

Exemption for Resident Landowner's Personal Use
(gravel mining only)

A resident landowner of record ("resident" shall be defined as: a person(s) who live(s) in the town of Dixmont as their primary residence. Person(s) or entities who do not meet that definition do not qualify for the exemption) may apply for exemption from some provisions of this ordinance (pertaining to the mining of gravel only) under the following conditions:

1. Prior to commencing any activity normally regulated under this ordinance, the landowner shall submit to the Dixmont Planning Board an application for the "Exemption for Resident Landowner's Personal Use". Said application shall include a parcel map and description of where the work is proposed and a copy of the deed to prove that the applicant is the legal owner of the property. The application and aforementioned materials shall be delivered to the Dixmont Town Clerk. There shall be no fee for activity qualifying under this exemption.
2. If the landowner is more than one individual, all individuals listed on the deed of record shall certify acceptance of all provisions of this exemption by their signature on the application. If the landowner is a legal entity other than an individual or individuals, the officers or principles of the organization shall certify, by their signature on the application, acceptance of all provisions of this exemption.
3. The landowner(s) shall request to be on the agenda of the next Planning Board meeting at which time they will be required to present their proposed gravel mining activities. At the meeting, the Board will discuss the requirements of an exemption and schedule a site visit with the landowner to view the property. The landowner will be notified and required to attend an additional Planning Board meeting at which the Board will make its determination whether the proposed activity meets the requirements of an exemption under the ordinance. If so, it will then finalize any special conditions and issue the exemption at the meeting.
4. In order to qualify for this exemption, the landowner(s) shall certify, by their signature on the application, they will abide by all of the following:
 - a. All gravel extracted under the exemption shall be for use only on the parcel identified in the application and intended only for improvements to the parcel, including, but not limited to, forestry and agricultural roads, land leveling, preparation of land for forestry or agricultural purposes, or excavations for building foundations or other construction or landscaping purposes such as septic systems, pools, or ponds. Any planned construction or improvements requiring a permit by any Dixmont ordinance, state, or federal law, statute, or rule shall have been permitted prior to application for this exemption. Copies of such permits shall be included with the application for exemption.
 - b. No gravel shall be transported off the parcel for storage, commercial or private sale, or any other purpose.
 - c. Setback restrictions as outlined in section IX A. of this ordinance and the provisions in sections IX C. 1., D., G., H.1, shall be followed. The planning board shall consider these requirements on a case-by-case basis.
 - d. Applicants shall further certify their understanding that any roads or improvements constructed under this exemption shall be considered temporary and not be taken as proof of an existing approved road or improvement of subdivision or any other use of the property.
 - e. Applicant agrees that should the Code Enforcement Officer (CEO) determine the operation is in violation of this exemption, the applicant will comply with a cease-and-desist order issued by the CEO until the matter is resolved.
 - f. This exemption, once granted, shall remain in place for 3 years provided the CEO determines there have been no violations of this section, and provided there is no change of ownership. Change of ownership shall require re-application.
 - g. Maximum pit size under this exemption is five (5) acres in total.
 - h. A gravel pit under this exemption that is no longer in use shall be reclaimed per Section IX E. (as the Board deems applicable) of the Dixmont Mining Ordinance.
 - i. The CEO, or CEO's agent or agents, shall be granted access for periodic inspections (as referenced in section VIII, H. 1. a. of the Town of Dixmont Mining Ordinance).