



6-2010

Shoreland and Riparian Buffer Regulations for the Town of Raymond PREP Local Grants Program 2008 Final Project Report

Town of Raymond, New Hampshire

Southern New Hampshire Planning Commission

Follow this and additional works at: <https://scholars.unh.edu/prep>



Part of the [Marine Biology Commons](#)

Recommended Citation

Town of Raymond, New Hampshire and Southern New Hampshire Planning Commission, "Shoreland and Riparian Buffer Regulations for the Town of Raymond PREP Local Grants Program 2008 Final Project Report" (2010). *PREP Reports & Publications*. 34.

<https://scholars.unh.edu/prep/34>

This Report is brought to you for free and open access by the Institute for the Study of Earth, Oceans, and Space (EOS) at University of New Hampshire Scholars' Repository. It has been accepted for inclusion in PREP Reports & Publications by an authorized administrator of University of New Hampshire Scholars' Repository. For more information, please contact Scholarly.Communication@unh.edu.

**Shoreland and Riparian Buffer Regulations for the Town of Raymond
PREP Local Grants Program 2008
Final Project Report – June 2010**

Summary

The Southern New Hampshire Planning Commission (SNHPC) worked with the Raymond Conservation Commission to develop a proposed shoreland buffer protection ordinance intended to better protect the remaining undeveloped shoreland zones on streams of all stream orders within the Town of Raymond, NH.

Overview

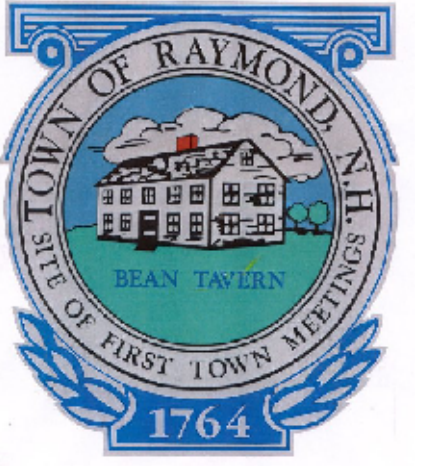
In September of 2007, SNHPC applied to PREP's Local Grant Program seeking \$5,000 to help develop local shoreland protection ordinances consistent with the state's Comprehensive Shoreland Protection Act regulations. This project was modeled on similar PREP-supported projects completed in the towns of Candia and Deerfield. The Raymond Conservation Commission served as the primary municipal board involved with this project. PREP funded the project and ensured that it was coordinated with other natural resource planning efforts underway with the town via the Natural Resources Outreach Coalition.

SNHPC produced a map showing land use within the shoreland buffer zones along Raymond's streams and rivers (attachment 1). Working with the Conservation Commission, SNHPC developed draft language on improved shoreland buffer protections which have been proposed for incorporation into the existing Conservation District Zone Ordinance within the town's Zoning Ordinance regulations (attachment 2). The Conservation Commission has endorsed the proposed changes, and will advocate that the Raymond Planning Board implement the proposed changes in 2010/2011 via endorsement of a Warrant Article for voters to pass at the next opportunity. The project took longer than anticipated to complete and public engagement was difficult.

Attachments

- *Raymond Map: Land Use Within the 100ft Stream Buffer of 1st, 2nd, & 3rd Order Streams*
- *Town of Raymond, NH Proposed Zoning Amendment to Existing Conservation District Zone Riparian Buffer Standards Section 3.320 Zone G – Conservation District*

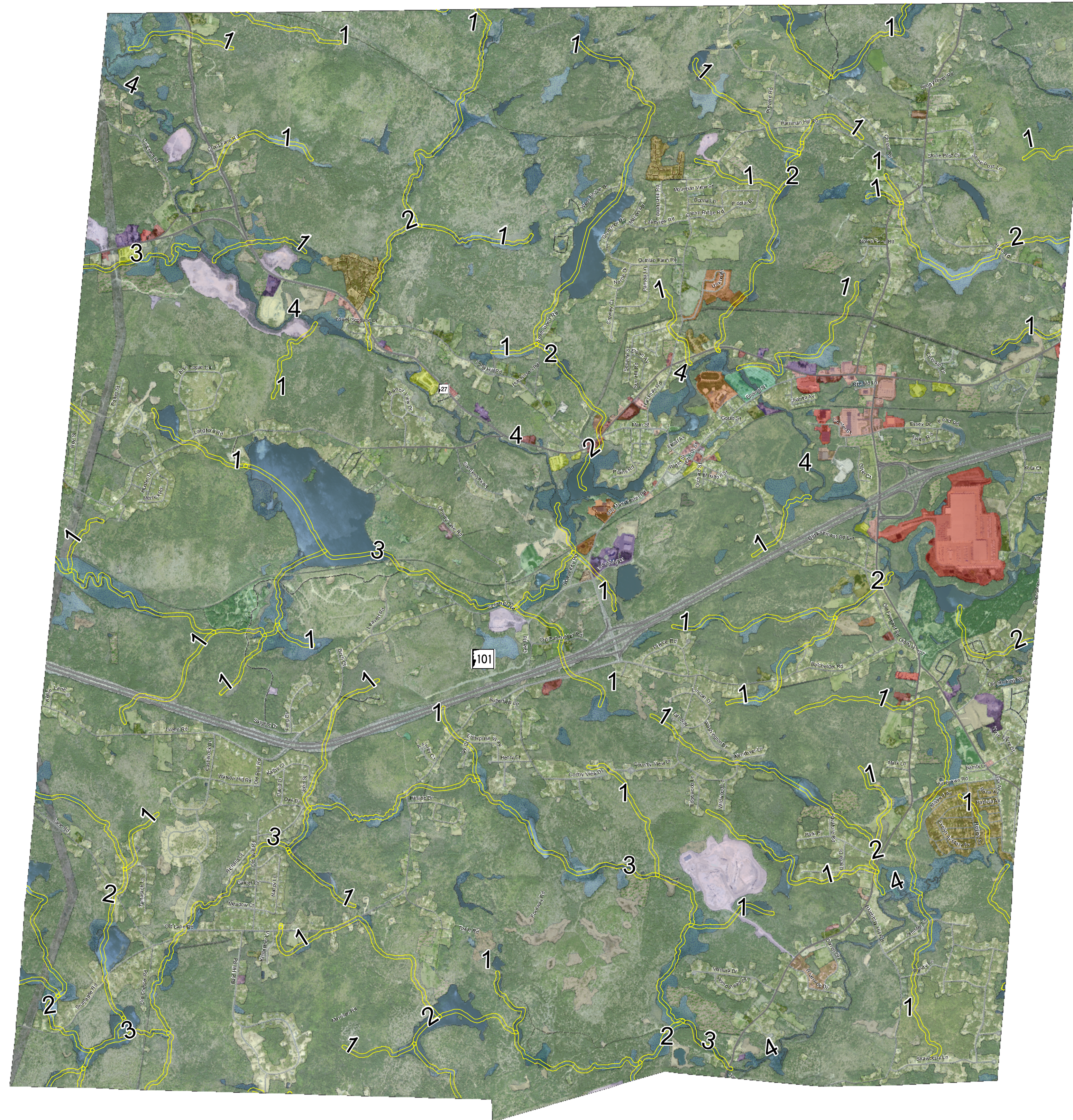
This project was supported through PREP's Local Grants Program, with funding from the US Environmental Protection Agency through an agreement with the University of New Hampshire.



Map #

Land Use Within the 100ft Stream Buffer of 1st, 2nd, & 3rd Order Streams

TOWN of RAYMOND,
New Hampshire



- | | |
|--|---|
| Residential | Industrial and Commercial Complexes |
| Multi-family (4 or more stories) | Industrial park |
| Multi-family (2-3 stories) | Office park |
| Single family duplex | Shopping mall |
| Mobile home parks | Other industrial complexes |
| Group and transient quarters | Other commercial complexes |
| Other residential | Mixed Developed Uses |
| Commercial, Services, and Institutional | Multiple stories, residential in upper stories only |
| Commercial retail | Other mixed uses |
| Commercial wholesale | Outdoor and Other Urban Built-up Land |
| Services | Outdoor cultural |
| Lodging | Outdoor public assembly |
| Government | Outdoor recreation |
| Institutional | Cemeteries |
| Educational | Other outdoor and other urban or built-up land |
| Indoor cultural/public assembly | Vacant |
| Other commercial, services, and institutional | Vacant land |
| Industrial | Agriculture |
| Industrial | Agricultural land |
| Mining | Other agricultural land |
| Transportation, Communications, and Utilities | Natural Features |
| Air transportation | Brush or transitional between open & forested |
| Rail transportation | Forest land |
| Limited & controlled highway right-of-way | Water |
| Road right-of-way | Wetlands |
| Park & ride lot | Barren |
| Parking structure/lot | Beaches and river banks |
| Auxiliary transportation | Sandy areas (non-beaches) |
| Other road transportation | Barren exposed rock |
| Communication | Ship materials or gravel pit |
| Electric, gas, and other utilities | Disturbed land |
| Water and wastewater utilities | Disturbed land |

Data Sources:
NH GRANIT Digital Data (1:24,000) from the 2007 Hydrography Data
NH Department of Transportation
SNHPC

The individual municipalities represented on this map and the SNHPC make no representations or guarantees to the accuracy of the features and designations of this map.

Map Produced by GIS Service SNHPC 2008.
Contact: gis@snhpc.org; Ph: (603) 669-4664



0 0.15 0.3 0.6
Miles



Town of Raymond, NH
Proposed Zoning Amendment to Existing Conservation District Zone
Riparian Buffer Standards
Section 3.320 Zone G – Conservation District

Insert the following bold and italic text to read as follows:

3.320 ZONE G – CONSERVATION DISTRICT

01 PURPOSE: In the interest of protecting the public health, safety, and general welfare by preserving the Town's lakes, ponds, river systems, wetlands and important local water resources for the benefit of all Town residents, this District is created for the following purposes:

- a. Preserve sensitive wetlands, shore land and other water bodies that provide flood protection, augment stream flow during dry periods, absorb nutrients and contribute to the viability of the Town's groundwater.
- b. Protect the wetlands and water bodies that are close to high intensity development through restrictions such as limitations of certain land uses and buffering.
- c. Protect wildlife habitat and maintain ecological values referenced in NH RSA 483-A.
- d. Limit development in areas where the natural features are not favorable for development.
- e. Encourage those low-intensity uses that can be harmoniously and safely located in wetland areas.
- f. Preserve and enhance aesthetic values associated with our lakes, ponds, river systems and wetlands.
- g. *Protect and preserve the water quality of the town's headwater and 1st, 2nd, and 3rd order streams and any other water ways not covered under the state's Comprehensive Shoreland Protection Act.*
- h. *Provide for the preservation of a natural vegetated buffer along said waterways, streams, and headwater to act as a natural filter to capture sediment and pollutants from runoff.*
- i. *Stabilize stream banks and preserve the vegetation found growing in these areas.*
- j. *Increase property values by improving the appearance of town shorelines and increase privacy.*
- k. *Shade water to maintain a healthy temperature for aquatic life and plant growth.*

02 DISTRICT BOUNDARIES: The Conservation District is an Overlay District and is hereby defined as:

- a. **SHORELAND PROTECTION AREA:** Is any area of land within *250 feet of the reference line of* Lamprey River, the Exeter River, the Branch River, Dudley Brook, Pawtuckawey River, Fordway Brook, Governor's Lake, Onway Lake,

Norton Pond and other perennial major brooks, streams or ponds existing within the Town of Raymond *as identified as 1st, 2nd, 3rd and 4th order streams and rivers on Map 1, Hydrological Features on file with the Town Planning Office* and also includes land within fifty (50) feet of the high water mark of any brook, stream or pond having flowing or standing water for six months of the year as shown on *The Water Resource Management Plan, Map 2 and Appendix 2 (03/00)*. ***Within the Shoreland Protection Area there shall be three riparian buffer zones as described in Article V – Area & Dimensional Requirements, Section 5.104 Special Requirements in Zone G.***

- b. **STEEP SLOPE:** Any land deemed to be twenty-five percent (25%) or greater in slope for one hundred (100) continuous lineal feet according to the Rockingham County Soil Survey Map, October, 1994 or any land twenty-five (25%) or greater in slope for one hundred (100) continuous lineal feet as determined by using the procedure described below in Number 03.b and d Procedural Requirements Delineation of Steep Slope and areas incorrectly delineated. (03/00)
- c. **POORLY DRAINED AND VERY POORLY DRAINED SOILS:** Those areas identified as such in the Rockingham County Soil Survey Map, October, 1994. Additionally, all areas of Federal or State of New Hampshire Jurisdictional Wetlands, not otherwise delineated as poorly or very poorly drained soils, shall be considered as very poorly drained soils for the purpose of this Ordinance.

03 PROCEDURAL REQUIREMENTS:

- a. **DELINEATION OF WETLANDS:** Location of a wetland boundary in a particular area must be determined by an on-site inspection. This data shall be prepared by a certified soil or wetland scientist using the following methodology: Chapters WT 100-800 of the NH Code of Administrative Rules, April 21, 1997; Regional Field Indicators for Identifying Hydra Soils in New England, New England Interstate Water Pollution Control Commission, 1998; Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, Environmental Laboratory, Dept. of the Army, 1987 as may be superseded and amended.
- b. **DELINEATION OF STEEP SLOPE :** Except in the case where the Rockingham County Soil Survey, October 1994, confirmed the absence of steep slope, location of steep slope twenty-five (25%) or greater shall be determined through a topographical survey as prepared by a New Hampshire Licensed Professional.
- c. **DELINEATION OF POORLY AND VERY POORLY DRAINED SOILS :** The methodology to be used is described in the Site Specific Soil Mapping Standards for New Hampshire and Vermont, June, 1997 prepared by the Society of Soil Scientists of Northern New England (SSSNNE) Special Publication No. 3 as may be superseded and amended.

- d. **AREAS INCORRECTLY DELINEATED:** Where it is alleged that an area has been incorrectly delineated as a wetland, shoreland protection area or steep slope, or that an area not so designated meets the criteria for such designation, the Planning Board shall determine whether the regulations contained herein apply. In making such a determination, the Planning Board may rely on the technical expertise of a qualified soil or wetlands scientist or other professional who shall conduct an on-site investigation of the area in question. The Planning Board shall retain the right pursuant to NH RSA 676:4, I(g) to assess the expense of this determination to an applicant.

ARTICLE V – AREA & DIMENSIONAL REQUIREMENTS

5.104 SPECIAL REQUIREMENTS IN ZONE G

- 01** All lots in Zone G (Conservation and Open Space District) must meet the following dimensional and space requirements:

Minimum Lot Area	2 Acres
Minimum Frontage	200 Feet
Minimum Width	200 Feet
Wetland Setback	25 Feet (minimum)

- 02** Minimum Lot Requirements

(03/00) Minimum usable area calculations shall require a minimum 40,000 contiguous square feet of non Zone G land within which there exists a developable area of either, 110' x 110' SQUARE, 125' DIAMETER CIRCLE, 180' EQUILATERAL TRIANGLE. Up to 25% of the developable area (03/01) may be Zone G if it can be shown through a residential site plan, that the use of the Zone G land will enhance the layout of any structure on the lot, will increase the energy efficiency of any structure or provide for a lessening of any environmental impact of the site.

Minimum Lot Requirements for Zone B:

Minimum Lot Area	2 Acres
Minimum Frontage	200 Feet
Minimum Width	200 Feet
Wetland Setback	25 Feet (minimum)

- 03** Minimum Lot Requirements for Zone A:

- a. Lots shall contain a minimum of 20,000 contiguous square feet of non-Zone G land. Setbacks from any poorly or very poorly drained soils (wetlands) shall be twenty-five feet (25').

04 Riparian Buffer Standards – Shoreland Protection Area

Zone 1: (50 Foot No Touch zone)

Within 50 feet from the water's edge of all applicable water ways included within the Shoreland Protection Area, the following standards shall apply:

- a. No mowing or landscaping is permitted. However some trimming of extra long grass is allowed for aesthetic and safety purposes.***
- b. No fertilizer or pesticide is allowed.***
- c. One pedestrian footpath to the water's edge is permitted not to exceed 3 feet in width provided the path preserves the natural root systems of surrounding trees and vegetation.***
- d. Residents are encouraged to maintain larger riparian buffers where feasible and to leave wildlife habitats undisturbed, i.e. such as duck nesting sites, rabbit dens, areas where deer frequent, etc.***
- e. No dumping of grass clippings and leaves into adjacent water way is permitted.***
- f. Dead and diseased trees may be removed within this zone.***
- g. No impervious surfaces shall be allowed within this zone.***
- h. Restoration of all disturbed or cleared areas is encouraged.***
- i. No altering of stream paths is allowed, even smaller streams.***
- j. No snow dumps.***

Zone 2: (100 Foot Middle Buffer zone)

Extending horizontally beyond the 50 Foot No Touch zone is the 100 Foot Wide Middle buffer zone. The following standards apply within this zone:

- a. Minimal moving and landscaping is allowed.***
- b. No dumping of grass clippings is allowed.***
- c. Only low phosphate, slow release nitrogen and lime is allowed.***
- d. Impervious surfaces shall not exceed 20% of the portion of the lot located within the zone.***
- e. No snow dumps within 100 feet of ALL streams.***
- f. Removal of litter and trash is encouraged.***
- g. No altering of stream paths is allowed, even for smaller streams.***

Zone 3: (100 Foot Outer zone)

Extending horizontally an additional 100 feet beyond the Middle buffer zone is the 100 Foot Wide Outer Buffer zone. The following standards apply within this zone:

- a. Impervious surfaces shall not exceed 50% of the portion of the lot located within the zone.***

- b. Swimming pools should not be drained towards the adjacent water body.*
- c. Moving and planting landscaping is allowed, however storing of grass clippings is discouraged because of the chemicals they may contain.*
- d. Only low phosphate, slow release nitrogen and lime is allowed*
- e. No altering of stream paths is allowed, even for smaller streams.*

Water's Edge: For the purpose of these standards, distances shall be measured as follows: from the ordinary high water mark of each waterway.