

November 29, 2023

MATTHEW R. JOHNSON
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MJOHNSON@DEVINEMILLIMET.COM

Lawrence Edwards, Chair
Effingham Zoning Board of Adjustment
Town Offices
68 School Street
Effingham, N.H. 03882

Re: Appeal of Meena, LLC's Site Plan Approval

Dear Chair Edwards:

I am counsel to the applicant, Meena, LLC ("Meena" or "Applicant"). I write in response to the claims raised by certain abutters in their appeal to this Zoning Board of Adjustment ("ZBA") of the conditional site plan approval obtained by Meena from the Effingham Planning Board (the "Board").

The ZBA should dismiss this appeal because the Board correctly determined that Meena's site plan application met all applicable site plan and zoning requirements and Meena holds all necessary approvals, pending final site plan approval from the Board.

Relevant Factual and Procedural History

Meena's project seeks to continue the operation of Boyle's Market and reopen gas service on property located at 41 NH Route 25, in Effingham (the "Property"). Boyle's Market has been in existence and operating since at least 1992, years before Effingham passed a zoning ordinance in 2000. As a result, the building housing the convenience store and all other aspects of the property then in existence, which have not changed and which Meena is not seeking to expand, are protected as pre-existing non-conforming uses pursuant to RSA 674:19 and Effingham Zoning Ordinance ("ZO") Section 201. This includes the diesel pump and covering and gasoline pumps and canopy, all of which are pre-existing and predate the creation of the ZO. Since its inception, this project has been delayed on numerous occasions due to the actions or inactions of the Effingham Code Enforcement Officer, Rebecca Boyden, and the actions of other opponents to this project.

Ms. Boyden issued a cease and desist letter to Meena on May 13, 2021, preventing Meena from completing its installation of new underground storage tanks so that Meena could reopen the gas station and reopen what was once known as Boyle's Market. Meena had only undertaken to install these tanks after speaking with Ms. Boyden and obtaining assurances that there were no overlay districts that needed to be considered and all that Meena needed to do was to go before the Board

for minor site plan review approval. After Meena notified the town of its intentions to install the tanks, incurring these costs, and moved forward with the installation, Ms. Boyden changed course and issued a cease and desist order based on the Board's realization that there was a Groundwater Protection District. A copy is included as **Exhibit 1**. Twice, Meena has asked the Board of Selectmen to release or modify the cease and desist order so it could cover the tanks so it would be safe to open the store to customers. Without such efforts, the conditions would be hazardous to both vehicular and foot traffic. Both times the Selectmen refused this request. The Selectmen did not rescind the cease and desist letter until September 5, 2023, after the Board granted Meena conditional site plan approval.

Meena obtained a special exception to operate an Automobile Service Station governed by Section 1005 of the ZO on March 29, 2021. RSA 674:33, (IV)(b) states that "... no special exception shall expire within 6 months after the resolution of a planning application filed in reliance upon the special exception." The Board has not issued its final site plan approval and no potential appeals have been exhausted so there has been no resolution of the planning application filed by Meena. Thus, Meena's special exception remains valid and in effect.

Similarly, Meena obtained a variance from the ZBA to operate a gas station within the Groundwater Protection District on August 6, 2021. This variance request was predicated on the use of the existing site and existing configuration. The only item relocated was the location of the underground storage tanks. The plan presented to the ZBA is functionally the same as the final plan reviewed by the Board. The only changes to the plan are the result of feedback from the Board and third party engineer. A copy of the original plan submitted to the ZBA is attached as **Exhibit 2**. RSA 674:33, I-a (a) states that "no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance." The opponents delayed Meena's ability to proceed with a site plan application because they appealed the grant of the variance to the Superior Court, which affirmed the appeal on June 3, 2022. Only once the thirty day appeal period had expired could Meena even apply for site plan approval. Again, the Board has not issued a final site plan approval for Meena's application, so Meena's variance has not expired.

Throughout this process, Meena has maintained all licenses necessary to be able to reopen the store as soon as it obtained final Board approval and has never provided any indication of abandonment of the store. The store was operated up until the time of the cease and desist letter from Ms. Boyden. It was practically impossible to operate the store once the stay was in place due to safety concerns. There was a large open hole in the ground with partially completed underground storage tanks. The store did operate briefly through the drive-through window for 4 hours on 5/16/23 but only because of the position Ms. Boyden was taking regarding use of the store. While this action was unnecessary, it, at a minimum, reaffirmed that Meena never intended to abandon the store and was using the store within the two year window.

The same abutters now filing this appeal also have filed multiple court appeals challenging this project. Their original appeal caused a stay to be in effect from September 20, 2022 through April 14, 2023. They most recently filed another appeal to the Superior Court on August 13, 2023, which was later dismissed by the appellants on September 11, 2023. Now, with this appeal to the ZBA, they have triggered yet another stay of Board action due to the application of RSA 676:6.

This is the fourth appeal by opponents of Meena's project, and Meena does not yet have final site plan approval. Yet, apparently ignoring the obvious irony, it is the opponents who now claim Meena has waited too long to complete its project. It has been prevented at every turn from doing so. It violates RSA 674:33 and would be grossly unfair to now hold that Meena's variance or special exception have expired or that it abandoned the pre-existing convenience store.

Meena's Special Exception and Variance Remain in Force

As explained above, RSA 674:33 states that a special exception or variance does not expire until after a final resolution of the planning application, which has not occurred in this case. This means that the gas station use has not been discontinued for two years or more because Meena has a valid special exception and has been working with the Board to obtain final site plan approval after obtaining the special exception. As a result, the gas canopy, gas pumps, diesel canopy and diesel pumps all remain pre-existing nonconforming uses and are exempt from the application of the general setback requirements listed in the ZO. Meena is not looking to expand these uses as the plan proposes that they remain in their current location. Only the diesel pumps are proposed to be moved slightly to comply with the distance requirements set forth in Section 1005 of the ZO.

The General Setback Requirements in the ZO do not Apply to this Project

Meena obtained a variance from this ZBA to operate a gas station in the Groundwater Protection District that was affirmed on appeal. The variance imposed two specific conditions: (1) a Stormwater Management Plan, per NH DES guidelines, shall be submitted for Site Plan Review; and (2) a Spill Prevention Control and Countermeasures Plan, per NH DES guidelines, shall be submitted for Site Plan Review. A copy of this ZBA's decision is attached as **Exhibit 3**. These were the only conditions imposed by the ZBA. Per the ZO, this project was required to meet the specific requirements set forth in Section 1005 of the ZO governing gas stations as well as any relevant performance standards set forth in Section 22 of the ZO, the Groundwater Protection District. Section 1005 and the performance standards found at Section 2210 impose specific requirements on Meena than supersede the general setback requirements. To meet the stormwater management requirements mandated by the ZBA, necessitates the installation of below-ground stormwater management devices including sumps, a bioretention basin, and filtration trenching. These stormwater protection plans were the subject of extensive peer review by an engineer selected by the Board to evaluate and provide recommended changes to Meena and the Board to ensure that the performance standards were met. The engineer signed off on the final version of the stormwater management system, which required these devices to be installed on Meena's

property but within the 50 foot setback. This 50 foot setback has been identified on the site plans since at least November 2022, and the Board and reviewing engineer never raised this as a concern. See Exhibit 4 (portion of final site plans). As the ZBA knows from the original variance application, this is an existing site with existing facilities for gas and existing pavement. There are practical limits to where the mandatory stormwater protection devices can be located. These limits were obvious from the plan submitted to the ZBA with the requested variance and the modified plans presented to the Board. See Exhibit 1. As far as undersigned counsel can recall, none of the opponents of the plan ever raised this 50-foot setback issue with the Board during any of the twenty-two hearings held on this plan.

Additionally, the Board was correct in not focusing on the general setback requirements based on the ZBA conditions imposed when it granted Meena the variance. The variance required Meena to submit a Stormwater Management Plan per NHDES guidelines for site plan review. The only way for Meena to meet the ZBA condition and requirements of the NHDES guidelines was to install stormwater protection devices inside the 50-foot setback because this was a pre-existing location and already developed site. Based on the requirement of the variance, Meena would be unable to satisfy the variance conditions and meet the 50-foot setback requirements. Thus, the variance condition superseded the general fifty foot setback requirement.

Even if the general setback requirements found in Section 402 of the ZO are applicable to this project, a review of the language of the ZO as a whole demonstrates that Meena has met this requirement. The ZO defines structure but has no definition of setbacks and no specific provision stating that no structures of any type may be located within the setback. Section 402 speaks only to the minimum setback for a single structure. It does not speak to or refer to multiple structures on a single lot. Rather, a review of other provisions of the ZO makes it clear that the ZO uses the term structure and building as synonyms. Sections 201, 604, 704, 705 and 706 all use these two terms interchangeably. The only actual buildings on this Property are all outside the fifty foot setback requirement. See Ex. 4. Finally, the definition of structure within the ZO refers to “erecting” something, which denotes something that is above ground. All of the stormwater management devices approved by the Board will be installed below grade and thus are not erected or structures within the meaning of the ZO definition of structure.

The Convenience Store Remains a Pre-existing Non-Conforming Use

The convenience store has been the same size and in the same location long before the passage of the ZO in 2000. It is a pre-existing non-conforming use and as explained above, Meena has made all reasonable efforts to continue to operate the store but has been subject to a cease and desist order and land use appeals that have prevented it from doing so. It has made clear repeatedly that it is not abandoning the convenience store. It twice sought relief from the cease and desist order but was denied. It cannot abandon a use when it was prevented from exercising that use. As a result, it is not subject to Section 1031 and the square foot limitation.

Lawrence Edwards, Chair
Effingham Zoning Board of Adjustment
November 29, 2023
Page 5

Conclusion

On behalf of the applicant, Meena, I request that the ZBA dismiss this appeal in its entirety.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Matthew R. Johnson', with a stylized, flowing script.

Matthew R. Johnson

MRJ/dmp

Enclosures

cc: Suzanne Brunelle, Esq.

EFFINGHAM ZONING BOARD OF ADJUSTMENT

Appeal of Meena, LLC's Site Plan Approval

MEENA, LLC'S LIST OF EXHIBITS

1. Cease and Desist Order
2. Original Plan Submitted to ZBA
3. ZBA Decision dated August 6, 2021
4. Portion of Final Site Plan

EXHIBIT 1



Town of Effingham
68 School Street
Effingham, New Hampshire 03882

Rebecca Boyden, Zoning Enforcement Officer
e-mail, zoningofficer@effinghamnh.net

Date: May 13, 2021

Name: Meena, LLC

Address: P.O. Box 2262, North Conway, NH 03860

RE: Town of Effingham Address: 41 NH Route 25 Map 401 Lot 5

You are hereby ordered to CEASE AND DESIST the site work activity at 41 NH Route 25

1. The Special Exception granted on March 30, 2021 explicitly required Site Plan approval from the Planning Board. That approval has not been granted.

ZBA Case No: #95: 1. Site Plan approval shall be received from the Effingham Planning Board.

2. The Effingham Zoning Ordinance requires Site Plan Approval from the Effingham Planning Board for all non-residential uses.

ARTICLE 10 CONDITIONS FOR APPROVAL OF PERMITTED USES [Amended 2009]

Note: The development or change or expansion of use of tracts for nonresidential uses or multifamily dwelling units is also governed under the Town Site Plan Review Regulations.

3. There is therefore no authorization in place for this activity.

Section 103 Land Use Limited to Specific Listed Uses

No structure shall be constructed, erected, placed, or altered and **no land use commenced or continued within the Town of Effingham except as specifically or by necessary implication authorized by this Ordinance** and having first secured a Building Permit from the Enforcement Officer.

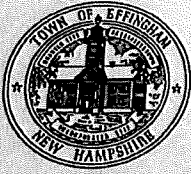
Let me be clear, this property is not grandfathered for use as an Automobile Service Station, as the gas pumps were removed in 2015.

Section 703 Abandonment of Non-Conforming Use or Structure

A non-conforming use shall be presumed abandoned if the use has been discontinued for a period of two years or more.

Thank you for your cooperation.
Sincerely,

Rebecca Boyden
Zoning Enforcement Officer
cc: Effingham Board of Selectmen
Effingham Planning Board
Matthew R. Serge, Attorney
Mark E. McConkey, Land Planning Consultant



Town of Effingham
68 School Street
Effingham, New Hampshire 03882

Rebecca Boyden, Zoning Enforcement Officer
email: zoningofficer@effinghamnh.net ~ Tel. 603.539.7147

Date: September 5, 2023
Name: Meena, LLC
Address: P.O. Box 2262, North Conway, NH 03860
RE: Town of Effingham Address: 41 NH Route 25 Map 401 Lot 5

**You are hereby informed
That the CEASE AND DESIST
at 41 NH Route 25
has been lifted**

Rebecca Boyden
Zoning Enforcement Officer
cc: Effingham Board of Selectmen
Matthew R. Serge, Attorney

EXHIBIT 2

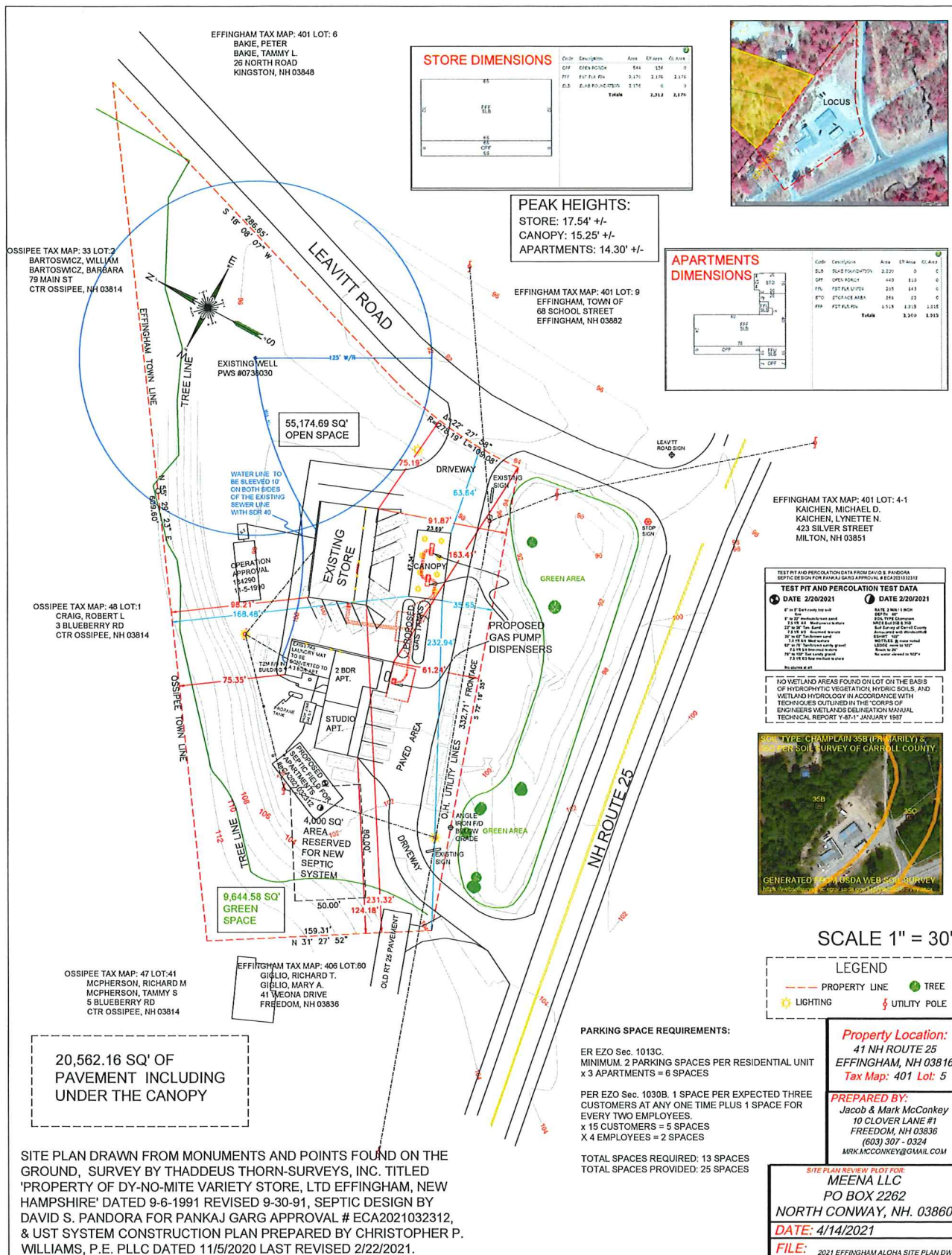
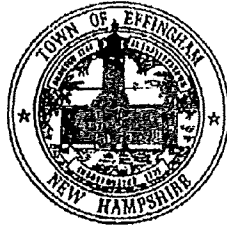


EXHIBIT 3



Town of Effingham Zoning Board of Adjustment

Notice of Decision

Case No: #097
Map # 401, Lot # 5

Applicant Name: Meena, LLC
Address: PO Box 2262, North Conway, NH 03960

You are hereby notified that a **Variance** from the Zoning Ordinance Article 22, Section 2207A(8) has been **Granted** to operate a gas station, by a 4 to 1 vote of the Zoning Board of Adjustment, for the various reasons stated during the Board's Deliberative Session, with the following **Conditions**:

1. A Stormwater Management Plan, per NH DES guidelines, shall be submitted for Site Plan Review.
2. A Spill Prevention Control and Countermeasure Plan, per NH DES guidelines, shall be submitted for Site Plan Review.

We, the Zoning Board of Adjustment, have determined that the 8/4/21 decision granting a variance falls within the Spirit of the Ordinance and Public Interest, that Substantial Justice is served, and Surrounding Property Values will not be diminished. Further, this decision prevents Unnecessary Hardship to the applicant.

A handwritten signature in black ink, appearing to read "Theresa Swanick", is written over a horizontal line.

Theresa Swanick, Chair
Zoning Board of Adjustment
Date: August 6, 2021

Special Exceptions and Variances authorized under RSA 674:33 shall be valid if exercised within 2 years from the date of final approval. Note: The Select Board, any party to the action, or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated (NHRSA), Chapter 677. This notice has been placed on file and made available for public inspection in the records of the ZBA and on the Town of Effingham website at effinghamnh.net. Copies of this notice have been distributed to: The Applicant, Planning Board, Select Board and Zoning Enforcement Officer.

EXHIBIT 4

MEENA LLC

41 ROUTE 25

TAX MAP 401 LOT 5

EFFINGHAM, NEW HAMPSHIRE

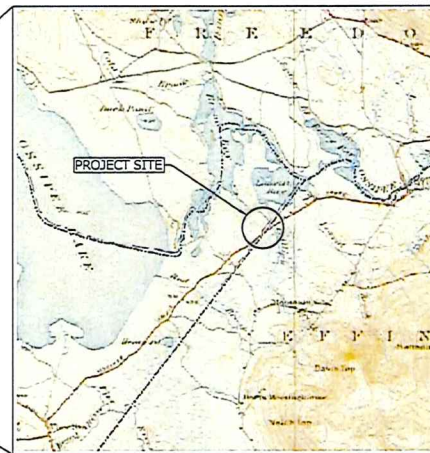
JULY, 2022
REVISED AUGUST 2023



NEW HAMPSHIRE

SHEET INDEX:

DWG 21-27	COVER
E1.00	BOUNDARY SURVEY PLAN
CL.01	EXISTING CONDITIONS PLAN
SMP1.01	SITE PLAN
SMP1.02	STORMWATER MANAGEMENT PLAN
SMP1.02	STORMWATER MANAGEMENT DETAILS
SMP1.03	BIORETENTION BASIN DETAILS



LOCATION PLAN

OWNER:

MEENA, LLC
41 NH ROUTE 25
EFFINGHAM NH 03882

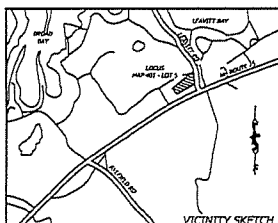
ENGINEER & SURVEYOR:

horizons
Engineering

34 SCHOOL STREET
LITTLETON, NH 03561
(603) 444-4111

DATE OF PRINT
AUGUST 07 2023
HORIZONS ENGINEERING

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GENERAL NOTES

- OWNER OF RECORD
MEENA, LLC
41 US ROUTE 25
EFFINGHAM, NH 03882
BOOK 3350 PAGE 955
- DEED REFERENCES:
A. "WARRANTY DEED FROM BFM REALTY, LLC TO MEENA, LLC," DATED FEBRUARY 24, 2011, RECORDED FEBRUARY 25, 2011 AT THE CARROLL COUNTY REGISTRY OF DEEDS, BOOK 3370 PAGE 255.
B. "WARRANTY DEED FROM BFM REALTY, LLC TO MEENA, LLC," DATED FEBRUARY 24, 2011, RECORDED FEBRUARY 25, 2011 AT THE CARROLL COUNTY REGISTRY OF DEEDS, BOOK 3370 PAGE 255.
C. "PROPERTY OF DY-HO-HITE VARIETY STORE, LTD., EFFINGHAM, NEW HAMPSHIRE DATED SEPTEMBER 6, 1981, SURVIVED BY THOMAS D. THOMAS-SURVEYOR, INC. DWG. NO. 91-05, PLAN NOT RECORDED."
D. "PROPERTY OF MRS. KATHERINE S. GAFFIN, EFFINGHAM, N.H., DATED JULY 1975, SURVIVED BY STEPHEN H. BOOMER, RECORDED AT THE CARROLL COUNTY REGISTRY OF DEEDS, DEED BOOK 619, PAGE 231.
E. "BOUNDARY LINE ADJUSTMENT, PROPERTY OF JOSEPH H. AND SHARLEY D. CONNOLLY, EFFINGHAM, N.H., DATED JULY 1981, SURVIVED BY STEPHEN H. BOOMER, PLAN UNRECORDED AT THE CARROLL COUNTY REGISTRY OF DEEDS BUT FOUND AN ORIGINAL SIGNED COPY IN THE EFFINGHAM PLANNING BOARD FILE TO HAVE BEEN APPROVED ON SEPTEMBER 6, 1981. A LETTER WRITTEN BY ATTORNEY ROBERT VANDER FOR DY-HO-HITE, INC. AND THE CIGLIOSI AS SUCCESSORS IN INTEREST TO THE CONNOLLYS, WITHHELD AND ABANDONED THE APPLICATION FOR BOUNDARY LINE ADJUSTMENT WHICH THE EFFINGHAM PLANNING BOARD APPROVED ON SEPTEMBER 6, 1981. THE BOARD RECOGNIZED THAT FOR ALL PURPOSES THE HISTORICAL BOUNDARY SHALL BE RECOGNIZED HENCEFORTH AS THE BOUNDARY BETWEEN THE LOTS, A SIGNED COPY OF THE LETTER IS ON FILE AT THE OFFICE OF WALKER & VANDER, ATTORNEYS AT LAW.
F. "BLUEBERRY ESTATES," PLAN OF LAND IN OSSIFEE, N.H., BELONGING TO NORTHERN LAND TRADERS INC., DATED APRIL 26, 1986, SURVIVED BY NORTHERN COUNTRY SURVEYORS, RECORDED AT THE CARROLL COUNTY REGISTRY OF DEEDS, PLAN BOOK 32, PAGE 61.
G. STATE OF NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, PLAN OF PROPOSED FEDERAL AND PROJECT NO. 5-20(2)(1), R.H. NO. 5-2183, OSSIFEE TRAIL, DATED JANUARY 31, 1986, ON FILE WITH THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, BUREAU OF RIGHT OF WAY AND RECORDED AT THE CARROLL COUNTY REGISTRY OF DEEDS, PLAN BOOK 7, PAGE 71.
H. THE BEARINGS SHOWN HEREON REFER TO MAGNETIC NORTH FOR PLAN REFERENCE "N".
I. RIGHT OF WAY DEED IN FAVOR OF NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY DATED AUGUST 15, 1989 AND RECORDED IN THE CARROLL COUNTY REGISTRY OF DEEDS AT BOOK 583, PAGE 494.
J. THE RIGHT OF WAY FOR LEAVITT ROAD IS BASED ON PLAN REFERENCE "N" AND "C". NO LAYOUT WAS FOUND ON RECORD, THE RIGHT OF WAY IS AN ASSURED WIDTH OF 30 FEET OR 41.5 FEET.
K. IN 1996, THE STATE OF NEW HAMPSHIRE DEED DY-HO-HITE VARIETY STORE, LTD. A "POINT OF ACCESS DEED" RECORDED AT THE CARROLL COUNTY REGISTRY OF DEEDS IN BOOK 1663, PAGE 829.
L. THIS PLAN IS BASED ON A FIELD SURVEY COMPLETED IN OCTOBER OF 2021 WITH A LEICA TC12 ROTATING TOTAL STATION.
M. THE PROPERTY BOUNDARY WAS RETRACED USING THE DEEDS OF RECORD, REFERENCE PLANS AND EVIDENCE FOUND IN THE FIELD. ADJUTING PROPERTY LINES ARE APPROXIMATE PER THE TOWN OF EFFINGHAM TAX MAPS.
N. THE BOUNDARIES AS DEPICTED HEREON WERE RETRACED SUBSTANTIALLY BASED ON MONUMENTATION FOUND IN THE FIELD AND ON REFERENCE PLANS.
O. BEARINGS SHOWN HEREON REFER TO GRID NORTH AND ARE BASED ON THE NEW HAMPSHIRE COORDINATE SYSTEM, AND ALSO DETERMINED BY GPS SURVEY OBSERVATIONS. ELEVATIONS ARE BASED ON NAVD83 VERTICAL DATUM.
P. ALL BUILDINGS WITHIN 200' ARE RESIDENTIAL OR AGRICULTURAL AND ARE TWO STORIES OR LESS IN HEIGHT.
Q. LOT AREA: 107,833 SF OR 3.38 ACRES
R. SUBJECT PARCEL BUILDING HEIGHTS:
STONE: 12'-3" +/-
CANOPY: 15'-3" +/-
APARTMENTS: 14'-3" +/-
S. NO HYDRAUNTS OR PONDS IN THE AREA.
T. THERE IS A 30' ELECTRICAL EASEMENT ALONG THE RIGHT OF WAY OF ROUTE 25.
U. BOTH ENTRANCES ARE EXISTING AND THERE ARE NO PROPOSED CHANGES. THE ENTRANCE ON LEAVITT ROAD HAS 200' OF SIGHT DISTANCE IN THE NORTHERLY AND SOUTHERLY DIRECTIONS. THE ENTRANCE ON NH ROUTE 25 IS APPROVED. SEE NOTE 35, AND HAS A SIGHT DISTANCE IN THE EASTERLY AND WESTERLY DIRECTIONS IN EXCESS OF 400'.
V. NRCS SOIL TYPES: 35B & 35C (CAMPLAND LOAMY SAND).
W. NHDOT DRIVEWAY PERMIT #124126A.
X. ALL PROPERTY SHOWN IS IN THE EFFINGHAM RESIDENTIAL/AGRICULTURAL DISTRICT.

VICINITY SKETCH

MEENA, LLC
41 US ROUTE 25
EFFINGHAM, NH 03882
BOOK 3350 PAGE 955

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E 1.00

TEST PIT #01:

0-2" 10YR2/1 FINE SANDY LOAM, WEAK FINE GRANULAR, VERY FRABLE
2-4" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
4-8" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
8-12" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
12-16" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
16-20" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
20-24" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
24-28" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
28-32" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
32-36" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
36-40" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
40-44" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
44-48" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
48-52" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
52-56" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
56-60" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
60-64" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
64-68" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
68-72" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
72-76" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
76-80" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
80-84" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
84-88" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
88-92" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
92-96" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
96-100" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE

TEST PIT #02:

0-2" 10YR2/1 FINE SANDY LOAM, WEAK FINE GRANULAR, VERY FRABLE
2-4" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
4-8" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
8-12" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
12-16" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
16-20" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
20-24" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
24-28" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
28-32" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
32-36" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
36-40" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
40-44" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
44-48" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
48-52" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
52-56" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
56-60" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
60-64" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
64-68" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
68-72" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
72-76" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
76-80" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
80-84" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
84-88" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
88-92" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
92-96" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
96-100" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE

TEST PIT #03:

0-2" 10YR2/1 FINE SANDY LOAM, WEAK FINE GRANULAR, VERY FRABLE
2-4" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
4-8" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
8-12" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
12-16" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
16-20" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
20-24" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
24-28" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
28-32" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
32-36" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
36-40" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
40-44" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
44-48" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
48-52" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
52-56" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
56-60" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
60-64" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
64-68" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
68-72" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
72-76" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
76-80" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
80-84" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
84-88" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
88-92" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
92-96" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
96-100" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE

TEST PIT #04:

0-2" 10YR2/1 FINE SANDY LOAM, WEAK FINE GRANULAR, VERY FRABLE
2-4" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
4-8" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
8-12" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
12-16" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
16-20" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
20-24" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
24-28" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
28-32" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
32-36" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
36-40" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
40-44" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
44-48" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
48-52" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
52-56" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
56-60" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
60-64" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
64-68" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
68-72" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
72-76" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
76-80" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
80-84" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
84-88" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
88-92" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
92-96" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
96-100" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE

TEST PIT #05:

0-2" 10YR2/1 FINE SANDY LOAM, WEAK FINE GRANULAR, VERY FRABLE
2-4" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
4-8" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
8-12" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
12-16" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
16-20" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
20-24" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
24-28" 10YR2/1 FINE SAND, SINGLE GRAIN, LOOSE
28-32" 10YR2/1 FINE SAND

