

PROPOSED AMENDMENTS TO THE ORDINANCE RELATIVE TO MINERAL EXPLORATION AND MINERAL EXTRACTION, June 2018

Proposed

~~Shaded Strike through~~ denotes wording removed

Underline denotes wording added

Asterisks (* * * *) denotes wording before or after

3.2 Definitions – In this Ordinance, the following terms shall have the following meanings unless a contrary meaning is required by the content or is specifically prescribed.

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Filling, Grading and Other Earth-moving Activities: Earth Moving activity other than mineral extraction

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Mineral Extraction – Any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, ledge, peat, or other similar material from its natural location; and to transport the product removed, away from the extraction site.

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2.7 Land Use Chart

ANY USE NOT LISTED HEREIN IS PROHIBITED

C = Conditional Use Review

LPI = Licensed Plumbing Inspector

N = Not Permitted (use not allowed)

P = Permitted (use allowed without a permit, must comply with all applicable land use standards)

R = CEO Review (use must be reviewed by CEO and a permit may be required)

S = Site Plan Review

SD = Subdivision Review

NA = Not applicable

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	Village Area	Transition Area (2-acre)	Rural Area (2-acre)	Critical Rural Area (5-acre)	Commercial A	Commercial B	Commercial C	Mixed Use	Resource Protection	Shoreland	Little Ossipee Aquifer Protection District	
Filling, grading, or other earth moving activity more than 10,000 cubic yards Mineral Extractive Industry	N	C	C	C	C	C	C	C	N	N	N	C

2/23/2017 – Created

2/27/2017 – Definition added

3/1/2018 – Updated definitions – approved by Planning Board

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5.9 Mineral Exploration and Mineral Extractive Industry:

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5.9 MINERAL EXPLORATION AND MINERAL EXTRACTIVE INDUSTRY –

5.9.1 MINERAL EXPLORATION – Mineral exploration to determine the nature or extent of mineral resources shall be accomplished by hand sampling, test boring, or other methods which create minimal disturbance of less than one hundred square feet (100 sf) of ground surface. A permit from the Code Enforcement Officer shall be required for mineral exploration which exceeds the above limitations. All excavations including test pits and holes shall be immediately capped, filled, or secured by other equally effective measures so as to restore disturbed areas and to protect the public health and safety.

5.9.2 MINERAL EXTRACTIVE INDUSTRY –

- a. PERMIT REQUIRED** – Topsoil, rock, ledge, sand, gravel, and similar earth materials may be removed from locations where permitted only after a Conditional Use Permit for such operations has been issued by the Planning Board in accordance with the following provisions of this Ordinance.

(1) Exception: the removal or transfer of less than one thousand (1,000) cubic yards of material from or onto any lot in any twelve (12) month period, (as permitted in the Land Use Chart).

- b. EARTH MOVING NOT REQUIRING A CONDITIONAL USE PERMIT** – The following earth moving activity shall be allowed without a Conditional Use Permit from the Planning Board:

~~(1) Except in the Shoreland District and the Resource Protection District, the removal or transfer of less than ten thousand cubic yards (10,000 cy.) of material from or onto any lot in any twelve (12) month period.~~

~~(2)~~ **(1)** The removal or transfer of material incidental to construction, alteration, or repair of a building, or in the grading and landscaping incidental thereto.

~~(3)~~ **(2)** The removal or transfer of material incidental to construction, alteration, or repair of a public or private way or essential service.

~~(4)~~ **(3)** Agricultural tillage.

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