

# Town of Seabrook, New Hampshire

## APPLICATION FOR GROUNDWATER RECLASSIFICATION of Existing Wellhead Protection Areas and Future Drinking Water Supply Sources

Prepared for the  
**Town of Seabrook**  
99 Lafayette Road, Seabrook, NH 03874

by the  
Rockingham Planning Commission

*August 31, 2017*



*Preparation of this application was funded by a Local Source Water Protection grant from the New Hampshire Department of Environmental Services, Source Water Protection Program.*



# REQUEST FOR GROUNDWATER RECLASSIFICATION

Date	July 17, 2017		
Local Entity	Town of Seabrook, New Hampshire		
Address	99 Lafayette Road, Seabrook, NH 03874		
Contact Person	William Manzi, Town Mgr.	Phone	(603) 474-3252
We request reclassification of groundwater to: (check one or both)		GAA <input checked="" type="checkbox"/>	GA1 <input type="checkbox"/>
Name(s) of municipality(ies) in which groundwater protection areas to be reclassified are located:		Seabrook, Hampton Falls, South Hampton	
Name(s) of the 7.5' USGS quadrangle map(s) showing the proposed groundwater classification		Exeter (ID#185) 7.5 minute USGS quadrangle Newburyport-West (ID#201) 7.5 minute USGS quadrangle	
The following are attached to this form (please check):			
Wellhead Protection Area Delineation (GAA) <input checked="" type="checkbox"/>		(one or both)	Definition of High Value Groundwater (GA1) <input type="checkbox"/>
Potential Contamination Source Inventory			<input checked="" type="checkbox"/>
Potential Contamination Source Management Plan			<input checked="" type="checkbox"/>
If the local entity requesting the reclassification is a municipality, the municipal governing body (Board of Selectmen, City or Town Council), shall indicate its concurrence with this proposal by signing below:			
Signature <i>[Signature]</i>		Name William Manzi	
Title Town Manager		Date 7/27/2017	
The signatures below indicate knowledge of and support for this reclassification by municipalities in which the area to be reclassified is located.			
Signature <i>[Signature]</i>		Name LARRY M. SMITH	
Title Chairman, B.O.S.		Date 07/27/2017	
Signature <i>[Signature]</i>		Name JAMES VAN BOKHELEN	
Title Chair, So. Hampton Selectmen		Date 1 AUG 2017	
Signature		Name	
Title		Date	

Please return completed form to Drinking Water Source Protection Program,  
NH Department of Environmental Services, PO Box 95, Concord NH 03302-0095

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## **SUPPORTING INFORMATION - APPLICATION FOR GROUNDWATER RECLASSIFICATION**

### **Introduction**

The Town of Seabrook, New Hampshire requests that the Wellhead Protection Areas (WHPA) encompassing all of the town-owned municipal public water supply wells, as shown on the Map titled, Seabrook Groundwater Reclassification Application, be reclassified to GAA from its current unclassified status. Portions of the combined WHPA (total of 7,039 acres of which 1,167.2 is in Seabrook) extend into the neighboring towns of Hampton Falls (1,582.9 acres), Kensington (2,805 acres), and South Hampton (1,306 acres). The Kensington portion of the WHPA is not included in the proposed GAA reclassification.

The Board of Selectmen of the Towns of Hampton Falls and South Hampton officially expressed support for this GAA reclassification application and agreed to authorize municipal staff to participate in the Potential Contamination Source (PCS) inventories and “best practices” inspections program jointly with Seabrook. Signatures of the Board chairpersons of each adjoining town appear on the GAA application form and Selectmen meeting minutes are provided in Appendix A. After several meetings and deliberations, the Kensington Board of Selectmen voted to not participate in the proposed GAA reclassification and PCS inventory and inspection program.

Additional application materials are included in this report and its Appendices to support this request, according to the requirements in New Hampshire Rules, Env-Ws 901 Groundwater Reclassification.

The report “Wellhead Protection Area Delineation, Town of Seabrook, NH” (EarthTech, February 1998) delineated the wellhead protection areas for Seabrook’s drinking water wells. The combined wellhead protection areas (excluding the area located in Kensington) comprises the GAA reclassification area. The Town of Seabrook currently has 12 active water supply wells with the proposed GAA reclassification area serving their municipal drinking water system. These wells serve 3,800 connections including residents, businesses, and municipal facilities.

### **Designated Groundwater Reclassification Areas**

#### **Groundwater Resource Areas that Contribute Water to Public Water Supply Wells and High-Value Aquifers**

The proposed GAA reclassification comprises several overlapping WHPAs associated with Seabrook’s municipal wells. Portions of these WHPAs geographically extend into other communities as noted in the Introduction. The WHPAs for the Town of Seabrook’s drinking water supply wells is proposed for reclassification as GAA excluding the WHPA located in the Town of Kensington. Refer to the map titled ‘Seabrook Groundwater Reclassification Area Map’ in Appendix B and detailed PCS inventory in Appendix C.

The GAA reclassification area will encompass the existing combined Wellhead Protection Areas for the following active drinking water wells which supply Seabrook’s public drinking water system.



Table 1. List of Wells and EPA ID#	
Location ID#	Site Location
501	46 True Well Field Treatment Plant/GPW 1/001
502	46 True Well Field Treatment Plant/GPW 2/002
503	Riley Pumphouse/GPW 3/003
504	Riley Pumphouse/GPW 4/004
506	Kensington Road Treatment Plant/BRW 1/006
507	Kensington Road Treatment Plant/BRW 2/007
508	Kensington Road Treatment Plant/BRW 3/008
509	Kensington Road Treatment Plant/BRW 4/009
511	40 Old New Boston Road Treatment Plant/BRW 5/011
G14	60 Old New Boston Road Treatment Plant/BRW 5.1/014
G15	70 Old New Boston Road Treatment Plant/BRW 5.2/015

Table 2. Groundwater Reclassifications under RSA 485-C: NH Groundwater Protection Act	
<b>GAA</b>	<b>Delineated Wellhead Protection Areas:</b> Prohibits new and monitors existing high-risk uses. Authorizes active municipal management of PCSs
<b>GA1</b>	<b>Groundwater of high value for present or future drinking water:</b> No land use prohibitions. Authorizes active municipal management of PCSs.
<b>GA2</b>	<b>Potentially valuable stratified drift aquifers.</b> No active management.
<b>GB</b>	<b>All groundwater not assigned to a higher class.</b> No active management.

*PCS activities subject to Env-Wq 401 Best Management Practices for Groundwater Protection within the GAA Reclassification Area are as follows:*

**Table 3. List of PCS Activities and Summary of Regulated Substances Used.**

Town	Uses	Regulated Substances
<b>Seabrook</b>	motel, metalworking, auto parts store, gas station, biofuel manufacture, leather coating facility, electrical contractor, manufacturing machine shop, vehicle service/repair, HVAC sheet metal fabrication, indoor storage, racing park, industrial condominiums, food manufacture, paving contractor, general contractor, cardboard carton manufacture, water treatment plant	Paint, cleaning chemicals, solvents and degreasers, lubricants, oil, gas, propane, kerosene, biofuels, glue and sealant, water treatment chemicals, pesticides and fertilizers, manure, underground and above ground fuel storage tanks
<b>Hampton Falls</b>	small truck storage, saw mill, residential hazardous waste site	Solvents and degreasers, lubricants, oil, gas
<b>South Hampton</b>	architectural salvage, flooring supply/distributor, vehicle repair facility, industrial truck sales and maintenance garages, precast concrete storage,	Paint, cleaning chemicals, solvents and degreasers, lubricants, oil, gas, propane, kerosene, waster oil

GAA groundwater reclassification is supported already in local plans and land use regulations specifically:

- Seabrook Master Plan (2011) - Groundwater Resources section of the Natural Resources Chapter; and the Vision Chapter (<http://seabrooknh.info/boards-and-committeesplanning-boardseabrook-master-plan/>).
- Seabrook Aquifer Protection District zoning ordinance, Section 16, which includes lands zoned for commercial and industrial uses, prohibits 14 high risk uses (including the six high risk land uses prohibited in a GAA groundwater reclassification area).  
[http://seabrooknh.info/boards\\_and\\_committeesplanning\\_boardland-use-regulation/](http://seabrooknh.info/boards_and_committeesplanning_boardland-use-regulation/)

### **Wellhead Protection Areas Zoned or Designated as Future Industrial or Commercial Development**

Portions of the WHPAs in Seabrook and Kensington are zoned for commercial and industrial uses. This underscores the need to carefully manage current and future land use activities within the WHPA. The portion of the WHPA within Seabrook and the commercially zoned portion of the wellhead protection in Kensington are located in designated Aquifer Protection Overlay Districts. Seabrook has an Aquifer Protection District zoning ordinance that already prohibits 14 high risk uses (including the six high risk land uses that would be prohibited under a GAA groundwater reclassification area). The Towns of Hampton Falls and South Hampton (and Kensington) also have Aquifer Protection District zoning ordinances that cover the stratified drift aquifer portions of Seabrook's WHPA in these towns. Refer to the Aquifer Protection District zoning ordinances in Appendix D.

### **Seabrook GAA Reclassification Extends into Adjoining Municipalities.**

Portions of the current WHPAs to be reclassified extend outside of Seabrook and into the adjoining municipalities of Hampton Falls and South Hampton. The Boards of Selectmen in the Towns of Hampton Falls and South Hampton have officially voted in public hearings to support the GAA reclassification application and portion of the GAA reclassification that is located within their town boundary. Refer to Selectmen's minutes in Appendix A for these motions.

### **Seabrook Water Department (a public water system) conducts PCS inventory and inspection program**

The Seabrook Water Department (a public water system) already conducts a PCS inventory, inspection and reporting program, and conducts windshield surveys of PCSs in parts of the WHPA extending into Hampton Falls, Kensington and South Hampton. Refer to section **Estimated Reclassification Program Implementation Costs** for details about staff and their responsibilities in implementing the program.

## **PCS Inventory Report, Site Inspection and Verification**

### **Inventory of Potential Contamination Sources**

The Seabrook Water Department currently maintains a complete database and inventory of Potential Contamination Source (PCS) sites in Seabrook and in the adjacent towns of Hampton Falls, Kensington and South Hampton within the WHPAs associated with their active wells. To observe the business types and activities that could potentially constitute a PCS under RSA 485-C:7, Seabrook Water Department staff travel all of the roads within the existing combined WHPA to conduct a "windshield survey" to

record land uses every three years as part of their PCS inventory and inspection program. Refer to Appendix D for their complete Potential Contamination Source (PCS) Site Inventory (inventory report) that includes the site address and related information, and inspection report information from 2013.

Rockingham Planning Commission staff reviewed NHDES's PCS GIS data to compare against the current Seabrook PCS Inventory to compile a comprehensive list of PCSs for the purposes of this application. Additionally, the NHDES OneStop Environmental Management Database (EMD) website was queried to cross-check the all GIS data and Seabrook's inventory within the proposed GAA reclassification area. OneStop databases accessed on this website included:

- Active Aboveground Storage Tanks
- Hazardous Waste Generators/Handlers (transport, storage, disposal)
- Remediation and Initial Spill Response Sites (properties with ongoing soil or groundwater remediation involving physical and/or chemical treatment)
- Site Remediation and Groundwater Hazard Inventory Listing of all Sites

Existing uses prohibited under GAA and all proposed composting and resource recovery facilities must apply to the NHDES and receive a Groundwater Release Detection Permit. A Groundwater Release Detection Permit requires periodic monitoring of groundwater quality at the facility to ensure that any release of a harmful substance to the ground is quickly detected and addressed to minimize impact to human health and the environment. Table 4 lists the six land uses prohibited under GAA reclassification. No such uses are known to exist in the Seabrook GAA reclassification area.

Table 4. Land Uses Prohibited in GAA Areas per RSA 485-C:12	
Prohibited Land Uses	Present
Hazardous waste disposal facilities	No
Solid waste landfills	No
Outdoor bulk storage of road salt	No
Junkyards	No
Snow dumps	No
Wastewater or septage lagoons	No

### Potential Contamination Source (PCS) Management Program

Pursuant to Env-Dw 901.17 Management Program: (a) A local entity requesting reclassification to GAA or to GA1 shall include in its request a plan for a potential contamination source management program that will meet the requirements of RSA 485-C:8, III; and (b) The potential contamination source management program plan provided pursuant to (a), above, shall include the following required elements under Env-Dw 901.17(b)

***(1) A description of the process for updating the inventory at intervals no greater than 3 years, as required by RSA 485-C:8, III(a).***

### **Potential Contamination Source Inventory, Inspection and Reporting Activities**

The Town of Seabrook will complete the following activities every three-years to maintain the GAA reclassification status.

The PCS inspection program will be conducted to ensure that PCS activities comply with applicable BMPs required under Env-Wq 401, Best Management Practices for Groundwater Protection. The person(s) performing the inspections will have experience and training from NHDES to conduct BMP inspections that ensure regulated substances are stored, transferred and discharged in accordance with Env-Wq 401 and related state regulations. For Seabrook, trained staff of the Water Department will perform inspections; for Hampton Falls and South Hampton inspections may be performed by the health officers, code enforcement officer, emergency management personnel, police or fire department, or other qualified person designed by the town. Inspectors from Hampton Falls and South Hampton will assist Seabrook staff with gaining access to their PCS properties for completing inspections as required by the groundwater reclassification.

#### *Maintain a current inventory of PCSs requiring inspection in GAA classified areas.*

The Seabrook Water Department staff will maintain a current inventory of all PCSs in the GAA reclassified area (delineated WHPAs) and perform PCS inspections every three years with owners or managers. PCSs in Hampton Falls and South Hampton have been identified through a recent windshield survey. Following reclassification, inspections of PCSs in Hampton Falls and South Hampton by Seabrook staff will be completed with personnel from Hampton Falls and South Hampton, if municipal personnel are designated to participate in PCS inspections in those communities. The PCS inventory will be updated every three years following the windshield survey and site inspection and reporting programs, including PCSs in Hampton Falls and South Hampton. Each year, Seabrook will request information from Hampton Falls and South Hampton of new or modified property uses and related information to ensure new uses are added to the PCS inventory and as necessary, inspected. Seabrook will monitor new commercial uses approved by the Planning Board or which do not require approval but may modify activities to use regulated substances in large volume.

Properties with pesticides regulated under RSA 430:28-40 and agricultural operations that are operated in compliance with all applicable chapters of RSA Title XL and the BMPs developed, administered and enforced by the New Hampshire Department of Agriculture shall not be subject to inspection under the groundwater reclassification. However, any such properties found to be noncompliant with these state requirements shall be reported to the New Hampshire Department of Agriculture enforcement division and the NHDES Drinking Water Source Protection Program.

***(2) A description of the process for written notification to the owner of each potential contamination source listed in the inventory at intervals no greater than 3 years, as required by RSA 485-C:8, III(b).***

### **Notification and Inspection of PCSs to Ensure Compliance with Best Management Practices**

Upon approval by the NHDES Commissioner of the GAA reclassification, the Seabrook Water Department staff will complete notification and inspection activities to fulfill the GAA reclassification requirements as follows. In addition to notification and inspection of PCS every three years, the Seabrook Water Department mails informational materials to all property owners (residents, businesses

and PCS's) within the designated Wellhead Protection Areas to raise awareness of best practices that protect drinking water resources (refer to Appendix H for example materials from the 2017 mailing).

Every three years, Seabrook Water Department staff will complete:

- 1) Notify each PCS by letter of the BMP inspection program (see below for notification details).
- 2) Conduct a windshield survey within the entire GAA reclassified area.
- 3) Update the PCS inventory based on the windshield survey.
- 3) Perform BMP inspections in Seabrook and schedule co-inspections with staff from Hampton Falls and South Hampton when PCSs are located within their respective towns, and a PCS windshield survey in Kensington.
- 4) Resolve Env-Wq 401, BMPs for Groundwater Protection rule violations through a compliance process consistent with Managing Groundwater Protection Areas (NHDES, 2006 or later revision). Unresolved compliance matters will be referred to the local Health Officer and NHDES.

Notification Letter to PCSs will include the following information (see example letter in Appendix H):

- Name, address and telephone number of the contact person(s) for the Town of Seabrook (and Hampton Falls and South Hampton for PCSs in their towns) responsible for coordinating or participating in inspections within the Seabrook GAA reclassification area. It will also include state contact information.
- Listing of present use consistent with the PCS inventory.
- Statement of the present use (consistent with the PCS inventory) is a PCS located within the WHPA that likely contributes water to Seabrook's public water supply wells.
- A statement that the use/activity has the potential to contaminant groundwater if regulated substances are not managed properly.
- A statement that any unpermitted discharge to groundwater, or contamination of groundwater, is illegal under RSA 485-A:13 and Env-OR 600 and Env-Wq 402.
- Copy of Best Management Practices for Groundwater Protection (Env-Wq 401) and Factsheet 22-4, Best Management Practices for Groundwater Protection will be included and statement that present use is subject to the BMP rules.
- The name, address and telephone number of the contact person at the NHDES to answer questions about groundwater and the NHDES groundwater reclassification program.
- The Town of Seabrook shall include notification to the property owner or manager in charge of the proposed inspection date when the Seabrook inspector (and staff from Hampton Falls and South Hampton for PCSs in their towns) will visit the property on behalf of the town(s) to conduct a BMP inspection and update the PCS inventory.
- Other educational materials concerning groundwater resources and their protection. For example, the materials may include notice of new or proposed regulations, geology and hydrogeology of the regional aquifer, water quality and water conservation guidance, and other facts or procedures or practices that help protect the water resources in Seabrook and the neighboring towns.
- A copy of the GAA map and NHDES fact sheet DWGB -22-3 (Groundwater Reclassification and How it Affects the Property Owner) will be included with the notification letter. The Seabrook Water Department will report to the local health officer and NHDES instances where they are unable to gain access to a PCS during the designated inspection program timeframe.

*PCS inspection procedure to ensure compliance with best management practices.*

Before the inspection date, Seabrook Water Department staff will consult with appropriate NHDES personnel, as necessary to determine any regulatory changes and ensure all new inspectors receive online and on-site BMP training from NHDES. Questions involving the applicability of Env-Wq 401 BMPs during specific inspections will be directed to the DWGB staff overseeing the BMP inspection program.

***(3) A list of the name of the owner and the site address and tax map and lot number of each property within the area proposed to be reclassified, submitted in paper format and, if available, in a computer database format that is compatible with the format of a department database suitable for the department to use in preparing mailing labels so as to meet the notification requirements of RSA 485-C:9, VI(b).***

Refer to section PCS Inventory Report, Site Inspection and Verification on page 3.

***(4) A list of all facilities requiring or having release detection permits issued pursuant to Env-Or 700 or predecessor rules in Env-Wm 1403 within the area proposed to be reclassified.***

#### **PCSs Requiring a Groundwater Release Detection Permit**

Per an email received from NHDES staff on June 15, 2017, there are no PCS requiring a groundwater release detection permit within the GAA reclassification area.<sup>1</sup>

***(5) The process for performing a management inspection in accordance with Env-Dw 901.18 of all potential contamination sources located within the area proposed to be reclassified at least once every 3 years to ascertain compliance with best management practices for preventing groundwater contamination, provided, however, that pesticides regulated under RSA 420:28-48 and agricultural operations which are operated in compliance with all applicable chapters of RSA title XL and best management practices developed, administered and enforced by the New Hampshire department of agriculture, markets, and food shall not be subject to inspection under these rules, pursuant to RSA 485-C:8, III, (c) (1) and (2).***

#### **PCS Management and Inspections**

##### *Site Inspection Procedures*

During the site inspection visit, the property owner or his representative will be asked provide the inspector(s) access to all PCS activities/areas where regulated substances are stored, handled, and/or transferred. The inspector(s) will compare on-site conditions with the BMPs required by Env-Wq 401. The inspector(s) may provide education and guidance during the inspection to ensure proper implementation of BMPs related to the PCSs on the property. If a violation of Env-Wq 401 is found during the inspection, follow-up to ensure compliance will be done by the inspector(s). Following the inspection, the Seabrook inspector will send a letter to the PCS owner/manager within 30 days from the date of the inspection, confirming that the inspection occurred and briefly outline any steps to be taken to comply with Env-Wq 401 BMP(s). The inspector(s) will conduct a follow-up process to ensure full

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<sup>1</sup> June 15, 2017 email from Peter Beblowski, Groundwater Remediation and Permitting, forwarded by Pierce Rigrod, Drinking Water and Groundwater Bureau. Refer to attachment in Appendix I.

compliance is met, consistent with Managing Groundwater Protection Areas, (NHDES, 2006 or later revisions) including contact with NHDES when unable to resolve a violation of Env-Wq 401.

Inability to gain access to a PCS property or source on a property for conducting an inspection shall be reported by the Seabrook inspector to the NHDES and to the town in which it occurs. The town of Seabrook will consult with NHDES or local counsel on how to legally obtain access to inspect a PCS.

*Follow up letters to PCSs concerning BMP noncompliance*

All PCS activities not in compliance with Env-Wq 401 will be recorded on a Site Inspection Data Sheet. A letter to PCSs containing specific rule violations, a date when the PCS is expected to gain compliance with the BMP, and a copy of the Site Inspection Data Sheet will be mailed to the PCSs. Written notice of BMP noncompliance or violations will be sent to PCSs within five to ten days of the inspection date. Seabrook Water Department staff (with staff from Hampton Falls and South Hampton for PCSs in their towns) will conduct a follow-up site inspection to determine whether the PCS has achieved compliance within 30-60 days unless there is an immediate public health or groundwater contamination threat. If all violations have been remedied, Seabrook Water Department staff will mail a Letter of Compliance to the PCS stating that the property is compliant per GAA reclassification standards (and provide a copy to staff in Hampton Falls and South Hampton for PCSs residing within their towns).

*Update the PCS inventory at least once every three (3) years*

Seabrook Water Department staff (with staff from Hampton Falls and South Hampton for PCSs in their towns) will complete the notification process, windshield survey, site inspections, and verification and remediation of all non-compliant PCSs every three years. Upon completion of the PCS inspection program every three years, Seabrook Water Department staff will submit to the NHDES an updated PCS inventory noting the compliance status of each site.

In each three-year period, following from the date of the NHDES Commissioner's GAA reclassification approval, Seabrook must complete the following PCS management activities to maintain the reclassification status:

- Mail notification to PCS owners/operators consistent with Env-Dw 901.17(c) to all PCSs within the GAA reclassified area.
- Update the PCS inventory to include all new PCSs operating within the GAA reclassified area.
- Complete BMP inspections of all PCSs requiring inspection within the GAA reclassified area.

Seabrook will track and submit every three years the one-page NHDES form to be signed by the town's authorized representative certifying all program management activities have been completed within the three-year timeframe.

***(6) An assessment of the ability of the local entity to implement and maintain the potential contamination source management program.***

**Management Capability of Potential Contamination Source Program**

The Town of Seabrook will continue to fund the PCS management program through the town's Water Department with funding allocated from the town budget. Program management will involve staff from Hampton Falls and South Hampton who will participate in the program, including PCS site inspections. Annually, Seabrook will provide a copy of all inspection paperwork, associated with PCSs in affected

towns, to Hampton Falls and South Hampton. The PCS program will be implemented by Curtis Slayton, Water Superintendent, and his staff at the Seabrook Water Department located at 550 Route 107, PO Box 456, Seabrook, NH 03874. Phone: (603) 474-9921 Fax: (603) 474-3399. Hours of Operation: Monday – Friday 7AM – 3PM. After-hour Emergencies: Call the Seabrook Police Department at (603) 474-5200, who will contact an on-call stand-by employee.

Management responsibilities for reclassification related activities will be handled through the Town of Seabrook Water Department. The Seabrook Water Department has dedicated NHDES trained staff to conduct PCS inspections and complete educational requirements required under NHDES's New Large Community Well Siting and Chemical Monitoring Waiver Programs. Seabrook staff will continue to implement BMP inspections and educational activities, extending these activities into the proposed GAA reclassification areas falling within South Hampton and Hampton Falls.

The Town of Seabrook will continue to support this important activity to avoid treatment costs and public health impacts associated with potential contamination of Seabrook's municipal water supply as well as potential impacts on private wells. The additional time involved to complete reclassification activities is feasible given Seabrook Water Departments current staffing and budget. Refer to section Estimated Reclassification Program Implementation Costs for details about staff and their responsibilities. The administrative mechanisms to support, track, and comply with the requirements of the GAA reclassification already exist within the Seabrook Water Department. Seabrook Water Department staff will provide participating inspectors from Hampton Falls and South Hampton with pertinent information and materials (updated inspections, outstanding compliance issues) necessary to perform PCS inspections, and offer on-site training requested. Seabrook will also use NHDES's new online BMP for Groundwater Protection Inspector Training module to train inspectors including other town staff.

#### *PCS Management Program Personnel*

Seabrook Water Department Staff Implementing the PCS Inventory, Inspection and Reporting Program include: Curtis Slayton, Water Superintendent; George Eaton, Chief Operator; and Emily Sanborn, Administration. Seabrook Water Department contact information is provided below.

Address: 550 Route 107, PO Box 456, Seabrook, NH 03874

Phone: (603) 474-9921 Fax: (603) 474-3399 Hours of Operation: Monday – Friday 7AM – 3PM

After-hour Emergencies: Call the Seabrook Police Department at (603) 474-5200, who will contact an on-call stand-by employee.

#### *Estimated Reclassification Program Implementation Costs*

Table 5 reports the direct and indirect costs for implementation of Seabrook's PCS inventory, inspection and reporting program.



**Table 5. Direct and Indirect Costs of Reclassification Program Activities.**

Task	Recurring Activity (once every three years)	Hours to Conduct Task	Salary with Fringe	Equipment & Supply costs *see note	Total Cost
PCS Inventory	Update PCS list/spreadsheet database	4 hours	\$280	\$0	\$280
PCS Inventory (42 PCSs)	Conduct a windshield survey	16 hours	\$1,066	\$27	\$1,093
PCS Notification	Print and mail 42 PCS notification letters	24	\$1,080	\$375	\$1,455
PCS Inspection	Conduct BMP inspections at 53 PCSs	42	\$3,626	\$0	\$3,626
PCS Enforcement Enforcement (per case)	Draft and post inspection letter outlining violations; Follow up with on-site inspection; Referral to NHDES as necessary	3 hours	\$135	\$0	\$135
<b>Total Cost</b>		<b>89 hours</b>	<b>\$6,187</b>	<b>\$402</b>	<b>\$6,589</b>

\* Note: Direct costs include salary and benefits. Indirect costs include use of vehicle, telephones, personnel administration, accounting and room/equipment rental and usage. Standard mileage rates are available from the Internal Revenue Service at [www.irs.gov/index.html](http://www.irs.gov/index.html).

### **Additional Activities in the Potential Contamination Source Management Program**

Elements A-H below will complement the GAA Reclassification activities (PCS inspections and outreach/education to property owners).

***Element A. Manage land use activities to ensure they follow best management practices (BMPs) according to state rules, specifically Env-Wq 401 Best Management Practices for Groundwater Protection.***

Seabrook's Aquifer Protection District zoning ordinance, Section 16, will help protect groundwater and may allow for inspection to ensure any structural or operational activities consistent with Env-Wq 401 BMPs or related protections are incorporated and built and in place. The Water Department will also communicate with the Seabrook Planning Board about any proposed amendments to this ordinance to maintain full compliance with groundwater reclassification requirements and procedures. Refer to the Aquifer Protection District zoning ordinance in Appendix D.

***Element B. Regularly notify PCSs of BMP requirements and build public awareness of the value of clean groundwater as a community resource.***

***Element C. Conserve the most sensitive areas immediately around public water supply wells.***

Seabrook's combined Wellhead Protection Areas contain 1,109,4 acres of conservation/public land of which 681.1 acres is permanently protected, 213 acres are conserved but not permanently protected, and 215 acres are public open space. The Water Department will coordinate with the Conservation Commissions and Boards of Selectmen in Seabrook and the adjoining communities about enforcement

of their Aquifer Protection District provisions within GAA reclassified areas. The GAA area will be promoted as a high priority for future land conservation efforts.

***Element D. Prohibit high-risk activities through land use controls within areas that contribute water to a drinking water supply.***

Seabrook's Aquifer Protection District zoning ordinance, Section 16, which includes all areas WHPA within Seabrook, prohibits 14 high risk uses including the six high risk land uses prohibited in a GAA groundwater reclassification area). Seabrook will continue to evaluate adjoining community zoning and site plan/subdivision protection to ensure long-term protection of the GAA reclassified areas. Refer to the Aquifer Protection District zoning ordinance in Appendix D.

***Element E. Institute water conservation and efficiency measures.***

The Seabrook Water Department implements water conservation and management actions during state declared droughts and peak demand during the summer months.

***Element H. Provide compelling public education for residents concerning the use of substances that could contaminate groundwater as well as management and disposal options.***

*Benefits of Groundwater Reclassification will be promoted publicly through local media.*

The primary benefit of reclassification is increased safety of public waters supply wells and aquifers in the area that have been reclassified. Other benefits to the community are:

- To ensure BMPs are used to prevent the release of contaminants when PCS activities involve regulated substances.
- To apply protections across municipal boundaries within WHPAs, aquifers, and watersheds.
- To require groundwater monitoring for certain existing high-risk uses under a NHDES Groundwater Release Detection Permit.
- To receive special notification and a longer comment period on NHDES permits.
- To create greater community awareness of the importance of water supplies and groundwater resources.

*Effect of groundwater reclassification on the Town of Seabrook and its residents, and neighboring towns*

Groundwater reclassification has many benefits and few, if any, impacts on the communities within the reclassified areas. Groundwater reclassification:

- Prevents groundwater contamination and educates property owners about how to implement BMPs for regulated and hazardous substances.
- Limits direct water treatment costs associated with contamination of groundwater used as a source of drinking water.
- Does not result in new regulation as Env-Wq 401 BMPs already apply to all commercial PCSs using regulated substances.
- Protects sources of drinking water important to future economic development, and protects public health and safety.

## Public Informational Meetings

### *Seabrook Public Informational Meeting – April 25, 2017*

A public informational meeting about the proposed groundwater reclassification application was held on April 25, 2017 at the Seabrook Water Department. The meeting was formally noticed in the Friday April 21, 2017 edition of the Hampton Union Newspaper, and widely publicized from the period of April 18-25, 2017 on flyers posted at the Town Hall, a notice on Channel 22 Cable Access Television, and via email to officials, staff and local boards and commission (see flyer in Appendix G). The public informational meeting was attended by: Curtis Slayton, Water Superintendent; Suzanne Griggs, Water Department staff; and Julie LaBranche, Rockingham Planning Commission (three people). However, no members of the public, officials or local board/commission members were in attendance.

### *South Hampton Public Informational Meeting – May 24, 2017*

The Town of South Hampton Board of Selectmen held a public informational meeting about the Seabrook groundwater reclassification proposal on May 24, 2017 with the South Hampton Board of Selectmen on Wednesday May 24, 2017 at 6:00pm at the Town Hall. A flyer for the public informational meeting was mailed to the approximately 100 property owners within Seabrook's existing WHPA and GAA reclassification area in South Hampton (see flyer in Appendix G). The Board of Selectmen's public meeting notice was posted in two locations in town ten days prior to the meeting, however not on the town's website. Approximately 25 property owners from South Hampton attended the public meeting.

At the South Hampton meeting the NHDES DWGB-22-3 Fact Sheet and the WHPA/GAA reclassification map were distributed. Julie LaBranche, Rockingham Planning Commission, and Curtis Slayton, Seabrook Water Superintendent verbally presented the estimated cost of the PCS inventory and inspection program including that Seabrook would accept all administrative costs (mailings, paperwork etc.) for implementing the PCS inventory and inspection program in South Hampton with the exception of South Hampton staff time to participate in the inspections which was estimated to be less than 8 hours every 3-year inspection cycle. These facts were also stated in the motion to support by the South Hampton Board of Selectmen.

**Appendix**

- A. Board of Selectman Public Meeting Minutes – Hampton Falls and South Hampton

*Draft*

**PRESENT:** L.M. Smith, Chairman; R.P. McDermott, Vice-Chairman; J.E. Ziolkowski, Selectman; L.A. Ruest, Town Administrator; S. H. Ayer, Secretary.

This meeting was videotaped by Margaret and David Allen, Hillcrest Drive.

**FINANCIAL REPORTS – GENERAL FUND BALANCE \$ 862,117.08**

**ACCOUNT PAYABLE / PAYROLL / TREASURER / TRUSTEES OF TRUST FUND WARRANTS**

**MOTION:** To approve the following warrants as presented by the Bookkeeper and Treasurer:

<b>Accounts Payable Warrant #575</b>	<b>\$46,321.36</b>
<b>Accounts Payable Warrant #576</b>	<b>\$5,770.21</b>
<b>Payroll Warrant #383</b>	<b>\$12,132.10</b>
<b>Payroll Warrant #384</b>	<b>\$16,798.13</b>
<b>Treasurer's Check Warrant #2017-12</b>	<b>\$233.40</b>

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**SEABROOK GROUNDWATER RECLASSIFICATION APPLICATION – JULIE**

**LABRANCHE:** Julie LaBranche of the Rockingham Planning Commission and Curtis Slayton, Seabrook Water Superintendent were present to discuss the Town of Seabrook's application to the NH Department of Environmental Services (DES) to reclassify groundwater resources. The Town of Seabrook is seeking the support and collaboration of Hampton Falls and other towns into which the inventory and inspection program would be expanded.

J. LaBranche presented a map showing where the wells are located; she said there are 12 wells with differing drainage areas, and showed the portion that extends into Hampton Falls. Reclassification of the wellhead protection areas would require Hampton Falls to comply by prohibiting specific high risk land uses, and by implementing a potential contamination source (PCS) inventory, inspection and education program.

J. LaBranche identified three potential contamination sources in town; these include an auto repair business, a septic service site, and a farm.

L. Smith noted that the six land uses not allowed in the well protection area are already prohibited in the town of Hampton Falls.

There was a discussion on how to identify and protect properties in the well protection area. It was agreed that the information should appear on the tax card of the property. J. LaBranche also suggested that a Zoning amendment should be made to create an aquifer protection district.

**MOTION:** To support the Town of Seabrook's groundwater reclassification application to the DES, and coordinate with Seabrook to conduct a PCS inspection program every three years, with the

*Draft*

understanding that the Seabrook Water Department will incur all expenses except for any costs associated with Hampton Falls staff participation in the inspection program, and will maintain all records required.

**MOTION:** L. Smith

**SECOND:** R. McDermott

**UNANIMOUS**

**SCHEDULE PUBLIC HEARING – RATIFICATION OF VOTING RESULTS MARCH**

**ELECTION:** L. Smith said he would like to schedule a Public Hearing at the next Selectmen's meeting on May 17 to ratify the March election results.

**MOTION:** To hold a Public Hearing on May 17 at 6:30 PM to ratify the March election results.

**MOTION:** R. McDermott

**SECOND:** L. Smith

J. Ziolkowski asked for discussion on the matter, referring to an email sent to the Town Administrator by a citizens' committee reviewing the election. The committee has requested a postponement of a ratification vote until they can publish their report of findings, no later than August 22, 2017.

L. Smith said he can't see how Town business can be stopped while waiting for the committee. He said that he understood the intent of the committee was to review the election to see if mistakes were made, not to revisit the election. He said the purpose of House Bill 329 is to allow towns to ratify their elections and move on.

**2 IN FAVOR; 1 OPPOSED; PASSES**

**COMCAST CABLE TELEVISION FRANCHISE RENEWAL:** Attorney Kate Miller has recommended an amendment to add another five years or more to the contract with Comcast, unless there are other cable-related needs the Town wishes to address. The Selectmen briefly discussed possible interest in a local access channel, and agreed that K. Miller should be invited speak to the Board on the topic. It was agreed to have the Town Administrator contact Attorney Miller to see if she can be available for a workshop.

**WORK SESSION – TOWN HALL AUDIO/VIDEO EQUIPMENT AND PUBLIC SAFETY**

**BUILDING SECURITY SYSTEM:** L. Smith said the discussion with K. Miller regarding a public access channel could be included in this work session. L. Smith said that George Koch has information to share on an application that might help, and would like him to be included as well. It was agreed to post this work session on May 10 at 9:30 AM.

**54 EXETER ROAD, MAP 2, LOT 76:** The Chairman said that communication has been ongoing for some time about the possibility of acquiring a portion of this property that abuts the Town Hall and

*Draft*

Public Safety Building. The Town Administrator was asked to send another email to the property owner, and attempt to reopen the conversation.

**RESIDENT REQUEST TO USE TOWN HALL PARKING LOT JULY 15, 2017:** (This topic was discussed later in the meeting, out of agenda order.)

Seabury Stanton of Kensington Road was present and the Board discussed his request to use the Town Hall parking lot for extra parking during a party at his home. It was determined that Mr. Stanton had talked to the Fire and Police Departments, and that he also has a certificate of insurance to cover liability. He had been given permission by the Police and Fire Chiefs to use a portion of the Public Safety Building's lot for overflow parking if needed.

**MOTION:** To allow Mr. Stanton to use the Town Hall parking lot as well as the Public Safety parking lot on July 15, 2017.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**HAMPTON FALLS HISTORICAL SOCIETY MUSEUM LEASE RENEWAL:**

**MOTION:** To renew the Historical Society Museum lease for the term of 5/4/17 – 5/3/18 on the condition that a current certificate of insurance is on file.

**MOTION:** L. Smith

**SECOND:** J. Ziolkowski

**UNANIMOUS**

There was a discussion of the one-year lease approved by the Selectmen as opposed to a five-year lease that would require a Warrant Article. Cindy Wojcicki, Historical Society President, was present and said that the Society is interested in a five-year lease, but wanted to be sure all changes were in place first. L. Ruest will schedule this to be placed on the 2018 Warrant.

**OTHER**

A date for Perambulation of Bounds with the Town of Hampton has yet to be set. It was agreed that L. Smith and L. Ruest will participate once a date is identified.

Two proposals for grinding of brush and wood at the Brush Dump have been received, one from Pearson for \$5,500 and another from The Dirt Doctors for a cost of \$4,440. The Dirt Doctors would process all logs and brush as viewed on May 1, 2017 and remove all processed materials as well as an existing pile on site. Five percent of the finished pile would be left for Town use.

There was a discussion of the cost and benefit of clearing space at the brush dump before the spring Household Waste Collection Day, set for May 13. L. Ruest said that \$6,000 is budgeted for this purpose, and usually includes two removals at \$3,000 each. It was suggested that if most of the material is removed this may allow for the work to be done only once.

*Draft*

**MOTION:** To accept the proposal from Dirt Doctors for \$4,440 for 2017.

**MOTION:** J. Ziolkowski

**SECOND:** R. McDermott

L. Smith suggested requesting that the percentage of finished product left for residents be increased from five per cent to twenty-five per cent.

**UNANIMOUS**

**NEW BUSINESS:**

**RESIDENCE(S) IN INDUSTRIAL OR COMMERCIAL ZONE (RSA 75:11):** Applications for this exemption are accepted annually; only one resident responded this year.

**MOTION:** To accept the application for Residences in Industrial or Commercial Zone exemptions, which includes Map 8, Lot 92-1 for 2017, as presented, and record the document as required per RSA 75:11.

**MOTION:** L. Smith

**SECOND:** R. McDermott

**UNANIMOUS**

**ACCEPTANCE OF PREPAYMENT OF TAXES BY TAX COLLECTOR (RSA 80:52-A):** The Tax Collector has requested authorization to accept pre-payment of taxes.

**MOTION:** To authorize the Tax Collector to accept prepayment(s) of taxes, per RSA 80:52-A.

**MOTION:** L. Smith

**SECOND:** R. McDermott

**UNANIMOUS**

**VETERAN'S TAX CREDIT APPLICATIONS (RSA 72:28-B):** Six Veteran's Tax Credit applications have been reviewed and approved by the Assessor, for residents at Map 2, Lot 44-1, Map 5, Lot 5-2, Map 4, Lot 34-2, Map 5, Lot 51-18, and Map 8, Lot 80.

**MOTION:** To approve the 6 Veteran's Tax Credit applications per RSA 72:28-B, as presented by the Assessor.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**ANNUAL REVIEW AND APPROVAL OF INVESTMENT POLICY (RSA 41:9):** L. Smith said that he has three questions about the investment policy that he would like to follow up on before approval of the policy. This review and approval will be put on the May 17 agenda.



*Draft*

**SELECTMEN'S PERMIT APPLICATIONS – USE OF TOWN COMMON & BANDSTAND:**

Three permit applications were received for approval of the Board:

1. RECREATION COMM.: ***ARTS ON THE COMMON, JUNE 3 (RAIN DATE JUNE 4)***
2. RECREATION COMM.: ***CASTLEBERRY FAIRS, MAY 13 & 14 AND SEPT. 16 & 17***
3. RECREATION COMM.: ***BANDSTAND CONCERTS, JUNE 15 THROUGH AUGUST 24***

**MOTION:** To approve all three of the applications as presented by the Recreation Commission for use of the Town Common and Bandstand, and authorize the Chairman to sign them.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**MONTHLY REPORTS - SELECTMEN REPRESENTATIVE REPORTS:**

**SELECTMAN MCDERMOTT – LIBRARY, PLANNING BOARD:** R. McDermott reported that the Planning Board had its reorganizational meeting and assigned individual members to five committees, including Capital Improvement Plan, Master Plan, Road, Ordinance and Regulations, and Route 1 Sewer Committees.

The Library Board reviewed its Investment Policy and also reviewed needs relating to roof repairs resulting from a winter storm.

**SELECTMAN SMITH - RECREATION COMM., HERITAGE COMM., TOWN**

**IMPROVEMENT COMM.:** L. Smith reported that the Recreation Commission decided to use the bandstand sub account for summer concerts. Other Recreation sub accounts will all be moved to the Recreation Revolving Account. It has been determined that the Farmer's Market will not take place this year.

The Town Improvement Committee continues to work on the parking lot concept plan for Governor Weare Park. They also continue work on the Town Hall entryway, and a meeting with an ADA representative is scheduled for tomorrow. Both the Town Hall and Historical Society Museum were missing roof slates after the winter weather; High and Dry Roofing has already come to replace them. There has been discussion of a generator for the Town Hall. Benches from the Town Common are in the process of being sandblasted and repaired, and should all be back in place before the Castleberry Fair takes place on May 13 and 14.

L. Smith deferred to Beverly Mutrie for Heritage Commission news. She said that they looked at regulations for the proposed Historic District, and also are doing research to determine whether or not the millstone at the corner of King and Sanborn Streets is Town property.

**SELECTMAN ZIOLKOWSKI - SCHOOL BOARD, CONSERVATION COMMISSION: J.**

Ziolkowski reported that the Conservation Commission's annual roadside cleanup was a success.

*Draft*

The School Board did its annual reorganization, and discussed a letter from the Hampton School District exploring collaborative opportunities for grades 6-8. The School Board also accepted a bid to rehabilitate the school's windows, at about half the cost of what it would have cost to replace them. A Request for Bids process for the first modular classroom was approved; a public forum will be held on May 9 to discuss future renovation plans.

**OTHER:**

The Tax Collector has requested approval from the Board to release property at Map 1, Lot 67-05 from current use, as it was removed from current use in 1986 but never released.

**MOTION:** To accept the recommendation of the Tax Collector and release property at 1-67-05 from current use.

**MOTION:** J. Ziolkowski

**SECOND:** R. McDermott

**UNANIMOUS**

**2017 TAX WARRANT:** The Tax Collector has prepared the Tax Warrant, in the amount of \$4,484,285.

**MOTION:** To approve and sign the 2017 Tax Warrant in the amount of \$4,484,285, as presented by the Tax Collector.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**HOUSEHOLD WASTE COLLECTION DAY:** The Board reviewed a draft write-up of the changes relating to the upcoming spring Household Waste Collection Day. There was a discussion of sending this notice out via the website News and Announcements and other ways of informing the public, including usage of the electronic sign board, about changes to the rules and fees that will affect Household Waste Collection Days.

**MOTION:** To print and mail the flyer of new Solid Waste information to all residents.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

R. McDermott will coordinate printing and mailing of the flyer.

**PUBLIC COMMENT RELATING TO THIS MEETING'S AGENDA ITEMS**

Brian O'Hara, River Road said that as a member of a citizens' election committee formed to look into problems with the 2017 Town Election, he would like to clarify that the committee was asking for a delay in ratification of the election because Town Counsel had acknowledged that there were violations of procedure during the election process, and that this justified the request. He said that while he

*Draft*

understands that Town business needs to be done, he felt that there should be an opportunity for due diligence before the election is ratified.

L. Smith acknowledged B. O'Hara's point, but said that he would bring ratification forward to Public Hearing as planned on March 17. He said that there would be opportunity to discuss the issues at the Public Hearing.

B. Mutrie, Brown Road, said that with regard to the wellhead protection areas, the Building Inspector should be provided with a list of affected properties.

**REVIEW AND APPROVAL OF PREVIOUS MINUTES: 4/12/2017 AND 4/19/2017:**

**MOTION:** To approve the minutes of the April 12, 2017 meeting, as written.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**MOTION:** To approve the minutes of the April 19, 2017 meeting as written.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

**Motion to enter Nonpublic Session** made by L. Smith, seconded by R. McDermott.

**Specific Statutory Reason** cited as foundation for the nonpublic session:

**xx** RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

<b>Roll Call vote</b> to enter nonpublic session:	Richard P. McDermott, Vice Chairman	Y
	Larry M. Smith, Chairman	Y
	James E. Ziolkowski, Selectman	Y

**Entered nonpublic session** at 7:30 p.m.

**Motion to leave nonpublic session and return to public session** by R. McDermott, seconded by J. Ziolkowski

**Motion:** **PASSED**

**Public session reconvened** at 8:25 pm.

**MOTION:** To approve the minutes of the April 19, 2017 nonpublic session as written.

*Draft*

Motion made by R. McDermott, seconded by J. Ziolkowski

**Motion: PASSED**

**OTHER:**

**MOTION:** To authorize the Town Administrator to advertise the position of Part-time Bookkeeper.

**MOTION:** R. McDermott

**SECOND:** J. Ziolkowski

**UNANIMOUS**

The Board signed a letter of appreciation and a proclamation on behalf of the retiring Police Department Secretary.

**MOTION:** To adjourn at 8:28 PM

**MOTION:** L. Smith

**SECOND:** R. McDermott

**UNANIMOUS**

TOWN of SOUTH HAMPTON, NH  
BOARD OF SELECTMEN

MINUTES

Monday, June 12, 2017

A. CALL MEETING TO ORDER: 5:05 PM by James van Bokkelen, Chair

B. ROLL CALL: John Gamble, Ron Preston

C. READ & ACCEPT MINUTES FROM May 24, 2017:

**Moved (Ron), seconded (John) to accept the minutes of May 24, 2017 as presented.**

Motion passed 3-0

D. REPORTS OF OFFICERS & COMMITTEES (NEW BUSINESS):

Manifests:

**Moved (John), seconded (Ron) to approve the June 12 Manifest in the amount of \$150,118.08**

Motion passed 3-0

Treasurer: Heidi Burke accepted the manifest for processing.

Police: Chief Roy: Preparations for the 6/24 Ride Against Alzheimer's are in hand. Primex has sent a check to cover the cruiser damaged on Peak Rd., less \$1,000 which South Hampton must pay. The SHPD has had its procedures audited by the state, and passed with minor suggestions.

Fire: Chief Kozacka, Ed Campbell, Christine Campbell: The cost to letter and otherwise prepare the donated Command Vehicle for service is \$400. For 2016 ambulance services, Comstar has to date collected \$9K of \$15K billed. Christine has queried Comstar regarding collections after we changed providers, but no answer yet.

Building Inspector: Not present.

Health Officer: Not present.

E. COMMUNICATIONS AND CORRESPONDENCE:

Ride to End Alzheimer's permit – discuss with SHVFD and SHPD, Chief Roy will sign letter giving permission.

Selectmen signed Emily Kime's appointment to the ZBA.

F. UNFINISHED BUSINESS:

Motion to support Seabrook's Groundwater Reclassification application for a Wellhead Protection area in South Hampton, and to participate in Seabrook's triennial Potential Contamination Source property inventory and inspection program, with Seabrook assuming all administrative costs for the inspection program except for staff time for South Hampton's participation.

**Moved (Ron), seconded (John)**

Motion passed 3-0.

G. PUBLIC HEARINGS: None

H. OTHER BUSINESS, PUBLIC COMMENTS, MAILINGS:

I. NON-PUBLIC SESSION: Chief Kozacka, Chief Roy.

**Moved (Ron), seconded (John) to enter non-public session per RSA 91-a:3 ii(a), personnel.**

Motion passed 3-0 at 5:50 PM

**Moved (Ron), seconded (John) to leave non-public session.**

Motion passed 3-0 at 6:18 PM.

J. ADJOURNMENT:

**Moved (Ron), seconded (John) to adjourn.**

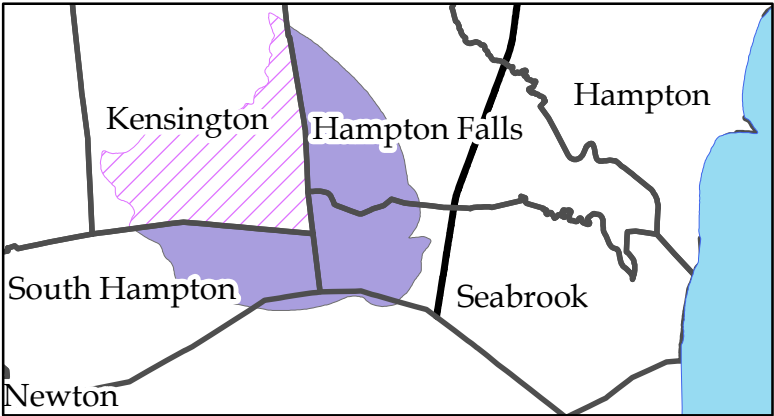
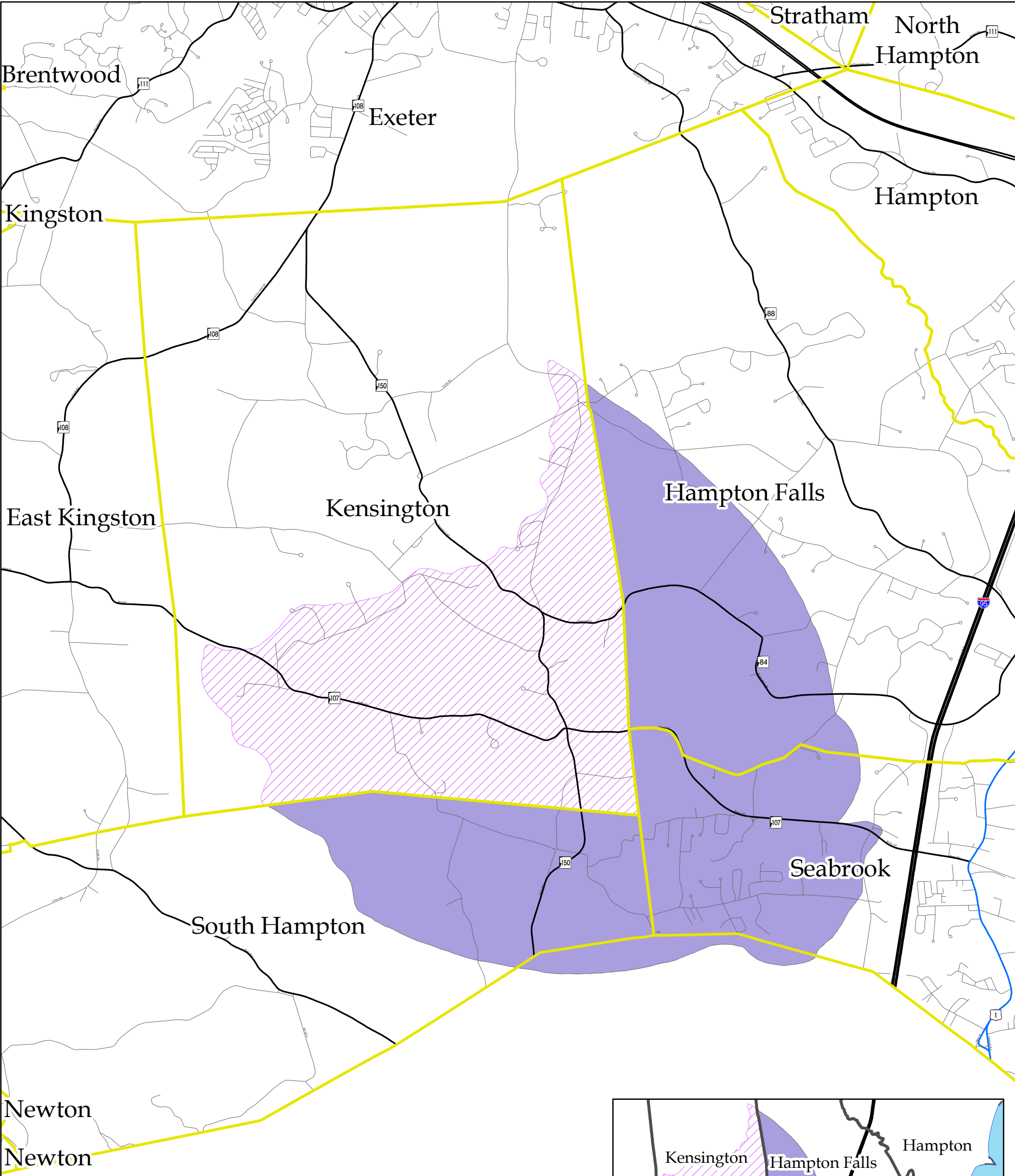
Motion passed 3-0 at 6:28 PM

Next Meeting: 5:00 PM Monday June 26, 2017.




## **Appendix**

### **B. Groundwater Reclassification Map**

Seabrook Groundwater Reclassification Area Map



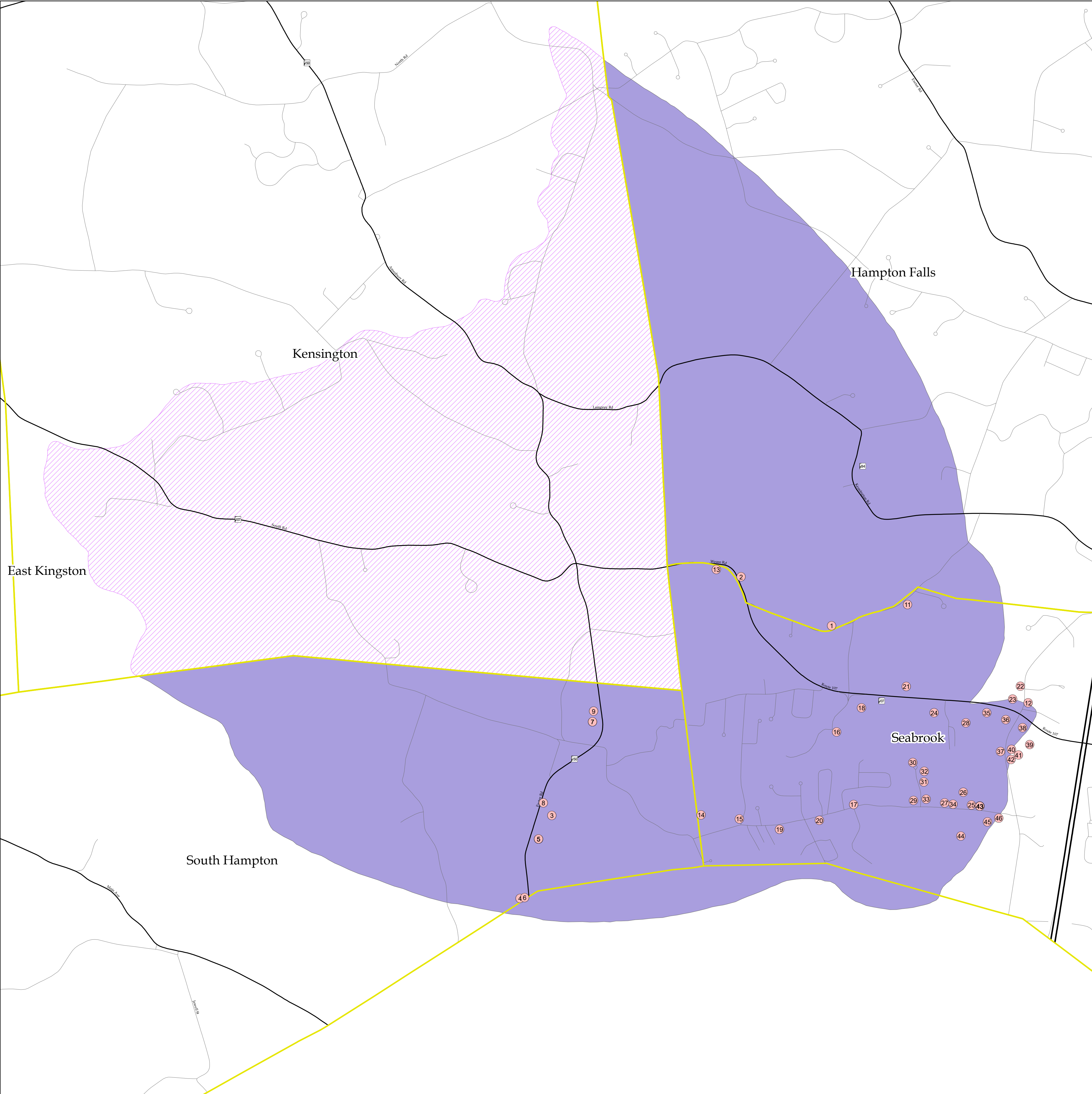
Seabrook Groundwater Reclassification Zone

-  To be included in reclassification (4235 Acres)
-  Not to be included in reclassification (2805 Acres)
-  Town Boundaries





# Seabrook Groundwater Reclassification Area Map



ID	DES Map Key	PCS Name	Address	Town	Map	Lot	Sublot		ID	DES Map Key	PCS Name	Address	Town	Map	Lot	Sublot
1	T-20	Rick's Septic Service	3 Weare Road	Hampton Falls	1	21	0		26	X-25	Dry Air Systems, Inc.	99 Ledge Road	Seabrook	5	8	0
2	R-19	Gruhn Property	35 Weare Road	Hampton Falls	1	28	0		27	W-25	Harley Real Estate Development	85 Ledge Rd	Seabrook	5	8	0
3	N-25	Atlantic Trucking Inc	77 Exeter Road	South Hampton	0	0	0		28	X-23	Charles P. Blouin, Inc	203 Route 107	Seabrook	5	8	2
4	M-25	Midway Oil Co.	118 Exeter Road	South Hampton	0	0	0		29	W-25	Waterline Industries	7 London Lane	Seabrook	5	8	10
5	M-25	DiTucci Oil Carriers	89 Exeter Rd	South Hampton	0	0	0		30	W-24	ArcSource	36 London Lane	Seabrook	5	8	30
5	M-25	R & D Packaging	89 Exeter Rd	South Hampton	0	0	0		31	W-24	Microvision, Inc.	20 London Lane	Seabrook	5	8	41
5	M-25	R & M Freight Inc.	89 Exeter Rd	South Hampton	0	0	0		32	W-24	McKenzie Fuels	28 London Lane	Seabrook	5	8	43
6	M-25	MJS Precast Concrete	118 Exeter Road	South Hampton	0	0	0		33	W-25	JTA Corporation	8 London Lane	Seabrook	5	8	50
7	O-22	Sublime Auto	22 Exeter Road	South Hampton	0	0	0		34	W-25	World of Wheels	89 Ledge Rd	Seabrook	5	8	80
7	O-22	Seacoast Flooring Supply	22 Exeter Road	South Hampton	0	0	0		35	X-22	Pat's Towing	173 Route 107	Seabrook	5	9	1
8	N-24	New Hampshire Hostas	73 Exeter Road	South Hampton	3	20	0		36	Y-23	O'Briens General Store/Gas Sta.	8 Batchelder Road	Seabrook	5	11	0
9	O-22	Nor'East Architectural Antiques	16 Exeter Road	South Hampton	6	0	0		37	Y-23	Cimarron Apartments	24 Batchelder Rd	Seabrook	5	12	0
10	V-22	Inge Chase-Ortrud	61 Thornhill Road	Stratham	0	0	0		38	Y-23	NAPA/Sears	1 Batchelder Road	Seabrook	5	14	1
11	V-20	Janvrin Construction & Trucking	60 Mill Lane	Seabrook	0	0	0		39	Y-23	Corium Corp.	9 Batchelder Road	Seabrook	5	14	2
12	Y-23	Hale Brothers Inc	12 Stard Road	Seabrook	0	0	0		40	Y-23	Smartfuel	15 Batchelder Rd	Seabrook	5	14	3
13	R-19	Water Treatment	540 Route 107	Seabrook	1	1	0		41	Y-23	Richardson Electric Co.	17 Batchelder Road	Seabrook	5	14	30
14	S-25	Lago & Sons Construction	1 Blacksnake Road	Seabrook	2	2	0		42	Y-23	Hurley Engineering	19 Batchelder Road	Seabrook	5	14	300
15	R-25	Vedrani Family Trust	120 True Road	Seabrook	2	4	0		43	Y-25	Shamrock Realty Trust	103 Ledge Rd	Seabrook	5	80	0
16	T-23	Yankee Greyhound Park	319 Route 107	Seabrook	2	41	0		43	Y-25	Chimo	103 Ledge Rd	Seabrook	5	80	0
17	U-25	TCS Paving	49 Ledge Road	Seabrook	2	92	0		43	Y-25	Sweeney-Linebrook	103 Ledge Rd	Seabrook	5	80	0
18	U-22	John Chase Paving	295 Route 107	Seabrook	2	97	0		43	Y-25	Grasso-Ledge Road Trust	103 Ledge Rd	Seabrook	5	80	0
19	Q-25	Matrix Paving & Excavating	94 Blacksnake Road	Seabrook	3	3	50		43	Y-25	MT 55	103 Ledge Rd	Seabrook	5	80	0
20	T-25	Diamond Paving	14 Ledge Rd	Seabrook	3	6	3		43	Y-25	Sally	103 Ledge Rd	Seabrook	5	80	0
21	V-22	Utility Trailers of New England	242 Route 107	Seabrook	4	2	2		43	Y-25	Wolpert	103 Ledge Rd	Seabrook	5	80	0
22	Y-22	Seabrook Truck Center, Inc.	27 Stard Road	Seabrook	4	9	0		43	Y-25	Saddleback Properties	103 Ledge Rd	Seabrook	5	80	0
23	Y-22	Seabrook Inn - Best Western	9 Stard Road	Seabrook	4	12	1		44	X-25	US Foods	100 Ledge Road	Seabrook	6	1	0
24	W-22	Seacoast Mini-Storage	233 Route 107	Seabrook	5	3	0		45	X-25	Midway Contractors, LLC	106 Ledge Road	Seabrook	6	7	0
25	X-24	Ledge Rd Indus. Condo Assoc.	95 Ledge Rd	Seabrook	5	8	0		46	Y-25	DMG Mori/Tyler Machine	111 Ledge Road	Seabrook	6	12	1

Potential Contamination Sources (PCSs)

**Seabrook Groundwater Reclassification Zone**

To be included in reclassification (4235 Acres)

Not to be included in reclassification (2805 Acres)

Town Boundaries

ROCKINGHAM  
PLANNING  
COMMISSION

**Appendix**

C. PCS Inventory Report (per RSA 485-c:8, II)

**Seabrook Water Department**  
**Inventory of Local Potential Contamination Sources (PCSs)**

**SEABROOK PCS INVENTORY**

DES Map Cell	PCS Survey in Seabrook Name & Address	Property Owner	Description	PCS Added to Map	Map/Lot	2014 PCS Site Inspection Results
Y-22	Seabrook Inn - Best Western 9 Stard Road Seabrook, NH 03874	SAI LILA LLC 9 STARD RD SEABROOK, NH 03874	Motel with a maintenance room (paints, chemicals)	8/14/2013 Map Update	4/12/1	2 gallons motor oil, 3 gallons gasoline/fuel, 20 gallons paint/stain/urethane, 40 gallons laundry detergent; Fully compliant with BMPs.
Y-23	Hale Brothers Inc. 12 Stard Road  Seabrook, NH 03874	KARDANID PROPERTIES LLC PO BOX 368  SEABROOK, NH 03874	Metalworking facility, makes chains and sprockets			1 gallon transmission/brake fluid, 2 gallons radiator coolant, 1 gallon hydraulic fluid, 2 gallons motor oil, 5 gallons waste oil, 2 gallons gasoline/fuel, 5 gallons diesel fuel/kerosene, 5 gallons grease/lubricant, 2 gallons car wash products, 5 gallons paint/stain/urethane, 1 gallon thinner/strip, 1 gallon waterproofing chemicals, 5 gallons, cleaner/disinfectant, 250 lbs de-icing salt, 1 gallon pesticide/herbicide; Fully compliant with BMPs
Y-22	Seabrook Truck Center, Inc. 27 Stard Road Seabrook, NH 03874	GRA REAL ESTATE HOLDINGS LLC PO BOX 2750 SEABROOK, NH 03874	Sales, maintenance and repair facility for trucks. On site - new and used trucks, storage of trailer trucks, storage of trailers (contain fireworks)	Added to Map (7/18/2016)	4/9	New business, not open at the time of inspection.
Y-23	NAPA/Sears 1 Batchelder Road Seabrook, NH 03874	FLYNN CHERYL A 16 TIBBETS AVE DANVERS, MA 01923	Auto parts store, storage of batteries, anti-freeze, oil		5/14/1	Several quarts of motor oil in a closed and sealed container; Fully compliant with BMPs
Y-23	O'Briens General Store/Gas Sta. 8 Batchelder Road Seabrook, NH 03874	SEABROOK COUNTRY STORES LLC P O BOX 367 SEABROOK, NH 03874	Two (2) gasoline UST storage tanks		5/11	Household cleaning supplies; 55 gallon drum outside on containment pad; Fully compliant with BMPs.
Y-23	Corium Corp. 9 Batchelder Road  Seabrook, NH 03874	NORTHERN NEW ENGLAND TELEPHONE C/O FAIRPOINT COMMUNICATIONS INC 770 ELM ST  MANCHESTER, NH 03101	Leather coating facility for book covers		5/14/2	600 gallons hydraulic fluid, 1.5 gallons waste oil, 1 gallon gasoline/fuel, 6 gallons diesel fuel/kerosene, 1,000-9,999 lbs battery acid, 20 gallons cleaners/disinfectants, 200 gallons solvent, 18 gallons paint, 6.5 gallons adhesive, 163 gallons stripper/thinner, .5 gallons cleaner, 1 gallon pesticides, 237 gallons lubricants, 3,416 gallons paint/covering products; Waste products removed by Enpro include spent emulsion waste and ignitable rags. Fully compliant with BMPs.
Y-23	Smartfuel 15 Batchelder Rd Seabrook, NH 03874	1994 SEACOAST HOLDINGS REALTY TR DUFOUR & RICHARDSON TRUSTEES 17 BATCHELDER RD SEABROOK, NH 03874	Makes Biofuels	8/14/2013 Map Update	5/14/3	No regulated substances reported. Fully compliant with BMPs.
Y-23	Richardson Electric Co. 17 Batchelder Road Seabrook, NH 03874	1994 SEACOAST HOLDINGS REALTY TR DUFOUR & RICHARDSON TRUSTEES 17 BATCHELDER RD SEABROOK, NH 03874	Electrical contractor		5/14/30	0.5 gallons transmission/brake fluid, 5 gallons hydraulic fluid, 1 gallon motor oil, 1 gallon waste oil, 5 gallons gasoline/fuel, 1 gallon paint/stain/urethane, 1 gallon cleaner/disinfectant, 1 bag de-icing salt. Fully compliant with BMPs.
Y-23	Hurley Engineering CNC Lathe 19 Batchelder Road Seabrook, NH 03874	ROUND ONE LLC 19 BATCHELDER RD SEABROOK, NH 03874	Manufacturing machine shops		5/14/300	Missing Inventory Verification form. Fully compliant with BMPs.
Y-23	Cimarron Apartments 24 Batchelder Rd Seabrook, NH 03874	CIMARRON REALTY TRUST MCDONNELL FRANCIS C TR PO BOX 186 SEABROOK, NH 03874	Storage tanks (UST) 500 gallons and 275 gallons		5/12	10 gallons gasoline/fuel, 5 gallons grease/lubricant, 5 gallons degreaser, sand/salt mix (covered); fully compliant with BMPs
X-22	Pat's Towing 173 Route 107 Seabrook, NH 03874	PJD PROPERTIES LLC 173 NEW ZEALAND RD SEABROOK, NH 03874	Vehicle service and repair shop, sells used vehicles		5/9/1	3 gallons transmission/brake fluid, 30 gallons motor oil stored in barrels outside - need to be covered; Property owner mailed letter on 8/29/14 describing BMP to remediate site violation; Fully compliant with BMPs by 10/2/14
X-23	Charles P. Blouin, Inc 203 Route 107 Seabrook, NH 03874	BLOUIN PROPERTIES LLC PO BOX 2690 SEABROOK, NH 03874	HVAC sheet metal fabricator, some painting, exterior storage buildings Industrial Wastewater Discharge Permit from Seabrook		5/8/2	2 gallons radiator coolant, 55 gallons hydraulic fluid, 4 gallons motor oil, 25 gallons waste oil, 10 gallons gasoline/fuel, 15 gallons diesel fuel/kerosene, 1 gallon grease/lubricant, 1 gallon degreaser, 2 gallons car wash products, latex paint, 2 gallons thinner/strip, 50 bags de-icing salt;
W-22	Seacoast Mini-Storage 233 Route 107  Seabrook, NH 03874	CURATOLO SEABROOK LLC 85 RAILROAD PLACE  SARATOGA SPRINGS, NY 12866	Building with indoor storage units and exterior mini-storage units	8/14/2013 Map Update	5/3	0.25 gallons transmission/brake fluid, 0.50 gallons radiator coolants, 0.50 gallons hydraulic fluid, 1 gallon motor oil, 2 gallons gasoline/fuel, 0.5 gallons grease/lubricant, 0.5 gallons car wash products, 10 gallons paint/stain/urethane, 0.5 gallons thinner/strip, 2 gallons cleaner/disinfectant, 20 lbs de-icing salt, 0.25 gallons pesticide/herbicide, 6 oz printing ink, 0.25 gallons products labeled poison; fully compliant with BMPs

[illegible]

X-25	US Foods 100 Ledge Road Seabrook, NH 03874	ZSF/SEABROOK TRUST C/O US FOODS PO BOX 29291 PHOENIX, AZ 85038	(Formerly Poland Springs) 57 bays for trailer trucks, large car parking lot, fueling and truck washing facility, generators, fuel tanks, trailer trucks on site, refrigeration units on side of building	6/1	No regulated substances reported. Fully compliant with BMPs.
X-25	Dry Air Systems, Inc. Industrial Condo Bays 99 Ledge Road Seabrook, NH 03874	LEDGE ROAD INDUSTRIAL CONDOMINIUM ASSOC 95 LEDGE RD UNIT 4 PO BOX 365 SEABROOK, NH 03874	Industrial Condos <u>Mailing Address: 18 Graf Road, Unit # 10,</u> Newburyport, MA 01950	8/14/2013 Map Update	5/8/901-912  No regulated substances reported. Fully compliant with BMPs.
X-24	Ledge Rd Indus. Condo Assoc. 95 Ledge Rd  Seabrook, NH 03874	LEDGE ROAD INDUSTRIAL CONDOMINIUM ASSOC 95 LEDGE RD UNIT 4 PO BOX 365  SEABROOK, NH 03874	Industrial Condos (Same driveway as 93 Ledge Road - Focus Technology Solutions)	8/14/2013 Map Update	5/8/100-108  Unit 95A: No regulated substances reported. Fully compliant with BMPs. Unit 95B: 5 gallons motor oil, 5 gallons waste oil. Fully compliant with BMPs. Unit 95C,D,E: No regulated substances reported. Fully compliant with BMPs. Unit 95G,H: No regulated substances reported. Units 4 and 6: No regulated substances reported. Fully compliant with BMPs.
W-25	World of Wheels 89 Ledge Rd Seabrook, NH 03874	89 LEDGE ROAD LLC PO BOX 2960 SEABROOK, NH 03874	Restores cars	Added to Map (7/18/2016)	5/8/80  New business; not open at time of PCS inspections.
W-25	Harley Real Estate Development 85 Ledge Rd Seabrook, NH 03874	Harley Real Estate Development 21 North Road, East Kingston, NH 03827	Industrial Condos - Vacant - Building left unfinished, Could not access site - Gate Locked <u>Mailing address:</u> 21 North Road, East Kingston, NH 03827	5/8/701-713	2 gallons gasoline/fuel, 1 barrel biodegradable farm oil. No letter of compliance in file.
U-25	TCS Paving 49 Ledge Road Seabrook, NH 03874	TIRONE MARC A & COTE LISA B 49 LEDGE RD SEABROOK, NH 03874	Paving equipment stored in yard	2/92	3 quarts transmission/brake fluid, 2 gallons radiator coolant, 2 gallons motor oil, 5 gallons gasoline/fuel, #2 heating oil tank, 2 tubes grease/lubricant, 1 gallon car wash products, 2 gallons paint/stain/urethane, 5 gallons de-icing salt, 1 bag lawn fertilizer, 1 gallon pesticide. Fully compliant with BMPs.
T-25	Diamond Paving 14 Ledge Rd Seabrook, NH 03874	14 LEDGE ROAD REALTY TRUST MORGADO FLORIANO & ANN MARIE TTEES 14 LEDGE RD SEABROOK, NH 03874	Storage of dump trucks, paving rollers	3/6/3	5 gallons transmission/brake fluid, 55 gallons motor oil, 110 gallons waste oil, 150 gallons diesel fuel/kerosene, 4 tubes grease/lubricant, 4 gallons degreaser. Fully compliant with BMPs.
W-25	Waterline Industries 7 London Lane Seabrook, NH 03874	ROUND FOUR HOLDINGS LLC 7 LONDON LANE  SEABROOK, NH 03874	General contractor Construction equipment in yard, has maintenance garage	5/8/10	10 gallons transmission/brake fluid, 55 gallons radiator coolant, 55 gallons hydraulic fluid, 110 gallons motor oil, 500 gallons waste oil, 5 gallons gasoline/fuel, 500 gallons diesel fuel/kerosene, 10 gallons grease/lubricant, 5 gallons degreaser, 3 gallons car wash products, 10 gallons water based paint/stain/urethane, 2 gallons thinner/stripper, 2 gallons cleaners/disinfectant, 2 bags de-icing salt. Fully compliant with BMPs.
W-25	JTA Corporation 8 London Lane Seabrook, NH 03874	RKW LLC 8 LONDON LANE SEABROOK, NH 03874	Manufactures corrugated cardboard cartons, stores cardboard on site for recycling	5/8/50	Water solvent lubricant stored indoors in machine shop; fully compliant with BMPs
W-24	Microvision, Inc. 20 London Lane Seabrook, NH 03874	MICROVISION PROPERTY LLC 20 LONDON LANE SEABROOK, NH 03874	Makes small eye surgery equipment	5/8/41	10 gallons of de-icing salt, 8 gallons of degreasers. All regulated substances stored in locked cabinets; full compliant with BMPs
W-24	McKenzie Fuels 28 London Lane Seabrook, NH 03874	MACKENZIE PROPERTIES LLC 54 WASHINGTON ST SEABROOK, NH 03874	On site propane tanks and fuel trucks - no building	Added to Map (7/18/2016)	5/8/43  On site propane tanks and fuel trucks - no building
W-24	ArcSource 36 London Lane Seabrook, NH 03874	ARC SOURCE/NICHOLS REALTY LLC 36 LONDON LANE SEABROOK, NH 03874	Propane tank service center, welding, numerous propane tanks stored in yard, and liquid nitrogen tanks.	5/8/30	10 gallons hydraulic fluid, 8 quarts motor oil, 30 gallons waste oil, 20 gallons gasoline/fuel, 5 gallons diesel fuel/kerosene, 1 gallon grease/lubricant, 15 gallons paint/stain/urethane, 1 gallon dry-cleaning fluid, 100 lbs de-icing salt
Q-25	Matrix Paving & Excavating Paul Cabral 94 Blacksnake Road Seabrook, NH 03874	CABRAL PAULO J P O BOX 796 SEABROOK, NH 03874	Storage of trucks & heavy excavating equipment and maintenance garage, piles of materials. Open wood shed with fuel tanks and approximately twenty five drums (5 gallon drums).	3/3/50	No regulated substances reported. Fully compliant with BMPs.
R -25	Vedrani Family Trust 120 True Road Seabrook, NH 03874	VEDRANI FAMILY TRUST VEDRANI ANNETTE TTEE 120 TRUE RD SEABROOK, NH 03874	Farm with at least 6 cows	2/4	No regulated substances reported; Fully compliant with BMPs.
S-25	Lago & Sons Construction 1 Blacksnake Road Seabrook, NH 03874	LAGO MICHAEL JR 1 BLACKSNAKE RD SEABROOK, NH 03874	Mobile Home Park maintenance equipment Inactive - 2016 Windshield Survey	2/2	4 gallons of paint/stain/urethane. All other substances in household quantities in home garage.



V-20	Janvrin Construction & Trucking 60 Mill Lane Seabrook, NH 03874	Inactive - 2016 Windshield Survey	4/7/3	No regulated substances reported. 500 gallon diesel fuel tank, 330 gallon #2 heating oil tank
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**SOUTH HAMPTON - PCS INVENTORY \*SITE INSPECTIONS WILL COMMENCE IN SUMMER/FALL 2017\***

**Seabrook Water Department  
Inventory of Local Potential Contamination Sources (PCSs)**

DES Map Cell	PCS Survey in So. Hampton Name & Address	Property Owner	Description	PCS Added to Map	Map/Lot	2014 PCS Windshield Survey Inspection Results
O-22	Nor'East Architectural Antiques 16 Exeter Road South Hampton, NH 03827	NOR'EAST REALTY , LLC 16 Exeter Road South Hampton, NH 03827	Architectural salvage and antique building materials (Inside and outside of building)	8/14/2013 Map Update	6/25 and 6/26/1	
O-22	Seacoast Flooring Supply 22 Exeter Road South Hampton, NH 03827		Distributor of hardwood flooring and related products	8/14/2013 Map Update		
O-22	Sublime Auto 22 Exeter Road South Hampton, NH 03827		Vehicle repair facility, interior storage of cars			
N-24	New Hampshire Hostas 73 Exeter Road South Hampton, NH 03827	MOUSER TRUST-MERRITT, RICHARD TRUSTEE 73 Exeter Road South Hampton, NH 03827	Greenhouses and sheds	8/14/2013 Map Update	3/20	
N-25	Atlantic Trucking Inc. and Journeyman Truck Sales 77 Exeter Road South Hampton, NH 03827 <u>Also:</u> Basset Grounds Maintenance 77C Exeter Road and Laverde Bros. Construction Co. 77D Exeter Road		Industrial trucks sales and two maintenance garages In yard - numerous trailer storage units, above ground oil tank, several dump trucks, fuel tank, stockpiles of loam, sand, mulch.	8/14/2013 Map Update		
M-25 M-26	1) R & M Freight Inc. 2) R & D Packaging 3) DiTucci Oil Carriers 89 Exeter Rd South Hampton, NH 03827		Maintenance garage, In yard - four (4) large oil tanker trucks, box trailers			
M-27	Industrial Buildings at Town Line 118 Exeter Road South Hampton, NH 03827 Midway Oil Co. and MJS Precast Concrete		Site located at South Hampton/Amesbury Town Line  Site has 4 maintenance/shop buildings In yard - storage of heavy construction equipment, trucks, cranes, fuel oil trucks , old steel barrels, old steel oil tanks. Storage of precast concrete units. In one garage - manuf. of precast concrete units <u>Mailing Address:</u> Midway Oil, 84 Exeter Road, South Hampton, NH 03827	8/14/2013 Map Update		

**HAMPTON FALLS - PCS INVENTORY \*SITE INSPECTIONS WILL COMMENCE IN SUMMER/FALL 2017\***

**Seabrook Water Department  
Inventory of Local Potential Contamination Sources (PCSs)**

DES Map Cell	PCS Survey in Hampton Falls Name & Address	Property Owner	Description	PCS Added to Map	Map/Lot	2014 PCS Windshield Survey Inspection Results
T-20	Rick's Septic Service 3 Weare Road Hampton Falls, NH 03844	SUSAN J. MOLIN TTE & SJ MOLLIN REVOC 172 DRINKWATER RD Hampton Falls, NH 03844	Small truck storage, septic tank trucks, saw mill		1/21	
R-19	Gruhn Property 35 Weare Road Hampton Falls, NH	186 DRINKWATER ROAD LLC 9 CIDER HILL RD Hampton Falls, NH 03844	Hazwaste site at house Regulated by NHDES		1/28	

**KENSINGTON - PCS WINDSHIELD SURVEY ONLY**

**Seabrook Water Department  
Inventory of Local Potential Contamination Sources (PCSs)**

DES Map Cell	PCS Survey in Kensington Name & Address	Property Owner	Description	PCS Added to Map	Map/Lot	2014 PCS Windshield Survey Inspection Results
N-19	Kensington Autoworks LLC 272 South Road Kensington, NH 03833		Two (2) vehicle service garages			
K-18	A Country Setting 237 South Rd Kensington, NH 03833	DODIER, MARC P, LISA 237 South Rd Kensington, NH 03833	Hair salon, cosmetologist		5/28/1	
I-18 J-18	Town of Kensington Salt Shed 211 South Road Kensington, NH 03833		Round road salt shed (enclosed) - doorway open for large trucks to enter for road salt deliveries <u>Mailing Address:</u> Town of Kensington, 243 Amesbury Road, Kensington, NH 03833	8/14/2013 Map Update		
G-18	James R Rosencrantz & Sons, Inc 184 South Road - Route 107 Kensington, NH 03833		John Deere service center, small tractor sales and service, full size farm tractors, above ground storage tanks with cover and containment, kerosene and waste oil storage. Twenty-five (25+) cows in pasture on adjacent lot.		Buxton 12/39 Tolvanen 12/43	
D-17	Wild Willow Restaurant and and Tavern 149 South Rd Kensington, NH 03833		Restaurant			As of 2017 the property is vacant.
H-18 I-18	Kensington Abandoned Dump Beaver Dam Road Kensington, NH 03833	Town of Kensington	Old dump, abandoned Site overgrown with trees/field			
K-13	D & B Sand & Gravel LLP Route 150 Kensington, NH 03833 <u>Mailing Address:</u> D Downs Trucking, LLC 83 Railroad Ave Seabrook, NH 03874	D Downs Trucking, LLC 83 Railroad Ave Seabrook, NH 03874	Gravel pit Storage of heavy excavating equipment (diesel) on-site Sign at entrance says call: 603-944-1559      603-394-0191	8/14/2013 Map Update		
O-15	Flying Colour Farm 22 Route 84 Kensington, NH 03833		Horse training and boarding farm 17-stall boarding barn	8/14/2013 Map Update		
N-17	Christopher D Batchelder and B & S Container Service 7 Pine Lane Kensington, NH 03833	BATCHELDER, CHRISTOPHER D 7 Pine Lane Kensington, NH 03833	Maintenance garage and barn with a few horses In yard - rubbish packer trucks, box trailers, excavators and farm equipment, old vehicles, barn with horses and cows. "Hidden Brook Farm"		2/12/2	

N-20	Industrial Condos 243 Amesbury Road Kensington, NH 03833	CONDO COMMON LAND 243 Amesbury Road Kensington, NH 03833	Unit 1 - Viking Welding & Fabrication Unit 3 Woodwrights, Inc. Unit 4 Cassandra Sign Unit 5 LCI Construction Unit 6 - Kensington Town Offices Unit 7 Designer Expressions	5/35/2
0-20	CP Building Supply, Inc. 268 Amesbury Road Kensington, NH 03833	PIERCE FAMILY REVOC TR 4/05 DEMAREE, MITCHEL R-SANDRA 268 Amesbury Road, Kensington, NH 03833	Hardware store and lumber yard	8/47 and 4/27



## **Appendix**

### D. Local Aquifer/Groundwater Zoning Ordinances

## Section 16- Aquifer Protection

**16.100 Purpose:** The purpose of the Aquifer Protection Overlay District is to protect future ground water sources from potential contaminants and human intervention that might limit recharge. The intent of this Overlay District is to provide for the overall health and safety to the public by preserving and maintaining existing aquifers. The Aquifer Protection Overlay District is a zoning overlay district that imposes additional requirements and restrictions in addition to those of the underlying district zone. The goals of the Aquifer Protection Overlay District are to:

16.101 Achieve runoff volume control to maintain pre-development hydrology functions, including holding surface runoff volume, infiltration, and aquifer recharge volumes reasonably constant. These standards help maintain aquatic habitats, wetlands, stream base flow and prevent increased frequency of damaging bank full flows and floods.

16.102 Protect, maintain, and improve stream uses and the surface water and groundwater quality (including temperature regimes) that sustains these uses.

16.103 Prevent any increase in peak runoff rate and total volume of discharge from a site for a range of frequent to large storms. Where appropriate, additional release rate and volume controls may be required to reduce cumulative flooding impacts downstream and to water bodies containing sensitive species or habitats.

**16.200 Aquifer Protection Overlay District** extends over all land within the political boundaries of the Town of Seabrook located west of I-95.

**16.300 Applicability:** The Aquifer Protection Overlay District standards shall apply fully to new development projects, and redevelopment projects that expand by more than 25 percent the total footprint of development on a site or add more than 10,000 square feet of new impervious surface cover to a site, whichever is smaller. For site development that does not meet these redevelopment thresholds, the standards shall be applied to the maximum extent practicable at the discretion of the Planning Board.

16.400 **Prohibited Uses:** The following uses are not permitted in the Aquifer Overlay Protection District.

16.401 Storage, use, treatment or disposal of hazardous waste as defined under RSA 147-A, and Section 2 herein;

16.402 Storage, use, treatment or disposal of solid waste and sludge;

16.403 Disposal of solid waste. Brush and stumps may not be disposed of on-site;

16.404 Disposal of septic waste;

16.405 Dumping of snow or stockpiling of snow brought from outside the Aquifer Protection Overlay District;

16.406 Storage of road salt, salted sand or other deicing materials and chemicals in bulk except in lined and enclosed covered storage constructed in accordance with the standards of NH DES;

16.407 Subsurface storage of petroleum and other refined petroleum products for commercial sale and industrial use;

16.408 Motor vehicle service and repair shops, gasoline stations, car washes, junk, reclamation and salvage yards;

16.49 Facilities for the bulk storage of petroleum products;

16.410 Industrial and commercial uses that discharge contact type process and cooling waters on site;

16.411 Commercial livestock stockyards, feedlots, and manure storage;

16.412 Mining of land and excavation of sand or gravel;

16.413 Septage or wastewater lagoons.

16.450 **Regulated Substances:** The handling, storage, processing or recycling of regulated substances and toxic materials in storage containers greater than five gallons shall only be permitted if the Planning Board and Fire Chief approve the applicant's plan for Spill Prevention, Control and Countermeasure (SPCC).

**16.500 Exemptions:** The following uses are exempt from this ordinance as long as they are in compliance with all applicable local, state and federal requirements:

16.501 Storage of heating fuels for on-site residential and non-residential use or fuels for emergency electric generation, provided that storage tanks are above ground on a concrete pad or floor and have corrosion control, leak detection, and secondary containment in place.

16.502 Storage of motor fuel in tanks attached to vehicles and fitted with permanent fuel lines to enable the fuel to be used by that vehicle.

16.303 Storage and use of office supplies.

## Section 17 - Telecommunications Facilities

**17.100 Signs:** Telecommunication towers shall not contain signs or graphic representation of any kind.

**17.200 Fall Zone:** A circular fall zone shall be depicted on the site plan. The radius of said zone shall equal the height of the proposed tower. This zone shall not include any buildings or public ways. Easements shall be required if the fall zone extends onto other properties.

**17.300 Evidence that Co-Location is not Feasible:** If a new tower is being proposed, the applicant shall submit evidence which is satisfactory to the Planning Board, that no existing structure can accommodate the applicant's antenna(s).

**17.400 Cooperation:** An applicant proposing to build a new tower shall submit a binding agreement that provides for the maximum allowance of antenna co-location on the new structure. This agreement shall obligate the applicant to supply antenna co-location for reasonable fees and costs to other telecommunications providers. Failure to provide an agreement that is satisfactory to the Planning Board is grounds for denial.

**17.500 A Bond** shall be submitted by the applicant to cover the costs of tower removal in the case of abandonment. The applicant shall submit a written agreement, the terms of which are to be satisfactory to the Town of Seabrook, which governs the bond.

**17.600 Abandoned Telecommunications Facilities** are those that have not operated for a period of twelve consecutive months.

- 12.4.1.11 Operations. All home occupations shall be conducted entirely within enclosed buildings except those that are recreational in nature (i.e., tennis, swimming or other similar recreational home occupations where lessons are provided).
- 12.4.1.12 Septic Usage. Septic system capacity shall meet Town and State requirements for the residential and proposed use of the premise.
- 12.4.1.13 Licenses and Professional Registrations. Any license and/or professional registrations required by local, state or federal authorities and/or professional organizations shall be obtained and maintained current as long as the business remains viable. Copies of these documents shall be provided to the Town for file and maintained current.
- 12.4.1.14 Subordinate Use. The business use shall be clearly incidental and secondary to the use of the premises for residential purposes.

### SECTION 13 – AQUIFER PROTECTION DISTRICT

(Adopted March 2007)

#### 13.1 Authority and Purpose

Pursuant to RSA 674:16-21, the Town of Hampton Falls adopts an Aquifer Protection District and accompanying regulations in order to protect, preserve and maintain potential groundwater supplies and related groundwater recharge areas within known aquifers identified by the Town. The objectives of the aquifer protection district are:

- to protect the public health and general welfare of the citizens of the Town of Hampton Falls;
- to prevent development and land use practices that would contaminate or reduce the recharge of the identified aquifer;
- to promote future growth and development of the Town, in accordance with the Master Plan, by insuring the future availability of public and private water supplies; and
- to encourage uses that can appropriately and safely be located in the aquifer recharge areas.

#### 13.2 Administration

- 13.2.1 General: The provision of the Aquifer Protection District shall be administered by the Planning Board. All development proposals within this district, other than single family residential construction not involving the subdivision of land, shall be subject to subdivision and/or site plan review and approval in accordance with Planning Board rules and regulations. Such review and approval shall precede the issuance of any building permit by the Town.
- 13.2.2 Enforcement: The Board of Selectmen shall be responsible for the enforcement of the provisions and conditions of the Aquifer Protection District.

#### 13.3 Definitions

- 13.3.1 **“Animal Feedlot”** A commercial agricultural establishment consisting of confined feeding areas and related structures used for the raising of livestock. An animal feedlot shall be considered one on which more than five (5) animals are raised simultaneously.
- 13.3.2 **“Aquifer”** For the purpose of this Ordinance, aquifer means a geologic formation, group of formations, or part of a formation that is capable of yielding usable quantities of groundwater.

- 13.3.3 **“Dwelling Unit”** A building or that portion of a building consisting of one or more designed for living and sleeping purposes, including kitchen and sanitary facilities and intended for occupancy by not more than one family or household.
- 13.3.4 **“Groundwater”** All the water below the land surface in the zone of saturation or in rock fractures capable of yielding water to a well.
- 13.3.5 **“Groundwater Recharge”** The infiltration of precipitation through surface soil materials into groundwater. Recharge may also occur from surface waters, including lakes, streams and wetlands.
- 13.3.6 **“Leachable Wastes”** Waste materials, including solid wastes, sludge and agricultural wastes that are capable of releasing contaminants to the surrounding environment.
- 13.3.7 **“Mining of Land”** The removal of geologic materials such as topsoil, sand and gravel, metallic ores, or bedrock to be crushed or used as building stone.
- 13.3.8 **“Non-Conforming Use”** Any lawful use of buildings, structure, premises, land or parts thereof existing as of the effective date of this Ordinance, or amendment thereto, and not in conformance with the provisions of this Ordinance, shall be considered to be a non-conforming use.
- 13.3.9 **“Non-Municipal Well”** Any well not owned and operated by the Town of Hampton Falls or its agent.
- 13.3.10 **“Recharge Area”** The area from which groundwater recharge occurs.
- 13.3.11 **“Septage”** Liquid or solid waste generated by septic disposal systems. Septic waste containing wash water, gray waters, human feces, excrement, dregs, sediment, grease, oils and any other waste generated in a domestic septic disposal system.
- 13.3.12 **“Sludge”** Residual materials produced by the sewage treatment process.
- 13.3.13 **“Solid Waste”** Any discarded or abandoned material including, without limitation, refuse, putrescible material, septage, or sludge or other solid waste, as defined by New Hampshire Code of Administrative Rules Env-Wm 101-300 & 2100 Solid Waste Rules. Solid waste includes solid, liquid, semi-solid, or contain gaseous waste materials resulting from residential, industrial, commercial, mining, and agricultural operations and from community activities.
- 13.3.11 **“Structure”** Anything constructed or erected, except a boundary wall or fence, the use of which requires location on the ground or attachment to something on the ground. For the purposes of this Ordinance, buildings are structures.
- 13.3.12 **“Toxic or Hazardous Materials”** Any substance or mixture of such physical, chemical, or infectious characteristics as to pose a significant, actual or potential hazard to water supplies, or other hazard to human health, if such substances or mixture were discharged to land or waters of this Town. Toxic or hazardous materials include, without limitation, volatile organic compounds, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis and include products such as pesticides, herbicides, solvents and thinners, and such other substances as defined in New Hampshire Code of Administrative Rules Env-Wm 1403, 1304.5 Groundwater Management and Groundwater Release Detection Permits. Wastes generated by the following commercial activities are presumed to be toxic or hazardous, unless and except to the extent that anyone engaging in such an activity can demonstrate the contrary to the satisfaction of the Planning Board:

- Airplane, boat and motor vehicle service and repair;
- Chemical and bacteriological laboratory operation;
- Dry cleaning;
- Electronic circuit manufacturing;
- Metal plating, finishing and polishing;
- Motor and machinery service and assembly;
- Painting, wood preserving and furniture stripping;
- Pesticide and herbicide application;
- Photographic processing; and
- Printing.

### **13.4 District Boundaries**

#### **13.4.1 Location**

The Aquifer Protection District is defined as the area shown on the map prepared by the Rockingham Planning Commission entitled, "Stratified Drift Aquifers Map, Hampton Falls, NH, dated June 2003" or as amended.

The Aquifer Protection District is a zoning overlay district which imposes additional requirements and restrictions to those of the current ordinances. In all cases, the more restrictive requirement(s) shall apply.

#### **13.4.2 Recharge Areas**

For the purposes of this Ordinance, the primary recharge area for the identified aquifers is considered to be co-terminus with the Aquifer and the High Potential to Yield Groundwater areas.

No secondary recharge area has been identified at the time of enactment.

#### **13.4.3 Appeals**

Where the bounds of the identified aquifer or recharge area, as delineated, are in doubt or in dispute, any landowner aggrieved by such delineation may appeal the boundary location to the Planning Board. Upon receipt of such appeal, the Planning Board shall suspend further action on development plans related to the area under appeal and shall engage, at the landowner's expense, a qualified hydrogeologist to prepare a report determining the proper location and extent of the aquifer and recharge area relative to the property in question. The aquifer delineation shall be modified by such determination subject to review and approval by the Planning Board.

### **13.5 Use Regulations**

#### **13.5.1 Minimum Lot Size**

The minimum lot size within the Aquifer Protection District for each dwelling unit if a residential use, or each principal building is a non-residential use, shall be two (2) acres, or 87,120 square feet.

#### **13.5.2 Hydrogeologic Study**

For development proposals within the Aquifer Protection District, a hydrogeologic study shall be performed, by a hydrogeologist registered in the State of New Hampshire. This study shall evaluate the development's impacts to groundwater within both the parcel to be developed and

the surrounding land. The groundwater quality beyond the property lines of said site shall not be degraded by polluting substances such as nitrates, phosphates, bacteria, etc. Larger lots may be required based on the finding of said study.

This information will be required for proposed subdivisions of four (4) lots or greater. For subdivisions of three (3) lots or less the Planning Board will determine, on a case-by-case basis, the need for a hydrogeologic study. Particularly sensitive sites may include areas that have septic systems in close proximity to wells, or may contain excessively drained soils or steep slopes.

#### 13.5.3 Maximum Lot Coverage

Within the Aquifer Protection District, no more than twenty percent (20%) of a single lot may be rendered impervious to groundwater infiltration.

#### 13.5.4 Prohibited Uses

The following uses are prohibited in the Aquifer Protection District, except where permitted to continue as a non-conforming use:

- 13.5.4.1 Disposal of solid waste including brush or stumps.
- 13.5.4.2 Storage and disposal of hazardous waste. (Residents may store amounts appropriate for a single family residential use).
- 13.5.4.3 Disposal of liquid, septage or leachable wastes except that from a single family residential subsurface disposal system, or as otherwise permitted as a conditional use.
- 13.5.4.4 Subsurface storage of petroleum and other refined petroleum products.
- 13.5.4.5 Industrial uses which discharge contact type process waters on-site. Non-contact cooling water is permitted.
- 13.5.4.6 Outdoor enclosed storage or use of road salt or other de-icing chemicals.
- 13.5.4.7 Dumping of snow containing de-icing chemicals.
- 13.5.4.8 Animal feedlots.
- 13.5.4.9 Automotive, marine and similar service and repair shops; junk and salvage yards.
- 13.5.4.10 All on site handling, disposal, storage, processing or recycling or hazardous or toxic materials.
- 13.5.4.11 Dry-cleaning or Laundry facilities.
- 13.5.4.12 Beauty and/or Barber shops.

#### 13.5.5 Permitted Uses

The following activities may be permitted provided they are conducted in accordance with the purposes and intent of this Ordinance:

- 13.5.5.1 Land development, per the Hampton Falls Zoning Ordinance, except as prohibited in Section E.4, of this Aquifer Protection Ordinance (A.P.O.).



- 13.5.5.2 Activities designed for conservation of soil, water, plants and wildlife.
- 13.5.5.3 Outdoor recreation, nature study, boating, fishing and hunting where otherwise legally prohibited.
- 13.5.5.4 Normal operation and maintenance of existing water bodies and dams, splash boards and other water control, supply and conservation devices.
- 13.5.5.5 Foot, bicycle, and/or horse paths and bridges.
- 13.5.5.6 Maintenance, repair of any existing structure, provided there is no increase in impermeable surface above the limit established in Section E,3, of this A.P.O.
- 13.5.5.7 Farming, gardening, nursery, forestry, harvesting and grazing provided that fertilizers, herbicides, pesticides, manure and other leachables are applied under best management practices, are used appropriately at levels that will not cause groundwater contamination and are stored under shelter.
- 13.5.5.8 Special Exceptions.

The following uses are permitted as Special Exceptions (in compliance with Town Zoning Ordinance):

- 13.5.5.8.1 Industrial and commercial uses not otherwise prohibited in Section E.4, of this Aquifer Protection Ordinance.
- 13.5.5.8.2 Multi-family residential development provided it complies with the Elderly and Multi-Family Zoning Ordinance of Hampton Falls.
- 13.5.5.8.3 Sand and gravel excavation and other mining provided that such excavation or mining is not carried out within eight (8) vertical feet of the seasonal high water table and that periodic inspections are made by the Planning Board or its agent to determine compliance.

The Board of Adjustment may grant a special exception for those uses listed above only after written findings of fact are made that all of the following are true:

- the proposed use will not detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants;
- the proposed use will not cause a significant reduction in the long-term volume of water contained in the aquifer or in the storage capacity of the aquifer;
- the proposed use will discharge no waste water on site other than that typically discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of toxic or hazardous wastes as herein defined;
- the proposed use complies with all other applicable sections of this Article.

The Board of Adjustment may require that the applicant provide data or reports prepared by a professional hydrogeologist to assess any potential damage to the aquifer that may result from the proposed use. The Board of Adjustment shall engage such professional assistance as it requires to adequately evaluate such reports and to evaluate, in general, the proposed use in light of the above criteria. Costs incurred shall be the responsibility of the applicant.

#### 13.5.6 Septic System Design and Installation

- All septic systems shall conform to the current specifications listed in the Hampton Falls Building Code, section 7.1.

### 13.6 Design and Operations Guidelines

Where applicable the following design and operation guidelines shall be observed within the Aquifer Protection District:

- 13.6.1 **Safeguards.** Provision shall be made to protect against toxic or hazardous materials discharge or loss resulting from corrosion, accidental damage, spillage, or vandalism through measures such as: spill control provisions in the vicinity of chemical or fuel delivery points; secured storage areas for toxic or hazardous materials; and indoor storage provisions for corrodible or dissolvable materials. For operations which allow the evaporation of toxic or hazardous materials into the interiors of any structures, a closed vapor recovery system shall be provided for each such structure to prevent discharge of contaminated condensate into the groundwater.
- 13.6.2 **Location.** Where the premises are partially outside of the Aquifer Protection Overlay Zone, potential pollution sources such as on-site waste disposal systems shall be located outside the Zone to the extent feasible.
- 13.6.3 **Drainage.** All runoff from impervious surfaces shall be recharged on the site, and diverted toward areas covered with vegetation for surface infiltration to the extent possible. Dry wells shall be used only where other methods are not feasible, and shall be preceded by oil, grease, and sediment traps to facilitate removal of contaminants.
- 13.6.4 **Inspection.** All special exceptions granted under Section 5.h, of this Article shall be subject to twice-annual inspections by the Building Inspector or other agent designated by the Selectmen. The purpose of these inspections is to ensure continued compliance with the conditions under which approvals were granted. If approval conditions are not met, a fine shall be imposed to the owner according to a schedule determined by the Selectmen.

### 13.7 Non-Conforming Uses

Any non-conforming use may continue and may be maintained, repaired and improved, unless such use is determined to be an imminent hazard to public health and safety. No non-conforming use may be expanded, changed to another non-conforming use, or renewed after it has been discontinued for a period of twelve (12) months or more.

## SECTION 14 – RESIDENTIAL OPEN SPACE – CONSERVATION SUBDIVISION DEVELOPMENT

(Adopted March 2009)

Pursuant to NH RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit to allow for a Conservation Subdivision Development in accordance with the restrictions and requirements of this section. The Planning Board is further authorized to adopt amendments to the Subdivision Regulations in order to further administer the requirements of this ordinance.

- 14.1 **Purpose:** The purpose of this ordinance is to (1) encourage environmentally sound planning to protect open space and natural resources and create attractive living environments and (2) through creative placement of dwelling units, discourage consumption of scenic, forested, agricultural, and recreational land for development, thus maintaining the rural character and advancing the goals stated in the master plan. The Planning Board shall consider the following purposes and balance them accordingly during review of individual applications.

- 14.1.1 Maintain and preserve rural character of the town of Hampton Falls by allowing an alternative residential development option which preserves large areas of open space, provides visual buffers from existing roads and residential development, and permit farming opportunities on parcels of open space.

provided that: (1) the dwelling lawfully existed prior to the effective date of this Article; and (2) that the proposed construction conforms with all other applicable ordinances and regulations of the Town of South Hampton.

#### **Article VIII. AQUIFER PROTECTION DISTRICT**

##### **A. Authority and Purpose**

Pursuant to RSA 674:16-21, the Town of South Hampton adopts an Aquifer Protection District and accompanying regulations in order to protect, preserve and maintain potential groundwater supplies and related groundwater recharge areas within the Town. The objectives of the aquifer protection district are:

1. To protect the public health and general welfare of the citizens of South Hampton.
2. To prevent development and land use practices that would contaminate or reduce the recharge of the identified aquifers.
3. To provide for future growth and development of the Town, in accordance with the Master Plan, by insuring the future availability of public and private water supplies.
4. To encourage uses that can appropriately and safely be located in the aquifer recharge areas.

##### **B. Definitions**

1. **Animal Feedlot:** A commercial agricultural establishment consisting of confined feeding areas and related structures used for the raising of livestock. An animal feedlot shall be considered one on which more than five (5) adult animals are raised simultaneously.
2. **Aquifer:** For the purpose of this ordinance, aquifer means a geologic formation, group of formations, or part of a formation that is capable of yielding quantities of groundwater usable for municipal or private water supplies.
3. **Bulk Storage:** Storage of materials intended for wholesale distribution or for use in a manufacturing or repair facility.
4. **Contact Waste:** Water that has been used in a manufacturing or cleaning process that has contacted industrial waste.
5. **Dwelling Unit:** A building or that portion of a building consisting of one or more rooms designed for living and sleeping purposes, including kitchen and sanitary facilities and intended for occupancy by not more than one family or household.
6. **Groundwater:** All the water below the land surface in the zone of saturation or in rock fractures capable of yielding water to a well.
7. **Groundwater Recharge:** The infiltration of precipitation through surface soil materials into groundwater. Recharge may also occur from surface waters, including lakes, streams and wetlands.

8. Leachable Wastes: Waste materials, including solid wastes, sludge and agricultural wastes that are capable of releasing contaminants to the surrounding environment.
9. Mining of Land: The removal of geologic materials such as topsoil, sand and gravel, metallic ores, or bedrock to be crushed or used as building stone.
10. Non-Conforming Use: Any lawful use of buildings, structures, premises, land or parts thereof existing as of the effective date of this Ordinance, or amendment thereto, and not conforming with the provisions of this Ordinance, shall be considered to be a non-conforming use.
11. Non-Municipal Well: Any well not owned and operated by the Town of South Hampton or its agent.
12. Recharge Area: The land surface area from which groundwater recharge occurs.
13. Sludge: Residual materials produced by the sewage treatment process.
14. Solid Waste: Any discarded or abandoned material including refuse, putrescible material, septage, or sludge, as defined by New Hampshire Solid Waste Rules He-P 1901.03. Solid waste includes solid, liquid, semi-solid, or gaseous waste material resulting from residential, industrial, commercial, mining, and agricultural operations.
15. Split Spoon Sampling Technique: A sampling technique associated with the taking of soil samples by the use of a drill rig that has a split tube to take soil samples at various levels in the ground.
16. Structure: Anything constructed or erected, except a boundary wall or fence, the use of which requires location on the ground or attachment to something on the ground.
17. Toxic or Hazardous Materials: Any substance or mixture of such physical, chemical, or infectious characteristics as to pose a significant, actual or potential hazard to water supplies, or other hazard to human health, if such substance or mixture were discharged to land or waters of the Town. Toxic or hazardous materials include, without limitation, volatile organic wastes, acids and alkalis, and include products such as pesticides, herbicides, solvents and thinners, and such other substances as defined in New Hampshire Water Supply and Pollution Control Rules, Section Ws410.04 (1), in New Hampshire Solid Waste Rules He-P 1901.03 (v), and in the Code of Federal Regulations 40 CFR 261 as amended. Wastes generated by the following commercial activities are presumed to be toxic or hazardous, unless and except to the extent that anyone engaging in such an activity can demonstrate the contrary to the satisfaction of the Planning Board:
  - a. Airplane, boat and motor vehicle service and repair.
  - b. Chemical and bacteriological laboratory operation.
  - c. Dry cleaning.
  - d. Electronic circuit manufacturing.

- e. Metal plating, finishing and polishing.
- f. Motor and machinery service and assembly.
- g. Painting, wood preserving and furniture stripping.
- h. Pesticide and herbicide application.
- i. Photographic processing.
- j. Printing.

**C. Administration and Enforcement**

1. General: The Planning Board shall administer the provisions of the Aquifer Protection District. All development proposals and residential construction not involving the subdivision of land shall be subject to subdivision and/or site plan review and approval in accordance with Planning Board rules and regulations. Such review and approval shall precede the issuance of any building permit by the Town.
2. Enforcement and Fines: The Board of Selectmen shall be responsible for the enforcement of the provisions and conditions of the Aquifer Protection District. Violations are punishable by fines as provided by RSA 676:17.

**D. District Boundaries**

1. Location: The Aquifer Protection District is defined as the area shown on the map entitled, "Aquifer Protection District," and is hereby adopted as part of the official Zoning Map of the Town of South Hampton. The Aquifer Protection district includes the area delineated by the U.S.G.S., aquifer delineation studies, engineering studies, or master plan map used to delineate the aquifer.
2. Overlay: The Aquifer Protection District is a zoning overlay district, which imposes additional requirement and restrictions to those of the underlying district. In all cases, the more restrictive requirement(s) shall apply.
3. Appeals: When the bounds of an identified aquifer or recharge area, as delineated, are in doubt or in dispute, any landowner aggrieved by such delineation may appeal the boundary location to the Planning Board. Upon receipt of a written appeal, the Planning Board shall suspend further action on development plans related to the area under appeal and shall engage, at the landowner's expense, a qualified hydro geologist to prepare a report determining the proper location and extent of the aquifer and recharge area relative to the property in question. The aquifer delineation, as it pertains to the property in question, shall be modified by such determination subject to review and approval by the Planning Board.

**E. Hydro geologic Study**

1. Requirement: Within the Aquifer Protection District, a hydro geologic study shall be required for the following:

- a. developments involving the subdivision of four (4) lots or greater.
  - b. developments resulting in the installation of a septic system, or series of septic systems, designed to dispose 2,400 gallons (ore more) of wastewater per day (gpd).
2. Small subdivisions: For residential subdivisions of fewer than four (4) lots, and for commercial, industrial and institutional uses which produce less than 2,400 gpd of wastewater, the Planning Board shall determine the needs for a hydro geologic study on a case by case basis. Their determination shall consider potential threats of the use proposed and characteristics of the site.
3. Standards: A qualified hydro geologist shall perform Hydro geologic studies. These studies shall be sufficiently detailed to evaluate the development's impacts to groundwater within the parcel to be developed and the surrounding land. All hydro geologic studies shall include at least the following:
  - a. An adequate number of subsurface borings in order to determine the site geology and stratigraphy. Boring requirements are as follows:
    - (1) For sites up to 30 acres, the parcel shall contain a minimum of one boring per three acres, with a minimum of three borings for a site. For sites greater than 30 acres, additional borings of at least one per 10 acres are required.
    - (2) At least twenty percent (20%) of the borings shall be sampled utilizing the "split spoon" sampling technique.
    - (3) At least one boring shall be dug to bedrock.
  - b. Identification of water table contours and groundwater flow directions, with water table measurements using a series of shallow observation wells screened at the water table. The number of observation wells required shall be the same as the number of borings required.
  - c. Water quality sampling and analysis to determine existing conditions, measuring the following parameters: nitrate-nitrogen (NO<sub>3</sub>-N), ammonia-nitrogen (NH<sub>3</sub>-N), pH, and specific conductance.
  - d. An analysis of cumulative impact nitrogen loading employing a saturation build-out model. The analysis shall include verification that the development will not cause the nitrate-nitrogen (NO<sub>3</sub>-N) concentration to exceed 5 mg/l in the groundwater at the down-gradient property boundary.

**F. Design and Performance Standards**

1. Nitrate loading: No development shall cause the nitrate-nitrogen (NO<sub>3</sub>-N) concentration to exceed 5 mg/l in the groundwater beyond the site.
2. Safeguards: Provision shall be made to protect against toxic or hazardous materials discharge or loss resulting from corrosion, accidental damage, spillage, or vandalism through measures such as: spill control provisions in the vicinity of chemical or fuel

delivery points; secured storage areas for toxic or hazardous materials; and indoor storage provisions for corrodible or dissolvable materials. For operations, which allow the evaporation of toxic or hazardous materials into the interiors of any structures, a closed vapor recovery system shall be provided for each such structure to prevent discharge of contaminated condensate into the groundwater.

3. Location: Where the premises are partially outside the Aquifer-Protection Overlay Zone, potential pollution sources such as on-site waste disposal systems shall be located outside and down gradient of the zone to the extent feasible.
4. Drainage: All runoff from impervious surfaces shall be recharged on the site, and diverted toward areas covered with vegetation for surface infiltration to the extent possible. Dry wells shall be used only where other methods are not feasible, and shall be preceded by oil, grease, and sediment traps to facilitate removal of contaminants.
5. Septic System Design and Installation: Septic systems shall be constructed in accordance with the "Subdivision and Individual Sewage Disposal System Design Rules" (NH Code of Administrative Rules, Chapter Ws 1000). However, any town ordinance or regulation that is more restrictive shall apply. A Sanitary Engineer licensed in New Hampshire shall design all new or reconstructed on-lot wastewater disposal systems constructed in the Aquifer Protection district. These systems shall be installed under the supervision of said engineer.

The designated Town engineer or septic system inspector of the Town shall inspect the installation of each new system prior to covering, and shall certify that the system has been installed as designed. A fee for inspector shall be charged to the owner according to a fee schedule determined by the Selectmen.

The following site requirements shall apply to all septic system construction in the Aquifer Protection District:

- a. At least 24 inches of natural permeable soil shall exist above the seasonal high water table.
- b. At least four feet of natural soil shall exist above bedrock.
- c. At least three feet of natural permeable soil shall exist above any impermeable subsoil.
- d. No filling of wetlands shall be allowed to provide the minimum distance of septic systems to wetlands.
- e. Fill material used for septic system construction shall be generally homogeneous and shall not contain:
  - more than 15% organic soil by volume;
  - more than 25% cobbles (6 in. diameter) by volume;
  - more than 15% of clay (0.002 mm particles or smaller) by weight;
  - tree stumps, mulch, bark or other large organic matter.

G. Use Regulations

1. Minimum lot size: The minimum lot size within the Aquifer Protection for each dwelling unit if a residential use, or each principal building if a non-residential use, shall be 3 acres, or 130,680 square feet.
2. Maximum Lot Coverage: Within the Aquifer Protection District, no more than ten percent (10%) of a single lot, may be rendered impervious to groundwater infiltration for residential uses. Up to 25% of a single lot may be made impervious for commercial, industrial and institutional uses provided that on site recharge of runoff from roofed and paved areas is provided for.
3. Prohibited Uses: The following uses are prohibited in the Aquifer Protection Zone except where permitted to continue as non-conforming uses. Prohibited uses shall include, but not be limited to:
  - a. Disposal of solid waste (as defined by NH RSA 149-M) other than brush or stumps generated on the property on which they are to be disposed.
  - b. On-site disposal, bulk storage, processing or recycling of toxic or hazardous materials or wastes.
  - c. Disposal of liquid or leachable wastes except that from one or two-family residential subsurface disposal systems, or as otherwise permitted as a conditional use.
  - d. Buried storage of petroleum fuel and other refined petroleum products except as regulated by the NH Water Supply and Pollution Control Commission (Ws 411 Control of Non-residential Underground Storage and Handling of Oil and Petroleum Liquids). Storage tanks for petroleum products, if contained within basements, are permitted.
  - e. Outdoor unenclosed or uncovered storage of road salt and other de-icing chemicals.
  - f. Dumping of snow containing road salt or other de-icing chemicals.
  - g. Animal feedlots.
  - h. Automotive service and repair shops, junk and salvage yards.
  - i. Dry cleaning establishments.
  - j. Laundry and car wash establishments not served by a central municipal sewer system.
  - k. Industrial uses which discharge contact type wastes on site.
  - l. Waste injection wells.



H. Conditional Uses

The following uses, if allowed in the underlying zoning district, are permitted only after the South Hampton Planning Board grants a Conditional Use permit:

1. Industrial and commercial uses not otherwise prohibited in Section G.3 of this Article.
2. Sand and gravel excavation and other mining provided that such excavation or mining is not carried out within eight (8) vertical feet of the seasonal high water table and that periodic inspections are made by the Planning Board or its agent to determine compliance.
3. The Planning Board may grant a Conditional Use Permit for those uses listed above only after written findings of fact are made which certify that all of the following are true:
  - a. The proposed use will not detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by introducing toxic and hazardous materials to the aquifer or by causing the average concentration of nitrate-nitrogen (NO<sub>3</sub>-N) to exceed 5 mg/l beyond the affected property boundaries.
  - b. The proposed use will not cause a significant long-term reduction in the volume of water contained in the aquifer or in the storage capacity of the aquifer.
    - (1) the proposed use will discharge no waste water on site other than that typically discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of toxic or hazardous materials as herein defined;
    - (2) the proposed use complies with all other applicable sections of this Article.
4. All Conditional Uses shall be subject to twice-annual inspections by the Building Inspector or other agent designated by the Selectmen. The purpose of these inspections is to ensure continued compliance with the conditions under which approvals were granted. A fee for inspection shall be charged to the owner according to a fee schedule adopted by the Selectmen.

I. Permitted Uses

The following activities may be permitted provided they are conducted in accordance with the purposes and intent of this Ordinance.

1. Any use permitted by the underlying district of the Zoning Ordinance, except as prohibited in Section G.3 or regulated by conditional Use in Section H of this Article.
2. Maintenance, repair of any existing structure, provided there is no increase in impermeable surface above the limit established in Section G.2 of this Article.
3. Farming, gardening, nursery, forestry, harvesting and grazing, provided that fertilizers, pesticides, manure and other leachables are used according to best management

practices as prescribed by the Rockingham County Conservation District, if applicable, and at levels that will not cause groundwater contamination. All said leachables must be stored under shelter.

**J. Special Exception for Lots of Record**

Upon application to the Board of Adjustment, a special exception shall be granted to permit the erection of a structure within the Aquifer Protection District on a non-conforming lot provided that all of the following conditions are found to exist.

1. The lot upon which an exception is sought was an official lot of record, as recorded in the Rockingham County Registry of Deeds, prior to the date on which this amendment was posted and published in the Town.
2. The use for which the exception is sought cannot feasibly be carried out on a portion or portions of the lots which are outside the Aquifer Protection District.
3. Due to the provisions of the Aquifer Protection District, no reasonable and economically viable use of the lot can be made without the exception.
4. The design and construction of the proposed use will, to the extent practical, be consistent with the purpose and intent of this Section.

**K. Non-Conforming Uses**

Any non-conforming use may continue and may be maintained, repaired and improved, unless such use is determined to be an imminent hazard to the groundwater or recharge areas. No non-conforming use may be expanded, changed to another non-conforming use, or renewed after it has been discontinued for a period of 12 months or more.

**Article IX. STEEP SLOPE DISTRICT**

The Steep Slope District is an overlay to the regular districts in South Hampton describing areas of slopes exceeding 8% and is established for the purpose of avoiding unnecessary or excessive expense to the town and in the interest of the health, safety, convenience, and welfare of the present and future residents of South Hampton.

- A. All uses, which are allowed by the provisions of this ordinance, are allowed.
- B. Lot dimensions shall be at least three acres per lot with 250 feet frontage when 25% or more of the property falls within the steep slope district.  
(Adopted 3/12/86)

**Article X. HISTORIC DISTRICT (Rewritten 2/1/99)**

**A. Historic District:**

An historic district shall be superimposed upon the other districts established in this zoning ordinance. The regulations and procedures of Section B, Historic District Regulations, shall apply in addition to the regulations of the underlying districts and other applicable ordinance. Procedures for designation

## **Appendix**

### E. Site Inspection Data Sheet

## Section 2. Record of Survey

Fill out Sections 2 and 3 prior to each survey.

Survey Date	
Potential Contamination Source (PCS)	
Town where PCS is Located	
Agency Conducting Survey	
Name and Title of Person(s) Performing Survey	
Name and Title of Person(s) Giving Information about the PCS	

## Section 3. Potential Contamination Source (PCS) Information

Update this section for each 3-year survey.

PCS Name		
PCS Address		
PCS Phone Number		
PCS Tax Map and Lot Number	Tax Map	Lot no.
PCS Owner		
PCS Owner Address (If different from above)		
General Description of Business		

## Section 5. Regulated Substance Storage Areas

If you observe a BMP violation during a survey, point it out to the PCS contact and discuss it right away - surveys are meant to benefit both parties.

Storage practices of regulated substances, whether raw materials or wastes, are a major focus of the BMP rules. Therefore, one of the most important tasks of a survey is to observe all areas where the regulated substances listed in Section 4 - Steps A and B are stored. **Ask the PCS contact where they store their regulated substances and list them below.** Then be sure to carefully observe each interior and exterior storage area to see if their storage practices comply with the BMP rules. Consider at all times during your observations that you are looking for practices that could lead to a potential release of hazardous substances to the environment. Use common sense.

**Step A. - List and briefly describe all on-site storage areas below.**

### Exterior Storage Areas

1.
2.
3.
4.

### Interior Storage Areas

1.
2.
3.
4.

### Summary of Env-Wq 401 BMP rules pertaining to storage of regulated substances

- ☐ Secure storage areas against unauthorized entry.
- ☐ Store regulated substances on an impervious surface.
- ☐ Inspect storage areas weekly.
- ☐ Cover regulated containers in outdoor storage areas.
- ☐ Regulated containers in outdoor storage areas must be more than 50 feet from surface water, 50 feet from storm drains, 75 feet from private wells, and more than 400 feet from public wells.
- ☐ Secondary containment is required for outdoor storage of regulated containers. On-premise use heating oil tanks are exempted, however, containment is still recommended.
- ☐ Regulated containers should be clearly and visibly labeled.

A **regulated container** is a container with a capacity of 5 gallons or more that contains hazardous substances. Multiple 5-gallon containers of a regulated substance may qualify the facility as a PCS.

**Secondary containment** means an impervious structure adequate to hold 110% of the volume of a regulated container.

## Section 5. Regulated Substance Storage Areas

Proceed at a comfortable pace as you tour a facility.  
You may miss key observations if you go too fast.

### Step B. - Questions to ask when observing outdoor storage areas.

Wooden floors with earth beneath are not impervious surfaces.

#### **Storage of Regulated Substances** in outdoor storage areas (refer to Env-Wq 401.04)

- \* Yes No N/A 1. Do the outdoor storage area(s) have an impervious surface under the regulated substances?  
Env-Wq 401.04(b) Describe: \_\_\_\_\_
- \* Yes No N/A 2. Is the outdoor storage area(s) secured against unauthorized entry (fence, surveillance, etc.)?  
Env-Wq 401.04(c) Describe: \_\_\_\_\_
- \* Yes No N/A 3. Is the outdoor storage area(s) inspected at least weekly for signs of spills?  
Env-Wq 401.04(d)
- \* Yes No N/A 4. Is there sufficient space between large containers to allow for inspections?  
Env-Wq 401.04(d)
- \* Yes No N/A 5. Is each regulated container clearly and visibly labeled with the name of material?  
Env-Wq 401.04(e)
- \* Yes No N/A 6. Is each container closed and sealed or equipped with a drip pan beneath a spigot, valve or  
Env-Wq 401.04(f) pump?
- \* Yes No N/A 7. Is spill control and containment equipment (i.e. absorbents)  
Env-Wq 401.04(g) available in the outdoor storage area?
- \* Yes No N/A 8. Are regulated substances that are stored outside covered?  
Env-Wq 401.04(h)(2) Describe: \_\_\_\_\_
- \* Yes No N/A 9. Are regulated substances which are stored outside > 50 feet from a surface water body or  
Env-Wq 401.04(h)(4) > 75 feet from a private well?
- \* Yes No N/A 10. Are regulated substances that are stored outside > 50 feet from a storm drain?  
Env-Wq 401.04(h)(4) If no, is secondary containment present? \_\_\_\_\_
- \* Yes No N/A 11. Are regulated substances in outdoor storage areas stored outside the protective radius  
Env-Wq 401.04(h)(4) of public water supply wells? (radius is usually 400' - contact 271-2947 with questions)
- \* Yes No N/A 12. Do regulated containers in outside storage areas have secondary containment?  
Env-Wq 401.04(h)(1)

A cover must be permanent and large enough to keep a container fully protected from rain and snow.

#### **Transfer (Handling) of Regulated Substances** in outdoor storage areas (refer to Env-Wq 401.05)

During a survey, it is important to find out and understand **where and how** the PCS handles regulated substances. Observe all areas where fluids are used, or moved to and from.

- \* Yes No N/A 13. Are regulated substances in outdoor storage areas transferred using funnels and drip pans or  
Env-Wq 401.05(a) other spill-safe devices?
- \* Yes No N/A 14. Are regulated substances in outdoor storage areas transferred over impervious surfaces?  
Env-Wq 401.05(b) Describe: \_\_\_\_\_

## Section 6.

### Floor Drains and Work Sinks

Floor drains can be small and easily hidden from view, so be sure to **ask the PCS contact** if any floor drains are present at the facility. Do not assume that you will observe all drains.

Floor drains and work sinks are focuses of the BMP rules because they can be means by which hazardous substances are released to the environment. It is vital to know where floor drains and work sinks discharge. PCS background information is useful here because floor drains in an older building are more likely to discharge to a drywell or to an unknown point than those in a newer building. Env-Ws 1503.04 (c) prohibits discharges through floor drains to the environment. For this section, you need to know if the PCS is serviced by a sanitary sewer or by a septic system. Keep in mind that floor drains can range in size from circular drains a few inches in diameter to trench drains many feet in length.

#### Step A. - Floor Drains (refer to Env-Wq 401.06)

Answer questions 1- 6 below

Concentrate on floor drains located **near regulated substances**. Drains in non-hazardous areas like bathrooms, kitchens or cafeterias are not covered by the Env-Wq 401 BMP rules.

Yes No 1. Is the facility connected to a sanitary sewer?

Yes No 2. Are there any on-site septic systems?

Yes No 3. Are there any floor drains at the facility?

Observe each floor drain for **visible stains**. Note any stains in the chart below.

If you **answered "YES" to 3., above**, list their locations and briefly describe, below

list of **Floor Drains** at the PCS

1.	4.
2.	5.
3.	6.

**Floor Drain Discharge Points** (circle all that apply and describe in the box)

Unknown Holding Tank Sanitary Sewer Septic System Drywell Stream or Wetland


Yes No N/A 4. If you circled unknown above, did you require that the PCS **determine the discharge point** of their floor drains?

\* Yes No N/A 5. Are the floor drains **authorized to discharge** by any of the following (check all that apply)?  
Env-Wq 401.06

_____ Underground Injection Control (UIC) Registration	_____ National Pollution Discharge Elimination System Permit
_____ Holding Tank Registration	other
_____ Discharge Authorization from local treatment plant	other

Yes No N/A 6. Did you ask to see the permits to verify their existence?

Floor drains and work sinks **cannot discharge** into or onto the ground or water without a permit.

## Section 6.

### Floor Drains and Work Sinks

#### Step B. - Work Sinks (refer to Env-Wq 401.07)

Env-Wq 401.03(k) defines work sink as a basin necessary to perform a task or process that requires a regulated substance, such as parts washing. Sinks used exclusively for hand washing are excluded from the survey unless they are stained or located near where regulated substances are used. Observe sinks for visible staining. Many facilities have devices for parts cleaning that utilize a self-contained, recirculating system for degreasing solvent. Consider these devices a work sink, but note the self-containment feature in the chart below. Self-contained degreasing sinks comply with BMP rules.

#### Answer questions 1 - 4 below

Yes No 1. Are there any work sinks used for non-hand washing purposes at the facility?

If you answered "YES" to question 1, list their locations and briefly describe, below

#### List of Work Sinks at the PCS

1.	4.
2.	5.
3.	6.

#### Work Sink Discharge Points (circle all that apply and describe in the box)

Unknown Holding Tank Self-Contained Sanitary Sewer Septic System Drywell Stream or Wetland


Yes No N/A 2. If you circled unknown, above, did you require that the PCS **determine the discharge point** of their work sinks? Report all unknown discharge locations to the DES/UIC Program at 271-2858.

\* Yes No N/A 3. Are all the work sinks **authorized to discharge** by any of the following (check all that apply)?  
Env-Wq 401.07

_____ Underground Injection Control (UIC) Registration	_____ National Pollution Discharge Elimination System Permit
_____ Holding Tank Registration	other
_____ Discharge authorization from local treatment plant	other

Yes No N/A 4. Did you ask to see the permits to verify their existence?



## Section 7. Storage Tanks

Underground tanks cannot be directly observed, so simply list them and check their registration status. **Observe all fueling areas.** Keep in mind that the Env-Wq 401 BMP rules require that fueling be conducted on an impervious surface.

Storage tanks are either underground or aboveground. A tank is considered underground if more than 10% of its capacity is below grade. Env-Wq 401 BMP rules do not encompass all regulations pertaining to tanks; both underground and aboveground tanks are regulated apart from the BMP rules. However, because tanks have the potential to adversely impact the environment you must observe all PCS tanks and associated fueling and filling areas during a survey. List all tanks at the PCS and find out if they are registered with the DES. BMP issues applicable to tanks may include impervious surfaces, secondary containment, covers, and setbacks from surface water and wells. Be sure to keep these issues in mind while observing tanks.

### Step A. - Underground Storage Tanks (USTs)

USTs are regulated by NH UST rules Env-Wm 1401. (to be readopted as Env-Or 400 in 2007)

#### Partial Summary of UST Regulations

- ♦Non-residential USTs that contain other regulated materials (such as gasoline or chemicals) and are larger than 110 gallons must be registered with the DES.
- ♦Non-residential heating oil USTs that are larger than 110 gallons must be registered with the DES if other USTs are on the site that must be registered.

#### Answer questions 1 - 6 below.

Yes No 1. Are any USTs located at the PCS? If "YES", list them below.

List of USTs at the PCS

Contents	Capacity (gal.)	Age	Contents	Capacity (gal.)	Age
1.			5.		
2.			6.		
3.			7.		
4.			8.		

\* Yes No N/A Unknown  
Env-Wm 1401

2. Are the USTs at the PCS registered with the DES?

Yes No N/A.

3. If you answered "unknown" or "no" to question 2, did you require the PCS to determine or correct its UST registration status, if applicable?

\* Yes No N/A  
Env-Wq 401.04(b)

4. Does the PCS conduct fueling operations from its USTs over an impervious surface?

\* Yes No N/A  
Env-Wq 401.04(g)

5. Is spill control and containment equipment (i.e. absorbents) available near the USTs (especially where fueling takes place)?

\* Yes No N/A  
Env-Wq 401.09

6. Is release response information posted near the USTs?

## Section 8. Final Questions

Fill out this section **before you leave the site**. Don't rely on your memory to complete this form. Site specific information is easy to forget or to confuse with other facilities so fill out this form completely and have all your questions answered before leaving.

- Yes No 1. Do any on-site septic system(s) or drywell(s) accept any non-sanitary discharges not previously mentioned? If **yes**, describe below.

---

---

- Yes No 2. Are there any other non-sanitary discharges not previously mentioned? If **yes**, describe below.

---

---

- Yes No 3. Did the survey indicate any other practices or findings that you want to discuss with the DES? If **yes**, describe below and call 271-2947 or 271-0688 for further assistance.

---

---

---

## Section 9. Follow-up Procedures

**Before you leave the site**, inform the PCS representative that within 30 days you will get back to them in writing with the results of the survey.

- If you circled "No" to any question with an asterisk (\*) beside it, or circled "Yes" to any question in Section 8, then the PCS is not in compliance with the referenced BMP or tank rule.

- If a BMP is **not in compliance** with a BMP or tank rule, you should notify them in writing within 30 days of the survey. Written notification should include suggestions about how to correct non-compliance issues as well as reasonable deadlines. Refer to the booklet "Managing Groundwater Protection Areas - Guidance and Sample Letters" for assistance. Call the DES at 271-2947 or 271-0688 for a copy of this booklet.
- A PCS should be notified in writing within 30 days even if no BMP rule violations were observed.
- It is not necessary to submit copies of completed survey forms to the DES. However, be certain to keep them in your files for reference. A copy of a completed survey form can be provided to a PCS if requested.

Please call the DES Source Water Protection Program at 271-2947 or 271-0688 if you need training, assistance or have any questions.

## **Appendix**

### F. Example Letters of Compliance/Inspection

**SEABROOK WATER DEPARTMENT  
550 ROUTE 107 – P O BOX 456  
SEABROOK NH 03874  
(603) 474-9921 - FAX (603) 474-3399**

***PLEASE HELP PROTECT DRINKING WATER***

MOREIRA ELIDIO  
1 MAPLE RIDGE RD  
SEABROOK, NH 03874

January 4, 2017

Dear Homeowner, Resident or Business Owner:

The purpose of this letter is to ask for your cooperation in ensuring safe drinking water for the Seabrook Water System. If we are all careful, substances that could pollute our drinking water will never find their way to our wells.

Your property is located within the area from which water flows to our wells. As such, it is important that you are aware that what you do on your property could affect the quality of the water our system uses. Your activities can also affect the water quality at your own property.

No one wants to drink polluted water. Who would pour gasoline, motor oil, paint, garden or lawn chemicals, or household chemicals into their drinking water? Yet, the equivalent is done when someone pours any of these products down their toilet, sink or onto the ground. By following the chemical storage, handling, and disposal tips on the enclosed flyers, you can avoid activities that could threaten water quality.

Please take the time to review and follow the instructions on the flyers. We need your help to protect this valuable source of drinking water. The management and users of this public water supply appreciate your cooperation

Sincerely,

  
George M. Eaton, Chief Operator  
Seabrook Water Department

GME/eas  
Enclosure

**SEABROOK WATER DEPARTMENT  
550 ROUTE 107 – P O BOX 456  
SEABROOK NH 03874  
(603) 474-9921 - FAX (603) 474-3399**

***PLEASE HELP PROTECT DRINKING WATER***

RICK'S SEPTIC SERVICE  
3 WEARE ROAD  
HAMPTON FALLS, NH 03844

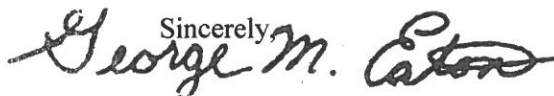
January 4, 2017

Dear Homeowner, Resident or Business Owner:

I would like to ask for your cooperation in helping to ensure safe drinking water for yourself and for the Seabrook Water System. The Seabrook Water System participates in a program at the N.H. Department of Environmental Services (DES) that requires the water supplier to implement a source protection program to prevent drinking water sources from becoming contaminated. Once a source becomes contaminated, it is very costly and sometimes impossible to correct. Therefore, I am writing to you because your property is located in the Source Water Protection Area (SWPA) for this water system as delineated by the DES. The SWPA is the area from which water – and any contaminants – are likely to flow to the water system's well or surface water source. Furthermore, even if your property is not served by this public water system, the water from the SWPA might flow to your well too.

You are probably already aware that certain activities on your property can affect the quality of groundwater. Most people who have septic systems are aware that their septic system discharges to the ground and thus to groundwater. Because your property is within the SWPA for a public water system, activities on your property that affect groundwater can also affect the public water supply. And if your property uses an on-site well, your own water supply can be affected. Fortunately, you can minimize the likelihood of groundwater contamination by following a few simple guidelines. Please take time to review and follow the instructions on the enclosed pamphlet, and make sure all family members, residents, or employees are aware of them. By following these tips, you can help minimize the potential for contamination of groundwater, your drinking water supply, and the public drinking water supply.

We need your help to protect this valuable source of drinking water. The management and users of this public water supply appreciate your cooperation. If you have any questions about this letter, about the enclosed pamphlet, or about the protection of groundwater and drinking water, please contact us at (603) 474-9921. You may also contact the Drinking Water Source Protection Program at DES at (603) 271-2513 for additional information.

Sincerely,  


George Eaton, Chief Operator  
Seabrook Water Department

GE/eas  
Enclosure

**SEABROOK WATER DEPARTMENT  
550 ROUTE 107 – P O BOX 456  
SEABROOK NH 03874  
(603) 474-9921 - FAX (603) 474-3399**

***PLEASE HELP PROTECT DRINKING WATER***

2/41///  
YANKEE GREYHOUND RACING INC  
319 RTE 107  
SEABROOK, NH 03874

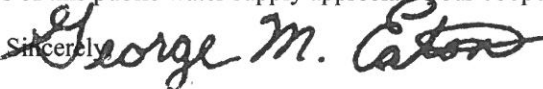
January 4, 2017

Dear Business Owner:

I would like to ask for your cooperation in helping to ensure safe drinking water for yourself and for the Seabrook Water System. The Seabrook Water System participates in a program at the N.H. Department of Environmental Services (DES) that requires the water supplier to implement a source protection program to prevent drinking water sources from becoming contaminated. Once a source becomes contaminated, it is very costly and sometimes impossible to correct. Therefore, I am writing to you because your property is located in the Source Water Protection Area (SWPA) for this water system as delineated by the DES. The SWPA is the area from which water – and any contaminants – are likely to flow to the water system's well or surface water source. Furthermore, even if your property is not served by this public water system, the water from the SWPA might flow to your well too.

You are probably already aware that certain activities on your property can affect the quality of groundwater. Most people who have septic systems are aware that their septic system discharges to the ground and thus to groundwater. Similarly, any gasoline, motor oil, paint, garden chemicals, lawn chemicals, or other household chemicals that are spilled, sprayed, spread, or dumped onto the ground can make their way into groundwater. Because your property is within the SWPA for a public water system, activities on your property that affect groundwater can also affect the public water supply. And if your property uses an on-site well, your own water supply can be affected. To help you avoid activities that could threaten water quality, we are enclosing a Clean Drinking Water pamphlet and a fact sheet that summarizes New Hampshire's Best Management Practices (BMP) Rules, Env-Wq 401. Compliance with these rules is mandatory if you use, store, handle or dispose of regulated substances in greater than household quantities. By complying with these rules and implementing the suggested practices on the pamphlet, you will help us to protect our wells/intake while at the same time reducing your own environmental liability.

Providing you with this information is one step in the drinking water protection program we have undertaken. As part of our protection program, the Department of Environmental Services also requires us to identify all the facilities in the SWPA that use more than household quantities of regulated substances. We are then required to visit each of those facilities once every three years, to ensure compliance with the BMP rules. Because you have been identified as a facility that we must visit, in the future we will be contacting you to arrange an appointment for our BMP compliance survey. In the interim, please feel free to contact us at (603) 474-9921 if you have any questions concerning visit protocols, the BMP rules, or our drinking water protection program. Please take the time to review and implement these rules and recommendations. We need your help to protect this valuable source of drinking water. The management and users of this public water supply appreciate your cooperation.

Sincerely,  


George Eaton, Chief Operator  
Seabrook Water Department

GE/eas  
Enclosure

**TOWN OF SEABROOK, NEW HAMPSHIRE  
SEABROOK WATER DEPARTMENT**

**P O BOX 456 – 550 ROUTE 107**

2/41///

YANKEE GREYHOUND RACING INC  
319 RTE 107  
SEABROOK, NH 03874

Telephone # (603) 474-9921  
[gmeaton@seabrooknh.org](mailto:gmeaton@seabrooknh.org)

June 15, 2017

**RE:** Managing Groundwater Protection Areas/Follow Up-Inspection

Dear Property/Facility Owner:

It is again time for a follow up inspection of facilities in the Wellhead Protection Area. The previous inspection of your facility was conducted for the year 2014. It is a requirement of the Groundwater Protection Program that these inspections take place every three years.

The purpose of this letter is to notify you of the date that we will be performing a follow up inspection of your facility at **319 Route 107**. The Deputy Health Inspector and a Seabrook Water Department Employee will be at your facility on **Thursday, August 3, 2017** between the hours of **9:00 A.M to 3:00 P.M.** Please contact this office, at (603) 474-9921 during the hours of 7:00 A.M. to 3:00 P.M., if you need them to be at your facility at a specific time or if you need to reschedule for another day.

Enclosed is a copy of a DES Fact Sheet summarizing the BMP Rules. I urge you to complete the hi-lighted regulated substance chart and do a self-audit to correct any violations of the Best Management Practices Rules in advance of your appointment. This will also allow you to clarify any questions you may have about the inspection before our visit. Thanks again for your help in protecting this valuable source of drinking water.

Sincerely,



George Eaton, Chief Operator  
Seabrook Water Department

GE/eas

Enclosures

TOWN OF SEABROOK, NH  
WATER DEPARTMENT  
P O BOX 456 · 550 ROUTE 107  
SEABROOK NH 03874-0456  
Telephone# (603) 474-9921

August 8, 2014

Corium Real Estate Corp  
147 Palner Ave  
Mamaroneck, NY 010543

Site Location: 9 Batchelder Road

Attention: Richard Gilbert, General Manager

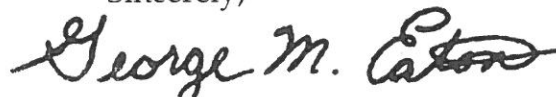
Thank you for participating in the inspection for compliance with the Best Management Practices Rules, Env-Wq 401 that was performed at your facility at 9 Batchelder Road on August 5, 2014.

I am pleased to inform you that no violation of these rules was observed. Therefore, you will not hear from us again until the next round of compliance inspections, which we anticipate will be conducted in the year 2017.

In the meantime, if you have any questions concerning these rules or our groundwater protection program, please do not hesitate to contact me at (603) 474-9921.

*Thank you for your help in keeping this valuable source of drinking water safe.*

Sincerely,

A handwritten signature in black ink that reads "George M. Eaton". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

George Eaton, Chief Operator  
Seabrook Water Department

GE/eas



COPY

**TOWN OF SEABROOK, NH**  
**WATER DEPARTMENT**  
**P O BOX 456 - 550 ROUTE 107**  
**SEABROOK NH 03874-0456**  
Telephone# (603) 474-9921

August 29, 2014

PJD Properties LLC  
173 Route 107  
Seabrook NH 03874

Pat's Towing

Dear Property/Business Owner:

The purpose of this letter is to summarize the results of the Best Management Practices (BMP) Survey conducted at your facility on Tuesday, August 26, 2014. This survey was performed to meet the requirements of the Seabrook Water System Drinking Water Source Protection Program and to ensure compliance with New Hampshire Administrative Rule Env-Wq 401. The results of the survey are as follows:

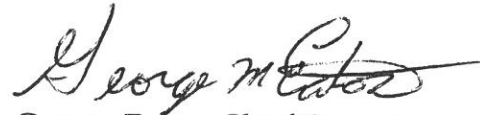
**Regulation Description:** Env-Wq 401.04 (e) Storage of Regulated Substances - Each regulated container shall be clearly and visibly Labeled with the chemical and trade name of the Material stored within.

Env-Wq 401.04 (h) Regulated containers in outdoor Storage areas shall: (2) be kept covered at all times Unless the regulated containers are in the process Of being transferred to another location.

**Compliance Description:** Remove old unlabeled empty containers that are stored outside. Label those that are to be stored at facility. Cover all regulated containers to keep it free of the elements. Inspect all storage areas weekly for signs of spills or leakage of regulated substance.

Please call the Water Department when this compliance issue has been corrected and we will do a re-inspection of your facility.

Thank you for your willingness to help protect our valuable source of drinking water. If you have any questions about this letter, please call me at (603) 474-9921

A handwritten signature in cursive script, reading "George Eaton". The signature is fluid and stylized, with a long horizontal stroke extending from the end of the name.

George Eaton, Chief Operator  
Seabrook Water Department

GE/eas

COPY

**TOWN OF SEABROOK, NH  
WATER DEPARTMENT  
P O BOX 456 - 550 ROUTE 107  
SEABROOK NH 03874-0456  
Telephone# (603) 474-9921**

October 2, 2014

PJD PROPERTIES LLC  
173 RTE. 107  
SEABROOK NH 03874

Site Location: 173 RTE 107

Dear Property/Business Owner:

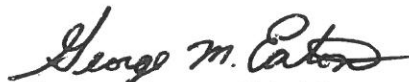
Thank you for participating in the inspections for compliance with the Best Management Practices Rules, Env-Wq 401 that were performed at your facility at 173 Rte 107 on August 26, 2014 and September 23, 2014.

I am pleased to inform you that the violations of these rules that were observed on your inspection that was done on Aug 26, 2014 have been addressed and you are now in compliance. Therefore, you will not hear from us again until the next round of compliance inspections, which we anticipate will be conducted in the year 2017.

In the meantime, if you have any questions concerning these rules or our groundwater protection program, please do not hesitate to contact me at (603) 474-9921.

*Thank you for your help in keeping this valuable source of drinking water safe.*

Sincerely,



George Eaton, Chief Operator  
Seabrook Water Department

GE/eas

**Appendix**

G. Public Meeting Notice and Flyer

RiverRun  
relishes role as  
independent store



town in New Hampshire. "We love books and try to buy one from a local book shop from every place we visit."

Her husband was hopeful book stores like RiverRun will make a rebound.

"Barnes and Noble kind of ate up a lot of the small book stores," Richard Howe said. "Now Amazon is kind of eating away at Barnes and Noble so maybe it will open the door for a revival of stores like this."

**Brewitt**

*Funeral Home and Crematory*

Since 1914 • www.brewittfuneralhome.com

**EXETER**

St. • 772-3554

**RAYMOND**

2 Epping St. • 895-3628

*Continuous Family Service*

**BOOK - INVITATION FOR BID**

Written and sealed proposals for the purchase as set forth in proposal specifications. Proposal specifications may be obtained by (603) 474-5601 or visiting the town website [townofseabrooknh.info/procurement](http://townofseabrooknh.info/procurement).

in a sealed envelope or package, plainly marked "Seabrook Truck Center" and addressed to: Haylia Marquis, Chief Procurement Officer, 27 Stard Road, Seabrook, NH 03874 by 2:00pm EST, May 25th, 2017 at which time bidding will be closed.

The right to accept or reject any proposal and the right to make the best interests of the town.

## Randy J. Marcotte

**EPPING** — Randy J. Marcotte, 56, died Saturday, April 15, 2017, at the Edith Nourse Rogers Memorial Veterans Hospital in Bedford, Mass. Randy was born in Exeter, N.H., son of Norman H. Marcotte and the late Elaine [Maynard] Marcotte.

In addition to his mother, Randy was preceded in death by his two sisters, Lorraine Wallace and Sharon White.

Randy grew up in West Epping and attended



his three children Norman Marcotte, Brandy Marie Marcotte, Felecia Lynn Marcotte, and several grandchildren, also his father Norman Marcotte, sister Pamela Glover and Deborah Woodward, many nieces and nephews.

**SERVICES:** Calling hours will be Sunday, April 23, 2017, from 5-7 p.m., at the Brewitt Funeral Home, Epping, N.H. Graveside service will be held on Monday, April 24, 2017,

In October of 2008 Randy was instrumental in getting Post 51 an American Legion Riders Chapter where he served as the first chapter director. All across The United States, the American Legion Riders bring the love of motorcycling to the Legion to aid in the fundraising for veterans charities.

Randy is survived by

### Legal Notice

The Town of Seabrook Water Department will hold a Public Informational Meeting on a proposed Groundwater Reclassification application to the NH Department of Environmental Services on Tuesday April 25, 2017 from 6:30-8:00pm at the Seabrook Water Department, 550 Route 107, Seabrook, NH.

### Legal Notice

#### PUBLIC NOTICE

PAT'S TOWING CO.  
173 NEW ZEALAND ROAD  
SEABROOK, NH 03874  
603-474-7500

THE ABOVE NAMED COMPANY WILL BE SELLING THE VEHICLE LISTED BELOW ON MAY 1, 2017:  
2012 NISSAN MURANO VIN#JN8AZ1MW2CW230451  
2002 VOLVO C70 VIN#YV1SZ58D421075522

### Legal Notice

#### Notice of Sale

Pursuant to NH RSA 262:31  
Statutory lien sale on the following piece of equipment:

2007 Peterbilt 1XP5DB9X67D660292  
2008 Great Dane 1GRAA06287W703336

Said property to be sold at auction on May 5, 2017, at 10:00 am

Place: Seabrook Truck Center, Inc.  
27 Stard Road  
Seabrook, NH 03874  
1-800-242-8383

**TOWN OF SEABROOK, NEW HAMPSHIRE**  
**Water Department**

# **PUBLIC INFORMATIONAL MEETING**

**Tuesday April 25, 2017**

**6:30-8:00pm**

**Seabrook Water Department  
550 Route 107, Seabrook NH**

The purpose of the meeting is to inform property owners and residents about the Town of Seabrook's proposed Groundwater Reclassification Application to NH Department of Environmental Services [Env-Dw 901].

**Please direct questions to:**

**Curtis Slayton**

**Water Superintendent**

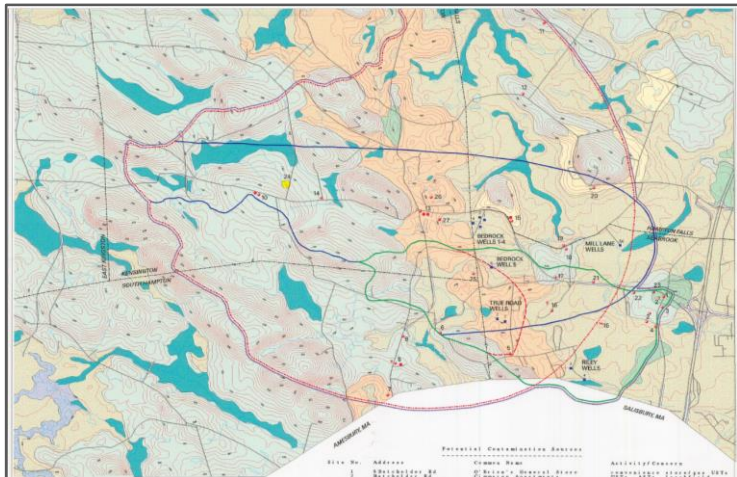
**Town of Seabrook**

**Phone: (603) 474-9921**

**Email: [cslayton@seabrooknh.org](mailto:cslayton@seabrooknh.org)**

***No registration required for this event.***

Map of Seabrook's Designated  
Wellhead Protection Areas



**Staff of the Seabrook Water  
Department and the Rockingham  
Planning Commission will present  
information about:**

- *Seabrook's ongoing inventory and inspection program of potential contamination sources on commercial and industrial properties within designated wellhead protection areas.*
- *Community benefits of groundwater reclassification*
- *Best management practices for protection of groundwater and drinking water sources.*
- *Water conservation practices for businesses and residents.*

The Seabrook groundwater reclassification project is funded by a Local Source Water Protection grant from the NH Department of Environmental Services.





**TOWN OF SOUTH HAMPTON, NEW HAMPSHIRE**  
**Board of Selectmen invite you to a**

# **PUBLIC INFORMATIONAL MEETING**

**Wednesday May 24, 2017**

**6:00 pm**

**South Hampton Town Hall**

**3 Hildale Avenue, South Hampton NH**

The purpose of the meeting is to inform property owners and residents, located in the Seabrook wellhead protection area, about the Town of Seabrook's proposed Groundwater Reclassification Application to the NH Department of Environmental Services [Env-Dw 901].  
Refer to wellhead protection area map on the back page.



Image from <https://www.epa.gov/ground-water-and-drinking-water>

**Staff of the Seabrook Water Department and the Rockingham Planning Commission will be on hand to answer questions about:**

- *Seabrook's ongoing inventory and inspection program of potential contamination sources on commercial and industrial properties within designated wellhead protection areas.*
- *Community benefits of groundwater reclassification*
- *Best management practices for protection of groundwater and drinking water sources.*
- *Water conservation practices for businesses and residents.*

**Please direct questions to:**

**Julie LaBranche**

**Senior Planner**

**Rockingham Planning Commission**

**Phone: (603) 658-0522**

**Email: [jlabranche@rpc-nh.org](mailto:jlabranche@rpc-nh.org)**



The Seabrook groundwater reclassification project is funded by a Local Source Water Protection grant from the NH Department of Environmental Services.

## **Appendix**

### H. Example Letter to PCSs and WHPA Property Owners



**SAMPLE LETTER TO PCS's AND PROPERTY OWNERS IN THE GAA RECLASSIFICATION AREA**

**SEABROOK WATER DEPARTMENT  
550 Route 107 – PO Box 456  
Seabrook, NH 03874  
Phone: (603) 474-9921 Fax: (603) 474-3399**

{Date}

Dear Resident or Business Owner:

The purpose of this letter is to ask for your cooperation in ensuring safe drinking water for the Town of Seabrook Water System. Your property is located in a wellhead protection area likely to have groundwater below it that flows to a drinking water supply well for the Town of Seabrook, or an area of potential use for future a public water supply.

*{Insert for Residents-Seabrook}* It is important that you are aware that what you do on your property could affect the quality of water in the town's water system and at your own property. No one wants to drink polluted water. For this reason, it's important to be mindful of the types of chemicals that enter the wastewater system or are applied on the ground. By following the chemical storage, handling and disposal tips in the enclosed flyer, you can avoid activities that could threaten water quality.

*{Insert for PCs/Business Owners-Seabrook}* The present commercial and/or industrial use of your property - insert use description here is considered to have potential for groundwater contamination if regulated substances are not managed properly. Any unpermitted discharge to groundwater, or contamination of groundwater is illegal under state statute RSA 485-A:13 and state rules Env-Or 700 and Env-Wq 402. As such, it is important that you are aware that what you do on your property could affect the quality of water in our system and at your own property. By following the chemical storage, handling and disposal tips in the enclosed flyer, you can avoid activities that could threaten water quality.

*{Insert for PCSs/Business Owners-South Hampton and Hampton Falls}* Your property is located in a Wellhead Protection Area for drinking water wells operated by the Town of Seabrook and within the local aquifer which provides clean drinking water for private and public drinking water wells in {insert South Hampton or Hampton Falls}. The present commercial and/or industrial use of your property - insert use description here is considered to have potential for groundwater contamination if regulated substances are not managed properly. Any unpermitted discharge to groundwater, or contamination of groundwater is illegal under state statute RSA 485-A:13 and state rules Env-Or 700 and Env-Wq 402. As such, it is important that you are aware that what you do on your property could affect the quality of water in our system and at your own property. By following the chemical storage, handling and disposal tips in the enclosed flyer, you can avoid activities that could threaten water quality.

A copy of state rule Env-Wq401 Best Management Practices for Groundwater Protection, the groundwater GAA reclassification map, and NHDES fact sheets DWGB-22-3 Groundwater Reclassification

and How It Affects the Property Owner and DWGB-22-4 Best Management Practices for Groundwater Protection are attached to this letter for your reference.

For more information, please contact staff from the Seabrook Water Department to answer any questions about the Potential Contamination Source Inspection Program. [Note: Seabrook will provide contact information for (and Hampton Falls and South Hampton for PCSs in their towns upon approval of reclassification application.)]

Following is the name, address and telephone number of the contact person at the NH Department of Environmental Services (NHDES) that can answer questions about groundwater and the NHDES groundwater reclassification program:

Pierce Rigrod, Supervisor - Drinking Water & Groundwater Bureau  
NH Department of Environmental Services, 29 Hazen Drive, Concord NH 03302  
Phone: (603) 271-0688

Please take the time to review and follow the instructions on the attached flyer. We need your help to protect this valuable source of drinking water. If we are all careful, substances that could pollute our drinking water will never find their way to our wells. The management and users of this public water supply appreciate your cooperation.

Sincerely,

George Eaton  
Chief Water Operator, Seabrook Water Department

# ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • [www.des.nh.gov](http://www.des.nh.gov)

WD-DWGB-22-3

2011

## Groundwater Reclassification and How It Affects the Property Owner

### What is groundwater reclassification?

Under New Hampshire state law, RSA 485-C, all groundwater is classified into one of four categories: GAA, GA1, GA2 and GB. (See Table 1) Typically, groundwater reclassification involves designating an area for a higher level of protection because it contributes groundwater to a public water system or represents an area of high value groundwater for present or future water supply. Reclassification is initiated by a local entity—usually a municipality or public water supplier—but can also be initiated by DES. The primary benefit of reclassification is increased safety of water supply wells by limiting six high risk land uses and/or instituting local inspection of potential contamination sources within the area that has been reclassified.

Table 1 Groundwater Classifications	
Class	Description
GAA	<ul style="list-style-type: none"> <li>Delineated Wellhead Protection Areas</li> <li>Prohibits new and monitors existing high risk uses (e.g., landfills)</li> <li>Authorizes active management on local level</li> </ul>
GA1	<ul style="list-style-type: none"> <li>Groundwater of high value for present or future drinking water</li> <li>No land use prohibitions</li> <li>Authorizes active management on local level</li> </ul>
GA2	<ul style="list-style-type: none"> <li>Potentially valuable stratified drift aquifers defined by USGS</li> <li>No land use prohibitions</li> <li>No active management</li> </ul>
GB	<ul style="list-style-type: none"> <li>All groundwater not assigned to a higher class</li> <li>No land use prohibitions</li> <li>No active management</li> </ul>

### What is the local role?

A local entity begins the reclassification process by identifying wellhead protection areas and/or other locally important groundwater resources to reclassify to GAA or GA1 respectively from a classification offering less protection, e.g., GA2 or GB. Within the areas to be reclassified, the local entity must develop and maintain an inventory of potential contamination sources (PCSs) that use, store, or handle regulated substances in greater-than-household quantities. The local entity must develop a PCS management program that regularly provides notice and information concerning best management practices and conducts inspections of PCS facilities within GAA or GA1 reclassified areas. The

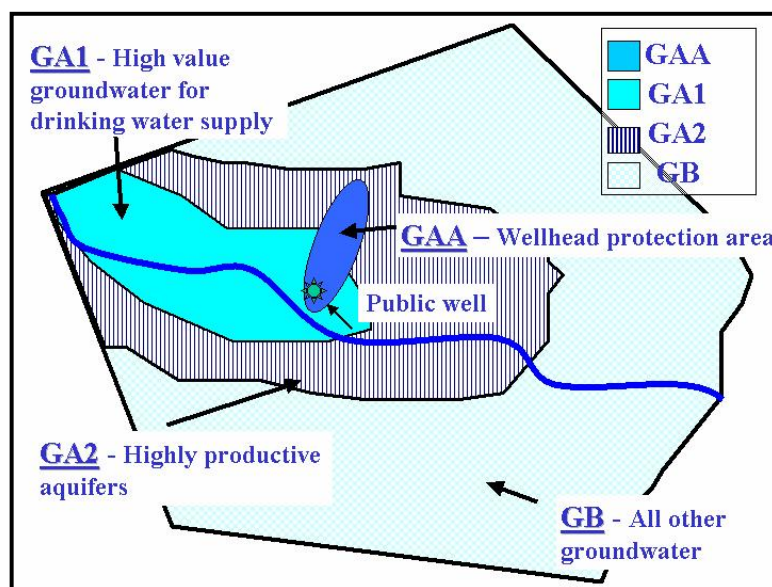


Figure 1. Example of Groundwater Reclassification Zones.

PCS inventory and management plan are submitted as part of a reclassification application to DES.

### What is the state's role?

DES assists local entities to prepare applications for groundwater reclassification and then determines whether the application is complete and in compliance with applicable laws and regulations, specifically RSA 485-C, the Groundwater Protection Act, and Administrative Rule Env-Dw 901, Groundwater Reclassification rules. Once the reclassification application is determined to be complete, DES holds a public hearing to hear comments on the proposed reclassification. DES considers the public comments and either approves or denies the application. If the reclassification request is approved, DES continues to assist the local entity to implement its PCS management program.

### How does the local entity manage potential contamination sources?

PCS management is accomplished primarily by providing educational materials and copies of BMP rules and conducting on-site inspections of PCS facilities at least once every three years. The educational materials and rules assist PCS managers to implement proper storage, handling, and transfer of regulated substances that can pose a threat to groundwater quality and public health. In addition, the local entity inspects PCSs (see Table 2) to make sure they are complying with best management practices (BMP) rules that address proper storage, handling, and disposal of regulated substances. The BMPs are defined in Administrative Rule Env-Wq 401, Best Management Practices for Groundwater Protection.

**Table 2**  
**Potential Contamination Sources**  
**Subject to BMP Compliance Inspections**

Vehicle service and repair shops
General service and repair shops
Metalworking shops
Manufacturing facilities
Waste and scrap processing and storage
Laboratories and certain professional offices (medical, dental, veterinary)
Salt storage and use
Cleaning services
Food processing plants
Fueling and maintenance of earth moving equipment
Concrete, asphalt, and tar manufacture
Hazardous waste facilities

### Does reclassification mean more regulation? Does it limit what I can do on my property?

**Land Use Restrictions:** In wellhead protection areas reclassified to GAA, six high-risk land uses are prohibited: hazardous waste disposal facilities, solid waste landfills, outdoor bulk storage of road salt, junkyards, snow dumps, and wastewater or septage lagoons. In New Hampshire, all PCSs that use regulated substances in regulated containers (equal to or exceeding five gallons) are required to comply with the BMP rules. The difference is that in reclassified areas local resources are committed to regularly checking to ensure compliance. *Residential properties are not subject to Env-Wq 401 nor are businesses that use small quantities of regulated substances (e.g., less than five gallons).*

**Monitoring Requirements:** Prohibited land uses (listed above) that already operate within a GAA area may continue but must obtain a Groundwater Release Detection permit from DES and, as part of that permit, regularly monitor groundwater. This is also required for any new solid waste composting or resource recovery facility.

### Who has the authority to enforce the rules?

The local entity electing to reclassify areas to GAA or GA1 has the authority to enforce the BMP rules. The enforcement process, which emphasizes education and a common-sense approach to preventing groundwater contamination, is designed to encourage compliance with the rules rather than resort to fines. However, a PCS owner may be subject to fines and other state and local enforcement action if BMP rule violations are not corrected within a reasonable period of time following notification. DES has the

authority to enforce the rules statewide but concentrates on assisting local entities in developing and implementing groundwater protection programs.

### **For Additional Information**

For more information on groundwater reclassification, visit DES's Groundwater Reclassification webpage at <http://des.nh.gov/organization/divisions/water/dwgb/dwspp/reclassification/index.htm>. For guidance concerning how to reclassify important groundwater resources, download DES's Guide to Groundwater Reclassification (2011) at <http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/wd-11-24.pdf> or contact the program manager at (603) 271-0688.

For other water supply information, please contact the Drinking Water and Groundwater Bureau at (603) 271-2513 or [dwgbinfo@des.nh.gov](mailto:dwgbinfo@des.nh.gov) or visit the bureau's webpage at <http://des.nh.gov/organization/commissioner/pip/factsheets/dwgb/index.htm>. All of the bureau's fact sheets are online at <http://des.nh.gov/organization/commissioner/pip/factsheets/dwgb/index.htm>.

Note: This fact sheet is accurate as of December 2011. Statutory or regulatory changes or the availability of additional information after this date may render this information inaccurate or incomplete.

# ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • [www.des.nh.gov](http://www.des.nh.gov)

WD-DWGB 22-4

2009

## Best Management Practices (BMPs) for Groundwater Protection

Sixty percent of New Hampshire residents rely primarily on groundwater for their drinking water. Recognizing the importance of protecting the natural quality of groundwater, the legislature passed the Groundwater Protection Act (RSA 485-C) in 1991. This legislation recognized that a wide variety of activities involve the use of materials that can, if not properly handled, contaminate groundwater. There have been numerous instances of groundwater contamination in New Hampshire from leaking storage facilities, improper waste disposal, accidental spills, and even from normal use of these materials. Potentially contaminating substances can be more safely managed if certain basic guidelines are followed. The Groundwater Protection Act directed the N.H. Department of Environmental Services to adopt rules specifying best management practices (BMPs) for the Potential Contamination Sources (PCSs) listed below.

DES developed and adopted N.H. Code of Administrative Rules Part Env-Wq 401 Best Management Practices for Groundwater Protection, (formerly Env-Ws 421) which apply to all potential contamination sources in the state. The BMPs within the rules are essentially common-sense operating practices that are simple and economical to implement. The purpose of the BMPs is to help prevent a release of regulated substances. Regulated substances include oil, as defined under RSA 146-A, III, regulated contaminants established pursuant to RSA 485-C:6, and hazardous substances listed under federal regulations at 40 CFR 302. Cleaning up the release of a regulated substance can be very expensive. Following the BMP rules reduces environmental liability and minimizes potential cleanup costs.

Potential Contamination Sources (PCSs) <sup>1</sup>	
<ul style="list-style-type: none"> <li>• Vehicle service and repair shops</li> <li>• General service and repair shops</li> <li>• Metalworking shops</li> <li>• Manufacturing facilities</li> <li>• Underground and above-ground storage tanks</li> <li>• Waste and scrap processing and storage</li> <li>• Transportation corridors</li> <li>• Septic systems (at commercial and industrial facilities)</li> <li>• Laboratories and certain professional offices (medical, dental, veterinary)</li> </ul>	<ul style="list-style-type: none"> <li>• Use of agricultural chemicals<sup>2</sup></li> <li>• Salt storage and use</li> <li>• Snow dumps</li> <li>• Stormwater infiltration ponds or leaching catch basins</li> <li>• Cleaning services</li> <li>• Food processing plants</li> <li>• Fueling and maintenance of earth moving equipment</li> <li>• Concrete, asphalt, and tar manufacture</li> <li>• Cemeteries</li> <li>• Hazardous waste facilities</li> </ul>
<p><sup>1</sup>As identified in New Hampshire's Groundwater Protection Act (RSA 485-C)</p> <p><sup>2</sup>Subject to BMPs developed and administered by NH Dept. of Food, Agriculture, and Markets</p>	

## **Summary of BMP for Groundwater Protection Rules**

### **Storage**

- Store regulated substances on an impervious surface.
- Secure storage areas against unauthorized entry.
- Label regulated containers clearly and visibly.
- Inspect storage areas weekly.
- Cover regulated containers<sup>1</sup> in outside storage areas.
- Keep regulated containers that are stored outside more than 50 feet from surface water and storm drains, 75 feet from private wells, and up to 400 feet from public wells.
- Secondary containment is required for regulated containers stored outside, except for on-premise use heating fuel tanks, or aboveground or underground storage tanks otherwise regulated.

### **Handling**

- Keep regulated containers closed and sealed.
- Place drip pans under spigots, valves, and pumps.
- Have spill control and containment equipment readily available in all work areas.
- Use funnels and drip pans when transferring regulated substances; perform transfers over impervious surface.

### **Release Response Information**

- Post information on what to do in the event of a spill.

### **Floor Drains and Work Sinks**

- Cannot discharge into or onto the ground.

<sup>1</sup>Regulated container means any device in which a regulated substance is stored, transported, treated, disposed of, or otherwise handled, with a capacity of five gallons or more. The term does not include fuel tanks attached to and supplying fuel to a motor vehicle.

For more information on best management practices for groundwater protection visit the DES Drinking Water Source Protection webpage at <http://des.nh.gov/organization/divisions/water/dwgb/dwspp/index.htm>, or contact the NH Department of Environmental Services at (603) 271-2947 or (603) 271-0688.

*Disclaimer: Statutory information contained in this fact sheet is current as of February 2, 2007. Statutory or regulatory changes that may occur after February 2, 2007, may cause part or all of the information to be invalid. If there are any questions concerning the status of the information, please contact DES at (603) 271-3644.*

## Is Gasoline Contaminating Your Drinking Water?

Gasoline is one of the most dangerous products commonly found around the home, yet people often store and use it with little care. Some of the chemicals in gasoline have been found in drinking water with increasing frequency, including benzene, toluene and MIBE (Methyl t-Butyl Ether), which is *easily dissolved in water* and is a possible carcinogen. Even a gasoline spill as small as a gallon can contaminate your drinking water wells or a public water supply.

## To Protect Your Drinking Water From Gasoline

### Avoid Spilling Gasoline on the Ground, Especially Near Wells

- Don't drain gasoline from lawn mowers, snow blowers, etc. onto the ground.
- Don't burn brush with gasoline.
- Don't top off your fuel tank.
- Keep refueling and engine work away from water supply wells, and if possible, over a concrete floor or similar barrier. Immediately clean up any gas or oil spills.

### Avoid Spilling Gasoline in Lakes, Ponds, and Rivers

- Keep special gasoline-absorbing pads on your gas-powered boat and know how to use them.
- If you own a larger boat, make sure it has no-spill tank vents.
- Fill portable tanks from outboard boat engines on shore.
- Refuel snowmobiles and ice augers on shore; do not take gasoline storage tanks onto ice-covered ponds.

### Store Gasoline Properly

- Use a clearly labeled container made for gasoline and with a spout to avoid spills.
- Keep gasoline containers in a dry, well ventilated shed or detached garage away from water supply wells. Don't keep metal gasoline cans on a dirt floor for extended periods.

### Dispose of Waste Gasoline Properly

- Handle old or dirty gasoline as hazardous waste. Bring it to a household hazardous waste collection center in a proper gasoline container.

**If a spill occurs:** For any size spill that is not immediately cleaned up, first contact your local 911 responder or fire department, then call the DES emergency spill number at (603) 271-3899 (Mon-Fri, 8-4), or weekends and evenings at (603) 223-4381 (NH State Police).

# Got Clean Drinking Water?



**It's up to you!**

*The DOs and DON'Ts for  
maintaining clean  
Drinking Water*



For more information please contact the  
Drinking Water Source Protection Program at  
(603) 271-7061 or visit our website:  
<http://des.nh.gov/organization/divisions/water/dwgb/dwspp/index.htm>.



## Where does your drinking water come from?

Your drinking water comes from either groundwater or surface water. Groundwater is the water that flows through the spaces between soil particles and through fractures in rock. It comes from rain and snowmelt percolating through the ground. Surface water comes from rainfall and snowmelt running over land and from *groundwater* seepage into lakes, rivers and reservoirs.

## Why should you be concerned?

While some pollutants, such as bacteria, viruses and phosphorus, can be reduced by passing through soil under certain conditions, groundwater can be easily contaminated by chemicals and oils. Surface water is also affected by soil and pollutants picked up as water flows over land.

### **Keep Household Hazardous Wastes**

#### **Out of your Drinking Water! Such as ...**

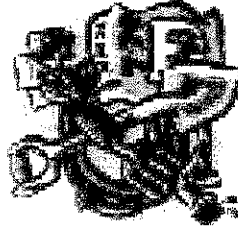
Automotive Fluids • Auto Batteries • Used Motor Oil  
Oil-Based Paint • Paint Thinner • Antifreeze  
Pesticides • Cleaning products • Gasoline

## DO –

- Use non-toxic and less-toxic alternatives to pesticides and household chemicals
- Take leftover household chemicals to your town's household hazardous waste collection day.
- Follow package directions on pesticides, fertilizers and other household chemicals.
- Check your underground fuel storage tank (UST) frequently for leaks. If a UST is more than 20 years old, replace it with an aboveground storage tank that has a concrete slab underneath it, a cover and secondary containment.
- Take care of your septic system. Inspect it every year and get it pumped out every 3-5 years.
- Avoid damage to your leach field and distribution lines by keeping vehicles, livestock and other heavy objects off of them.



- Test soil every two years to determine existing nutrient levels and pH before applying fertilizers.
- Use slow or controlled release nitrogen sources of fertilizer.
- Measure the area of your lawn to be fertilized to determine how much to use and calibrate or adjust spreader settings to match the recommended rate for fertilizers.
- Use drip pans large enough to contain motor vehicle or power equipment fluids being replaced or drained.
- Fully drain oil over a drip pan or pail before disposal. Most solid waste transfer stations accept used oil filters for recycling. Store and transport used oil filters in a covered leak-proof container until disposal.
- Keep absorbent materials such as rags, pads, "Speedi-Dry" or kitty litter near the work area and clean up all spills as soon as they occur.
- Dispose of all used absorbents immediately in a leak-proof container.
- Refuel or repair engines over an impervious surface, such as a concrete floor or tarp.
- Drain all fluids from motor vehicle parts before removing them from the vehicle.
- Follow medicine disposal guidelines described at [www.nh.gov/medsafety](http://www.nh.gov/medsafety).



## DON'T –

- Buy more pesticides or hazardous chemicals than you need.
- Dispose of hazardous chemicals by pouring them down the drain or onto the ground.
- Over-use pesticides or household chemicals. More is not necessarily better.
- Have your UST removed by a contractor who is not familiar with state guidelines for UST removal.
- Overload your septic system with solids by using a garbage disposal, unless the system is specifically designed for one.
- Pour chemicals down the sink or toilet.
- Use septic system cleaners or additives containing acids or chemical solvents such as trichloroethylene (TCE).
- Use fertilizers if heavy rains are anticipated as the nutrients will be flushed from the lawn into drains and low areas.
- Apply fertilizers within 25 feet of most lakes and streams.

## **Appendix**

- I. NHDES email of June 15 2017

## Julie LaBranche

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**From:** Rigrod, Pierce <Pierce.Laskey-Rigrod@des.nh.gov>  
**Sent:** Thursday, June 15, 2017 1:36 PM  
**To:** Julie LaBranche (jlabranche@rpc-nh.org)  
**Subject:** FW: Groundwater Release Detection Permit

Julie, no GW release detection permits.

(4) A list of all facilities requiring or having release detection permits issued pursuant to Env-Or 700 or predecessor rules in Env-Wm 1403 within the area proposed to be reclassified;

---

**From:** Beblowski, Peter  
**Sent:** Thursday, June 15, 2017 11:51 AM  
**To:** Rigrod, Pierce; Gordon, Ray  
**Cc:** Svendsen, Kristen; Moore, Todd  
**Subject:** RE: Groundwater Release Detection Permit

Pierce,

To the best of my knowledge, there are no lined wastewater lagoons, Groundwater Release Detection Permits or lined solid waste landfills in the towns of Hampton Falls, Kensington, South Hampton, or Seabrook. I believe composting and resource recovery facilities are permitted through the Solid Waste Management Bureau. The Administrator of the SWMB is Todd Moore. He should be able to direct your question(s) to the appropriate person in his Bureau. Should you have any additional questions with regard to groundwater permitting under Groundwater Release Detection Permitting, please feel free to contact me directly at the Waste Management Division.

Peter

Peter Beblowski, C.P.G.  
NHDES - WMD HWRB  
Groundwater Remediation & Permitting  
PO Box 95, 29 Hazen Drive  
Concord, NH 03302-0095  
Phone: (603) 271-2999 (w voicemail)  
email: [Peter.Bebowski@des.nh.gov](mailto:Peter.Bebowski@des.nh.gov)

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**From:** Rigrod, Pierce  
**Sent:** Thursday, June 15, 2017 10:03 AM  
**To:** Beblowski, Peter; Gordon, Ray  
**Cc:** Svendsen, Kristen  
**Subject:** FW: Groundwater Release Detection Permit

Greetings,

I am wondering whether you can provide a list of all/any current GW detection permits, permitted composting and resource recovery facilities in the Seabrook WHPAs shown on the attached map? Kristen, can you please also confirm that the map represents the current WHPAs in our GIS and reply to the group?

This is related to a GAA reclassification application I am currently reviewing.

Thanks,  
Pierce

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**From:** Locker, Mitch  
**Sent:** Wednesday, June 14, 2017 10:35 AM  
**To:** Rigrod, Pierce  
**Subject:** RE: Groundwater Release Detection Permit

Pierce

GW Release Detection permitting is coordinated by [Peter.Bebrowski@des.nh.gov](mailto:Peter.Bebrowski@des.nh.gov) (Waste Mgmt. Div.)

For facilities operating composting and resource recovery operations check with WEB-Residuals Management Section [Ray.Gordon@des.nh.gov](mailto:Ray.Gordon@des.nh.gov) or [Judith.Houston@des.nh.gov](mailto:Judith.Houston@des.nh.gov) in

*Mitchell Locker, P.G.  
DES- Water Division/DWGB  
Groundwater Recharge Program  
PO Box 95, Concord, NH 03302-0095  
(603) 271-2858*

Program Web Site: [http://des.nh.gov/organization/divisions/water/dwgb/dwspp/gw\\_discharge/index.htm](http://des.nh.gov/organization/divisions/water/dwgb/dwspp/gw_discharge/index.htm)

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**From:** Rigrod, Pierce  
**Sent:** Wednesday, June 14, 2017 10:19 AM  
**To:** Locker, Mitch  
**Subject:** Groundwater Release Detection Permit

Mitch,

Who in Waste could list the current facilities that require a GW Release Detection permit and whether there are composting and resource recovery facilities that may be permitted within Seabrook's WHPAs? Do you know?

Pierce

Pierce Rigrod  
Supervisor  
Drinking Water & Groundwater Bur.  
NH DES  
(603) 271-0688

NHDES Be Well Informed Private Well App - An interactive web application for private well owners to interpret water quality test results and identify appropriate water treatment options