

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*. *For rivers, the ordinary high water mark	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

**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,