



TOWN OF RAYMOND

Planning Board Agenda

November 30, 2023

6 p.m. - Raymond High School
Media Center - 45 Harriman Hill

Public Announcement

*If this meeting is canceled or postponed for any reason the information can be found on our website, posted at Town Hall, Facebook Notification, and RCTV. **

1. Pledge of Allegiance

2. Public Meeting-

A. Application #2022-010: ONYX Excavation

An application for an Earth Excavation Permit has been submitted by Onyx Raymond, LLC. The applicant is proposing the permitting of an existing excavation operation, that is proposed to result in the construction of a 550,025 SF warehouse. The properties are identified as Raymond Tax Map 22, Lot 44, 45, 46, 47, & Map 28-3, Lot 120-1; accessed via Industrial Drive.
****Continued from October 19, 2023****

B. Town of Raymond Site Plan Regulations

A Public Hearing consistent with *NH RSA 675:7* to discuss potential amendments to the Town of Raymond Site Plan Regulations. Consistent with *NH RSA 675:7 (II)* a copy of the amendments will be available for public inspection at the Raymond Town Hall.

C. WORK SESSION –

Discussion by Planning Board members of various topics pertaining to rules/regulations, etc.

3. Public Comment

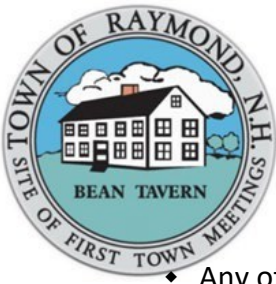
4. Approval of Minutes –

A. September 14, 2023, September 17, 2023, September 21, 2023, September 28, 2023, October 5, 2023, November 2, 2023, November 9, 2023

5. Other Business

- ◆ Staff Updates
- ◆ Board Member Updates

* Note: If you require personal assistance for audio, visual or other special aid, please contact the Selectmen's Office at least 72 hours prior to the meeting. If this meeting is postponed for any reason, it will be held at a time TBD.



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6 p.m. - Raymond High School

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- ◆ Any other business brought before the board.

6. Adjournment (NO LATER THAN 10:00 P.M.)

Planning Board 2023 Submittal and Meeting Dates

Submittal Deadline for Completed Application & Materials	Planning Board Meeting Dates (1st & 3rd Thursdays of the Month)	
Added Meeting	Thursday, November 30, 2023	2022-010 ONYX Excavation (cont. from 10-19-23) Site Plan Regulations WORK SESSION 6-9 pm
November 02, 2023	Thursday, December 7, 2023	2023-007 Meindl Road Subdivision (continued from 11-2-23) Onyx Warehouse Special Permit Onyx Warehouse Conditional Use Permit 2022-008 Onyx Warehouse (continued from 11-2-23)
Added Meeting	Thursday, December 14, 2023	WORK SESSION 6-9 pm
November 16, 2023	TUESDAY , December 21, 2023	Taft Way Special Permit (applicant did not appear at 10-26-23 PB Mtg) 39 Morrison Driveway Permit (applicant did not appear at 10-26-23 PB Mtg) 2023-005 Mardon Woods 2023-012 Autumn Trail Realty Site Plan
December 4, 2023	Thursday January 4, 2024	2022-009 Jewett Warehouse (cont. from 10-5-23) 2021-018 White Rock Place SP (cont. from 11-16-23) 2022-015 White Rock Place LLA (cont. from 11-16-23)
December 11, 2023	Thursday January 11, 2024	

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Impervious Surfaces

All Current Raymond Sectional References to Impervious Surface within the 2023 Zoning Ordinance

5.2.4.8. 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.

5.2.4.10. OUTDOOR STORAGE: Storage of materials where they are not protected from the elements by a roof, walls, and a floor with an **impervious surface**.

5.2.4.15. SECONDARY CONTAINMENT: A structure such as a berm or dike with an **impervious surface** which is adequate to hold at least one-hundred ten percent (110%) of the volume of the largest regulated-substances container that will be stored there.

5.2.6.2.5. All regulated substances stored in containers with a capacity of more than 5 gallons 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.

Definitions of the Term

Merriam Webster Dictionary

impervious

adjective

1.
 - a. not allowing entrance or passage: IMPENETRABLE
 - b. not capable of being damaged or harmed
2. not capable of being affected or disturbed

USGS

Water will not seep into the ground but run off into storm sewers and then quickly into local creeks. Localized flooding is too often the result. Examples of impervious surfaces include superhighways, streets, pavement, driveways, and housing roofs.

Effects of impervious surfaces on streamflow

A significant portion of rainfall in forested watersheds is absorbed into soils (infiltration), is stored as groundwater, and is slowly discharged to streams through seeps and springs. Flooding is less significant in these conditions because some of the runoff during a storm is absorbed into the ground, thus lessening the amount of runoff into a stream during the storm.

As watersheds are urbanized, much of the vegetation is replaced by impervious surfaces, thus reducing the area where infiltration to groundwater can occur. Thus, more stormwater runoff occurs - runoff that must be collected by extensive drainage systems that combine curbs, storm sewers, and ditches to carry stormwater runoff directly to streams. More simply, in a developed watershed, much more water arrives into a stream much more quickly, resulting in an increased likelihood of more frequent and more severe flooding. Frequent flooding causes problems for residents and also the local government which has to clean up sand and sediment deposited after a flood.

American Planning Association

A Planners Dictionary

Edited by Michael Davidson and Fay Dolnick with Research Assistance from Shannon Armstrong, Barry Bain, Joseph Bernstein, Jerome Cleland, Andrew Glicksberg, and Anne Loucks

- Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas. (Lake County, Ill.)
- Any nonvertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle, including but not limited to roof tops excepting eaves, swimming pools, paved or graveled roads, and walkways or parking areas and excluding landscaping, surface water retention/detention facilities, access easements serving neighboring property, and driveways to the extent that they extend beyond the street setback due to location within an access panhandle or due to the application of [county] requirements to site features over which the applicant has no control. (King County, Wash.)
- Any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. "Impervious area" shall include graveled driveways and parking areas. (Sandy, OR)
- A surface consisting of asphalt, concrete, roofing material, brick, paving block, plastic, or other similar material which does not readily absorb water. (Bayfield County, Wisc.)
- Any material which prevents, impedes, or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation-bearing soils, including building, asphalt, concrete, gravel, and other surfaces. (Traverse City, Mich.)

The Complete Illustrated Book of Development Definitions

By Harvey S. Moskowitz, Carl G. Lindbloom, David Listokin, Richard Preiss, and Dwight H. Merriam

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

Comment: One method in which impervious surfaces can be defined is in terms of percolation rate in minutes per inch. Retention detention basins and dry wells allowing water to percolate directly into the ground usually are not considered impervious surfaces. Graveled areas initially allow a significant amount of percolation, but with heavy traffic and use, they become less pervious. Local ordinances often allow not more than 50% of gravelled areas to be counted as pervious. Concerns relating to the amount of a site that is covered by impervious surfaces include increasing the rate and pollutant load from stormwater runoff, contributions to the “heat-island effect,” and deprivation of tree roots of aeration.

Legal Annotation: Impervious surface is surface which has been improved so it no longer absorbs and delays rainfall runoff.

The New Illustrated Book of Development Definitions

By Harvey S. Moskowitz and Carl G. Lindbloom

Impervious Surface: Any material that prevents absorption of stormwater into the ground.

Comment: Retention and detention basins and dry wells allowing water to percolate directly into the ground usually are not considered impervious surfaces. Graveled areas usually are. One method by which impervious surfaces can be defined is in terms of percolation rate in minutes/inch.

New Hampshire Municipality Definitions

Auburn

No official definition or usage in ordinances other than the definition of "open space".

Open Space: Land unencumbered by any roadway, parking space, service area, impervious surface, individual lot, building or other substantial structure, and designated as open space on a subdivision or site plan.

Bedford

No official definition. General usage of the term is defined as areas that do not allow water to pass through.

Boscawen

Material placed on a lot, which does not absorb water, or which substantially prevents water from penetrating into the soil, consisting of all buildings and overhangs, parking areas, driveways, roads, sidewalks and any area paved with concrete, brick, asphalt or other similar material.

Bow

Material placed on a lot that substantially prevents water from penetrating into the soil.

Candia

A surface through which regulated substances cannot pass when spilled. Impervious surfaces include concrete and asphalt unless unsealed cracks or holes are present. The following surfaces are not considered impervious: earthen, wooden, or gravel surfaces; or other surfaces which could react with or dissolve when in contact with the substances stored on them.

Canterbury

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.

Chester

Means those areas which prevent or impede the infiltration of stormwater into the soil as it had entered under natural conditions prior to development. These areas cause rain and snow-melt water to run off at a higher rate of flow than occurred prior to development. Impervious surfaces include, but are not limited to, rooftops, sidewalks, walkways, patios, decks, driveways, parking lots, storage areas, paving stones, swimming pools, compacted gravel and soil surfaces, outdoor storage of goods such as stored lumber in lumber yards, awnings and other fabric or plastic coverings. "

Chichester

No official definition but defines:

PAVEMENT: Impervious surfaces applied for the travel of vehicles or pedestrians

Concord

Surfaces within a lot which do not absorb water, consisting of all buildings, structures, parking areas, driveways, roads, sidewalks, and any area paved with concrete, brick, asphalt, or other similar material.

Deerfield

A surface through which regulated substances cannot pass when spilled. Impervious surfaces include concrete unless unsealed cracks or holes are present. The following surfaces are not considered impervious: earthen, wooden, or gravel surfaces; or other surfaces which could react with or dissolve when in contact with the substances stored on them.

Dover

No official definition. General usage of the term is defined as areas that do not allow water to pass through.

Epping

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.

Fremont

A modified surface, that cannot effectively absorb or infiltrate water including roofs, decks, patios, paved gravel or crushed stone driveways and parking areas and walkways unless designed to absorb or infiltrate water.

Goffstown

No official definition. General usage of the term is defined as areas that do not allow water to pass through.

Hollis

No official definition. General usage of the term is defined as areas that do not allow water to pass through.

Hooksett

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.

Hopkinton

Any modified surface that cannot effectively absorb or infiltrate water. Impervious surfaces include but are not limited to roofs and paved areas such as driveways, parking areas, and walkways, decks, patios, and gravel, and crushed stone surfaces unless such structures or surfaces have been designed to absorb or infiltrate water effectively.

Hudson

Any surface that prevents or significantly impedes infiltration of water into the underlying soil. This includes, but is not limited to, buildings, rooftops, asphalt or concrete paved areas, artificial turf and compacted gravel or soil resulting from vehicle traffic.

Litchfield

A modified surface that cannot effectively absorb or infiltrate water or 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. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways.

Londonderry

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.

Loudon

No definition for "Impervious Surface" but they have a definition for:

IMPERMEABLE COVERAGE: All that horizontal area of a lot, parcel or tract which cannot be penetrated by rainwater because of manmade alterations to the natural surface of the land, including building, parking lot, and driveway areas.

Manchester

The surface within a lot which does not absorb rain which includes all buildings, roads, sidewalks, parking areas, and any area paved with bricks, concrete or asphalt.

Merrimack

No definition for "Impervious Surface" but they have a definition for:

Impervious: The quality of any material or structure which substantially restricts the penetration of surface water or rainfall into the soil."

Nashua

Material or structure on, above, or below the ground that does not allow precipitation or surface water to penetrate directly into the soil.

Nottingham

Any modified surface that cannot effectively absorb or infiltrate water. Impervious surfaces include, but are not limited to, roofs and paved areas such as driveways, parking areas and walkways. Impervious surfaces also include decks, patios and gravel or crushed stone surfaces unless such structures or surfaces have been designed to effectively absorb or infiltrate water.

Pembroke

No official definition. General usage of the term is defined as areas that do not allow water to pass through.

Portsmouth

Any modified surface that cannot effectively absorb or infiltrate water. Impervious surfaces include, but are not limited to, roofs and paved areas such as driveways, parking areas and walkways. Impervious surfaces also include decks, patios and gravel or crushed stone surfaces unless such structures or surfaces have been designed to effectively absorb or infiltrate water.

Webster

A surface through which regulated contaminants cannot pass when spilled. The term includes concrete and impervious asphalt unless unsealed cracks or holes are present, but does not include earthen, wooden, or gravel surfaces or other surfaces that could react with or dissolve when in contact with the substances stored on them.

5.2 Groundwater Conservation Overlay District (**Proposed Amendments 2023**)

Language added

~~Existing language to be removed~~

5.2.1. AUTHORITY: The Town of Raymond hereby adopts this Ordinance pursuant to the authority granted, under [RSA 674:16, II](#) relative to innovative land use controls. The provisions of the Groundwater Conservation Overlay District shall be administered by the Planning Board.

5.2.2. 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 and to protect surface waters that are fed by groundwater. The purpose is to be accomplished by regulating land uses which could contribute pollutants to designated wells, including private wells, and/or aquifers identified as being needed for present and/or future public water supply.

5.2.3. DISTRICT BOUNDARIES: The Groundwater Conservation Overlay District is an Overlay District which is superimposed over the existing underlying zoning and includes:

- ~~• the Wellhead Protection Areas identified in the Town's Wellhead Protection Program dated May, 1992 and the Town's Source Water Protection Plan dated November, 2009 and as may be designated by NH Department of Environmental Services (NH DES), including those areas currently identified as GAA, GA1 and GA2 and the Stratified-Drift Aquifer(s) shown on the map entitled "Combined Aquifer, Surficial Geology and Wellhead Protection Areas" dated February 2009 (Map 4) included in the Town of Raymond's Source Water Protection Plan dated November, 2009 and as may be amended from time to time by the Raymond Planning Board². Copies of these reports and maps shall be kept on file with the Raymond Community Development Department.~~
- All Wellhead Protection Areas (WHPA) for Public Water Systems as defined by this ordinance as defined by the New Hampshire Department of Environmental Services.
- All groundwater areas designated by NH Department of Environmental Services (NH DES), including those areas currently identified as GAA, GA1 and GA2 under RSA 485-C
- Stratified-Drift Aquifers in the Exeter, Lamprey, and Oyster River Basins - US Geological Survey Open-File Report 92-95, "Geohydrologic and Ground-Water-Quality Data for Stratified-Drift Aquifers in the Exeter, Lamprey, and Oyster River Basins, Southeastern New Hampshire."
- Stratified-Drift Aquifers in the Lower Merrimack and Coastal River Basins - US Geological Survey Water-Resources Investigations Report 91-4025, "Geohydrology and Water Quality of Stratified-Drift Aquifers in the Lower Merrimack and Coastal River Basins, Southeastern New Hampshire."

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

[subject to review and approval by the Planning Board.](#)

5.2.5. DEFINITIONS

5.2.5.1. AQUIFER: A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

5.2.5.2. "GAA": Means "GAA" as defined in [RSA 485-C:5,I](#), namely "groundwater in this class is within the wellhead protection area for wells which presently are used or well sites which have been identified for future use as drinking water supply for public water systems."

5.2.5.3. "GA1": Means "GA1" as defined in [RSA 485-C:5,I](#), namely "groundwater in a defined zone of high value for present or future drinking water supply."

5.2.5.4. "GA2": Means "GA2" as defined in [RSA 485-C:5,I](#), namely "groundwater within aquifers identified as highly productive for potential use as a public water supply by the U.S. Geological Survey regional groundwater studies, or other regional studies."

5.2.5.5. 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.

5.2.5.6. GROUNDWATER: Subsurface water that occurs beneath the water table in soils and geologic formations.

5.2.5.7. IMPERVIOUS: Not readily permitting the infiltration of water.

5.2.5.8. 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.

5.2.5.9. 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, and includes garbage dumps and sanitary landfills. 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](#).

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

5.2.5.11. 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.

5.2.5.12. PUBLIC WATER SYSTEM: A system for the provision to the public of piped water

- 104 for human consumption if such system has at least fifteen (15) service
105 connections or regularly serves an average of at least twenty-five (25)
106 individuals daily at least sixty (60) days out of the year.
107
- 108 5.2.5.13. REGULATED SUBSTANCE: Petroleum, petroleum products, and substances
109 listed under 40 CFR 302, 7-1-05 edition, excluding the following substances: (1)
110 ammonia, (2) sodium hypochlorite, (3) sodium hydroxide, (4) acetic acid, (5)
111 sulfuric acid, (6) potassium hydroxide, (7) potassium permanganate, and (8)
112 propane and other liquefied fuels which exist as gases at normal atmospheric
113 temperature and pressure.
114
- 115 5.2.5.14. SANITARY PROTECTIVE RADIUS: The area around a well which must be
116 maintained in its natural state as required by [Env-Dw 301](#) or [Env-Dw 302](#) (for
117 community water systems) and [Env-Ws 373.12](#) and [Env-Ws 372.14](#) (for other
118 public water systems).
119
- 120 5.2.5.15. SECONDARY CONTAINMENT: A structure such as a berm or dike with an
121 impervious surface which is adequate to hold at least one-hundred ten percent
122 (110%) of the volume of the largest regulated-substances container that will be
123 stored there.
124
- 125 5.2.5.16. SNOW DUMP: For the purposes of this Ordinance, a location where snow which
126 is cleared from roadways and/or motor vehicle parking areas is placed for
127 disposal. *Areas typically described as snow storage areas within private
128 properties solely to temporarily store snow on-site are not considered snow
129 dumps.*
130
- 131 5.2.5.17. SOURCEWATER: Ground water or surface water, in its natural state, prior to any
132 treatment for drinking.
133
- 134 5.2.5.18. STRATIFIED DRIFT AQUIFER: A geologic formation of predominantly well-sorted
135 sediment deposited by or in bodies of glacial melt water, including gravel, sand,
136 silt, or clay, which contains sufficient saturated permeable material to yield
137 significant quantities of water to wells.
138
- 139 5.2.5.19. SURFACE WATER: Streams, lakes, ponds, and tidal waters, including marshes,
140 water courses and other bodies of water, natural or artificial.
141
- 142 5.2.5.20. WELLHEAD PROTECTION AREA: The surface and subsurface area surrounding a
143 water- well or well field supplying a community public water system, through
144 which contaminants are reasonably likely to move toward and reach such
145 water-well or well field.
146
- 147 5.2.6. APPLICABILITY: This Ordinance applies to all uses in the Groundwater Conservation District,
148 except for those uses exempt under [Section 5.2.19](#) of this Ordinance.
149
- 150 5.2.7. PERFORMANCE STANDARDS: The following Performance Standards apply to all uses in the
151 Groundwater Conservation District unless exempt under [Section 5.2.19](#):
152
- 153 5.2.7.1. For any use that will render impervious more than fifteen percent (15%) or
154 more than 2,500 square feet of any lot, whichever is less, a stormwater
155 management plan shall be prepared which the Planning Board determines is

156 consistent with the [New Hampshire Stormwater Manual: Volume I -](#)
157 [Stormwater and Antidegradation; Volume II - Post- Construction Best](#)
158 [Management Practices Selection and Design](#) and; [Volume III - Erosion and](#)
159 [Sediment Controls During Construction](#), NH Department of Environmental
160 Services, December 2008.

161
162 5.2.7.2. Conditional Uses, as defined under [Section 5.2.11](#) of this Ordinance shall
163 develop stormwater management and pollution prevention plans and include
164 information consistent with the handbook entitled [Stormwater Management](#)
165 [for Industrial Activities: Developing Pollution Prevention Plans and Best](#)
166 [Management Practices](#) (US EPA, 1992). The plan shall demonstrate that the use
167 will:

168
169 5.2.7.2.1. Minimize through a source control plan that identifies pollution
170 prevention measures, the release of regulated substances into
171 stormwater;

172
173 5.2.7.2.2. Demonstrate that recharge to groundwater will not result in
174 violation of Ambient Groundwater Quality Standards ([Env-Ws](#)
175 [410.05](#)) at the property boundary;

176
177 5.2.7.2.3. Stipulate that expansion or redevelopment activities shall
178 require an amended stormwater plan and shall not infiltrate
179 stormwater through areas containing contaminated soils
180 without completing a Phase I Assessment in conformance with
181 ASTM E 1527-05, also referred to as All Appropriate Inquiry
182 (AAI).

183
184 5.2.7.2.4. [Maintain a minimum of four feet vertical separation between](#)
185 [the bottom of a stormwater practice that infiltrates or filters](#)
186 [stormwater and the average seasonal high-water table as](#)
187 [determined by a licensed hydrogeologist, soil scientist, engineer](#)
188 [or other qualified professional as determined by the Planning](#)
189 [Board.](#)

190
191 5.2.7.2.5. Animal manures, fertilizers, and compost must be stored in
192 accordance with the [Manual of Best Management Practices for](#)
193 [Agriculture in New Hampshire](#), NH Department of Agriculture,
194 Markets, and Food (June 2011), and subsequent revisions.

195
196 5.2.7.2.6. All regulated substances stored in containers with a capacity of
197 more than five (5) gallons must be stored in product-tight
198 containers on an impervious surface designed and maintained
199 to prevent flow to exposed soils, floor drains, and outside
200 drains.

201
202 5.2.7.2.7. Facilities where regulated substances are stored must be
203 secured against unauthorized entry by means of a door(s)
204 and/or gate(s) which are locked when authorized personnel are
205 not present and must be inspected weekly by the facility owner.

206
207 5.2.7.2.8. Outdoor storage areas for regulated substances, associated

- 208 material or waste must be protected from exposure to
209 precipitation and must be located at least 75 feet from surface
210 water or storm drains, wetlands, private wells and outside the
211 sanitary protective radius of wells used by public water systems.
212
- 213 5.2.7.2.9. Secondary containment must be provided for outdoor storage
214 of regulated substances if an aggregate of more than 275
215 gallons of regulated substances are stored outdoors on any
216 particular property.
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- 218 5.2.7.2.10. Containers in which regulated substances are stored must be
219 clearly and visibly labeled and must be kept closed and sealed
220 when material is not being transferred from one container to
221 another.
222
- 223 5.2.7.2.11. Prior to any land disturbing activities, all inactive wells on the
224 property, not in use or properly maintained at the time the plan
225 is submitted, shall be considered abandoned and must be
226 sealed in accordance with We 604 of the New Hampshire Water
227 Well Board Rules.
228
- 229 5.2.7.2.12. Blasting activities shall be planned and conducted to minimize
230 groundwater contamination. Excavation activities should be
231 planned and conducted to minimize adverse impacts to
232 hydrology and the dewatering of nearby drinking water supply
233 wells.
234
- 235 5.2.7.2.13. All transfers of petroleum from delivery trucks and storage
236 containers over five (5) gallons in capacity shall be conducted
237 over an impervious surface having a positive limiting barrier at
238 its perimeter.
239
- 240 5.2.8. SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN: Conditional Uses, as
241 described under [Section 5.2.14](#) of this Ordinance shall submit a spill control and
242 countermeasure (SPCC) plan to the Technical Review Committee (TRC) who shall
243 determine whether the plan will prevent, contain, and minimize releases from ordinary or
244 catastrophic events such as spills, floods or fires that may cause large releases of regulated
245 substances. It shall include:
246
- 247 5.2.8.1. A description of the physical layout and a facility diagram, including
248 all surrounding surface waters and wellhead protection areas;
249
- 250 5.2.8.2. Contact list and phone numbers for the facility response coordinator,
251 cleanup contractors, and all appropriate federal, state, and local
252 agencies who must be contacted in case of a release to the
253 environment;
254
- 255 5.2.8.3. A list of all regulated substances in use and locations of use and
256 storage;
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- 258 5.2.8.4. A prediction of the direction, rate of flow, and total quantity of
259 regulated substance that could be released where industry
260 experience indicates a potential for equipment failure;

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- 5.2.8.5. A description of containment and/or diversionary structures or equipment to prevent regulated substances from infiltrating into the ground; and
- 5.2.8.6. Emergency response plan describing and assigning responsibilities and actions to be taken
- 5.2.9. REPORT OF RESOLUTION: Upon resolution of the response to a spill, the organization responsible for the premises shall provide a complete Report of Resolution to the Raymond TRC outlining actions taken and clearances provided by pertinent local, state, and federal agencies.
- 5.2.10. USE OF DEICING MATERIALS: There shall be minimal use of deicing chemicals on all public and private roads, and parking lots within this District, and those compounds used shall be free of sodium chloride to the extent possible.
- 5.2.11. HYDROGEOLOGIC STUDY: The Planning Board shall determine, on a case-by-case basis, the need for a hydrogeologic study for any development within the Groundwater Conservation Overlay District. This determination shall consider the sensitivity of the site including, but not limited to, areas that have septic systems in close proximity to wells -- including public supply wells, irrigation wells, residential wells, and monitoring wells -- or that may contain excessively drained soils or steep slopes. Costs for the above-mentioned services shall be charged to the applicant. Requirements for a hydrogeologic study shall include the following:
 - 5.2.11.1. The hydrogeologic study shall be performed by a NH licensed geologist specializing in hydrogeology.
 - 5.2.11.2. The hydrogeologic study shall evaluate the development's impact on groundwater within both the parcel to be developed and surrounding land. Beyond the property lines of said site groundwater quality shall not be degraded by polluting substances such as, but not limited to, nitrates, phosphates, bacteria, etc. Larger lots may be required based on the findings of this study.
- 5.2.12. PERMITTED USES: All uses permitted by right or allowed by special exception in the underlying district are permitted in the Groundwater Conservation District unless they are Prohibited Uses or Conditional Uses. All uses must comply with the Performance Standards unless specifically exempt under [Section 5.2.19](#).
- 5.2.13. PROHIBITED USES: The following uses are prohibited in the Groundwater Conservation District:
 - 5.2.13.1. The siting or operation of a hazardous waste disposal facility as defined under [RSA 147-A](#);
 - 5.2.13.2. The siting or operation of a solid waste landfill;
 - 5.2.13.3. The siting or operation of a junkyard;
 - 5.2.13.4. The siting of a snow dump;
 - 5.2.13.5. The siting or operation of a wastewater or septage lagoon; and

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5.2.13.6. The siting or operation of a sludge monofill or sludge composting facility.

5.2.13.7. The outdoor storage of road salt or other deicing chemicals in bulk;

5.2.13.8. The development or operation of gasoline stations. Development or expansion of other uses or activities on the site that do not involve the dispensing of petroleum products for retail purposes are permitted provided they comply with the Town of Raymond's Zoning Ordinance;

5.2.13.9. The siting or operation of a petroleum bulk plant or terminal;

5.2.13.10. The storage of commercial fertilizers, unless such storage is within a structure designed to prevent the generation and escape of runoff or leachate and complies with the standards of Section 5.2.7.

5.2.14. CONDITIONAL USES: The issuance of a Conditional Use Permit is subject to Site Plan Approval by the Planning Board. The Planning Board may grant a Conditional Use Permit for a use that is otherwise permitted within the underlying district, if the permitted use is or is involved in one or more of the following:

5.2.14.1. 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 prepared in accordance with [Section 5.2.8](#) by a qualified professional, submitted to the Technical Review Committee for review and approval, with the final plan also submitted to the Raymond Fire Department and the Raymond Community Development Department for its records. The Technical Review Committee may employ the services of a qualified peer review professional to review the plan at the applicant's expense.

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

~~5.2.14.3. In granting such approval the Planning Board must first determine that the proposed use is not a prohibited use and will be in compliance with the Performance Standards as well as all applicable local, state and federal requirements. The Planning Board may, at its discretion, require a performance guaranty 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 amount of this bond shall be in addition to any other bond required by the Board under either the Subdivision or Site Plan Review Regulations.~~

5.2.15. The Planning Board may grant a Conditional Use Permit for those uses listed above only after written findings of fact are made that all the following are true:

5.2.15.1. The proposed use will not detrimentally affect the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants.

5.2.15.2. The proposed use will not cause a significant reduction in the long-term volume of water contained in the aquifer or in the storage capacity of the aquifer;

- 366 5.2.15.3. The proposed use will discharge no wastewater on site other than that typically
367 discharged by domestic wastewater disposal systems and will not involve onsite
368 storage or disposal of toxic or hazardous wastes as herein defined;
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- 370 5.2.15.4. The proposed use complies with all other applicable sections of Section 5.2.6
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- 372 5.2.16. In granting such approval the Planning Board must first determine that the proposed use is
373 not a prohibited use and will be in compliance with the Performance Standards as well as
374 all applicable local, state and federal requirements. The Planning Board may, at its
375 discretion, require a performance guaranty or bond, in an amount and with surety
376 conditions satisfactory to the Board, to be posted to ensure completion of construction of
377 any facilities required for compliance with the Performance Standards. The amount of this
378 bond shall be in addition to any other bond required by the Planning Board under either
379 the Subdivision or Site Plan Review Regulations.
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- 381 5.2.17. EXISTING NON-CONFORMING USES: Existing nonconforming uses may continue without
382 expanding or changing to another nonconforming use, but must be in compliance with all
383 applicable state and federal requirements, including [Env-Ws 421](#), Best Management
384 Practices Rules. However, under no circumstances will a nonconforming use be permitted
385 when a continuance of that use presents a risk to public health and/or safety.
386
- 387 5.2.18. EXEMPTIONS: The following uses are exempt from the specified provisions of this ordinance
388 as long as they are in compliance with all applicable local, state, and federal requirements:
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- 390 5.2.18.1. Any private residence is exempt from all Performance Standards.
391
- 392 5.2.18.2. Any business or facility where regulated substances are stored in containers
393 with a capacity of five (5) gallons or less is exempt from Performance Standards
394 [Sections 5.2.7.2.7](#) through [5.2.7.2.10](#).
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- 396 5.2.18.3. Storage of heating fuels for on-site use or fuels for emergency electric
397 generation, provided that storage tanks are indoors on a concrete floor or have
398 corrosion control, leak detection, and secondary containment in place, is
399 exempt from Performance Standards [Section 5.2.7.2.7](#).
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- 401 5.2.18.4. Storage of motor fuel in tanks attached to vehicles and fitted with permanent
402 fuel lines to enable the fuel to be used by that vehicle is exempt from
403 Performance Standards [Section 5.2.7.2.7](#) through [5.2.7.2.10](#).
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- 405 5.2.18.5. Storage and use of office supplies is exempt from Performance Standards [Section](#)
406 [5.2.7.2.7](#) through [5.2.7.2.10](#).
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- 408 5.2.18.6. Temporary storage of construction materials on a site where they are to be
409 used is exempt from Performance Standards [Section 5.2.7.2.7](#) through
410 [5.2.7.2.10](#)
411
- 412 5.2.18.7. The sale, transportation, and use of pesticides as defined in [RSA 430:29 XXVI](#)
413 are exempt from all provisions of this Ordinance.
414
- 415 5.2.18.8. Household hazardous waste collection projects regulated under NH Code of
416 Administrative Rules [Env-Wm 401.03\(b\)\(1\)](#) and [501.01\(b\)](#) are exempt from

- 417 Performance Standards [Section 5.2.6.2.6](#) through [5.2.6.2.9](#).
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- 419 5.2.18.9. Underground storage tank systems and above ground storage tank systems
- 420 that are in compliance with applicable state rules are exempt from inspections
- 421 under [Section 5.2.22](#) of this ordinance.
- 422
- 423 ~~5.2.18.10. AMENDMENTS TO MAP: The Planning Board, after a public hearing held in~~
- 424 ~~accordance with RSA 675:6, may revise the "Combined Aquifer, Surficial~~
- 425 ~~Geology and Wellhead Protection Areas" map, as may be recommended from~~
- 426 ~~time to time by the New Hampshire Department of Environmental Services.~~
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- 428
- 429 5.2.19. RELATIONSHIP BETWEEN STATE AND LOCAL REQUIREMENTS: Where both the State and
- 430 the municipality have existing requirements the more stringent shall govern.
- 431
- 432 5.2.20. MAINTENANCE AND INSPECTION
- 433
- 434 5.2.20.1. For uses requiring planning board approval for any reason, a narrative
- 435 description of maintenance requirements for structures required to comply
- 436 with Performance Standards shall be recorded to run with the land on which
- 437 such structures are located, at the Registry of Deeds for Rockingham County.
- 438 The description so prepared shall comply with the requirements of [RSA 478:4-](#)
- 439 [a](#).
- 440
- 441 5.2.20.2. Inspections may be required to verify compliance with Performance Standards.
- 442 Such inspections shall be performed by the Director of Public Works or designee
- 443 at reasonable times with prior notice to the landowner.
- 444
- 445 5.2.20.3. All properties within the Groundwater Conservation District known to be using
- 446 or storing regulated substances in containers with a capacity of greater than 5
- 447 gallons, except for facilities where all regulated substance storage is exempt
- 448 from this Ordinance under [Section 5.2.18](#), shall be subject to inspections under
- 449 this Section.
- 450
- 451 5.2.20.4. The Board of Selectmen may require a fee for compliance inspections. The fee
- 452 shall be paid by the property owner. A fee schedule shall be established by the
- 453 Board of Selectmen as provided for in [RSA 41:9-a](#).
- 454
- 455 5.2.21. ENFORCEMENT PROCEDURES AND PENALTIES: Any violation of the requirements of this
- 456 ordinance shall be subject to the enforcement procedures and penalties detailed in [NH](#)
- 457 [RSA 676](#).
- 458
- 459 5.2.22. SAVING CLAUSE: If any provision of this ordinance is found to be unenforceable, such
- 460 provision shall be considered separable and shall not be construed to invalidate the
- 461 remainder of the Ordinance.
- 462
- 463 5.2.23. EFFECTIVE DATE: This ordinance shall be effective upon adoption by the municipal governingbody.
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- 465
- 466 **All page and section numbers will be updated*