

Article # _____ Zoning Amendments. To see if the Town will vote to amend the Farmington Zoning Ordinance in accordance with the recommendation of the Planning Board as follows:

Amendment 1

To amend Section 4.01 Aquifer Protection Overlay District to be called Groundwater Protection Overlay District and include authority, purpose and intent, definitions, description of the aquifer protection overlay district, incorrectly designated zones, performance standards, permitted uses, prohibited uses, conditional uses, existing nonconforming uses, exemptions, maintenance and inspection, enforcement, and effective date, and to amend the district to include the current wellhead protection areas in the town. Copies of the proposed amendment are posted at the town offices and on the town website. A copy of the proposed amendment will also be posted at the polling place.

Amendment 2

To amend Section 3.16 Recreational Vehicle Parks or Campgrounds to become Section 3.16 (A) Recreational Vehicle Parks and Campgrounds and to include the addition of Section (B) Temporary Use and Storage of a Recreational Vehicle outside of Recreational Vehicle Parks and Campgrounds, and amendments to the definitions of recreational vehicles and tenants. Copies of the proposed amendment are posted at the town offices and on the town website. A copy of the proposed amendment will also be posted at the polling place.

Amendment 3

To amend Section 3.00 General Standards to include Section 3.23 Storage Units and to include a definition of temporary storage units, the permitting requirements for temporary storage units, use of temporary storage units, and duration temporary storage units are considered temporary. Copies of the proposed amendment are posted at the town offices and on the town website. A copy of the proposed amendment will also be posted at the polling place.

3.23 STORAGE UNITS

Definition: A temporary storage unit shall mean a transportable unit, including but not limited to, any container, storage unit, shed-like container or other portable structure, with or without wheels designed and used primarily for temporary storage of building materials (before they are utilized for building purposes), household goods, personal property of any kind and other such materials for use on a limited basis and shall not include storage of hazardous or toxic materials.

1. All temporary storage units require a written permit from the Planning, Community Development, and Code Enforcement Department, prior to placing a unit on a property in the Town of Farmington. No fee will be charged for the temporary permit.
2. No temporary storage unit shall be used to store solid waste, construction debris or demolition debris.
3. Upon request by the Code Enforcement Officer, an owner or user of a temporary storage unit shall provide proof to the Code Enforcement Officer, through documentation or inspection, that the unit is not being used to store said materials.
4. The temporary storage unit shall be maintained in good condition.
5. Temporary storage units shall meet the zoning setbacks for the district within which it is located. The unit must be located on the property and not in the Town's right of way.
6. Temporary use as storage in the event of renovations to a home is limited to a maximum of six (6) months but renewable if conditions warrant.
7. After one renewal of the temporary storage unit permit, the Code Enforcement Officer shall reevaluate the need to classify the unit as permanent storage.
8. No more than one (1) unit may be placed on a property at any time unless reviewed and approved by the Code Enforcement Officer.
9. No additions may be attached to the temporary storage unit.

Information about the amendment

The proposed amendment is an addition to the Zoning Ordinance. The Town's existing Zoning Ordinance does not define temporary storage units or specify the permitting requirements for temporary storage units. Items 1 – 9 describe the permit required for a temporary storage unit; what temporary storage units are to be used for; what temporary storage units are not to be used for; the number of temporary storage units allowed on a property; setbacks for temporary storage units; and permit renewal.

4.01 Groundwater Protection Overlay District

(A) Authority

The Town of Farmington hereby adopts this ordinance pursuant to the authority granted under RSA 674:16 as an Innovative Land Use Control pursuant to RSA 674:21. This ordinance shall be administered, including the granting of conditional use permits, by the Planning Board.

(B) Purpose and Intent

The purpose of this ordinance is, in the interest of public health, safety, and general welfare, to preserve, maintain, and protect from contamination existing and potential groundwater supply areas that are used as a current source, or may potentially be used in the future as a source, for Farmington's municipal water system.

(C) Definitions

For purposes of this Section 4.01, the following definitions apply:

Aquifer. 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. (see Chapter 1.14 of the Town of Farmington Zoning Ordinance)

Farmington Municipal Water System. The public treatment and distribution system, which consists of water treatment plants, water main pipes, storage tanks, booster stations, and service connections that convey potable water for domestic use, fire protection, and other community uses.

Groundwater. Subsurface water that occurs beneath the water table in soils and geologic formations. [RSA 485-C (VIII), the Groundwater Protection Act]

Groundwater Recharge Area. That area from which water is added to the saturated zone by natural processes such as infiltration or precipitation or by artificial processes such as induced infiltration. (see Chapter 1.14 of the Town of Farmington Zoning Ordinance)

Gasoline Station. Means that portion of a property where petroleum products are received by tank vessel, pipeline, tank car, or tank vehicle and distributed for the purposes of retail sale of gasoline.

Impervious. Not readily permitting the infiltration of water.

Impervious Surface. For the purpose of containment of regulated substances, a surface through which regulated substances cannot pass when spilled. Impervious surfaces include concrete unless unsealed cracks or holes are present. Earthen, wooden, or gravel surfaces, or other surfaces which could react with or dissolve when in contact with the substances stored on them are not considered impervious surfaces. [NH Code of Administrative Rules Env-Wq 401.03(c)]

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

Junkyard. An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automotive recycling yard. The word does not include any motor vehicle dealers registered with the director of motor vehicles under RSA 261:104 and controlled under RSA 236:126. [RSA 236:91 (IV), Control of Junk Yards and Automotive Recycling Yards]

Outdoor Storage. Storage of materials where they are not protected from the elements by a roof, walls, and a floor with an impervious surface.

Petroleum bulk plant or terminal. Means that portion of the property where petroleum products are received by tank vessel, pipeline, tank car, or tank vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline tank car, tank vehicle, portable tank, or container.

Public Water System. A system for the provision to the public of piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year.

Regulated Container. Any device in which a regulated substance is stored, transported, treated, disposed of, or otherwise handled, with a capacity of greater than or equal to five gallons. [Env-Wq 401.3(g), NH Code of Administrative Rules]

Regulated Substance. Regulated substance: petroleum, petroleum products, substances containing a regulated contaminant for which an ambient groundwater quality standard has been established under RSA 485-C:6, and substances listed under 40 CFR 302, 7-1-05 edition¹, excluding substances used for the treatment of drinking water or waste water at department approved facilities.² [Env-Wq 401.03(h), NH Code of Administrative Rules]

Sanitary Protective Radius. The area around a public water well which must be maintained in its natural state as required by Env-Dw 301 or Env-Dw 302 (for community water systems); Env-Dw 405.14 and Env-Dw 406.12 (for other public water systems).

Seasonal High Water Table. The depth from the mineral soil surface to the upper most soil horizon that contains two (2) percent or more distinct or prominent redoximorphic features that increase in percentage with increasing depth as determined by a licensed Hydrogeologist, Soils Scientist, Wetlands Scientist, Engineer or other qualified professional approved by the Planning Board or the shallowest measured from ground surface to free water than stands in an unlined or screened borehole for at least a period of seven (7) consecutive days. [Env-Wq 1502.49, DES Alteration of Terrain Rules]

Secondary Containment. A structure such as a berm or dike with an impervious surface which is adequate to hold at least one hundred and ten (110) percent of the volume of the largest regulated-substances container that will be stored there. [Env-Wq 401.03(i), NH Code of Administrative Rules]

Snow Dump. For the purposes of this ordinance, a location where snow, which is cleared from roadways and/or motor vehicle parking areas, is placed for disposal off site.

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

Stormwater. Surface runoff and/or drainage that is generated from precipitation and snowmelt, including any debris, chemicals, sediment, or other substances carried along with the water.

Stratified-Drift Aquifer. A geologic formation of predominantly well-sorted sediment deposited by or in bodies of glacial meltwater, including gravel, sand, silt, or clay, which contains sufficient saturated permeable material to yield significant quantities of water to wells. [RSA 485-C:2 (XIV), Groundwater Protection Act]

Surface Water. Streams, lakes, ponds and tidal waters, including marshes, water-courses and other bodies of water, natural or artificial. [RSA 485-A:2 (XIV) Surface Waters of the State]

Wellhead Protection Area. The surface and subsurface area surrounding a water well or wellfield supplying a community public water system, through which contaminants are reasonably likely to move toward and reach such water well or wellfield. [RSA 485-C:2 (XVIII), Groundwater Protection Act]

(D) Description and Location of Groundwater Protection Overlay District

The Groundwater Protection District is an overlay district which is superimposed over the existing zoning and includes within its boundaries, all existing and future Wellhead Protection Areas for public water supply wells in Farmington as defined under Section C, of this ordinance. The district is shown on the map entitled Town of Farmington, New Hampshire Zoning Districts and Other Protected Areas dated [to be entered].

(E) Incorrectly Designated Zones

When the actual boundary of the Groundwater Protection Overlay District is in dispute by any owner or abutter affected by said boundary, the Planning Board, at the owners/abutters expense and request, may engage a professional geologist or hydro geologist to determine more accurately the precise boundary of said Groundwater Protection Overlay District.

(F) Applicability

This Ordinance applies to all uses in the Groundwater Protection Overlay District, except for those uses exempt under Section L of this Section 4.01.

(G) Performance Standards

The following Performance Standards apply to all uses in the Groundwater Protection Overlay District, unless exempt under Section L of this Section 4.01:

- (I) For any use that will render impervious more than fifteen (15) percent, or more than 2,500 square feet, of any lot, whichever is greater, a stormwater management plan that the Planning Board determines is consistent with New Hampshire Stormwater Manual Volumes 1-3, December 2008, NH Department of Environmental Services³ shall be provided.

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

- (II) Animal manures, fertilizers, and compost must be stored in accordance with Manual of Best Management Practices for Agriculture in New Hampshire, NH Department of Agriculture, Markets, and Food, June 2011,⁴ and any subsequent revisions.
- (III) Regulated substances stored in regulated containers must be used and stored in accordance with Env-Wq 401, Best Management Practices for Groundwater Protections⁵:
 - (a) All regulated substances stored in containers with a capacity of five (5) gallons or more must be stored in product-tight containers on an impervious surface designed and maintained to prevent flow to exposed soils, floor drains, and outside drains.
 - (b) Facilities where regulated substances are stored must be secured against unauthorized entry by means of a door and/or gate that is locked when authorized personnel are not present and must be inspected weekly by the facility owner.
 - (c) Outdoor storage areas for regulated substances, associated material or waste must be protected from exposure to precipitation and must be located at least fifty (50) feet from surface water or storm drains, at least seventy-five (75) feet from private wells, and outside the sanitary protective radius of wells used by public water systems.
 - (d) Secondary containment must be provided for outdoor storage of regulated substances in regulated containers and the containment structure must include a cover to minimize accumulation of water in the containment area and contact between precipitation and storage container(s).
 - (e) Containers in which regulated substances are stored must be clearly and visibly labeled and must be kept closed and sealed when material is not being lawfully used or transferred from one container to another.
- (IV) Prior to any land disturbing activities, all inactive wells on the property, any wells not in use, or any wells not properly maintained, shall be considered abandoned and must be sealed in accordance with We 604 of the New Hampshire Water Well Board Rules⁶ to prevent the well from becoming a conduit for contamination into or within the subsurface.
- (V) Blasting activities shall be planned and conducted to minimize groundwater contamination and in accordance with The Town of Farmington Earth Removal Regulations.

(H) Permitted Uses

All uses permitted by right or allowed by special exception in the underlying district are permitted in the Groundwater Protection Overlay District unless they are Prohibited Uses or Conditional Uses. All uses must comply with the Performance Standards unless specifically exempt under Section L.

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

(I) Prohibited Uses

The following uses are prohibited in the Groundwater Protection Overlay District:

- (I) The development or operation of a solid waste landfill.
- (II) The outdoor storage of road salt or other deicing chemicals in bulk.
- (III) The development or operation of a junkyard.
- (IV) The development or operation of a wastewater or septage lagoon.
- (V) The development or operation of a petroleum bulk plant or terminal.
- (VI) The development or operation of gasoline stations within 2,000 feet of a public water supply well.
- (VII) The development or operation of a snow dump within 2,000 feet of a public water supply well.

(J) Conditional Uses

- (I) The following uses require a Conditional Use Permit. The Planning Board may grant a Conditional Use Permit for a use which is otherwise permitted in the underlying district, if the permitted use is:
 - (a) Storage, handling, and use of regulated substances in quantities exceeding fifty-five (55) gallons or six hundred and sixty (660) pounds dry weight⁷ at any one time, provided that an adequate spill prevention, control and countermeasure (SPCC) plan is approved by the Code Enforcement Officer/Health Officer. The Code Enforcement Officer/Health Officer shall determine whether the plan will prevent, contain, and minimize releases from ordinary or catastrophic events such as spills, floods or fires that may cause large releases of regulated substances. The SPCC plan shall include:
 - i. A description of the physical layout and a facility diagram, including all surrounding surface waters and wellhead protection areas.
 - ii. Contact list and phone numbers for the facility response coordinator, cleanup contractors, and all appropriate federal, state, and local agencies who must be contacted in case of a release to the environment.
 - iii. A list of all regulated substances in use and locations of use and storage.
 - iv. A description of containment and/or diversionary structures or equipment to prevent regulated substances.
 - v. List of positions within the facility that require training to respond to spills of regulated substances.
 - (b) Any use that will render impervious more than 15 percent or 2,500 square feet of any lot, whichever is greater.
 - (c) Any activities that involve blasting of bedrock.

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

- (II) In granting such approval the Planning Board must first determine that the proposed use is not a prohibited use (as listed in Section I of this Ordinance) and will be in compliance with the Performance Standards in Section G as well as all applicable local, state and federal requirements. The Planning Board may, at its discretion, require a performance guarantee or bond, in an amount and with surety conditions satisfactory to the Board, to be posted to ensure completion of construction of any facilities required for compliance with the Performance Standards. The Planning Board may establish procedures for the review and approval of conditional use permits, including requirements for information to be submitted with an application for a conditional use permit.

- (III) The planning board may grant a Conditional Use Permit for those uses listed above only after a public hearing and written findings of fact are made that all of the following conditions are met:
 - (a) Development and submission of stormwater management and pollution prevention plans which include information consistent with *Developing Your Stormwater Pollution Prevention Plan: A Guide for Industrial Operators (US EPA, Feb 2009)*.⁸ The plans shall demonstrate that the use will:
 - i. Meet minimum stormwater discharge setback between water supply wells and constructed stormwater management practices as found within the *Innovative Land Use Planning Techniques: A Handbook for Sustainable Development, Section 2.1 Permanent (Post-Construction) Stormwater Management (NHDES 2008 or later edition)*.⁹
 - ii. Minimize, through a source control plan that identifies pollution prevention measures, the release of regulated substances into stormwater. Stipulate that expansion or redevelopment activities shall require an amended stormwater plan and may not infiltrate stormwater through areas containing contaminated soils without completing a Phase I Assessment in conformance with ASTM E 1527-05, also referred to as All Appropriate Inquiry (AAI).¹⁰
 - iii. Maintain a minimum of four feet vertical separation between the bottom of a stormwater management practice that infiltrates or filters stormwater and the average seasonal high water table as determine by a licensed hydrogeologist, soil scientist, engineer, or other qualified professional as determined by the Planning Board.

(K) Existing Nonconforming Uses

Existing nonconforming uses may continue, provided the use is not expanded or changed to another use, but must be in compliance with all applicable state and federal requirements, including Env-Wq 401, Best Management Practices Rules.

(L) Exemptions

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

- (I) The following uses are exempt from the specified provisions of this ordinance as long as they are in compliance with all applicable local, state, and federal requirements:
- (a) Any private residence is exempt from all Performance Standards.
 - (b) Home Occupations and Home Businesses (see Town of Farmington Zoning Ordinance Section 5.00) are exempt from Section G, Performance Standards, Sections (I),(II),(IV), and (V). (see Section M, Maintenance and Inspection)
 - (c) The sale, transportation, and use of pesticides as defined in RSA 430:29 XXVI are exempt from all provisions of this ordinance.
- (II) The following exemptions also apply:
- (a) Any business or facility where regulated substances are stored in containers with a capacity of less than five gallons is exempt from Section G, Performance Standards, Sections (III)(a) through (III)(e).
 - (b) Storage of heating fuels for on-site use or fuels for emergency electric generation, provided that, excluding those used for storing propane, storage tanks are indoors on a concrete floor or have corrosion control, leak detection, and secondary containment in place, is exempt from Section G, Performance Standards, (III)(b).
 - (c) 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 is exempt from Section G, Performance Standards, Sections (III)(b) though (III)(e).
 - (d) Storage and use of office supplies is exempt from Section G, Performance Standards, Sections (III)(b) though (III)(e).
 - (e) Temporary storage of construction materials on a site where they are to be used is exempt from Section G, Performance Standards, Sections (III)(b) though (III)(e), if incorporated within the site development project within six months of their deposit on the site.
 - (f) Household hazardous waste collection projects regulated under NH Code of Administrative Rules Env-Wm 401.03(b)(1) and 501.01(b) are exempt from Section G, Performance Standards, Sections (III)(b) though (III)(e).
 - (g) Underground storage tank systems and aboveground storage tank systems that are in compliance with applicable state rules (Env-Or 400 and Env-Or 300) are exempt from inspections under Section M of this ordinance.

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

(M) Maintenance and Inspection

- (I) For uses requiring Planning Board approval for any reason, if required to be recorded at the Registry of Deeds, a narrative description of maintenance requirements for structures required to comply with Performance Standards shall be recorded so as to run with the land on which such structures are located, at the Registry of Deeds for Strafford County. The description so prepared shall comply with the requirements of RSA 478:4-a.
- (II) Prior to issuing a Certificate of Use for a Home Occupation or Home Business within the Groundwater Protection Overlay District, the Public Works Director, with the Code Enforcement Officer and Fire Chief, will verify on site that all regulated substances are stored according to Section G, Performance Standards, Sections (III)(b) through (III)(e), and in accordance with Env-Wq 401, Best Management Practices for Groundwater Protections.
- (III) Inspections may be required to verify compliance with Performance Standards. Such inspections shall be performed by the Code Enforcement Officer at reasonable times with prior notice to the landowner.
- (IV) All properties in the Groundwater Protection District using or storing regulated substances (as defined by the Code of Federal Regulations, see definition, Section 4.01(C)¹) in containers with a capacity of five gallons or more, except for facilities where all regulated substances storage is exempt from this Ordinance under Section L, shall be subject to compliance inspections under this Section.

(N) Effective Date

This ordinance shall be effective upon adoption by the legislative body.

¹ <http://www.gpo.gov/fdsys/pkg/CFR-2005-title40-vol27/pdf/CFR-2005-title40-vol27-sec302-5.pdf>

² This definition includes a focus on both soil morphology and groundwater hydrology.

³ The New Hampshire Stormwater Manual is a planning tool for the communities, developers, designers, and members of regulatory boards, commissions, and agencies involved in stormwater programs in New Hampshire. The NH Stormwater Manual addresses measures to manage stormwater runoff through site design, pollutant source controls, structural Best Management Practices (including associated operation and maintenance measures), and construction-phase practices. The Manual consists of three volumes: Volume 1: Stormwater and Antidegradation presents an overview of New Hampshire's stormwater program together with related federal program requirements, describes New Hampshire's antidegradation provision (Env-Wq 1708) with respect to controlling water quality impacts due to stormwater discharges, and provides an introduction to the non-structural and structural measures for managing stormwater. Volume 2: Post-Construction Best Management Practices Selection and Design presents a detailed description of the structural BMPs applicable for use in New Hampshire for the prevention, control, and treatment of stormwater. Volume 3: Erosion and Sediment Controls During Construction presents a selection of practices applicable during the construction of projects to prevent adverse impacts to water resources as a result of land-disturbance activities.

For more information, see <http://des.nh.gov/organization/divisions/water/stormwater/manual.htm>

⁴ <http://agriculture.nh.gov/publications-forms/documents/bmp-manual.pdf>

⁵ <http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wq401.pdf>

⁶ <http://des.nh.gov/organization/commissioner/legal/rules/documents/ve100-1000toc.pdf>

⁷ According to the Pipeline and Hazardous Materials Safety Administration's Emergency Response Guidebook, large spills are considered to involve volumes that are greater than fifty-five (55) US gallons (208 liters) for liquids and greater than six hundred and

PROPOSED GROUNDWATER PROTECTION OVERLAY DISTRICT 12.02.15

sixty-six pounds (300 kilograms) for solids with regard to initial isolation and protection action distances. This is the standard that is used by the majority of the voluntary first responder organizations.

⁸Chapter 2.1 Permanent (Post-Construction) Stormwater Management of The Innovative Land Use Planning Techniques Handbook for Sustainable Land Use Development includes stormwater control recommendations for all development sites. The provisions of Section (J)(III)(a) are consistent with provisions recommended in the handbook, including: recommended discharge setbacks for large volumes of stormwater of between 75 and 400 feet; preparation of a Stormwater Pollution Prevention Plan (SWPPP) (for industrial facilities), which is similar to a source control plan and provides details concerning how operational or structural BMPs segregate clean from contaminated stormwater; and maintaining vertical separation (undisturbed soil) between the bottom of stormwater infiltration or unlined filtration practices and the average seasonal high water table.

⁹http://water.epa.gov/polwaste/npdes/stormwater/upload/industrial_swppp_guide.pdf

⁹http://des.nh.gov/organization/divisions/water/wmb/repp/documents/ilupt_chpt_2.1.pdf

¹⁰ See EPA's Brownfields website at <http://www.epa.gov/brownfields>

Information about the Amendment:

The proposed amendment is a revision of Section 4.01 of the Town's existing Zoning Ordinance. The following amendments are proposed for Section 4.01:

- Change the name of the overlay district to Groundwater Protection Overlay District, a more accurate description of the resource (groundwater) being protected by the district
- Separate existing Section (A) Authority and Purpose into two sections (A) Authority and (B) Purpose and Intent
- Add a section with twenty-one (21) definitions that are relevant to Section 4.01 to ensure that the meaning of terms included in this section is clear to all readers
- Expand existing Section (C) Description and Location to include a description of the wellhead protection areas
- Revise the boundaries of the overlay district to include all the wellhead protection areas within the town, not just the wellhead protection area designated for one well
- Add Section (F) Applicability
- Add Section (G) Performance Standards, which includes five (5) performance standards for stormwater management associated with impervious surfaces; animal manures, fertilizers, and compost storage; storage of regulated substances; sealing of abandoned wells prior to land disturbance activities; and conducting blasting activities to minimize groundwater contamination.
- Add Section (H) Permitted Uses, which states that all uses permitted by right or allowed by special exception in the underlying district are permitted in the overlay district unless they are prohibited or conditional uses, and that all uses must comply with the Performance Standards unless exempt.
- Replace the existing Section (E):
 - Prohibited Uses, which includes solid wastes; storage of petroleum or petroleum based products except within buildings to be heated by such products; disposal of liquid or leachable wastes, except from single or multi-family residential subsurface disposal systems or approved commercial systems which discharge human wastes only; industrial uses which discharge contact type process waters on site; storage of rock salt or de-icing chemicals; dumping of snow containing de-icing chemicals from outside the overlay district; commercial animal feed lots with animals; on site handling, disposal, storage, processing, or recycling of hazardous or toxic materials; automotive service and repair shops; junk and salvage yards; bulk storage of toxic materials, including but not limited to pesticides, herbicides, and fertilizers; rendering impervious more than ten percent (10%) of any lot, unless otherwise allowed by the Planning Board.

with

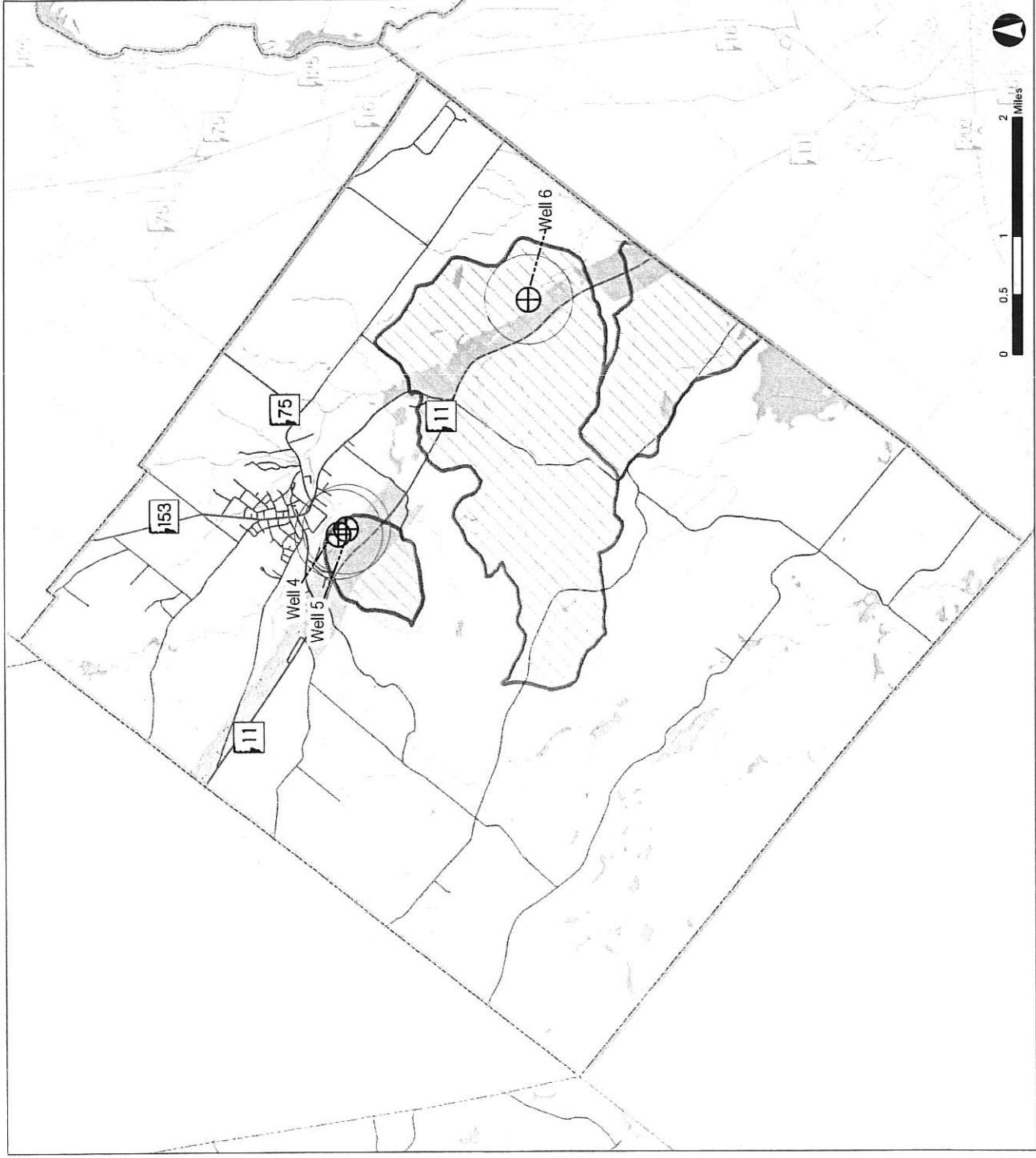
Section (I) Prohibited Uses, which includes seven (7) uses that are prohibited within the overlay district: solid waste landfills; outdoor storage of road salt or other deicing chemicals in bulk; junkyards; wastewater or septage lagoons; petroleum bulk plant

or terminals; gasoline stations within 2,000 feet of a public water supply well; snow dumps within 2,000 feet of a public water supply well.

- Add Section (J) Conditional Uses, which includes uses that require a Conditional use Permit, including: uses that store, handle, and use regulated substances in quantities exceeding fifty five (55) gallons or six hundred and sixty (660) pounds dry weight, which require a spill prevention, control, and countermeasure (SPCC) plan; any use that renders impervious more than 15% of 2,500 square feet of any lot; and any activities that involve blasting of bedrock. Add description of stormwater management and pollution prevention plan required for industrial uses.
 - Add Section (K) Existing Nonconforming Uses, which states that existing nonconforming uses may continue, provided that the use is not expanded or changed and that the use is in compliance with all applicable state and federal requirements.
 - Add Section (L) Exemptions, which includes uses that are exempt from all or some of the performance standards of the overlay district, including residences, home businesses, and the sale, transport, and use of pesticides. Add exemptions that apply to the storage of hazardous substances.
 - Add Section (M) Maintenance and Inspection, which clarifies maintenance requirements, verification that regulated substances are stored according to performance standards, and inspection of properties that use or store regulated substances in containers with a capacity of five gallons or more, and states that the Board of Selectman may require a fee for compliance with inspection.
-

Town of Farmington, NH Proposed Revisions to the Aquifer Protection Overlay District

- Legend**
- Groundwater Protection Overlay District (Proposed)*
 - Existing Aquifer Protection Overlay District
 - Active Community Well
 - 2000ft buffer_wells
 - Roads
 - State
 - Federal
 - Local
 - Zoning District
 - Agricultural Residential
 - Commercial Business
 - Commercial Industrial Business Overlay
 - Industrial Business
 - Rural Residential
 - Suburban Residential
 - Urban Residential
 - Village Center
 - Municipal Boundaries
 - Rivers & Streams
 - Lake, Pond



*This proposed district was determined based on the wellhead protection areas, which were identified by NH Department of Environmental Services when the wells became active. A wellhead protection area is the surface and subsurface area surrounding a water well or wellfield supply a community public water system, through which contaminants are reasonably likely to move toward and reach water well or wellfield.

Prepared November 2015 by Stratford Regional Planning Commission. For planning purposes only.

This map displays the Town of Farmington's existing Aquifer Protection Overlay District, the boundary of which protects one (1) of the Town's active community water supply wells, and the proposed new boundary. The proposed revision to this district includes an expansion of the boundaries to encompass all wellhead protection areas within the Town of Farmington. The Groundwater Protection Overlay District would replace the Aquifer Protection Overlay District.

3.16 RECREATIONAL VEHICLES, RECREATIONAL VEHICLE PARKS, AND CAMPGROUNDS.

(A) Where allowed, Recreational Vehicle Parks and Campgrounds shall meet the following special conditions:

1. Occupancy by long-term tenants is limited to: May 1st to October 1st of each year.
2. Occupancy by tenants after October 1st and before May 1st is limited to no more than four (4) weeks total, whether consecutive or not, in the Town of Farmington.
3. Accurate account of information and/or registration (in the case of parks/campgrounds) must be kept on all tenants and guests along with date of occupancy and their permanent address of residence.
4. Vehicles and facilities shall be maintained in such a manner that is required by applicable codes, regulations and ordinances and shall be subject to inspection by appropriate officials without notice.
5. That all Recreational Vehicle Parks and Campgrounds be licensed and renewed every April 1st.

(B) Temporary Use and Storage of a Recreational Vehicle outside of Recreational Vehicle Parks and Campgrounds:

Unless otherwise prohibited or restricted by this Ordinance or State law, no more than one (1) recreational vehicle may be located on a lot and it may be occupied by the owner, owner's family or the owner's friends, collectively, for no more than 30 days at a time in any 90 day period, in any District except the Commercial Business and Industrial Business Districts. **A permit from the Code Enforcement Office must be obtained for occupation of a recreational vehicle for any period of time longer than 30 days in any 90 day period.** Notwithstanding the above, recreational vehicles must comply with all other provisions of this Zoning Ordinance, Town regulations and State law.

Unless otherwise prohibited or restricted by this Ordinance or State law, the storage only of a functioning, moveable recreational vehicle is allowed in any District without a permit. The storage of more than one (1) recreational vehicle is not permitted on any lot.

The following words or phrases are hereby defined for the purpose of this article.

Recreational Vehicle Park: Any tract or parcel of land occupied or intended for occupancy by two (2) or more recreational vehicles.

Recreational Vehicle: "Recreation vehicle" shall mean a self-propelled or towed vehicle that is equipped to serve as temporary living quarters for recreational, camping, or travel purposes and is used solely as a family or personal conveyance. (RSA 259:84-a)

Tenant: Any person that rents, uses, or lives in a recreational vehicle.

Long-Term Tenant: Any tenant that is renting, using, or living in a recreational vehicle within the Town of Farmington for more than three (3) continuous weeks.

Information about the amendment

The following amendments are proposed for Section 3.16 of the Town's existing Zoning Ordinance:

- Insert "whether consecutive or not" in A(2).
- Insert "information and/or" and "(in the case of parks/campgrounds)" in A(3)
- Replace A(4) "Records must be made available for inspection by appropriate officials of the Town of Farmington upon demand" and A(5) "Vehicles and facilities shall be maintained in such a manner that is required by applicable codes, regulations and ordinances and shall be subject to inspection by appropriate officials without notice" with A(4) "Vehicles and facilities shall be maintained in such a manner that is required by applicable codes, regulations and ordinances and shall be subject to inspection by appropriate officials without notice."
- Add Section B Temporary Use and Storage of a Recreational Vehicle outside of Recreational Vehicle Parks and Campgrounds, which includes a permit requirement for occupancy over 30 days in a 90 day period.
- Modify the definitions of Recreational Vehicle, Tenant, and Long-Term Tenant