

D R A F T

Board of Selectmen Town of Brookfield

Regulations for Timber and Wood Cutting Operations

All logging operations in the Town of Brookfield are to be performed utilizing the best management practices, as outlined in *Good Forestry in the Granite State*. Additionally, land owners and their designated operators are expected to observe the following regulations of the Town of Brookfield.

1. Intent to Cut:

Other than those exempt from so doing pursuant to RSA 79:1, II(b), prior to commencing any cutting of timber or wood upon which a yield tax may be imposed, an owner of property shall file with the Board of Selectmen and/or designee, notice of "Intent to Cut" pursuant to the provisions of RSA 79:10 (see appendix A) on forms provided by the Commissioner of Revenue Administration (DRA Form PA7).

2. Documentation of Cut:

Pursuant to RSA 79:11 (see appendix A), an owner shall file with the Selectmen and/or designee immediately upon completion or termination of cutting operations a "Report of Wood Cut" (DRA Form PA8), to identify, verify and determine the full amount and true stumpage value of all the wood and timber cut on the operation for which the report is filed.

3. Cutting, Slash Removal and Basal Area:

Each owner, and their designated operator, shall strictly comply with all state statutes including the following provisions of RSA 227-J: 9 and 10 (see Appendix C attached).

4. Operations in Wetlands:

All operations shall comply with the state regulations as delineated in RSA 227-J: 6 & 7 (Appendix D attached).

5. Log Landings:

a. Access to log yards and/or wood lots from town maintained roads require a temporary driveway permit issued by the Code Enforcement Office. Access from State maintained highways require a permit from the State of New Hampshire Department of Transportation. The town driveway permit expires with the completion of the wood cut, or at the end of the yield tax year, whichever comes first.

- b. Upon completion of cut, all landings will be promptly cleaned of waste and debris and back dragged and seeded.
- c. On logging roads and skidder trails, water bars shall be installed as necessary to prevent erosion.
- d. The access/driveway to the log landing and/or wood lot on town roads shall be returned to its original condition within 14 days of the completion of the cut. This includes stonewalls, ditches, removal of culverts, etc. Failure to comply with this requirement will result in a fine to the property owner of \$50/day after the 14 day period, until satisfactory completion of the restoration. The restoration will be approved by Brookfield Code Enforcement Officer in writing to the property owner.

7. Damage to Roads:

Any damage done to any town road, whether Class V or Class VI, by operators and their vehicles or equipment in the course of an operation, shall be promptly reported to the land owner, the Board of Selectmen and Code Enforcement Officer. All repairs will be completed to the satisfaction of the Town Road Agent within 14 days of report to the Code Enforcement Officer. All repairs by the operator or land owner will be supervised by the Road Agent of the town and repaired to the standards of the town. Non-compliance within the 14 days will result a fine of \$50/day thereafter, payable to the Town, until the repairs to the damaged roadways are completed to the satisfaction of the Town road agent. Any work performed by the town to repair the damage will be billed to the landowner, at current town rates for equipment and personnel.

The Selectmen retain the option, through the authority granted in RSA 236:9 & 10, to require a bond to be posted for potential damage to access ways and roads if such a bond is warranted in their estimation.

8. Stonewalls and Fences:

- a. “No person shall knowingly throw down, damage, or leave open any fence, gate or bar belonging to or enclosing land held in common, or belonging to another person, or shall aid in such act, without being subject to the penalties provided in RSA 539:3.” (RSA227-J:13)
- b. Upon completion of the timber operation, all stonewalls altered or damaged by the operator and his equipment shall be repaired to their original condition within 14 days. In accordance with RSA 539:4, no stones shall be removed from any stonewalls on the land owner’s property.

Revised
5/15/10

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This Regulation is adopted as an amended version of the original procedural regulation passed by a vote of the Board of Selectmen on February 15, 1992.

Date of Public Hearing: _____

Date of Passage: _____

Ernest H. Brown, Jr.

Attest: _____

Virginia McGinley
Brookfield Town Clerk

Clifton Camp

Craig F. Evans, Chair

Seal