

Application Number: _____
Amount of Fee Paid: _____
Date Filed: _____

Town of Allenstown, NH
16 School Street
Allenstown, NH 03275
485-4276, Fax 485-8669

**Planning Board
Conditional Use Permit Application Form**

1. Owner's Name: _____
Mailing Address/Street Number: _____
City & State: _____ Telephone: () _____

2. Agent's Name (if applicable): _____
Mailing Address/Street Number: _____
City & State: _____ Telephone: () _____

3. Type of Conditional Use Permit Requested (please check):
 - i. _____ Outdoor Flea Market in accordance with requirements of Article 1120 of the Allenstown Zoning Ordinance

 - ii. _____ Groundwater Protection Ordinance in accordance with the requirements of Article XXIV of the Allenstown Zoning Ordinance

NOTE: CONDITIONAL USE PERMIT FOR AN ADULT BUSINESS MUST USE ANOTHER APPLICATION FORM

4. For the property being developed, complete the following:
Street Address: _____
Abutting Streets: _____
Gross Floor Area: _____ Existing: _____ Proposed: _____
Assessor's Map/Block/Lot(s): _____
Project Area: Acres _____ (or) Square Feet _____

5. Briefly described the proposed use of the property and the conditional use requested. Please attach supporting justification for the requested conditional use permit – reference each of the required criteria as outlined in the relevant zoning ordinance article as listed above under “Type of Conditional Use Permit Requested.”

6. Indicate the name, profession and telephone number of each professional involved (if any) in the preparation of the application or its components:

Name: _____ Profession: _____ Phone: () _____
Name: _____ Profession: _____ Phone: () _____
Name: _____ Profession: _____ Phone: () _____

7. Existing Zoning District(s): _____
Overlay Districts: _____

8. Application Fee: Please contact the Planning Department to obtain the latest application fee schedule. An application fee is submitted herewith in the amount of \$: _____

9. Endorsement: I hereby request that the Town of Allenstown Planning Board review this application for a Conditional Use Permit, including all plans, documents and information herewith. I represent to the best of my knowledge and belief, this application is being submitted in accordance with the Site Plan or Subdivision Regulations, as applicable of the Town of Allenstown Planning Board.

Signature of Property Owner

Date

Agent Signature (if any)

Date

10. In accordance with the Allenstown Zoning Ordinance, ALL of the following must be met for the Planning Board to grant a CUP for an Outdoor Flea Market:

- a. Flea Market dates are limited to Saturdays, Sundays and legal Monday Holidays;
- b. Is limited between the hours of 7:00 AM and 7:00 PM;
- c. Does not take place before April 15th or after October 15th ;
- d. Said CUP shall not be in effect until April 15th of the year of issuance and shall expire October 16th of that same year;
- e. Sufficient “off street” parking shall be provided for by the proprietor/manager of the outdoor flea market;
- f. Refuse collection and removal shall be provided;
- g. Shall not be detrimental to the neighborhood or abutting properties;
- h. The outdoor flea market shall comply with any other applicable provisions of this Ordinance.

On a separate sheet of paper, please discuss how the proposal will meet the above requirements.

11. In accordance with the Allenstown Zoning Ordinance, ALL of the following must be met for the Planning Board to grant a CUP for requests under Groundwater Protection Ordinance:

- I. In granting such approval, the Planning Board must first determine that the proposed use is not a prohibited use (as listed in Section IX of the Allenstown Zoning Ordinance) and will comply with The Performance Standards and Article VI as well as all applicable local, state, and federal requirements. The Planning Board will require a performance guarantee or bond, in an amount and with surety conditions satisfactory to the Board, to be posted to ensure completion of construction of any facilities required for compliance with The Performance Standards.
- II. Conditional uses, as described under Section X part (A) of the Zoning Ordinance (described below), using regulated substances shall submit a SPCC plan to the Fire Chief, Police Chief, Health Officer, and Emergency Management Director 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 Town may consult third party entities at the expense of the applicant to ensure compliance. The SPCC 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 facility response coordinator , cleanup contractor, and all appropriate federal, state, local agencies who must be contacted in case of release into the environment;
 - (3) A list of all the regulated substances in use and locations of use and storage. This list shall be updated annually and submitted to the parties indicated above.
 - (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 the ground.
- A. For any use that will render impervious more than 15% or more than 2,500 square feet of any lot, whichever is greater, a storm water management plan shall be prepared in accordance with the Allenstown Permanent (Post-Construction) Stormwater Management Ordinance.
- B. Conditional uses, as defined under Section X shall develop a stormwater management plan prepared in accordance with the Allenstown Permanent (Post-Construction) Stormwater Management Ordinance and a pollution prevention plan including information consistent with Developing Your Stormwater Pollution Prevention Plan: A Guide for Industrial Operators (USEPA, Feb 2009). The plan shall demonstrate that the use will:
- 1) Meet minimum stormwater discharge setbacks between water supply wells and constructed stormwater practices as found within the Innovative Land Use Planning Techniques: A Handbook for Sustainable Development, Section 2.1 Permanent (Post-construction) Stormwater Management, (DES, 2008 or later edition);
 - 2) Minimize, through a source control plan that identifies pollution prevention measures, the release of regulated substances into stormwater;
 - 3) Stipulate that expansion or redevelopment activities shall require an amended stormwater plan and may not infiltrate stormwater through areas containing contaminated soils without completing a Phase 1 Assessment in conformance with ASTM E 1527-05, also referred to as All Appropriate Inquiry (AAI);
 - 4) Maintain a minimum of four feet vertical separation between the bottom of a stormwater practice that infiltrates or filters stormwater and the average seasonal

high water table as determined by a licensed hydrogeologist, soil scientist, engineer or other qualified professional as determined by the Planning Board.

- C. 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, July 2008 and any subsequent revisions.
- D. All regulated substances stored in containers with a capacity of five 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;
- E. 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;
- F. Outdoor storage areas for regulated substances, associated material or waste must be protected from exposure to precipitation and must be located at least fifty 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;
- G. Secondary containment must be provided for outdoor storage of regulated substances in regulated containers and the containment structure must include a cover to minimize accumulation of water in the containment area and contact between precipitation and storage container(s);.
- H. 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;
- I. 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 NH Water Well Board Rules;
- J. Blasting activities shall be planned in accordance with any Town of Allenstown blasting regulations and shall be conducted in a manner to minimize groundwater contamination.
- K. With the exception of delivery of heating fuel to residences, transfers of petroleum from delivery trucks and storage containers over five gallons in capacity shall be conducted over an impervious surface having a positive limiting barrier at its perimeter.

Please demonstrate compatibility with the above criteria on separate sheets of paper.

Revised February, 2012