

TESTIMONY SUBMITTED TO NH DES RE: BESTWAY PERMIT MODIFICATION
APPLICATION AT 43 INDUSTRIAL DRIVE, BELMONT, NH
March 26, 2015

With due respect to the State of New Hampshire Department of Environmental Services, we hereby request that your department DENY Bestway's application "to modify Bestway Disposal Construction & Demolition Debris Processing and Single Stream Recycling Transfer Facility's Solid Waste Management Permit, DES-SW-SP-05-002, increasing the facility's design capacity from 153 tons per day to an average of 503 tons per day, with a not to exceed peak of 600 tons on any single day. The increased capacity will be used to manage additional recyclables, construction and demolition debris, and add municipal solid waste as an authorized waste."

Our reasons for the request to deny are as follows:

1. The site location is over a shallow Stratified Drift Aquifer that provides the major source of drinking water to the towns of Belmont, Northfield and Tilton. Any pollution to this aquifer would have extremely serious consequences to these three towns.
2. Bestway has had two known mishaps with the potential for pollution in the past at this site. Without a permit from the Town of Belmont, they commenced to store and clean out portable toilets on the Construction & Demolition site and continued to do so until it was brought to the town's attention and the town put a stop to it. They have also had a fire on the site and, while not intentional, this situation had the potential to pollute our aquifer.
3. There are sites in Belmont on Route 106, which is zoned Commercial, that are not over the aquifer and would be much better suited for the use of storing solid waste.
4. It is widely known that it is nearly impossible to supervise the contents of solid waste and that it contains a mixture of household garbage, restaurant waste, medical waste, heavy metals, pharmaceuticals and hazardous waste among other items that residents and businesses carelessly dispose of.
5. The Town of Belmont has an AQUIFER AND GROUNDWATER PROTECTION ORDINANCE within the ZONING ORDINANCE (copy enclosed) which states as its purpose "...to preserve, maintain, and protect from contamination existing and potential groundwater supply areas."
6. The Town of Belmont has a SOLID WASTE MANAGEMENT ORDINANCE (copy enclosed) which defines ACCEPTABLE WASTE as "(a) household garbage, trash, rubbish and refuse, *originating within the boundaries of the Town*" (italics and bold added). Bestway's application requests permission to bring waste from other areas to their site. See Belmont Planning Board minutes of January 26, 2015 (copy enclosed) in which Michael Penney, representing Bestway, stated "Instead of all the

March 26, 2015

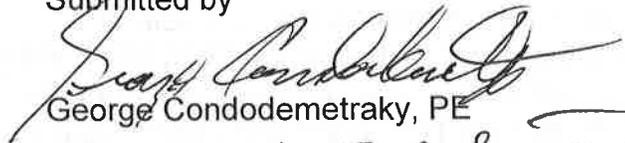
waste going to Allenstown some of it from the Rte 3 corridor up to Wolfboro and down alongside the lake is going to Belmont." Mr. Penney also stated that "other companies do use the facility." This ordinance designates as UNACCEPTABLE WASTE biological waste as well as a long list of chemical products, all of which are found in solid waste.

7. The Town of Belmont has known of the existence of this aquifer and has produced numerous publications encouraging the protection of our drinking water. An example (copy enclosed) is a letter dated March 11, 2013 from James Fortin, Public Works Director, Belmont Water System, entitled "Please Help Protect Drinking Water" This letter requests Homeowners, Residents and Business Owners to help ensure safe drinking water by outlining means to prevent drinking water sources from becoming contaminated. It enclosed a pamphlet entitled "**Got Clean Drinking Water?**" produced by your NH DES (copy enclosed).
8. Bestway operates under a number of different names so that it would be difficult to place blame in case of a polluting incident. They operate as Blow Brothers, Bestway, Casella and the property owner is Trash Lady, LLC. Who would be responsible for cleaning up any pollution that occurs and restoring the aquifer to its current purity?
9. Governor Maggie Hassan promotes the sustainability of clean water for our state. Since the NH DES is responsible for approving this application, is it also the agency that Belmont, Northfield and Tilton would seek reparations from when our aquifer becomes polluted with any of the many contaminants which this permit would allow to be stored over our aquifer?

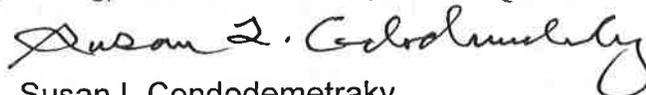
For these reasons we implore you to deny this application in order to protect the purity of the aquifer that serves our three towns so well. It is surely wiser to prevent future pollution than to be faced with the insurmountable task of having to restore this large aquifer to its current potable condition. In fact, it could very well be impossible to ever restore it as a functional drinking water source should it become carelessly polluted. We understand that Bestway is simply attempting to expand their business and this is the American way. However, the potential destruction of the main potable source of water that serves three towns should never be allowed to be sacrificed for the furtherance of a business interest.

Please deny this application.

Submitted by



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TOWN OF BELMONT

NEW HAMPSHIRE

ZONING ORDINANCE

ENACTED: MARCH 11, 1986

EDITION: MARCH 10, 2015

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ARTICLE 7. AQUIFER AND GROUNDWATER PROTECTION DISTRICT**A. AUTHORITY**

The Town of Belmont hereby adopts this ordinance pursuant to the authority granted under RSA 674:16, in particular RSA 674:16, II relative to innovative land use controls.

B. PURPOSE

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.

The purpose is to be accomplished by regulating land uses which could contribute pollutants to wells and/or aquifers designated as being needed for present and/or future public water supply.

See Article 7.E for applicability to preexisting uses.

C. DEFINITIONS

1. **Aquifer:** a geologic formation composed of rock, sand, or gravel that contains significant amounts of potentially recoverable water.
2. **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.
3. **Groundwater:** subsurface water that occurs beneath the water table in soils and geologic formations.
4. **Impervious:** not readily permitting the infiltration of water.
5. **Impervious surface:** a surface through which regulated substances cannot pass when spilled. Impervious surfaces include concrete unless unsealed cracks or holes are present. Asphalt, 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.
6. **Junkyard:** Includes Junkyards as defined by RSA 236:112, including the definition of junk found in RSA 236:91,II, and Automotive Recycling Yards as defined by RSA 236:91.
7. **Outdoor storage:** storage of materials where they are not protected from the elements by a roof, walls, and a floor with an impervious surface.
8. **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.
9. **Public water system:** a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

10. **Regulated substance:** petroleum, petroleum products, and substances listed under 40 CFR 302, 7-1-05 edition, excluding the following substances: (1) ammonia, (2) sodium hypochlorite, (3) sodium hydroxide, (4) acetic acid, (5) sulfuric acid, (6) potassium hydroxide, (7) potassium permanganate, and (8) propane and other liquified fuels which exist as gases at normal atmospheric temperature and pressure.
11. **Sanitary protective radius:** The area around a public water supply well which must be maintained in its natural state as required by Env-Dw 301 or 302 (for community water systems); Env-Dw 372.14 and Env-Dw 373.12 (for other public water systems).
12. **Seasonal High Water Table (SHWT):** means the depth from the mineral soil surface to the upper most soil horizon that contains 2% or more distinct or prominent redoximorphic features that increase in percentage with increasing depth as determined by a Hydrogeologist, Soils Scientist, Wetlands Scientist, Engineer or other professional approved by the Planning Board through the use of wells or test pits that extend to either the SHWT, ledge, or to a minimum of six feet below the maximum proposed excavation depth or other method approved by the Planning Board.
13. **Secondary containment:** a structure such as a berm or dike with an impervious surface which is adequate to hold at least 110% of the volume of the largest regulated-substances container that will be stored there. Secondary containment areas must be covered if regulated substances are stored outside.
14. **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.
15. **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.
16. **Surface water:** streams, lakes, ponds and tidal waters, including marshes, water-courses and other bodies of water, natural or artificial.
17. **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.

D. **AQUIFER AND GROUNDWATER PROTECTION DISTRICT**

The Aquifer and Groundwater Protection District is an overlay district which is superimposed over the existing underlying zoning and includes within its boundaries the Stratified Drift Aquifers and municipal well head protection areas shown on the map entitled "Town of Belmont Aquifer and Groundwater Protection District", adopted concurrent with this Ordinance.

E. **APPLICABILITY**

This Ordinance applies to all uses in the Aquifer and Groundwater Protection District, except for those uses exempt under Article 7.J (Exemptions) of this Ordinance.

Preexisting uses shall comply with Article 7.F, Performance Standards, 1 thru 7. In addition, preexisting Conditional Uses shall comply with Performance Standard 8.c. Preexisting uses shall otherwise be regulated under Articles 1 and 10 of the Zoning Ordinance.

F. PERFORMANCE STANDARDS

The following Performance Standards apply to all uses in the Aquifer and Groundwater Protection District unless exempt under Article 7.J:

1. 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, August 2005, and any subsequent revisions;
2. All regulated substances stored in containers with a capacity of 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;
3. 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. A copy of the inspection log will be submitted to the Planning Board with required periodic facility inspection reports.
4. Outdoor storage areas for regulated substances, associated material or waste must be protected from exposure to precipitation and must be located at least 50 feet from surface water or storm drains, at least 75 feet from private wells, and outside the sanitary protective radius of wells used by public water systems;
5. Secondary containment must be provided for outdoor storage of regulated substances if an aggregate of regulated substances exceeding 5 gallons are stored outdoors on any particular property;
6. 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 transferred from one container to another;
7. Prior to any land disturbing activities, all inactive wells on the property, not in use or properly maintained at the time the plan is submitted, shall be considered abandoned and must be sealed in accordance with We 604 of the New Hampshire Water Well Board Rules.
8. In addition Conditional Uses shall:
 - a. Develop and submit a stormwater management and pollution prevention plan and shall include information consistent with Developing Your Stormwater Pollution Prevention Plan: A Guide for Industrial Operators (US EPA 2009). The plan shall demonstrate that the use will:
 1. Minimize the release of regulated substances into stormwater through a source control plan that identifies pollution prevention measures;
 2. Demonstrate that recharge to groundwater will not result in violation of Ambient Groundwater Quality Standards (Env-Ws 410.05) at the property boundary;
 3. Stipulate that expansion or redevelopment activities may, at the discretion of the Planning Board, require an amended stormwater

- plan;
4. 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).
- b. For any use that will render impervious more than 15% or more than 2,500 square feet of any lot, whichever is greater, a stormwater management plan shall also be consistent with New Hampshire Stormwater Manual Volumes 1-3, December 2008, NH Department of Environmental Service, and Aquifer Protection Best Management Practices, Tri-Town Aquifer Project Protecting Shared Drinking Water Resources, Lakes Region Planning Commission, April 2007.
 - c. For any use using regulated substances, a spill control and countermeasure (SPCC) plan shall be submitted to the Fire Chief who 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:
 1. A description of the physical layout and a facility diagram, including all surrounding surface waters and wellhead protection areas;
 2. 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;
 3. A list of all regulated substances in use and locations of use and storage;
 4. A prediction of the direction, rate of flow, and total quantity of regulated substance that could be released where experience indicates a potential for equipment failure;
 5. A description of containment and/or diversionary structures or equipment to prevent regulated substances from infiltrating into the ground.

G. PERMITTED USES

All uses permitted by right or allowed by special exception in the underlying district that are also located within the Aquifer and Groundwater Protection District remain permitted by right or still require a special exception, as applicable, unless they are Prohibited Uses under this Ordinance.

Uses identified as Conditional Uses under this Ordinance also require a Conditional Use Permit. In the instance that both a Special Exception and a Conditional Use Permit are required, the Special Exception shall be approved prior to the Conditional Use Permit.

All uses must comply with the Performance Standards unless specifically exempt under Article 7.J.

See Article 7.E for applicability to preexisting uses.

H. PROHIBITED USES

The following uses are prohibited in the Aquifer and Groundwater Protection District:

1. The development or operation of a hazardous waste disposal facility as defined under RSA 147-A;
2. The development or operation of a solid waste landfill;
3. The outdoor storage of road salt or other deicing chemicals in bulk;
4. The development or operation of a junkyard;
5. The development or operation of a snow dump;
6. The development or operation of a wastewater or septage lagoon;
7. The development or operation of a petroleum bulk plant or terminal;
8. The development or operation of gasoline stations.
9. Sludge monofills;
10. Storage of animal manure unless covered or contained in accordance with the specifications of the Manual of Best Management Practices for Agriculture in New Hampshire, NH Department of Agriculture, Markets, and Food, August 2005, and any subsequent revisions;
11. Facilities that generate, treat, store, or dispose of hazardous waste subject to Env-Hw 500-900 except for:
 - a. household hazardous waste centers and events regulated under Env-Hw 401.03(b)(1) and Env-Hw 501.01(b); and
 - b. water remediation treatment works approved by NH DES for the treatment of contaminated ground or surface waters;
12. Non-sanitary treatment works which discharge to the ground and that are subject to Env-Wq 402, except the following:
 - a. the replacement or repair of an existing treatment works that will not result in a design capacity greater than the design capacity of the existing treatment works;
 - b. treatment works approved by NH DES designed for the treatment of contaminated groundwater.
13. Storage of regulated substances in greater than household quantities (i.e., 5-gallons), unless in a free-standing container within a building or above ground with secondary containment adequate to contain 110% of the container's total storage capacity;
14. Storage of fertilizers, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate.
15. Excavation or Mining within four feet of Seasonal High Water Table. This prohibition applies to future excavation of existing sites as well as future excavation sites.

I. CONDITIONAL USES

The Planning Board may grant a Conditional Use Permit for a use which is otherwise permitted within the underlying district, if the permitted use is involved in one or more of the following:

1. Storage, handling, and use of regulated substances in quantities exceeding 100

gallons or 800 pounds dry weight at any one time, provided that an adequate spill prevention, control and countermeasure (SPCC) plan, in accordance with Article 7.F,8(c), is approved by the Code Enforcement Officer;

2. Any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater.

In granting a Conditional Use Permit:

- a. The Planning Board must determine that the proposed use is not a prohibited use;
- b. Conditional Uses shall also be in compliance with the Performance Standards in Article 7.F as well as all applicable local, state and federal requirements;
- c. The Planning Board may, at its discretion, require a performance or other surety bond, in an amount and with conditions satisfactory to the Board, to ensure completion of construction of any facilities required for compliance with the Performance Standards.

J. EXEMPTIONS

The following uses are exempt from the specified provisions of this ordinance provided they comply with all other applicable local, state, and federal requirements:

1. Any private residence is exempt from all Performance Standards;
2. A mobile fuel tank specifically manufactured for the purpose of being transported from site to site for the purpose of fueling motor vehicles and/or equipment provided fuel transfers are conducted over an impervious area and utilize portable spill containment equipment with trained personnel present during transfers. Said tank, transportation and fueling shall comply with all other applicable Regulations.
3. Storage of heating fuels for on-site use or fuels for emergency electric generation, provided that storage tanks are indoors on a concrete floor or have corrosion control, leak detection, and secondary containment in place, is exempt from Performance Standard 3;
4. 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 Performance Standards 3 through 6.
5. Storage and use of office supplies is exempt from Performance Standards 3 through 6;
6. Temporary storage of construction materials on a site where they are to be used is exempt from Performance Standards 3 through 6 if incorporated within the site development project within six months of their deposit on the site;
7. The sale, transportation, and use of pesticides as defined in RSA 430:29 XXVI are exempt from all provisions of this ordinance;
8. Household hazardous waste collection projects regulated under NH Code of Administrative Rules Env-Hw 401.03(b)(1) and 501.01(b) are exempt from Performance Standards 3 through 6;
9. Underground storage tank systems and aboveground storage tank systems that are in compliance with applicable state rules are exempt from inspections under Article 7.L of this ordinance.

K. RELATIONSHIP BETWEEN STATE AND LOCAL REQUIREMENTS

Whenever a provision of this ordinance differs from the requirements imposed by the State of New Hampshire, or by some other town ordinance, the provision which imposes the greater restriction or higher standard shall govern.

L. NOTICE OF DECISION AND INSPECTION

1. For uses or structures requiring planning board approval under this ordinance, a Notice of Decision including the construction, operational, and inspection conditions and minimum standards applied to said approval, shall be recorded at the Registry of Deeds for Belknap County so as to run with the land on which such uses or structures are located.
2. Inspections of all regulated uses may be required to verify compliance with Performance Standards. Such inspections shall be performed by the Planning Board's designated agent and shall be at the cost of the business owner.

ARTICLE 14. RELATIONSHIP TO EXISTING ORDINANCES

- A. Nothing contained in this Ordinance shall be construed as repealing or modifying any other ordinance or regulation of Belmont, except as may be specifically repealed or modified by this Ordinance, but shall be in addition thereto. Nor shall anything in this Ordinance be constructed as repealing or modifying any private restrictions placed upon property by covenant, deed, or other private agreement, or any restrictive covenants running with the land to which the Town is a party, but shall be in addition thereto.

- B. Whenever the provisions of this Ordinance differ from those prescribed by any statutes, other ordinance or other regulation or restriction, that provision which imposed greater restriction or the higher standard shall apply.

ARTICLE 15. DEFINITIONS

In this Ordinance, the following terms have the following meanings:

Accessory Apartment – An apartment physically attached to or incorporated within a principal residential dwelling unit and of a nature subordinate to the principal residential use of the structure.

Accessory Building or Use - A subordinate building or use commonly associated with, incidental to, and on the same lot or site occupied by the primary building or use.

Agricultural Animals - The grazing, care, or keeping of personal or commercial agricultural animals including, by example, livestock, poultry, dairy & beef cattle, deer, bison, sheep, swine, horses, ponies, mules, goats, llamas; as well as animals traditionally raised for fur.

Aircraft Landing Area - Area used for landing and/or takeoff of motorized and/or non-motorized aircraft.

Agriculture and Forest Management - Land used for agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, silviculture and animal and poultry husbandry, which includes processing of agricultural products and marketing of agricultural products as defined in RSA 21:34-a, as amended.

Pasturage - Raising of grass.

Apiculture - Raising of bees.

Horticulture - Cultivating of fruit, vegetables.

Floriculture - Cultivating of flowering plants.

Silviculture - Care and cultivation of trees, forestry.

Enology & Viticulture - Growing of grapes and making wine.

Assisted Living Facility - Residential facility providing rooms, usually occupied by frail elderly, and supervision of self-administered medications, meals, health monitoring under the supervision of a professional nurse, and transportation. May also provide services such as communal dining, social and recreational services, housekeeping, and other support services appropriate for the residents.

Bed and Breakfast Establishment - overnight accommodations and a morning meal in a dwelling unit provided to transients for compensation.

Billboards - Signage exceeding 49 square feet and not exceeding 300 square feet.

Biosolids – means “biosolids” as defined by RSA 485-A:2,XXII, as amended.

Boat Sales and Service - A commercial enterprise selling and servicing boats to include fuel and marine supply sales.

Boat Storage Facilities - A sheltered structure, or outside storage, that provides for the safekeeping of boats.

TOWN OF BELMONT, NH
SOLID WASTE MANAGEMENT ORDINANCE

Adopted: March 11, 2005

Whereas, it is desirable and in the interests of the public health, safety and welfare of the citizens of the Town for the Town to exercise its authority to control the collection, transportation and disposal of solid waste generated within its borders to ensure the delivery of Acceptable Waste to the Town's designated disposal facility, and to empower the Board of Selectmen to adopt rules, regulations and fees in furtherance thereof.

Now therefore, the Town adopts the following ordinance, to be known as the Town of Belmont, New Hampshire Solid Waste Management Ordinance.

SECTION I - DEFINITIONS

ACCEPTABLE WASTE means (a) household garbage, trash, rubbish and refuse, originating within the boundaries of the Town, normally collected or disposed of, as a result of residential pickups or deliveries; and (b) such types of agricultural, commercial and light Industrial waste originating within the boundaries of the Town as are normally collected or disposed of, but excluding Hazardous Waste, Unacceptable Waste, and Other Waste.

COMMERCIAL means commercial entities doing business in the Town of Belmont, including but not limited to, contractors, manufactured housing parks of more than three (3) housing units, lots of record containing more than 3 dwelling units in any configuration, and commercial establishments of any size such as, residential boarding and lodging homes, convalescent and nursing homes, churches, daycares, schools, ski areas, motels, inns, restaurants, lounges, retail sales, service businesses, professional offices, manufacturing, or automotive related businesses.

FACILITY means the sites or areas designated by the Board of Selectmen within or outside the borders of the Town for the delivery to or disposal of solid waste collected within the borders of the Town pursuant to this ordinance.

HAZARDOUS WASTE means (a) waste containing explosive, toxic or pathological substances; (b) waste defined or classified as hazardous waste at any time under federal, state or local law, or any regulation there under or waste defined by any applicable federal, state or local law as low level or high level radioactive waste; (c) waste (other than Acceptable Waste of the character referred to in clause (a) of the definition of "Acceptable Waste") the processing of which would result in Hazardous Waste under (a) or (b) of this definition, or (e) containers which hold or which previously have held waste described under (a) or (b) above. If any governmental entity having jurisdiction shall determine that any substances which are not, as of the date of this Ordinance, considered harmful or of a toxic nature or dangerous, are harmful, toxic or dangerous, such substances shall thereafter be deemed Hazardous Waste.

OTHER SOLID WASTE means residential white metal goods, household appliances, tires, street sweepings, tree stumps and residential demolition debris.

PERSON means any natural person, partnership, corporation, association or other legal entity.

RECYCLABLE means any material that is collected and handled by the Town's contractor for reuse. Recyclable materials means materials that can be used to produce marketable goods, including but not limited to, single stream materials such as clear and colored glass, aluminum, ferrous and nonferrous metals, plastics, corrugated cardboard, and paper.

RECYCLING COLLECTION CONTRACTOR means the contractor hired by the Town of Belmont to collect the recyclable material from residential units.

RESIDENTIAL means all lots of record containing 3 or fewer dwelling units in any configuration.

RESIDENTIAL CURBSIDE SERVICE means the solid waste collection and disposal service, and recycling collection service, provided by the Town to single-family residences and multifamily residences with fewer than three (3) units.

SOLID WASTE shall have the meaning prescribed by the Division of Solid Waste Management of the New Hampshire Department of Environmental Services as set forth in NH Code of Administrative Rules, Env.-SW 104.36.

TOWN'S DESIGNATED DISPOSAL FACILITY means the site designated by the Board of Selectmen.

UNACCEPTABLE WASTE means waste that is unacceptable at the Town's designated disposal facility such as (a) pathological and biological waste, oil sludge, cesspool or other human waste, human remains, street sweepings, large items of machinery and equipment such as automobile and vehicular parts, tires, trailers, agricultural equipment, marine vessels, or similar items, farm and other large machinery, wire and cable from industrial sources, plastics from industrial sources in excess in total of five (5) percent of the Town's Town's designated disposal facility waste load, foundry sands, tree stumps, liquid wastes and slurries, explosives (including ammunition and firearms) radioactive materials; (b) any item of waste exceeding six feet six inches in any one of its dimensions or being in whole or in part a solid mass, the solid portion of which has dimensions such that a sphere with a diameter of eight (8) inches could be contained within such solid portion; (c) animal remains, dirt, concrete and other non-burnable construction material and demolition debris; and chemicals from industrial and commercial sources such as cleaning fluids, petroleum products, paints, acids, caustics, pesticides, insecticides, poisons, drugs or other materials the processing of which would pose a threat to health or safety or the processing of which may cause damage to the Town's designated disposal facility; (d) any waste which if processed, would violate or cause the violation of any judicial decision, order or action of any federal, state, or local government or any agency thereof or applicable law; and (e) Hazardous Waste.

SECTION II - REGULATED ACTIVITY

- a. All Acceptable Waste originating or collected within the municipal boundaries of the Town shall be delivered to and deposited for disposal at the Town's designated disposal facility as designated by the Board of Selectmen.
- b. No Person shall deliver or cause the delivery of any Unacceptable Waste or Hazardous Waste to the Town's designated disposal facility. No Person shall deliver or cause the delivery of any Unacceptable Waste (excluding Other Solid Waste) or Hazardous Waste to the Facility. Any person licensed by the Town of Belmont to deliver Acceptable Solid Waste to the Town's designated disposal facility shall haul only Acceptable Solid Waste resulting from within the Town borders. No Person shall deliver or cause the delivery of Acceptable Waste to the Town's designated disposal facility in any vehicle with a gross vehicle weight of less than 27,500 pounds.
- c. All items defined, as Unacceptable Waste, Hazardous Waste and Other Solid Waste shall be the responsibility of the owner or waste generator and shall be disposed at the owner's or waste generator's expense.
- d. The Town shall not bear the cost for pickup, transportation, or tipping fee of any Acceptable Solid Waste generated in the Town of Belmont by a Commercial property.

SECTION III - LICENSING

- a. No Person shall collect, transport or deliver Solid Waste originating within the Town of Belmont without obtaining a license from the Board of Selectmen.
- b. Any Person required by this Ordinance to obtain a license shall make application to the Board of Selectmen, providing the information required. Each application shall be accompanied by a non-refundable application fee of \$25.00.
- c. The application shall contain all information required by the Board of Selectmen, including but not limited to a description of the activities engaged in, e.g. collection, transportation or delivery of Acceptable Waste; list of commercial customers and size and location of containers, pick up route, designated day and time of pick up, type and amount of waste handled; certificate of insurance with limits of coverage as determined by the Board of Selectmen; a description of the facilities operated and used; and an equipment inventory, including a description of the make, model and year of each vehicle used for the collection or transportation of Solid Waste.
- d. Licenses shall be renewed annually and all information provided in the initial application shall be revised upon application for license renewal. If the Board of Selectmen shall determine the application is incomplete, they shall notify the applicant in writing of the specific information necessary to complete it. The Board of Selectmen shall be informed immediately in writing of any changes in or additions to the information required on the application.
- e. Licenses Issued hereunder shall not be transferable.

- f. All licenses shall expire one year from the date of issue unless otherwise stated on the license or revoked or suspended sooner in accordance with the provision of this Ordinance.
- g. The annual license fee shall be \$100 for each applicant licensed. In the event the Board of Selectmen denies a license application, they shall notify the applicant in writing and shall state the reasons for the denial. Upon such notice, the applicant may request a hearing in accordance with the procedures in Section V.

SECTION IV - SUSPENSION AND REVOCATION

- a. Any license issued under this Ordinance may be suspended or revoked by order of the Board of Selectmen after the Board of Selectmen shall have notified the licensee in writing of the intent to suspend or revoke including the reasons therefore, the licensee will have an opportunity for a hearing in accordance with the procedures in Section V.
- b. A license may be suspended or revoked for the following causes: (i) violation of this Ordinance; (ii) violation of any provision of any state or local law, or regulation relating to this Ordinance, including but not limited to NH RSA 149-M or any environmental law; (iii) violation of any license condition or (iv) falsehoods, misrepresentations or omissions in the license application.

SECTION V - HEARINGS

- a. Any Person denied a license or whose license is proposed to be suspended or revoked pursuant to Section III (g) or Section IV shall be entitled to a hearing before the Board of Selectmen, if such request is made in writing within 15 days of the licensee's receipt of the notice of denial or proposed suspension or revocation.
- b. A hearing authorized by this Ordinance shall be held within 30 days after receipt by the Board of Selectmen of the written request for a hearing.
- c. The licensee or applicant shall be notified in writing as to the time and place of the hearing at least 10 days prior to the hearing date. The applicant or licensee has the right to be represented by counsel, to offer evidence and to cross-examine witnesses.
- d. A determination shall be made by the Board of Selectmen within 20 days after the conclusion of the hearing and a notice of the decision shall be served upon the applicant or licensee by certified mail, return receipt requested.
- e. A final determination relative to the denial, suspension or revocation of a license and the period of suspension or revocation shall take effect as provided in the notice but no later than 10 days after the date notice of such final determination has been mailed by certified mail, return receipt requested to the licensee or applicant. Such final determination shall be conclusive. Notice of the final determination shall set forth the reasons for the denial, suspension or revocation and the effective dates thereof, together with a statement that such decision may be appealed as provided in the

Ordinance.

- f. Any claim arising out of or relating to a final determination shall be reviewed as provided by the laws of the State of New Hampshire.

SECTION VI - ADMINISTRATION

This ordinance shall be administered by the Board of Selectmen whose powers and duties are as follows:

- a. To adopt reasonable rules, regulations, fees and fines as needed to enforce this Ordinance including without limitation, rules and regulations governing the delivery of Acceptable Waste to the Town's designated disposal facility and Recycling Materials and Other Solid Waste to the Town's designated disposal facility;
- b. To consider all license applications and to grant or deny each application within 15 days after receipt of a completed application at the Town Offices or within such other time as the Board of Selectmen deems reasonable in light of the surrounding circumstances;
- c. To review any alleged violations of this Ordinance, and to impose appropriate penalties therefore after notice and hearing as required by this Ordinance; and
- d. To institute necessary proceedings either legal or equitable to enforce this Ordinance.

SECTION VII - ENFORCEMENT AND PENALTIES

- a. Any Person who violates this Ordinance shall be guilty of a violation for each such violation.
- b. Any Person who violates this Ordinance shall be subject to a fine, payable to the Town, of not more than \$1,000.00 for each such violation.

SECTION VIII - CONFLICT AND SEVERABILITY

- a. The provisions of the Ordinance shall supersede all other local laws, ordinances, resolutions, rules or regulations contrary hereto or in conflict herewith.
- b. The provisions of this Ordinance shall be severable and if any phrase, clause or sentence or provision or the application thereof to any person or circumstance shall be held invalid, the remainder of this Ordinance and the application thereof shall not be affected thereby.

SECTION IX - AMENDMENT

This Ordinance may be amended by the Board of Selectmen subsequent to a Public Hearing.

SECTION X - EFFECTIVE DATE

This Ordinance shall become effective upon adoption by Town Meeting, March 11, 2005 and may be amended in accordance with Section IX above. This document supersedes any other document or ordinance regarding Solid Waste management in Belmont, NH.

Amended: October 20, 2014

Ruth P. Mooney, Chairman

Jon Pike, Vice Chairman

Ronald Cormier, Selectman

Belmont Board of Selectmen



BELMONT LAND USE OFFICE

PLANNING BOARD

Monday, January 26, 2015
Belmont Corner Meeting House
Belmont, New Hampshire

Members Present: Chairman Peter Harris; Ward Peterson, Jon Pike Ex-Officio, Michael LeClair and Rick Segalini Jr.
Members Absent: Claude Patten and Douglas Sanborn.
Staff: Candace Daigle, Rick Ball and Elaine Murphy.

The chairman opened the meeting at 7 p.m.

PLAN SUBMISSION MEETING AND PUBLIC HEARING –BESTWAY DISPOSAL SERVICES:
Request for site plan approval for adding municipal solid waste transfer and adjusting tons-per-day capacity. Property is located at 43 Industrial Drive, Tax Lot 235-043 in the “I” Zone. PB #0115P.

Mr. Michael Penney, Mr. Richard Moriarty, Mr. Aaron Becker and Mr. David Allen presented the application.

BOARD'S ACTION – BESTWAY DISPOSAL SERVICES:

MOTION: W. Peterson moved that the application be accepted as complete for the purposes of proceeding with consideration and making an informed decision. However, additional information shall be requested as necessary and must be submitted in a timely manner to complete review and act on the application. The Board shall act on this proposal by 4/1/15 subject to extension or waiver.

The motion was seconded by R. Segalini and carried. (5-0)

Mr. Becker explained that Bestway currently does 153 tons per day (TPD) solid waste and wants to increase TPD by 350 to a total of 503 TPD not to exceed 600 TPD in a single day. Geosight walked the site and did an inspection of the facility and it is capable of handling the increase. There are no changes to the structures and no upgrades needed. They anticipate only 10 additional road trips to the site per day.

M. LeClair wanted to know what the average TPD is. Mr. Penney stated that they want to increase

from 153 TPD to 503 TPD. In the cold weather they only get 30-40 TPD. R. Segalini stated that they would be using the existing structure and the impact would be the increase in truck traffic. Mr. Becker stated that was correct. P. Harris stated that the fuel tanks need to be covered. Mr. Penney stated he has no problem putting a roof over the tanks but it was not included in this year's budget cycle. He asked the Board if he could include it in the 2016 budget. C. Daigle stated that staff has no problem with that.

Mr. Penney addressed the concern about the encroachment on the northeast corner of the processing building. He believed the encroachment issue had been addressed but he will commit to correct it if there are any issues. C. Daigle stated when they originally found the encroachment they put boulders in but they may have been moved. If that area is usable it would be good to delineate the boundary line. Mr. Penney stated that he will commit to delineate the boundary line.

M. LeClair wanted to know where the additional tonnage is coming from. Mr. Penney stated the 2 waste stream has increased and some of the increase comes from Belmont. Instead of all the waste going to the Allenstown some of it from the Rte 3 corridor up to Wolfeboro and down alongside the lake is going to Belmont. M. LeClair wanted to know if other companies were allowed to use the facility. Mr. Penney stated other companies do use the facility. M. LeClair wanted to know how the site is monitored. Mr. Penney stated that it is self-monitored by the owner and the State also comes in at least once a month or more if they receive a complaint. M. LeClair wanted to know what kinds of recyclables they take in. Mr. Penney stated some of the items they take in are metal, clean wood, aggregate, cardboard and concrete.

Mr. Becker stated that the DES permit has been submitted and is in the review stage but the DES public hearing has not been scheduled yet.

W. Peterson wanted to know if the applicant would be participating in the regional fire cistern escrow fund. Mr. Penney stated they are a self insured company and are willing to participate in the funding to develop a cistern in the industrial park. He stated that they are willing to contribute 10% of the cost which he thinks is fair. He would like to do it the same way they do the host community fund now. They would fund it at \$.50 a ton until they reach the total amount. They also would like to do it starting with their 2016 budget. J. Pike stated that he feels that 10% is light and he would like 15%. Mr. Penney stated they would be willing to contribute more when it becomes affordable. He stated that they could work with staff on determining the amount. M. LeClair wanted to know how many lots are in the industrial park. R. Ball stated seven. C. Daigle stated that they now know the cost of the cistern and are looking for a reasonable contribution from owners in the park. if the current owners were to install the cistern they receive compensation when development occurs. However in this way there is no payback. Staff would ask that any time limit for construction or refund would be timed from their final payment.

The chairman opened the public hearing and asked if anyone in the audience had any questions or comments. There being none, he closed the public hearing.

C. Daigle stated that she has received a letter from DOT and they are neutral in regards to this application. They have no concerns about a turning lane or driveway.

MOTION: J. Pike moved that the application be granted Final, conditional approval as it appears to

meet all of the technical requirements of the Ordinances and Regulations of the Town of Belmont with the following conditions:

Conditions to be complied with prior to plan being signed and decision recorded. No approved uses shall commence until plan is signed and decision recorded.

1. This action is based on a plan or plan set dated 12/30/14. Approval is:
 - A. Add Transfer of Municipal Solid Waste to the existing uses.
 - B. Increase the allowed Tons-Per-Day by 350 to a total of 503.
2. Submit final plan sets (5 paper, 1 reduced). Submit one copy for approval prior to submitting all required copies. Add/identify/include note on plan:
 - A. Show actual location/scope of fuel farm.
 - B. Recyclables drop off area.
 - C. Note to describe purpose of site plan (MSW, tonnage increase).
 - D. Note there is an oil water separator into sewer from office/maintenance building.
3. Submit Permits prior to activating changes:
 - A. NH DES Municipal Solid Waste Transfer & Tons-per-day increase permits.
 - B. NH DOT review of Industrial Drive/Depot Street intersection for any required improvements.
4. Submission of SPCC plan approved by Fire Department.
5. Payment of decision recording fee. Check made payable to BCRD for \$16.49.
6. Compliance hearing shall be held by Board as necessary.

General conditions to be complied with subsequent to plan being signed and decision recorded:

7. Successful annual aquifer inspections required.
8. The property owner shall be responsible to inspect, maintain and make immediate repairs to stormwater management features to assure they function in the manner intended and protect water quality.
9. All representations made by the applicant during the public hearing are incorporated as a condition of this approval.
10. No changes shall be made to the approved plans unless application is made in writing to the Town.
11. The Planning Board shall have the power to modify or amend its approval upon its own motion to do so.
12. Approval is subject to expiration, revocation and changes in the Ordinances. This conditional approval shall expire on 1/26/16 unless all conditions are met or an extension is applied for and granted in accordance with the Regulations. Notice to the applicant and/or a public hearing are not required for the Board to determine that a conditional approval has expired. Reapplication in the case of an expired conditional approval requires a new application meeting all applicable Regulations.
13. Where there is a conflict within the information submitted by the applicant, the town shall determine the correct information to be applied.
14. Operational conditions of the Town and other agencies shall be met.

15. The applicant shall install a roof over the secondary containment for the fuel tank as part of their 2016 budget.
16. The applicant shall participate in the escrow fund for the construction of the regional fire cistern as discussed at this meeting. The intention is that their participation shall commence as part of their 2016 budget at a rate and sum to be agreed upon with the Town.

The motion was seconded by M. LeClair and carried. (5-0)

J. Pike left the meeting at 7:42 PM.

OTHER BUSINESS:

BOARD'S ACTION-MINUTES:

MOTION: On a motion by W. Peterson, seconded by M. LeClair, it was voted to approve the minutes of the December 15, 2014 meeting as submitted. (4-0)

STAFF REPORT:

COPART OF CONNECTICUT TAX LOT 205-054:

C. Daigle explained that Copart of Connecticut has made application to take over Jack Murray's junkyard on Rte 106. They will be operating in the grandfathered footprint. They accept insurance damaged cars and sell them through on line auctions. If the vehicles are not sold in 60 days then they are shipped out. There will be no dismantling of vehicles on site. They came in as a Change of Tenant and will be doing renovations to the building making the garage space smaller and enlarging the office space, fixing the fence and putting down new stone ground cover.

MARK MOONEY TAX LOT 229-079:

C. Daigle explained that Mooney's pit on Brown Hill Road has an excavation permit for Phase 1 & 2. Mr. Mooney does not want to do Phase 2 and is closing Phase 1. Instead of submitting an "As-Built" he would like to submit his State DES closure documents to the Town. He is meeting DES reclamation requirements and will be submitting plans, pictures and a narrative. It was the consensus of the Board that his reclamation will be exceeding the Town's requirements and agreed to this as a minor change and an "As Built" is not necessary. The town will hold the bond for one growing season.

NUTTER PIT TAX LOT 245-005:

C. Daigle explained that Mrs. Nutter noticed that retail sales was not part of their excavation permit and would like it to be. The Board discussed that retail sale is part of the business and should have been part of the approval. It was the consensus of the Board's that this is a minor change and can be addressed at staff level.

INTERSECTIONS UPGRADE:

C. Daigle explained that in 2005 there were several developments approved on Brown Hill Road that would impact the intersections at Brown Hill Road and Rte 106. The Town has been talking to NH DOT about the

March 11, 2013

CONDODEMETRAKY, SUSAN L.
P. O. BOX 338
BELMONT, NH 03220

241-019-000-000

Please Help Protect Drinking Water

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 Belmont Water System. The Belmont 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.

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 me at 603-267-8301. You may also contact the Drinking Water and Groundwater Bureau at DES at 603-271-2513 for additional information.

Sincerely,
Jim Fortin

James Fortin, Public Works Director
Belmont Water System

Enclosures

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 MtBE (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

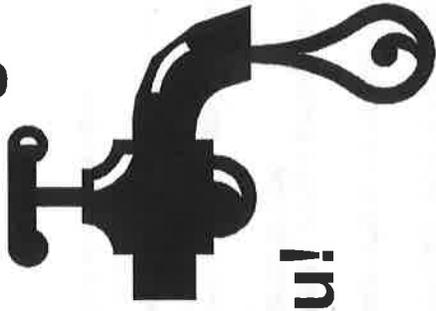
- Use a clearly labeled container made for gasoline and with a spout to avoid spills.
- Keep gasoline containers in a dry, well ventilated shed or detached garage away from water supply wells. Don't keep metal gasoline cans on a dirt floor for extended periods.

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.

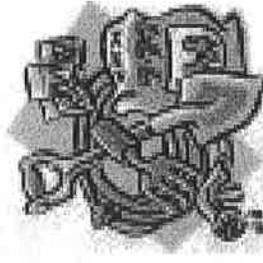
**Keep Household Hazardous Wastes
Out of your Drinking Water!** Such as ...
Automotive Fluids • Auto Batteries • Used Motor Oil
Oil-Based Paint • Paint Thinner • Antifreeze
Pesticides • Cleaning products • Gasoline

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.



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.

LETTERS

Make your voice heard at DES public hearing in Belmont on 26th

To The Daily Sun,

Belmont, Northfield and Tilton residents need to weigh-in to protect our drinking water from expansion of the Bestway waste transfer station. The Bestway transfer site lies on top of a shallow aquifer, a fragile resource where water pools and flows underground close to the surface. Water supplies for Belmont, Northfield and Tilton are drawn from this aquifer with local people using 800,000 gallons per day.

Bestway wants to increase the transfer station's capacity from 153 tons to 600 tons of solid waste per day, bringing in trash from other areas. Potential for contaminants reaching our water supply would increase significantly with this proposed expansion of the Bestway transfer station. The transfer station is located off Route 140 in Belmont.

How can you help? Make your voice heard at a State Department of Environmental Services public hearing on March 26 at 7 p.m. at the Corner Meeting House located at 16 Sargent St. in Belmont. Or you can submit written comments by 4 p.m. on April 3 to New Hampshire Department of Environmental Services, 29 Hazen Drive, Concord, NH03301 or by email

at swpublic.comment@des.

Here's more information go to <http://des.nh.gov/organization/divisions/waste/swmb/bdc.htm>

So, what's the danger? Garbage contains heavy metals and contaminants that can seep through the sand and gravel on the surface and reach the shallow aquifer that is our water source. Transferring material from trucks or dumpsters isn't a surgical process, contaminants and toxins can be released. Bestway already had one fire and was caught storing and cleaning out portable toilets at this location previously.

Bestway was purchased by Casella Waste Systems from Rutland, VT. Unfortunately, Casella has a record of bad-faith negotiations and poor performance with towns in Maine, Vermont, New Hampshire, Massachusetts and New York over the last 20 years. According to a Letter to the Editor from Ginger Wells-Kay a year ago, I note that Toxic Actions Inc., Boston environmental watch organization named Casella one of its annual Top Dirty Dozen polluters. Surely, we can learn from others and avoid the risk to our drinking water. What's more basic than that?

Donna Hepp
Belmont

