

Appendix G1.

Comparative Analyses of the Shoreland Water Quality Protection Act & River Corridor Towns' Zoning Ordinances

Presented at each respective Public Information Session

Comparative Analysis of the Shoreland Water Quality Protection Act (SWQPA) regulations & the Town of Bradford's existing Zoning Ordinances

Regulation	SWQPA	Local Zoning Ordinance
Establishment of salt storage yards, automobile junkyards, and solid or hazardous waste facilities	Prohibited within 250 feet of the reference line*	Junkyards must conform to state regulation RSA 236 sections 111-129
Development	<ul style="list-style-type: none"> • Primary structure must be setback 50 feet. • Accessory structures setback 20 feet. • Any land disturbances (construction, excavation or fill) require a permit. • No new septic systems within 75 feet. • Replacement septic systems must meet 75 ft. setback to extent practical. 	<ul style="list-style-type: none"> • All structures must be setback 75 feet.
Construction of water dependent structures**	NHDES permit needed	Not Addressed
Application of fertilizer & pesticides/herbicides***	<ul style="list-style-type: none"> • No fertilizer shall be applied to vegetation or soils located within 25 feet of the reference line of any public water other than slow or controlled release fertilizers. All other fertilizers may be applied outside of 50 feet of the highwater mark. • None within 50 ft. except with applicator license. 	Agriculture practices shall not cause an increase in surface or groundwater contamination by pesticides or other toxic or hazardous substances and that such use will not cause or contribute to soil erosion.
Maintenance of a Waterfront Buffer	<ul style="list-style-type: none"> • Removal of rocks and stumps require a permit unless to improve runoff control or planting in the Waterfront Buffer. • No natural ground cover shall be removed except as necessary for a 6-foot-wide foot path. 	See SWQPA
Maintenance of a Natural Woodland Buffer	<ul style="list-style-type: none"> • A natural Woodland Buffer Shall be maintained within 150 feet of the reference line. • At least 25% of the buffer, outside the Waterfront Buffer must maintained in an unaltered state or improved with additional vegetation. 	See SWQPA
Impervious surfaces	<ul style="list-style-type: none"> • No more than 30% of the area of a lot located within the protected shoreland shall be composed of impervious surfaces unless a stormwater management plan is designed by an engineer. • If impervious surface area exceeds 20%, but is less than 30%, a stormwater management system shall be implemented. 	Not Addressed

*For rivers, the ordinary highwater mark.

**Dock, wharf, pier, breakwater, beach, boathouse, retaining wall, or launching ramp or other similar structure, or any part thereof built over, on or in the waters of the state. This includes hydroelectric facilities and all associated structures.

*** All agricultural activities and operations in the state defined in RSA 21:34-a shall be exempt from the SWQPA provided such activities are in conformance with the most recent best management practices of the USDA Natural Resources Conservation Service.

Comparative Analysis of the Shoreland Water Quality Protection Act (SWQPA) regulations & the Town of Warner's existing Zoning Ordinances

Regulation	Shoreland Water Quality Protection Act (SWQPA) RSA 483-B	Local Zoning Ordinance
Establishment of salt storage yards, automobile junkyards, and solid or hazardous waste facilities	Prohibited within 250 feet of the reference line*	No land in any district shall be used for storage or disposal of junk as described in the state laws.
Development	<ul style="list-style-type: none"> • Primary structure must be setback 50 feet from the reference line. • Accessory structures setback 20 feet. • Any land disturbances (construction, excavation or fill) require a permit. • No new septic systems within 75 feet. • Replacement septic systems must meet 75 ft. setback to extent practical. 	<ul style="list-style-type: none"> • All structures must be setback 75 feet and 50% existing vegetation must remain as a buffer. • No excavation shall be permitted within 75 feet of a navigable river, or within 25 feet of any other stream, river or brook.
Construction of water dependent structures**	NHDES permit needed	Not Addressed
Application of fertilizer & pesticides/herbicides***	<ul style="list-style-type: none"> • No fertilizer shall be applied to vegetation or soils located within 25 feet except limestone. Beyond 25 feet slow or controlled release fertilizers may be used. All other fertilizers may be applied outside of 50 feet of the highwater mark. • No pesticides may be applied within 25 ft. 	Not Addressed
Maintenance of a Waterfront Buffer	<ul style="list-style-type: none"> • Removal of rocks and stumps require a permit unless to improve runoff control or planting in the Waterfront Buffer. • No natural ground cover shall be removed except as necessary for a 6-foot-wide foot path. 	Not Addressed
Maintenance of a Natural Woodland Buffer	<ul style="list-style-type: none"> • A natural Woodland Buffer Shall be maintained within 150 feet of the reference line. • At least 25% of the buffer, outside the Waterfront Buffer must maintained in an unaltered state or improved with additional vegetation. 	Not Addressed
Impervious surfaces	<ul style="list-style-type: none"> • No more than 30% of the area of a lot located within the protected shoreland shall be composed of impervious surfaces unless a stormwater management plan is designed by an engineer. • If impervious surface area exceeds 20%, but is less than 30%, a stormwater management system shall be implemented. 	Not Addressed

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**Dock, wharf, pier, breakwater, beach, boathouse, retaining wall, or launching ramp or other similar structure, or any part thereof built over, on or in the waters of the state. This includes hydroelectric facilities and all associated structures.

*** All agricultural activities and operations in the state defined in RSA 21:34-a shall be exempt from the SWQPA provided such activities are in conformance with the most recent best management practices of the USDA Natural Resources Conservation Service.

Comparative Analysis of the Shoreland Water Quality Protection Act (SWQPA) regulations & the Town of Sutton’s existing Zoning Ordinances

Regulation	Shoreland Water Quality Protection Act (SWQPA)	Local Zoning Ordinance
Establishment of salt storage yards, automobile junkyards, and solid or hazardous waste facilities	Prohibited within 250 feet of the reference line*.	Junkyards must conform to state regulation RSA 236 sections 111-129
Development	<ul style="list-style-type: none"> • Primary structure must be setback 50 feet. • Accessory structures setback 20 feet. • Any land disturbances (construction, excavation or fill) require a permit. • No new septic systems within 75 feet. • Replacement septic systems must meet 75 ft. setback to extent practical. 	<ul style="list-style-type: none"> • Buildings must be setback 75 feet from reference line. • Septic tanks must be setback 75 feet. Leaching fields must be setback 50 feet from “poorly drained” or “very poorly drained” soils. • If the receiving soil down gradient has a percolation rate faster than 2 minutes per inch, the setback shall be 125 feet from the reference line. • A setback of 100 feet shall be followed for soils with restrictive layers within 18 inches of the natural soil surface. • All other soil conditions: 75-foot setback
Construction of water dependent structures**	NHDES permit needed	Not Addressed
Application of fertilizer & pesticides/herbicides***	<ul style="list-style-type: none"> • No fertilizer shall be applied to vegetation or soils located within 25 feet of the reference line of any public water other than slow or controlled release fertilizers. All other fertilizers may be applied outside of 50 feet of the highwater mark. • None within 50 ft. except with applicator license. 	Agricultural application of sludge must maintain a 100-foot buffer from all surface waters.
Maintenance of a Waterfront Buffer	<ul style="list-style-type: none"> • Removal of rocks and stumps require a permit unless to improve runoff control or planting in the Waterfront Buffer. • No natural ground cover shall be removed except as necessary for a 6-foot-wide foot path. 	See SWQPA
Maintenance of a Natural Woodland Buffer	<ul style="list-style-type: none"> • A natural Woodland Buffer Shall be maintained within 150 feet of the reference line. • At least 25% of the buffer, outside the Waterfront Buffer must maintained in an unaltered state or improved with additional vegetation. 	See SWQPA
Impervious surfaces	<ul style="list-style-type: none"> • No more than 30% of the area of a lot located within the protected shoreland shall be composed of impervious surfaces unless a stormwater management plan is designed by an engineer. • If impervious surface area exceeds 20%, but is less than 30%, a stormwater management system shall be implemented. 	Not Addressed

*For rivers, the ordinary high water mark

**Dock, wharf, pier, breakwater, beach, boathouse, retaining wall, or launching ramp or other similar structure, or any part built over, on or in the waters of the state. This includes hydroelectric facilities and all associated structures.

*** All agricultural activities and operations in the state defined in RSA 21:34-a shall be exempt from the SWQPA provided such activities are in conformance with the most recent best management practices of the USDA Natural Resources Conservation Service.

Comparative Analysis of the Shoreland Water Quality Protection Act (SWQPA) regulations & the Town of Webster’s existing Zoning Ordinances

Regulation	Shoreland Water Quality Protection Act (SWQPA)	Local Zoning Ordinance
Establishment of salt storage yards, automobile junkyards, and solid or hazardous waste facilities	Prohibited within 250 feet of the reference line*.	Prohibited within the Groundwater Protection District
Development	<ul style="list-style-type: none"> • Primary structure must be setback 50 feet. • Accessory structures setback 20 feet. • Any land disturbances (construction, excavation or fill) require a permit. • No new septic systems within 75 feet. • Replacement septic systems must meet 75 ft. setback to extent practical. 	<ul style="list-style-type: none"> • Primary and accessory buildings must be setback 50 feet. • Accessory buildings may be approved to within 20 feet of a river via special exception.
Construction of water dependent structures**	NHDES permit needed	Not Addressed
Application of fertilizer & pesticides/herbicides***	<ul style="list-style-type: none"> • No fertilizer shall be applied to vegetation or soils located within 25 feet of the reference line of any public water other than slow or controlled release fertilizers. All other fertilizers may be applied outside of 50 feet of the highwater mark. • None within 50 ft. except with applicator license. 	Not Addressed
Maintenance of a Waterfront Buffer	<ul style="list-style-type: none"> • Removal of rocks and stumps require a permit unless to improve runoff control or planting in the Waterfront Buffer. • No natural ground cover shall be removed except as necessary for a 6-foot-wide foot path. 	See SWQPA
Maintenance of a Natural Woodland Buffer	<ul style="list-style-type: none"> • A natural Woodland Buffer Shall be maintained within 150 feet of the reference line. • At least 25% of the buffer, outside the Waterfront Buffer must maintained in an unaltered state or improved with additional vegetation. 	See SWQPA
Impervious surfaces	<ul style="list-style-type: none"> • No more than 30% of the area of a lot located within the protected shoreland shall be composed of impervious surfaces unless a stormwater management plan is designed by an engineer. • If impervious surface area exceeds 20%, but is less than 30%, a stormwater management system shall be implemented. 	Within the Groundwater Protection District, any use that will render 15% or more than 2,500 sq. ft. of any lot, whichever is great, is prohibited.

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Comparative Analysis of the Shoreland Water Quality Protection Act (SWQPA) regulations & the Town of Hopkinton's existing Zoning Ordinances

Regulation	Shoreland Water Quality Protection Act (SWQPA)	Local Zoning Ordinance
Establishment of salt storage yards, automobile junkyards, and solid or hazardous waste facilities	Prohibited within 250 feet of the reference line*.	No solid waste facility may place solid waste or construction and demolition debris within 300 feet of the reference line.
Development	<ul style="list-style-type: none"> • Primary structure must be setback 50 feet. • Accessory structures setback 20 feet. • Any land disturbances (construction, excavation or fill) require a permit. • No new septic systems within 75 feet. • Replacement septic systems must meet 75 ft. setback to extent practical. 	<ul style="list-style-type: none"> • No excavation shall be permitted within 75 feet of any navigable river. • No Leaching field or sewage drain shall be located closer than 75 feet from a well or waterbody.
Construction of water dependent structures**	NHDES permit needed	Not Addressed
Application of fertilizer & pesticides/herbicides***	<ul style="list-style-type: none"> • No fertilizer shall be applied to vegetation or soils located within 25 feet of the reference line of any public water other than slow or controlled release fertilizers. All other fertilizers may be applied outside of 50 feet of the highwater mark. • None within 50 ft. except with applicator license. 	Not Addressed
Maintenance of a Waterfront Buffer	<ul style="list-style-type: none"> • Removal of rocks and stumps require a permit unless to improve runoff control or planting in the Waterfront Buffer. • No natural ground cover shall be removed except as necessary for a 6-foot-wide foot path. 	See SWQPA
Maintenance of a Natural Woodland Buffer	<ul style="list-style-type: none"> • A natural Woodland Buffer Shall be maintained within 150 feet of the reference line. • At least 25% of the buffer, outside the Waterfront Buffer must maintained in an unaltered state or improved with additional vegetation. 	See SWQPA
Impervious surfaces	<ul style="list-style-type: none"> • No more than 30% of the area of a lot located within the protected shoreland shall be composed of impervious surfaces unless a stormwater management plan is designed by an engineer. • If impervious surface area exceeds 20%, but is less than 30%, a stormwater management system shall be implemented. 	The edge of any impervious surface upon which solid waste is stored shall not be within 300 feet of the reference line.

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*** All agricultural activities and operations in the state defined in RSA 21:34-a shall be exempt from the SWQPA provided such activities are in conformance with the most recent best management practices of the USDA Natural Resources Conservation Service.