



BELMONT LAND USE OFFICE

The following three proposed Zoning Amendments will be on the March 9th, 2010, Belmont Town Meeting Ballot. The polls will be open from 7am to 7pm at the Belmont High School, 255 Seavey Road. See Full Text of each amendment attached. Questions regarding the proposals can be directed to the Land Use Office.

1. Are you in favor of the adoption of Amendment #1 as **Proposed by the Planning Board** for the town Zoning Ordinance as summarized below?

To prohibit the Land Application of all Sludge and Biosolids in all zones and to define Biosolids.

YES NO

2. Are you in favor of the adoption of Amendment #2 as **Proposed by Petition** for the town Zoning Ordinance as summarized below?

To repeal all current Belmont Zoning Ordinance provisions that regulate applying sludge and/or biosolids within Belmont. To permit the Land Application of Biosolids/Short Paper Fiber throughout the Rural Zone. To adopt definitions for “Land Application of Biosolids/Short Paper Fiber”, “Biosolids” and “Short Paper Fiber”.

The Planning Board Does Not Support this Petitioned Amendment.

YES NO

3. Are you in favor of the adoption of Amendment #3 as **Proposed by the Planning Board** for the town Zoning Ordinance as summarized below?

To amend existing Aquifer Ordinance and Map to include municipal well-head protection areas in the newly titled Aquifer and Groundwater Protection Ordinance. To amend and update definitions and references. To require Best Management Practices for mobile fueling and when storing more than five gallons of regulated substances out of doors. To appoint the Code Enforcement Officer to review Spill plans.

YES NO

End of Ballot Questions – Full Text of each amendment attached

1. **Amendment Proposed by the Planning Board – Sludge & Biosolids:**
The Planning Board Supports the following:

Ballot Question: To prohibit the Land Application of all Sludge and Biosolids in all zones and to define Biosolids.

Full Text of Amendment*: Article 5. Table 1. Change permitted use table to: Sludge/Biosolids –Not permitted in any zone.

Article 13.F.1. – Delete in entirety. Renumber remaining sections.

Article 15. Add Definition for “Biosolids”: Biosolids – means “biosolids” as defined by RSA 485-A:2,XXII, as amended.

End of Proposed Amendment

*The full current Zoning Ordinance can be accessed in the Land Use Office at the Belmont Town Hall and also on the Town’s website at <http://belmontnh.org/docs/ords&apps/ZoningBelmontNH.pdf>.

2. **Amendment Proposed by Citizen Petition – Sludge, Biosolids & Short Paper Fiber:**

Ballot Question: To repeal all current Belmont Zoning Ordinance provisions that regulate applying sludge and/or biosolids within Belmont. To permit the Land Application of Biosolids/Short Paper Fiber throughout the Rural Zone. To adopt definitions for “Land Application of Biosolids/Short Paper Fiber”, “Biosolids” and “Short Paper Fiber”.

The Planning Board Does Not Support this Petitioned Amendment.

Full Text of Petition

Amendment*:

Article 15. Definitions

ADD: Land Application of Biosolids/Short paper Fiber: means the placement of quality certified biosolids or short paper fiber on the ground surface for beneficial use when performed in accordance with the new Hampshire Code of Administrative Rules, Chapter Env-Wq 800 Sludge Management Rules, which are hereby adopted and incorporated by reference. Enforcement of the rules shall be in conjunction with the New Hampshire Department of Environmental Services.”

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

ADD: Short Paper Fiber means “short paper fiber” as defined by RSA 485-A:2,XXIII, as amended

Article 5. – Table 1

Delete reference to: Sludge/Biosolids

ADD: “Land Application of Biosolids/Short Paper Fiber” as permitted use in Rural District

Article 13.F.1 – Repeal

End of Petitioned Amendment

*The full current Zoning Ordinance can be accessed in the Land Use Office at the Belmont Town Hall and also on the Town’s website at <http://belmontnh.org/docs/ords&apps/ZoningBelmontNH.pdf>.

Signed Petition Attached

3. **Amendment Proposed by the Planning Board – Aquifer & Groundwater Protection:**
The Planning Board Supports the following:

Ballot Question: To amend existing Aquifer Ordinance and Map to include municipal well-head protection areas in the newly titled Aquifer and Groundwater Protection Ordinance. To amend and update definitions and references. To require Best Management Practices for mobile fueling and when storing more than five gallons of regulated substances out of doors. To appoint the Code Enforcement Officer to review Spill plans.

Full Text of
Amendment*:

Article 7. Retitle as Aquifer and Groundwater Protection Ordinance

Article 7.B. Add “wells and /or” and replace “identified” with “designated”
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.

Article 7.C.

7. Delete “Outdoor Maintenance”.

12. Update DES Rule references: ...by Env-Dw 301 or 302 (for community water systems); Env-Dw 372.14 and Env-Dw 373.12 (for other public water systems).

13. Add new #13 and renumber remaining: Add: 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. Add to Secondary Containment - Secondary containment areas must be covered if regulated substances are stored outside.

Article 7.D. Update title and include municipal well head protection areas.

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.

Article 7.E. Replace “Aquifer” with “Aquifer and Groundwater”.

Article 7.F.

First paragraph - Replace “Aquifer Protection District” with “Aquifer and Groundwater Protection District”.

5. Replace “55” with “5”.
- 8.a. Replace Stormwater Management For Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices. (US EPA, 1992) with Developing Your Stormwater Pollution Prevention Plan: A Guide for Industrial Operators (US EPA 2009).
- 8.b. Replace “Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire, Rockingham County Conservation District, August 1992, Best Management Practices for Urban Stormwater Runoff, NH Department of Environmental Services, January 1996,” with “New Hampshire Stormwater Manual Volumes 1-3, December 2008, NH Department of Environmental Service,”

Article 7.G. Replace “Aquifer Protection District” with “Aquifer and Groundwater Protection District”.

Article 7.H. Replace “Aquifer Protection District” with “Aquifer and Groundwater Protection District”.

10. Replace “United States Natural Resources Conservation Service;” with “Manual of Best Management Practices for Agriculture in New Hampshire, NH Department of Agriculture, Markets, and Food, August 2005, and any subsequent revisions;”
11. Update NH DES Rules references: “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);”
12. Update NH DES Rules reference: “that are subject to Env-Wq 402, except the following”
13. Replace “(i.e. 55-gallons)” with “(i.e. 5 gallons)”.
14. Delete the word “commercial”.

Article 7.I.1. replace “Belmont Fire Department” with “Code Enforcement Officer”.

Article 7.J.

2. After “and/or equipment” add “provided fuel transfers are conducted over an impervious area and utilize portable spill containment equipment with trained personnel present during transfers.”
8. Update NH DES Rule Reference, “Rules Env-Hw 401.03(b)(1) and 501.01(b)”.

End of Petitioned Amendment

*The full current Zoning (Aquifer) Ordinance can be accessed in the Land Use Office, Belmont Town Hall and also on the Town’s website at <http://belmontnh.org/docs/ords&apps/ZoningBelmontNH.pdf>.

Amended Map Attached

Petition Article for the 2010 Town Meeting Warrant

Purpose: To improve the Zoning Ordinance of Belmont to ensure the ability of the town to comply with State regulations and responsibly manage biosolids, sludge and locally-produced septage.

To The Planning Board and Selectmen of the Town of Belmont:

The undersigned registered voters of the Town of Belmont respectfully request that you place on the ballot for the March 2010 Town Meeting, pursuant to RSA 675:4 (III), the following proposed amendment which shall serve to replace all existing sewage sludge/biosolids regulations previously adopted by the Town of Belmont:

Article 15. Definitions

ADD: Land Application of Biosolids/Short Paper Fiber: means the placement of quality certified biosolids or short paper fiber on the ground surface for beneficial use when performed in accordance with the New Hampshire Code of Administrative Rules, Chapter Env-Wq 800 Sludge Management Rules, which are hereby adopted and incorporated by reference. Enforcement of the rules shall be in conjunction with the New Hampshire Department of Environmental Services."

ADD: Biosolids: means "biosolids" as defined by RSA 485-A:2,XXII, as amended

ADD: Short Paper Fiber: means "short paper fiber" as defined by RSA 485-A:2,XXIII, as amended

Article 5. - Table 1

Delete reference to: Sludge/Biosolids

ADD: "Land Application of Biosolids/Short Paper Fiber" as permitted use in Rural District

Article 13.F.1 - Repeal

<u>Signature</u>	<u>Printed Name</u>	<u>Home Address</u>
<i>Donald Moulton</i>	DONALD MOULTON ✓	224 Sandover Rd Belmont NH 03220
<i>Elaine Bonnette</i>	Elaine Bonnette ✓	255 Ladd Hill Rd Belmont NH 03220
<i>Kenneth Bonnette</i>	KENNETH BONNETTE ✓	255 Ladd Hill Rd
<i>Mark A. Mooney</i>	MARK A. MOONEY ✓	428 South Rd
<i>Ruth P. Mooney</i>	Ruth P. Mooney ✓	428 South Road
<i>Dianne Clairmont</i>	Dianne Clairmont ✓	35 Perkins Rd
<i>Philip Clairmont</i>	Philip Clairmont ✓	23 Perkins Rd
<i>Mary Clairmont</i>	Mary CLAIRMONT ✓	23 PERKINS RD
<i>Tracee & Rolfe</i>	Tracee & Rolfe ✓	521 1st St Belmont NH
<i>David Rolfe</i>	David Rolfe ✓	Belmont NH

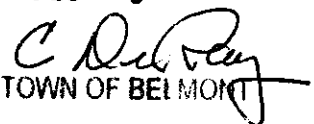
- 11. ~~Kevin A Rolfe~~ KEVIN A ROLFE 51 FEDERAL ST. BELMONT, NH
- 12. ~~John A. Rolfe~~ 104 FEDERAL ST BELMONT NH
- 13. ~~Kenn Clairmont~~ 1581 Laurel Rd Belmont, NH
- 14. ~~Thomas Clairmont~~ 581 South Rd Belmont NH
- 15. ~~Robert Manning~~ 30 South Road Belmont, NH.
- 16. ~~Everett Weeks~~ PO Box 402 Belmont, NH 03220.
- 17. ~~Eric W. Winkle~~ 229 James Street Belmont, NH.
- 18. ~~Mark W. Pellet~~ 57 Admitt Rd. Belmont NH 03220
- 19. ~~Jeff. Roberts~~ 5 Turvey Drive Belmont NH 03220
- 20. ~~Kristine Roberts~~ 187 Hickett Rd Belmont NH 03220
- 21. _____
- 22. _____
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- 24. _____
- 25. _____

THERESA NELSON
 106 BRISTOL ST
 NEW HAMPSHIRE
 DAVID ROLFE
 404 ST
 FEDERAL ST
 BELMONT NH

Phillip Clairmont
 23 VERMONT RD
 LARRY C. CLAIRMONT

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 TOWN OF BELMONT

Petition Article for the 2010 Town Meeting Warrant

Purpose: To improve the Zoning Ordinance of Belmont to ensure the ability of the town to comply with State regulations and responsibly manage biosolids, sludge and locally-produced septage.

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Article 13.F.1 - Repeal

	<u>Signature</u>	<u>Printed Name</u>	<u>Home Address</u>
1.	<i>John W. Deware</i>	John W. Deware	138 South Rd Belmont
2.	<i>Joyce Marlow</i>	Joyce MARLOW	630 South Rd Belmont
3.	<i>Craig Clamont</i>	CRAIG CLAMONT	33 Weston Rd. Belmont
4.	<i>Thomas E. Garfield</i>	THOMAS E. GARFIELD	307 Bean Hill Rd Belmont
5.	<i>Gail O. Garfield</i>	Gail O. Garfield	307 Bean Hill Rd. Belmont
6.	<i>Greg Harriman</i>	GREG HARRIMAN	23 PLUMMER HILL RD. BELMONT
7.	<i>Pamela Bilodeau</i>	PAMELA BILODEAU	105 FEDERAL ST. BELMONT
8.	<i>Paul Bilodeau</i>	PAUL BILODEAU	105 FEDERAL ST BELMONT
9.	<i>Susan C. Vincent</i>	Susan C. Vincent	137 Lamprey Rd. Belmont
10.	<i>Michael Vincent</i>	MICHAEL VINCENT	137 LAMPREY RD BELMONT

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Article 13.F.1 – Repeal

<u>Signature</u>	<u>Printed Name</u>	<u>Home Address</u>
<i>Gladys A. Gilbert</i>	Gladys Gilbert	264 Shaker Rd. Belmont
<i>Laurent Gilbert</i>	LAURENT GILBERT	264 SHAKER RD
<i>Rick Segalini</i>	Rick Segalini	459 South Road
<i>Alicia Segalini</i>	Alicia Segalini	459 South Road
<i>Jenn Dewore</i>	Jenn Dewore	138 South Rd
<i>Kenneth Ellis</i>	Kenneth Ellis	9 Weston Rd
<i>Cheryl Ellis</i>	Cheryl Ellis	9 Weston Rd
<i>Tim Ellis</i>	Tim Ellis	316 Bean Hill Rd
<i>Douglas Ellis</i>	Douglas Ellis	340 Horne Rd
<i>Paula M. Ellis</i>	PAULA M. ELLIS	340 Horne Rd Belmont

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Article 13.F.1 – Repeal

<u>Signature</u>	<u>Printed Name</u>	<u>Home Address</u>
1. <i>Albert Alcantara</i>	Albert Alcantara ✓	12 Bryant Rd
2. <i>Glenda J Hill</i>	GLEND A HILL ✓	9 MAGNOLIA LANE
3. <i>Fred Wells</i>	Fred Wells ✓	Brown Hill Rd
4. <i>Jim Feltus</i>	JIM FELTUS ✓	Brown Hill Rd.
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Cynthia DePoy
TOWN OF BELMONT

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