- (1) Name of responsible party: the name of the person(s) responsible for the blasting operation.
- (2) Location, date, time: each blast's location, date, and time.
- (3) Blaster: the name(s) of the blaster in charge.
- (4) Weather: the weather conditions (including such factors as wind direction, cloud cover, etc.).
- (5) Data: seismograph and air blast readings, including date, time, and instrument location.
- (6) Notice: name, addresses, date, and time of all persons who were notified prior to every blast.

Compliance schedule.

A. Applicability. Upon adoption of this chapter, all existing and new blasting operations are subject to its terms, and a permit must be obtained to conduct any further blasting.

B. Review. A complete review of all activities under this chapter shall be undertaken by the Code Enforcement Officer 12 months after adoption of this chapter to determine if the levels are adequate and reasonable to achieve the purpose for which this chapter is intended. The results of this review shall be reported to the Planning Board,

Exceptions for undue hardship.

A. Application. Applications for a permit for exception from the performance standards designated in this chapter may, based on hardship, be made to the Code Enforcement Officer. Any permit granted hereunder shall contain all conditions upon which said permit has been granted and shall specify a reasonable time that the permit shall be effective.

B. Standards. The Code Enforcement Officer may grant the exception as applied for only if:

- (1) Limited in scope: The activity or operation will be temporary, i.e., a limited number of blasts at a specific site, and cannot be done in a manner that would comply with this ordinance.
- (2) Reasonable alternative: no other reasonable alternative is available to the applicants; and
- (3) Safety: the applicants represent, and the Code Enforcement Officer finds that blasting as permitted will not violate recognized safety standards.

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ARTICLE 4 BLASTING ORDINANCE (Continued)

C. Conditions. Upon the issuance of any exception permit, the Code Enforcement Officer may limit the scope of the exception and prescribe any reasonable conditions or requirements he deems necessary to minimize adverse effects.

Violations and penalties.

A. Penalties. The submission of willful false information required by this ordinance, the violation of this Ordinance, or the breach of any condition attached to a permit granted under this ordinance shall constitute a land use violation for which the Town may commence an enforcement action.

B. Reporting. A copy of the violation report and consent agreement reached between the Town and the person, or entity found violating any portion of this Ordinance, will be filed in the permit or license file. The same shall be reported in writing to the Town Council.

Yes

No

ARTICLE 5 EXCAVATION ORDINANCE

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the town excavation ordinance as follows:

Bold Language will be added to the ordinance, struck language will be removed

Commercial Earth Excavation Regulations

SECTION III: DEFINITIONS

A. ABUTTER means (1) any person whose property is ~~located in New Hampshire and~~ adjoins or is directly across the street or stream from the land under consideration. (2) ~~For the purposes of receiving testimony only, and not for notification, the term "abutter" shall include any person demonstrating that his land will be directly affected by the proposal under consideration.~~

G. COMMERCIAL EXCAVATION means excavation of **300** ~~1,000~~ cubic yards or more (~~approximately seventy 10-wheeler dump truck loads~~) or earth intended for commerce. Any commercially useful earth material leaving the property for whatever reason is considered to be a commercial operation.

H. COMMERCIALLY USEFUL means the amount of excavated earth deemed by the Board to be commercially valuable, which has been determined to be **300** ~~1,000~~ cubic yards or more.

J. Dwelling: A house, an apartment, or a place of Residence.

L. EARTH means sand, gravel, rock, soil, loam, **minerals**, or construction aggregate produced by quarrying, crushing, any other mining activity, or other naturally-occurring unconsolidated materials that usually mask the bedrock.

S. INCIDENTAL EXCAVATION means excavation that is subordinate or accessory to a primary use located on the same lot and conducted immediately prior to initiating the primary use. Incidental uses shall meet all of the following criteria: 1. will be completed within 90 days; 2. will involve the removal from the site of less than **300** ~~1,000~~ cubic yards; 3. for which all required permits, including those for the proposed primary use, have been obtained prior to commencing the incidental excavation. Excavation that results in high intensity or potential for safety concerns shall not be considered incidental.

T. MINOR TOPOGRAPHICAL ADJUSTMENT means a one-time removal of earth from the site of less than **300** ~~1,000~~ cubic yards that is exclusively necessary to change the physical configuration of the land for a specified use or situation.

SECTION V: EXCEPTIONS FROM AN EXCAVATION PERMIT

A. The following projects are deemed to be EXEMPT from a permit:

1) Site developments, construction activities, or other projects require excavation of earth and will not remove more than **300** ~~1,000~~ cubic yards of earth from the site. If the project will result in the removal of more than **300** ~~1,000~~ cubic yards from the site, the project will be considered incidental, provided that all of the required state and local permits have been issued. In those incidents, the Planning Board may impose operational conditions and a performance bond deemed necessary to ensure completion of the proposed project.

2) Excavation of less than **300** ~~or 1,000~~ cubic yards of earth for altering a building or structure, parking lot, or driveway on a portion of the premises where removal occurs, provided all local and state permits have been issued.

3) **NH DOT, public utilities, and Ashland Town work projects will be exempt from this ordinance.**

4) **Construction to driveways and Repaving of Driveways that do not go below 3 feet in depth will be exempt from this ordinance**

SECTION VI: PROHIBITED PROJECTS

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ARTICLE 5 EXCAVATION ORDINANCE (Continued)

2) Excavations within fifty (50) feet of the boundary of a disapproving abutter or within ten (10) feet of an approving abutter. Excavations within one hundred and fifty (150) feet of any dwelling. **Within 150 feet of an existing Septic or well area.**

SECTION IX: OPERATIONAL STANDARDS

4)The total amount of material to be estimated will be determined and given to the Building Inspector / Code Enforcement. Before work starts, a final tally will be given to the Building Inspector/Code Enforcement at the conclusion of work.

B. Processing of Earth Material

3) No blasting shall occur without receiving prior approval during the permitting process. From the town and the State, **and must notify the Building Inspector /Code Enforcement, Police Chief or designee, and the Fire Chief or designee. Before blasting, see Blasting Ordinance.**

C. Backhauling, Importing, and Storage of Material

3) Stumps and Brush shall be allowed to be ~~buried~~ or stored on site so long as the stumps and tree parts are buried in a manner to preclude the development of sink holes and erosion of cover materials and will be protective of the environment, public health, and safety. The ~~burial~~/storage site must be at least 75 feet from any water supply, 25 feet from any property line, and at least 4 feet above the seasonal high water table. The burial or storage will be performed in accordance with all local, state, and federal regulations. The site plan and property deed/chain of title shall provide:

SECTION X: SITE RECLAMATION STANDARDS

1) The Planning Board or **Building Inspector/ Code Enforcement**, its designee, shall periodically inspect the operations and perform a final reclamation inspection to ensure that the approved plans have been followed.

3) All debris, stumps, boulders, etc., shall be lawfully disposed of in a manner acceptable to the Planning Board or Building inspector/code enforcement, ~~its designee~~.

E . Incidental excavations that have received an exception from the Planning Board to remove more than **300** ~~1,000~~ cubic yards of earth shall reclaim the property per the specifications dictated by the Planning Board.

SECTION XI: PERFORMANCE GUARANTEE

B. The surety shall not be released until the Planning Board is satisfied that all conditions of the site reclamation plan have been complied with and that no erosion or die off has occurred for at least two years after closure. Areas used for stockpiling, processing machinery, and other non-excavation uses shall not be included in surety requirements. **The planning board reserves the right to hire, at the developer's expense, a 3rd party review to develop an adequate figure for a Surety Bond.**

SECTION XIV: ADMINISTRATION AND ENFORCEMENT

C. Inspections

The Planning Board or **Building inspector/code enforcement's** ~~designee~~ may make periodic inspections of all excavation sites, or incidental excavations, to determine if the operations conform with these regulations, the approved plans, or the exception criteria.

Yes

No