

NH State Shoreland Water Quality Protection Act - *RSA 483-B* Landscaping for Water Quality - 2023

Today we'll focus on the
NH Shoreland Protection
Act – RSA 483-B and
we'll discuss NH
Wetlands Law, RSA 482-
A, for those projects that
propose impacts along
the immediate
shoreline.

Beaver Lake, Derry, NH

History of the Shoreland Protection Act and the *Purpose.*

The Law and the Permitting Process

This presentation will be broken down into two parts. First, we'll discuss the History and the Purpose of the Shoreland Protection Act and then we'll take a close look at the law and the permitting process as it relates to landscaping activities.

**History of the
Shoreland
Protection Act
and the Purpose.**

Take a moment to look back in time and envision how NH's waterbodies once appeared. Inhabitation by native Americans was once the extent of our developed shorelines.

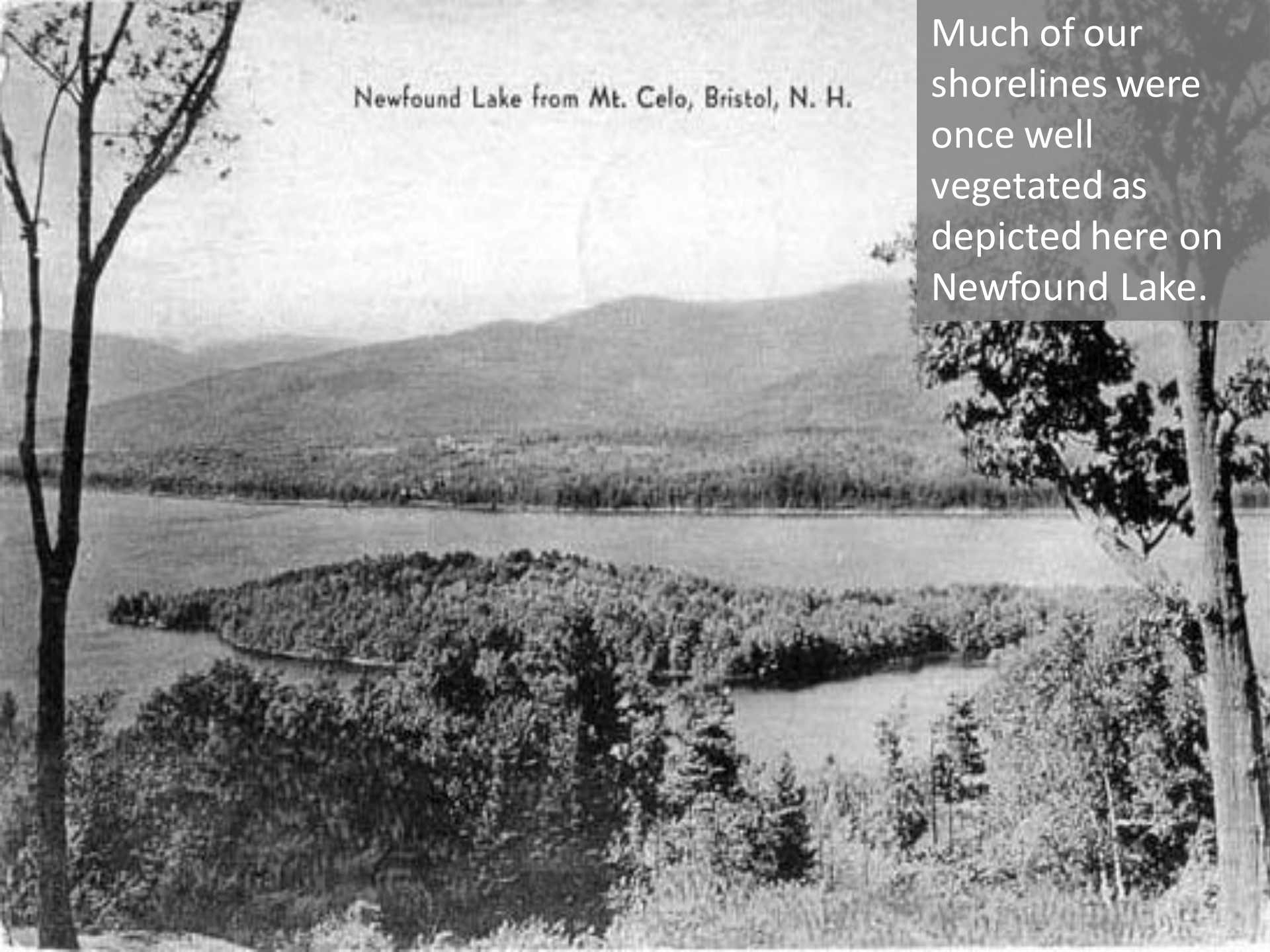


With time, we constructed dams and raised the water levels of our waterbodies, often converting wetlands into public waters.

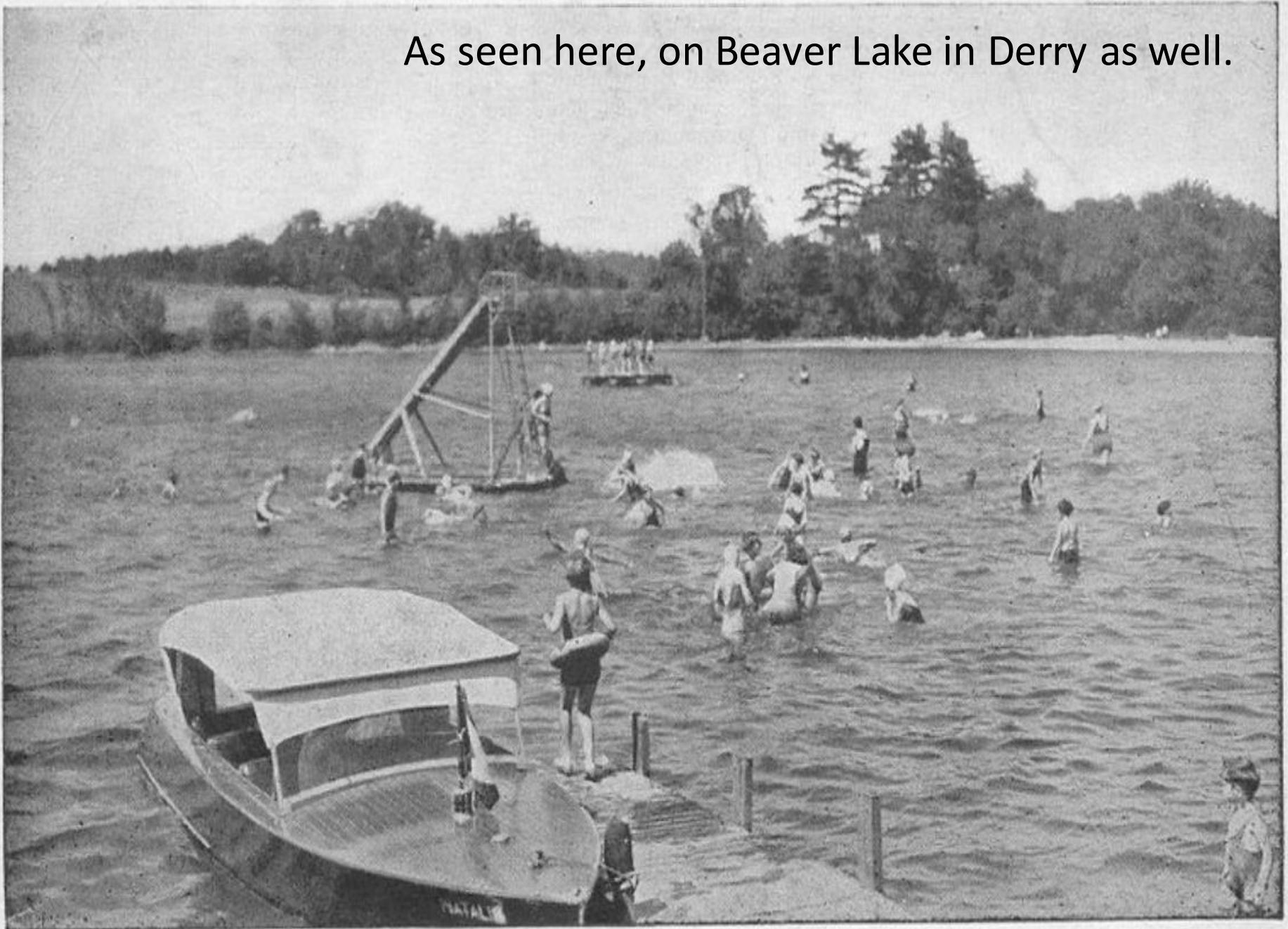


Newfound Lake from Mt. Celo, Bristol, N. H.

Much of our shorelines were once well vegetated as depicted here on Newfound Lake.



As seen here, on Beaver Lake in Derry as well.



With time, we started building small seasonal camps on NH's waterbodies.

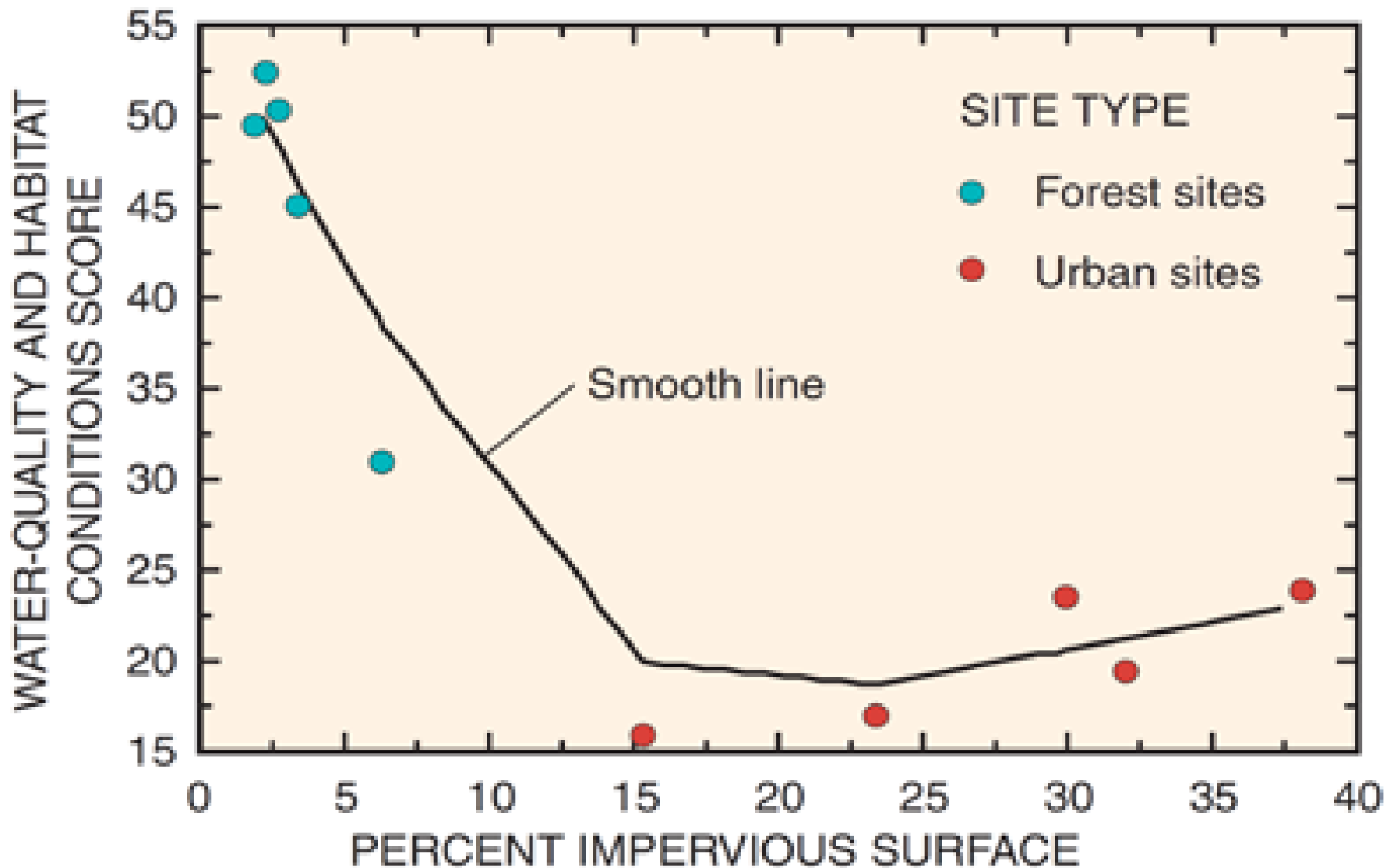




In the 80's, as the 2nd home market began to emerge, property owners were literally rolling out new changes which included landscaping at the water's edge that mimicked that typically seen in urban and suburban environments.



These changes often included removing all native vegetation at the water's edge and installing new lawns.



Property owners then started to notice changes in water quality – increases in algae growth and decreases in water clarity. Multiple studies were then conducted and the results concluded that when waterbodies natural buffers systems are removed and when impervious area increases, a decrease in water quality results.



Sherbrooke

Berlin

Augusta

Montpelier

Portland

Manchester

93

95

91

The reason is, during storm events...



...especially when we
have intense rain
events,...



...stormwater cannot be absorbed and infiltrated by impervious surfaces. Stormwater is able to increase in velocity across these surfaces and, discharge directly into our waterbodies – especially on properties where the natural vegetative protective layer has been removed.



Stormwater often contains critical elements nitrogen and phosphorous that accelerate aquatic plant growth and decrease water quality.



15

P

30.973762

Phosphorus

7

N

14.0067

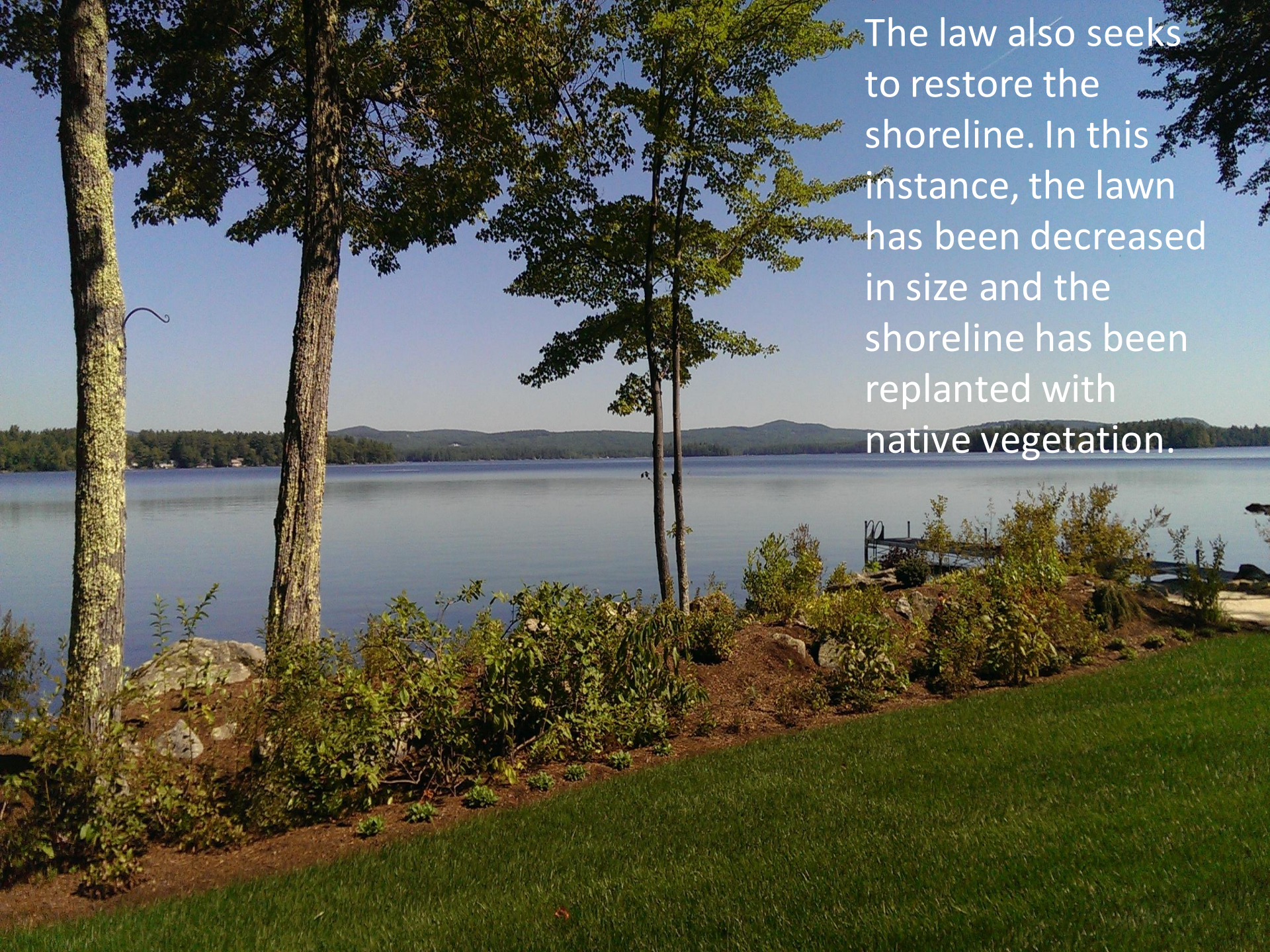
Nitrogen

The NH Shoreland Protection Act seeks to maintain a natural protective buffer layers to help intercept stormwater, provide critical wildlife habitat and maintain the natural aesthetic beauty of NH's shorelines.

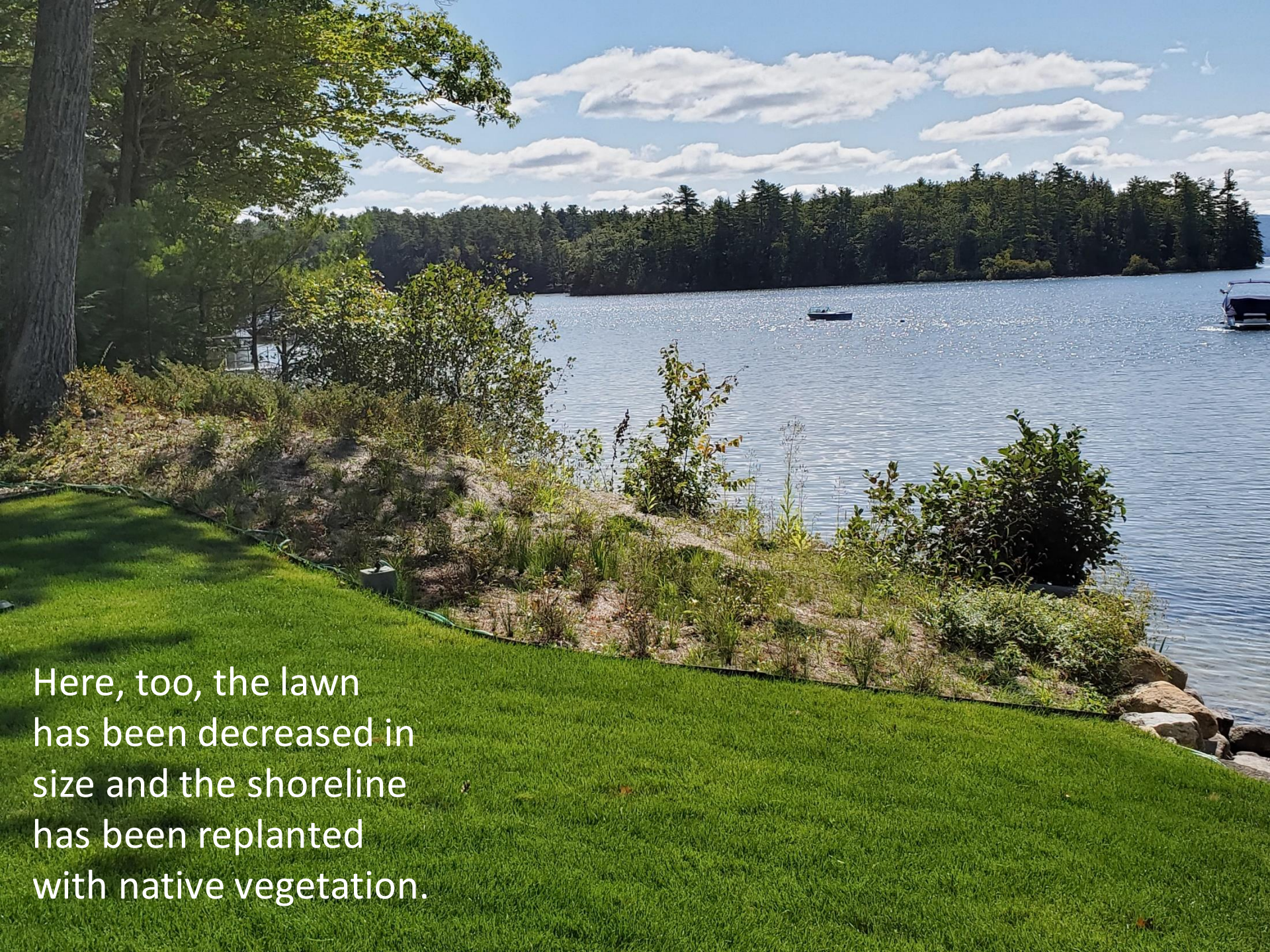


The law aims to strike a balance so that private property owners can develop within the protected shoreland and remove some vegetation to better viewsapes.





The law also seeks to restore the shoreline. In this instance, the lawn has been decreased in size and the shoreline has been replanted with native vegetation.



Here, too, the lawn has been decreased in size and the shoreline has been replanted with native vegetation.

The Shoreland Water Quality Protection Act Purpose:

Maintain and Restore Vegetated Buffers

Better Manage Stormwater Runoff

Provide Critical Wildlife Habitat

Maintain the Natural Aesthetic Beauty of NH's Shorelines

In summary, the NH Shoreland Water Quality Protection Act (SWQPA) seeks to maintain and restore natural vegetated buffers, better manage stormwater, provide critical wildlife habitat and maintain the natural aesthetic beauty of our shorelines.

The legislation was enacted into law in 1991 and became effective in 1994. In 2008, a new permitting process became effective and the State of NH adopted a 50-foot setback from public waters for all new residential dwellings.

Protected Waterbodies

All Waterbodies Greater than 10 acres

**All Waters Subject to the *Ebb and Flow*
of the Tide**

**All 4th Order and Greater Streams and
Rivers**

Designated Rivers Corridors

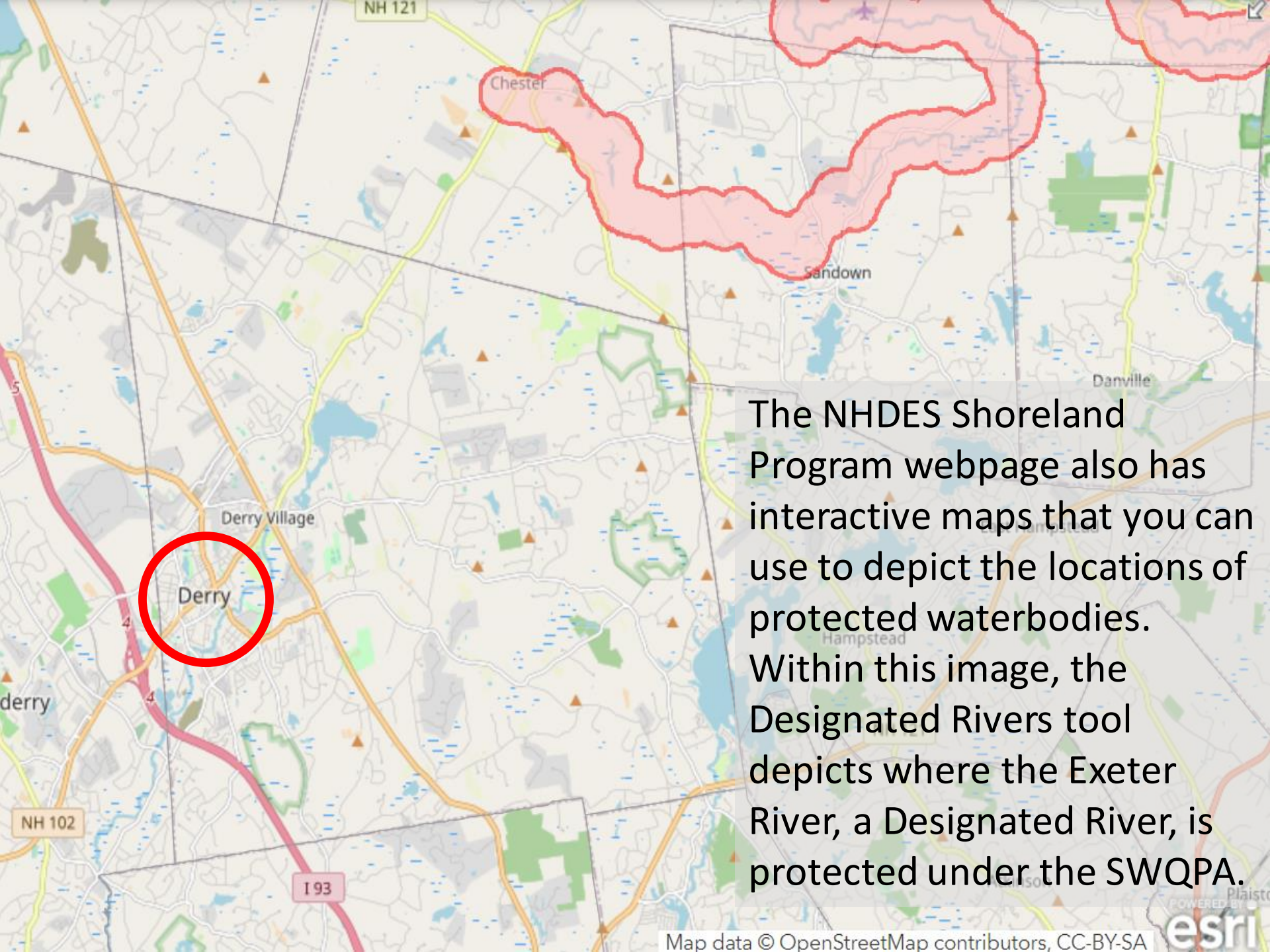
Consolidated List of Waterbodies Subject to RSA 483-B

Town	Rivers and Streams	Where River/ Stream becomes jurisdictional under the SWQPA	Lakes and Ponds	a.k.a.	Surface Elevation "Reference Line" (ft above sea level)
Derry	Beaver Brook	Juncture of unnamed 3 rd order stream	Adams Pond		320
	Unnamed Stream/ River	Juncture of unnamed 3 rd order stream and West Running Brook	Ballard Pond		252.36
			Beaver Brook		287
			Beaver Lake		287
			Benjamin C. Adams Pond		
			Ezekiel Pond		287
			Hoods Pond		
			Island Pond	Big Island Pond	203.3
		Upper Shield Pond	Rainbow Lake	410	
Dixs Grant	Swift Diamond River	Juncture of Nathan Pond Brook in Dixville			
Dixville	Swift Diamond River	Juncture of Nathan Pond Brook	Abeniki Lake		2231
			Gloriette Lake (Dam)		1871
			Mud Pond		2272
			Nathan Pond		2018
Dorchester	South Branch Baker River	Juncture of Rocky Brook	Baker River	Site 8	123
			Bryant Pond		1870
			Cummins Pond		1523
			Line Pond		1172
			Reservoir Pond		1340
Dover	Cocheco River - Designated	Southeast of March's Pond in New Durham	Barbadoes Pond		132

The NH Consolidated List of Waterbodies jurisdictional under the SWQPA is a comprehensive list of all freshwater bodies of water protected under the SWQPA.

Town	Rivers and Streams	Where River/ Stream becomes jurisdictional under the SWQPA	Lakes and Ponds	a.k.a.	Surface Elevation "Reference Line" (ft above sea level)
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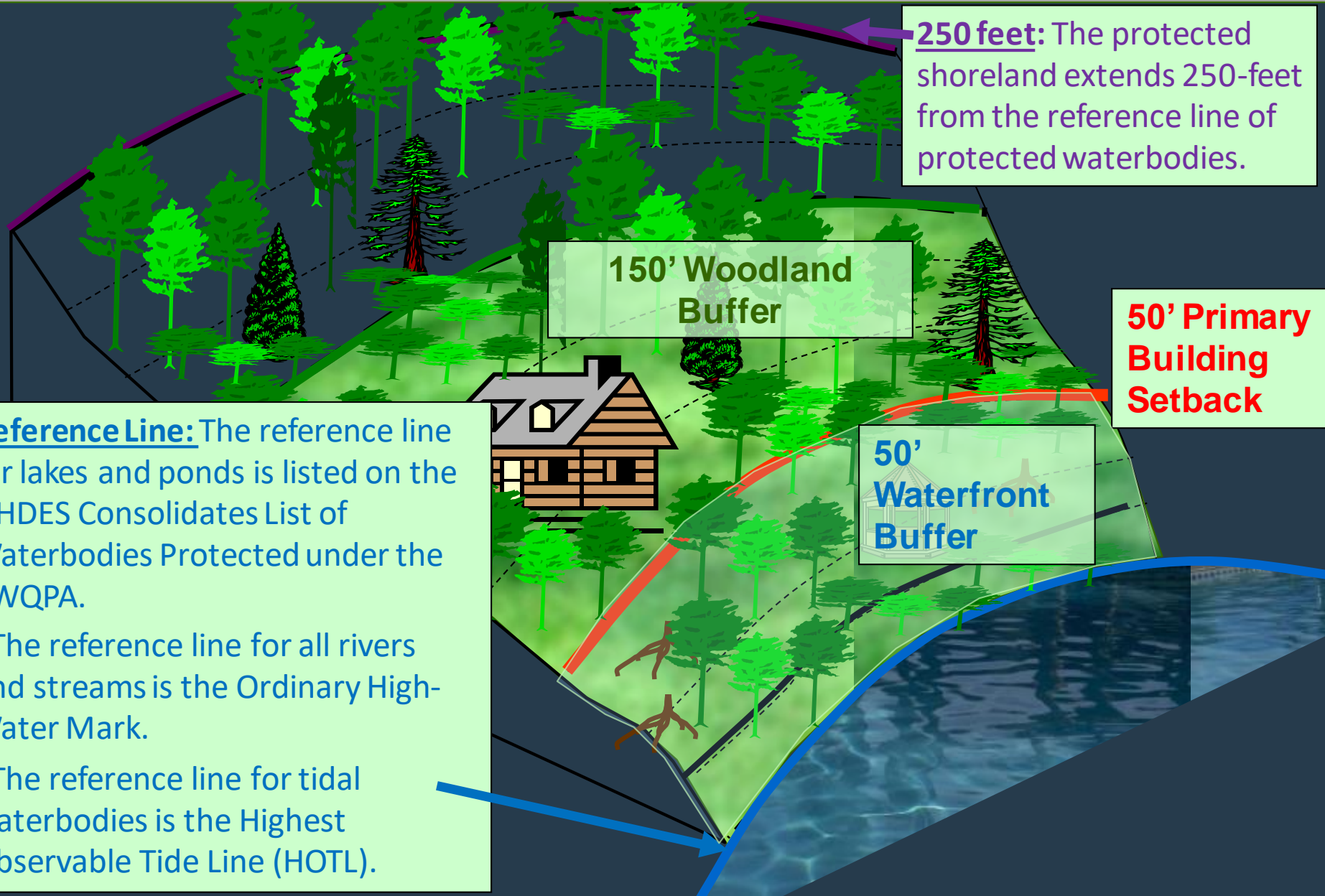
This list allows you see all freshwater bodies protected under the SWPQA within each town in NH.



The NHDES Shoreland Program webpage also has interactive maps that you can use to depict the locations of protected waterbodies. Within this image, the Designated Rivers tool depicts where the Exeter River, a Designated River, is protected under the SWQPA.

The Law and the Permitting Process

The Protected Shoreland



250 feet: The protected shoreland extends 250-feet from the reference line of protected waterbodies.

150' Woodland Buffer

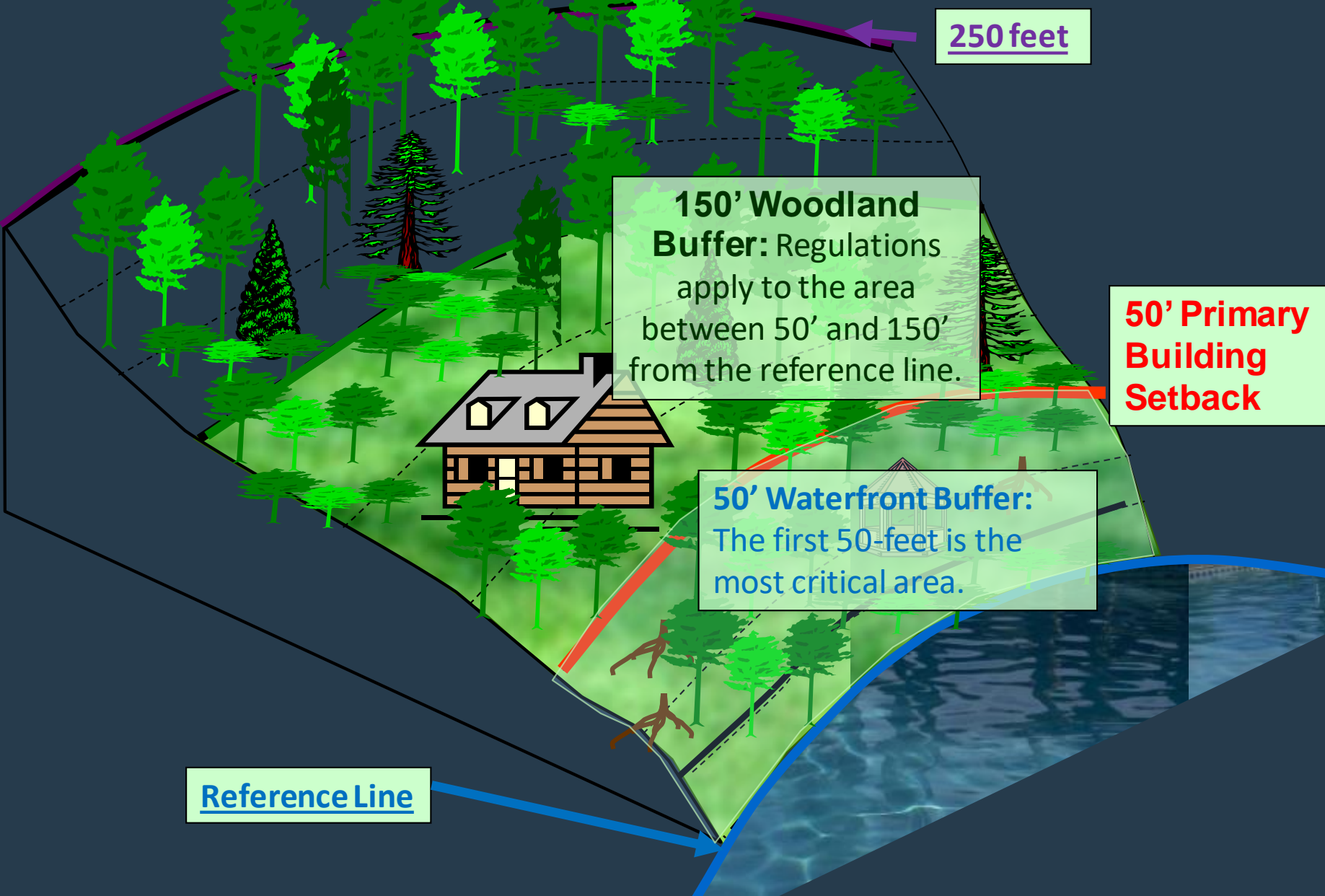
50' Primary Building Setback

50' Waterfront Buffer

Reference Line: The reference line for lakes and ponds is listed on the NHDES Consolidates List of Waterbodies Protected under the SWQPA.

- The reference line for all rivers and streams is the Ordinary High-Water Mark.
- The reference line for tidal waterbodies is the Highest Observable Tide Line (HOTL).

The Protected Shoreland



250 feet

150' Woodland Buffer: Regulations apply to the area between 50' and 150' from the reference line.

50' Primary Building Setback

50' Waterfront Buffer: The first 50-feet is the most critical area.

Reference Line

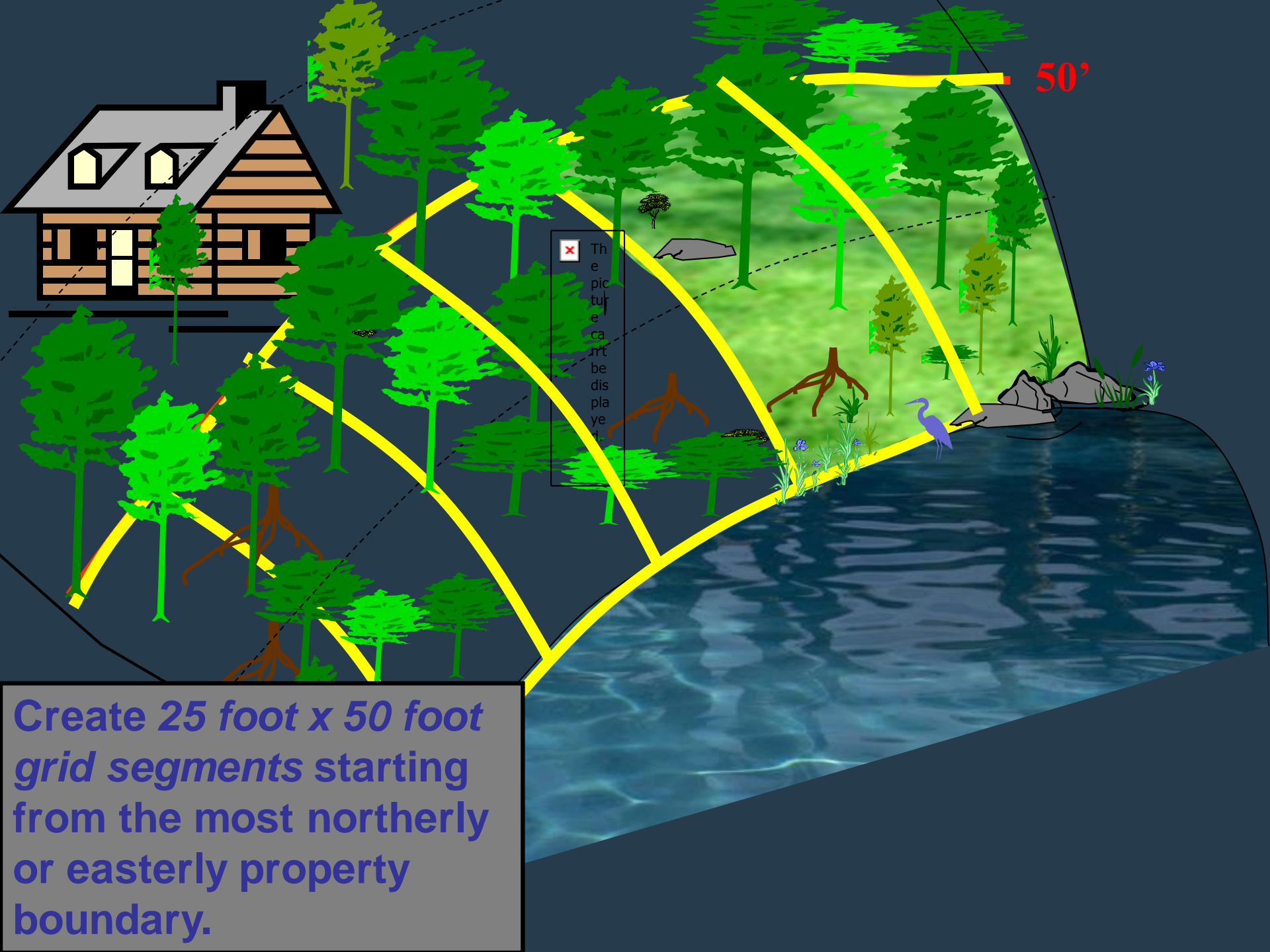
The *Waterfront* *Buffer Area*

The Waterfront Buffer



Except for a 6-foot wide walkway and accessory structures and water access structures, natural ground covers must remain intact within the ground. It is not permissible to convert a natural system such as this one into a lawn. Trees can be removed from the Waterfront Buffer but, there are limitations.





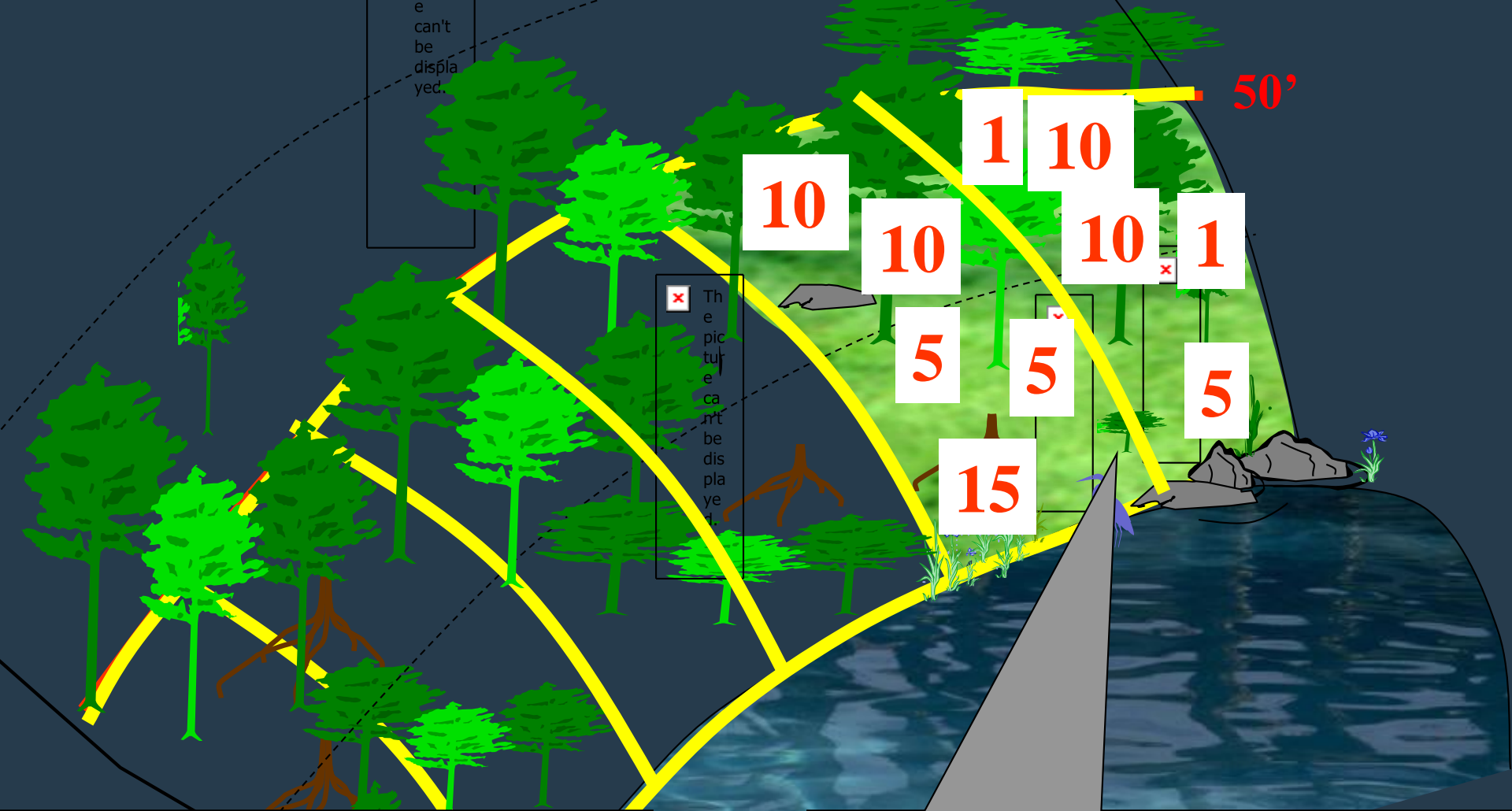
50'

 This picture cannot be displayed.

Create *25 foot x 50 foot grid segments* starting from the most northerly or easterly property boundary.



In order to remove trees from the Waterfront Buffer, at least 25-points worth of trees and sapling must remain within each grid segment. Trees are scored based on their diameter at 4.5 feet off the ground. When determine the locations of grid segments, the law requires that they be determine starting at the most northerly or easterly property boundary.



Tree Diameter:

- 1-3" = 1 pt
- > 3-6" = 5 pts
- > 6-12" = 10 pts
- > 12" = 15 pts

Remove trees but, allow at least 25 points of trees and saplings to remain within each grid segment.

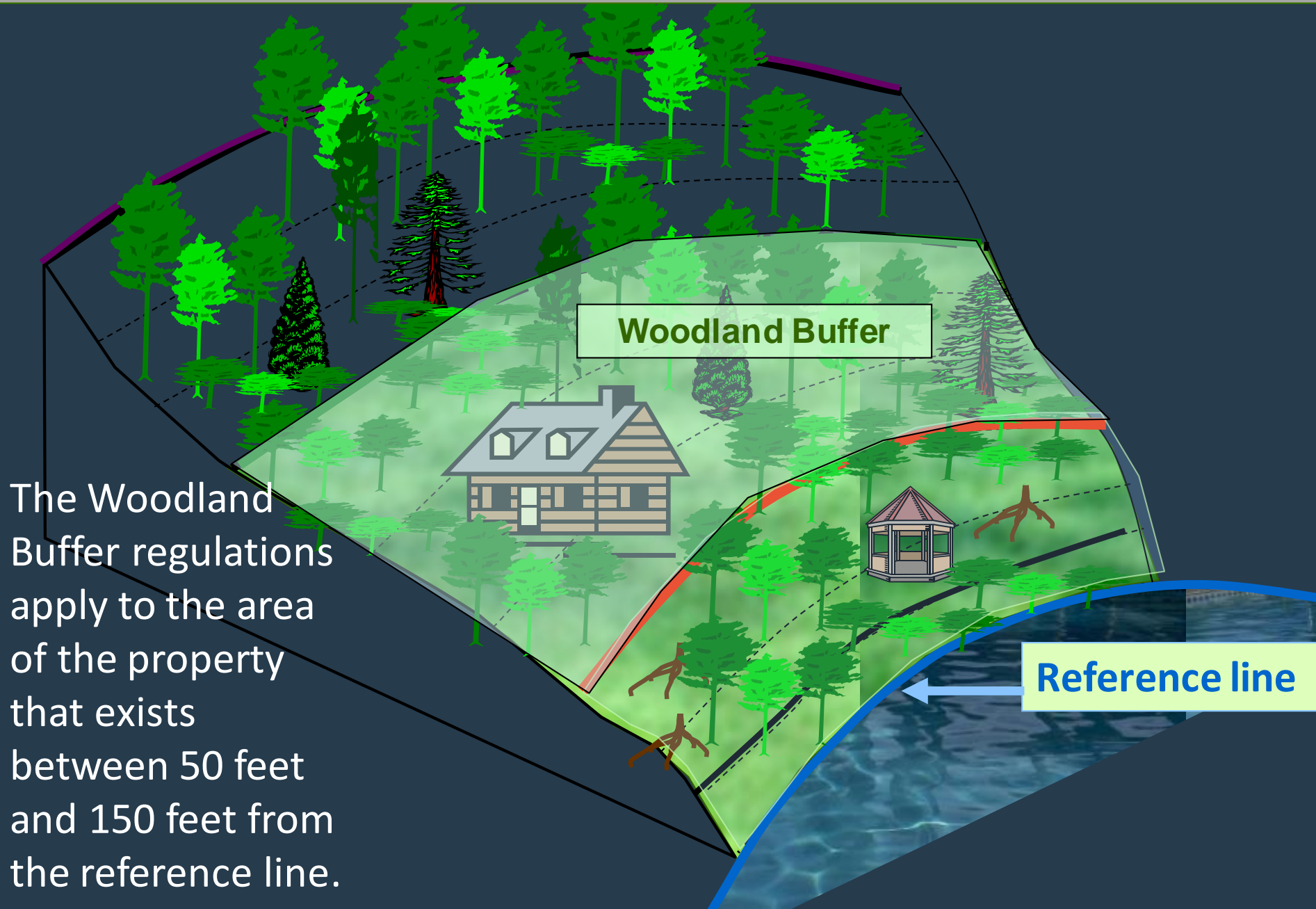


10/07/2008

There is freedom to remove trees within these grid segments.
Each grid segment has greater than 50-points worth of trees.

The *Woodland* *Buffer Area*

The Woodland Buffer



The Woodland Buffer regulations apply to the area of the property that exists between 50 feet and 150 feet from the reference line.

25% of the area
between 50-feet and
150-feet must be
maintained as **Natural
Woodland**

Natural Woodland: A
forested area consisting
of various species of
trees, saplings, and
ground covers in any
combination and at any
stage of growth.

On NHDES' Fact Sheet entitled, "Vegetation Management for Water Quality" examples of "Natural Woodland" are provided. Within this image, it's the wooded areas adjacent to the pathway.

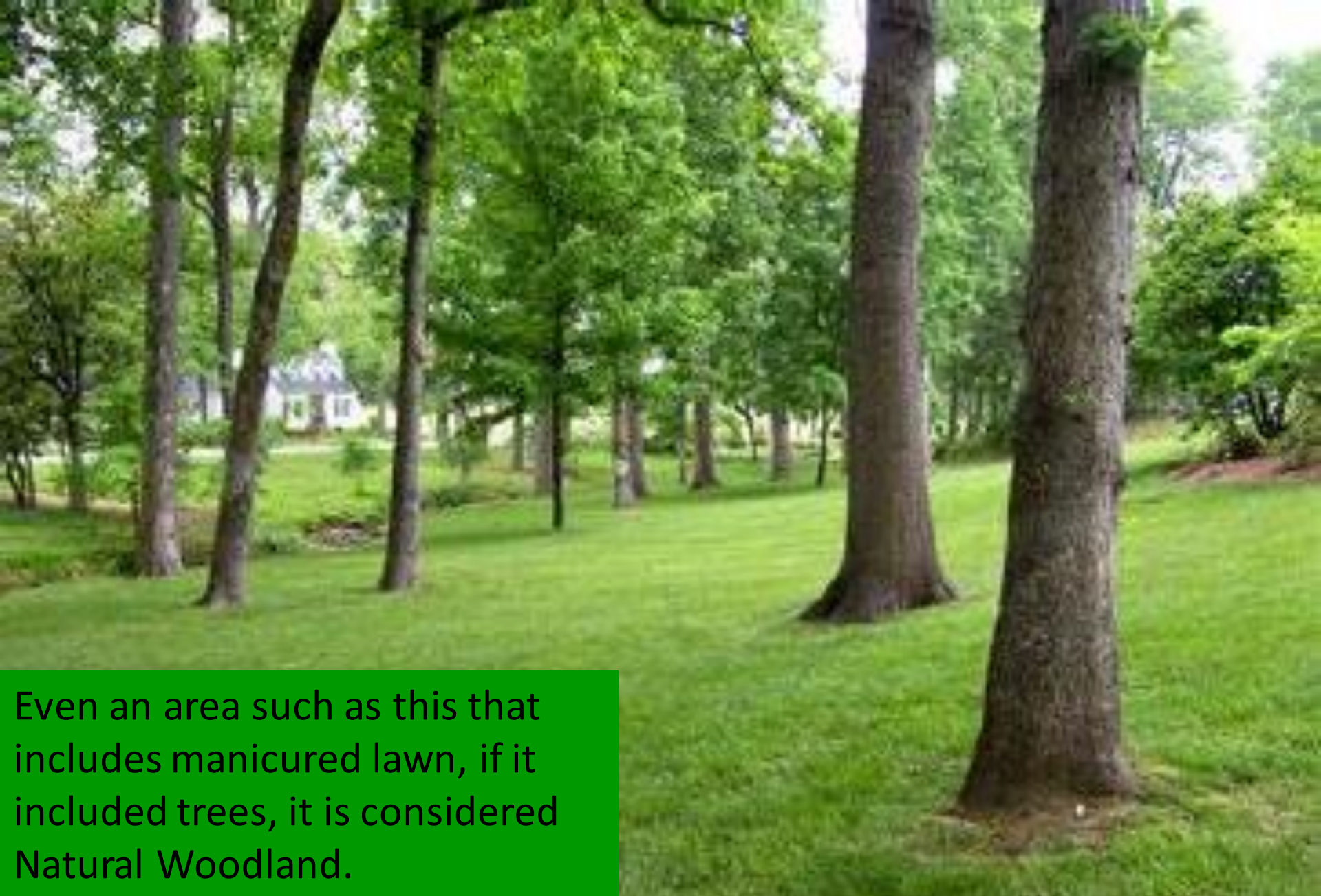


Natural Woodland



Within this image, it's a field that has been allowed to grow relatively unimpeded.

Natural Woodland



Even an area such as this that includes manicured lawn, if it included trees, it is considered Natural Woodland.

Natural Woodland

NHDES' Fact Sheet, "Vegetation Management for Water Quality" is an excellent resource for information and it's available on the NHDES Shoreland Program webpage.

ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • www.des.nh.gov

SP-5

2020

Vegetation Management for Water Quality

New Hampshire's waterbodies provide benefits we all enjoy: fishing, boating, and natural beauty to name a few. As communities grow and New Hampshire's landscape changes, the quality of our public waters depends on each of us managing the vegetation on our property. Nature's most economical and efficient water purification system is a combination of native shoreland plants.

Stormwater runoff is water from rain or melting snow that does not soak into the ground. Plants help remove the oils, salt, heavy metals, fertilizers, and other contaminants from stormwater runoff before they enter our lakes and rivers. Even the dense mats of leaves and needles under trees play a unique role in purifying our water. The best vegetation for healthy waterbodies are native plants, such as oaks, pines, willows, and blueberry bushes. Native plants slow down, absorb, and purify much more stormwater than plants with shallow roots typically found in lawns and mulched garden beds. Plus, birds, fish, and insects rely on the shade, protection, and fruits provided by native shoreland plants.

To protect water quality and wildlife habitat, the Shoreland Water Quality Protection Act (SWQPA) regulates the removal of ground cover, shrubs and trees within 150 feet of public waters. This distance is measured from the reference line. Within 150 feet of the reference line there are two regions, the **waterfront buffer** and the **woodland buffer**, shown below (Figure 1). The regulations on vegetation management are different within these regions and are explained in the following pages.

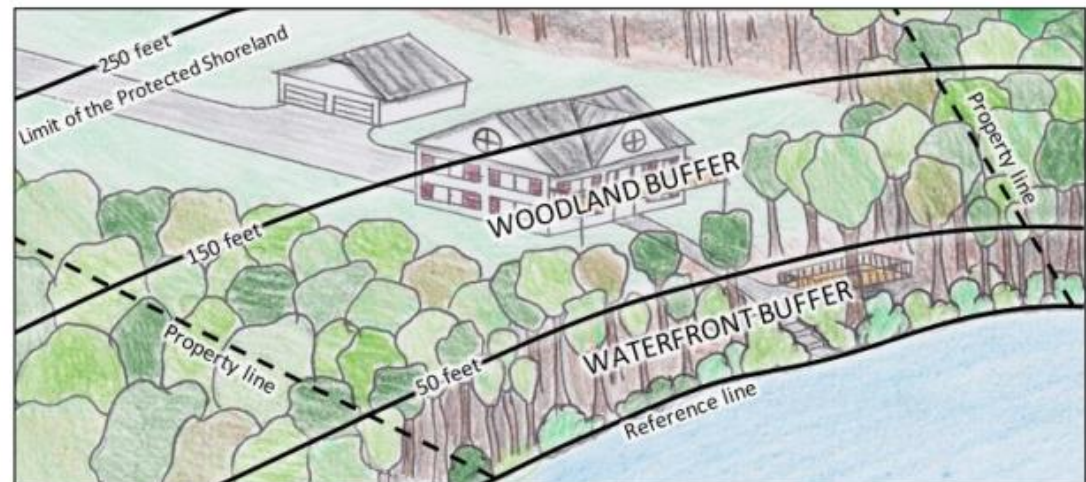
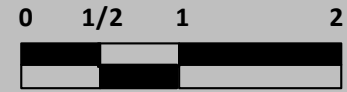


Figure 1 - Areas within the protected shoreland. Distances are measured horizontally from the reference line.

Lot 1
.54 Acres

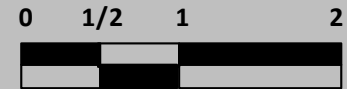


Scale: 1 = 20 feet

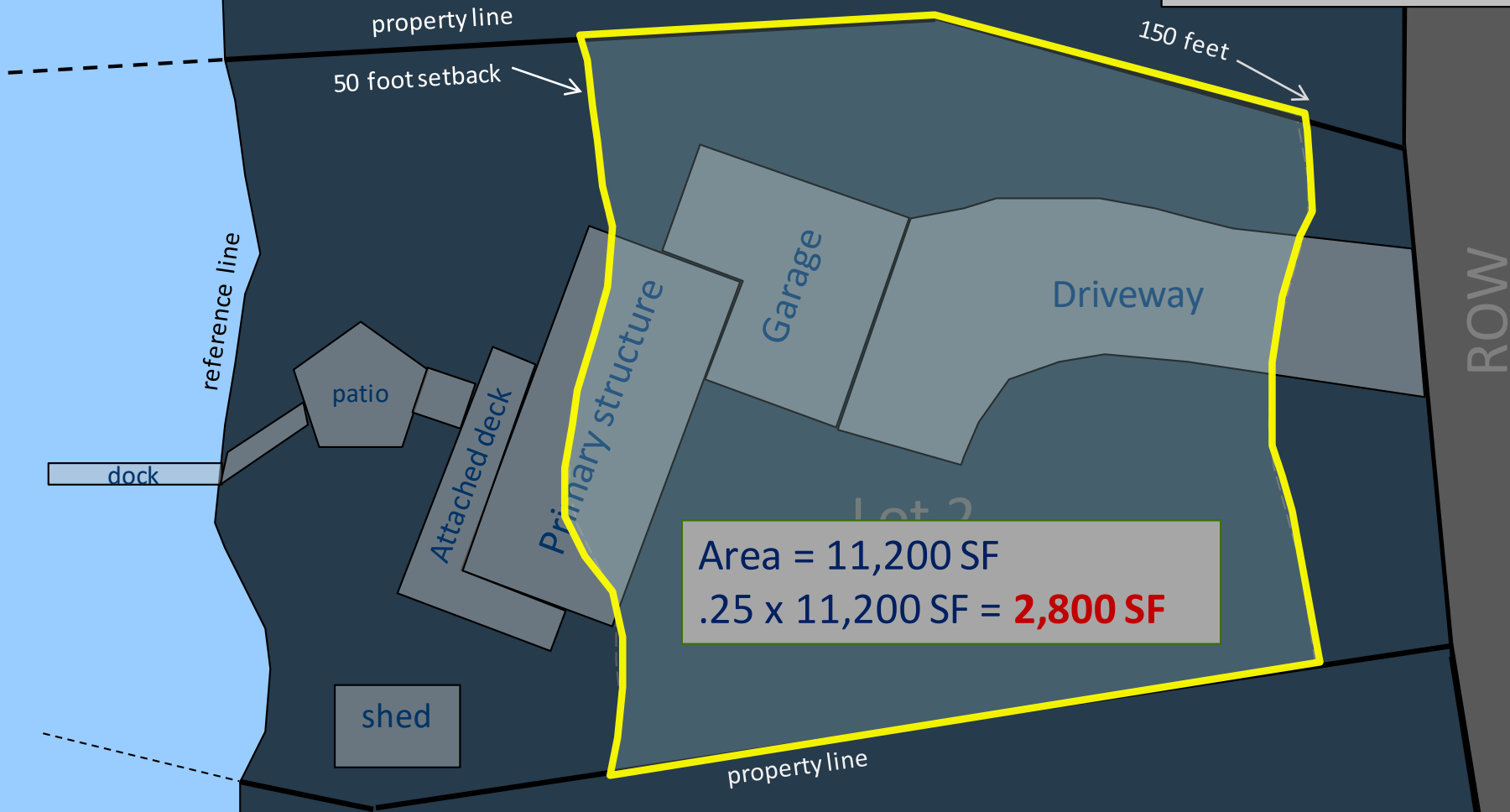


Let's take a look at this lot. I'll use this lot throughout the remainder of the presentation.

Lot 1
.54 Acres



Scale: 1 = 20 feet



First, we have to determine the total area of the property that is between 50' and 150' from the reference line: 11,200 ft²
25% of 11,200 ft² = 2,800 ft²
2,800 ft² is the minimum area that must remain as Natural Woodland.



Lot 1
.54 Acres

Lot 2
.33 Acres



Area = 11,200 SF
 $.25 \times 11,200 \text{ SF} = \mathbf{2,800 \text{ SF}}$
 Total = 1,900 SF + 2,400 SF = $\mathbf{4,300 \text{ SF}}$

In this instance, 4,300 Square Feet of the Natural Woodland Buffer exits as Natural Woodland. There is freedom to impact these areas as the minimum area to remain as Natural Woodland is 2,800 Square Feet.



Lot 1
.54 Acres

Lot 2
.33 Acres



Area = 11,200 SF
 $.25 \times 11,200 \text{ SF} = \mathbf{2,800 \text{ SF}}$
 Total = 1,600 SF + 1,700 SF = $\mathbf{3,300 \text{ SF}}$

Within this image, the total area between 50-foot and 150-foot existing as Natural Woodland has been reduced to 3,300 Square Feet but, this is legal because the limitation is 2,800 Square Feet.

Impervious Surfaces

Impervious surfaces are regulated under the Shoreland Water Quality Protection Act (SWQPA) because they have the tendency to concentrate stormwater flows.

Examples of impervious surfaces:

- **Roofs**
- **Decks**
- **Patios**
- **Walkways**
- **Paved-gravel-crushed stone driveways**

Impervious surfaces are defined as surfaces that do not have the ability to infiltrate stormwater. Even decks and gravel driveways are considered to be “impervious” because during storm events they act to concentrate stormwater flows.

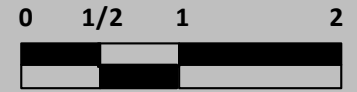


Within this image, if we take a closer look...

The deck,
roof –
including the
overhangs –
and the gravel
areas are
considered to
be impervious.



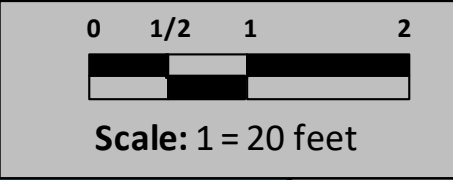
Lot 1
.54 Acres



Scale: 1 = 20 feet



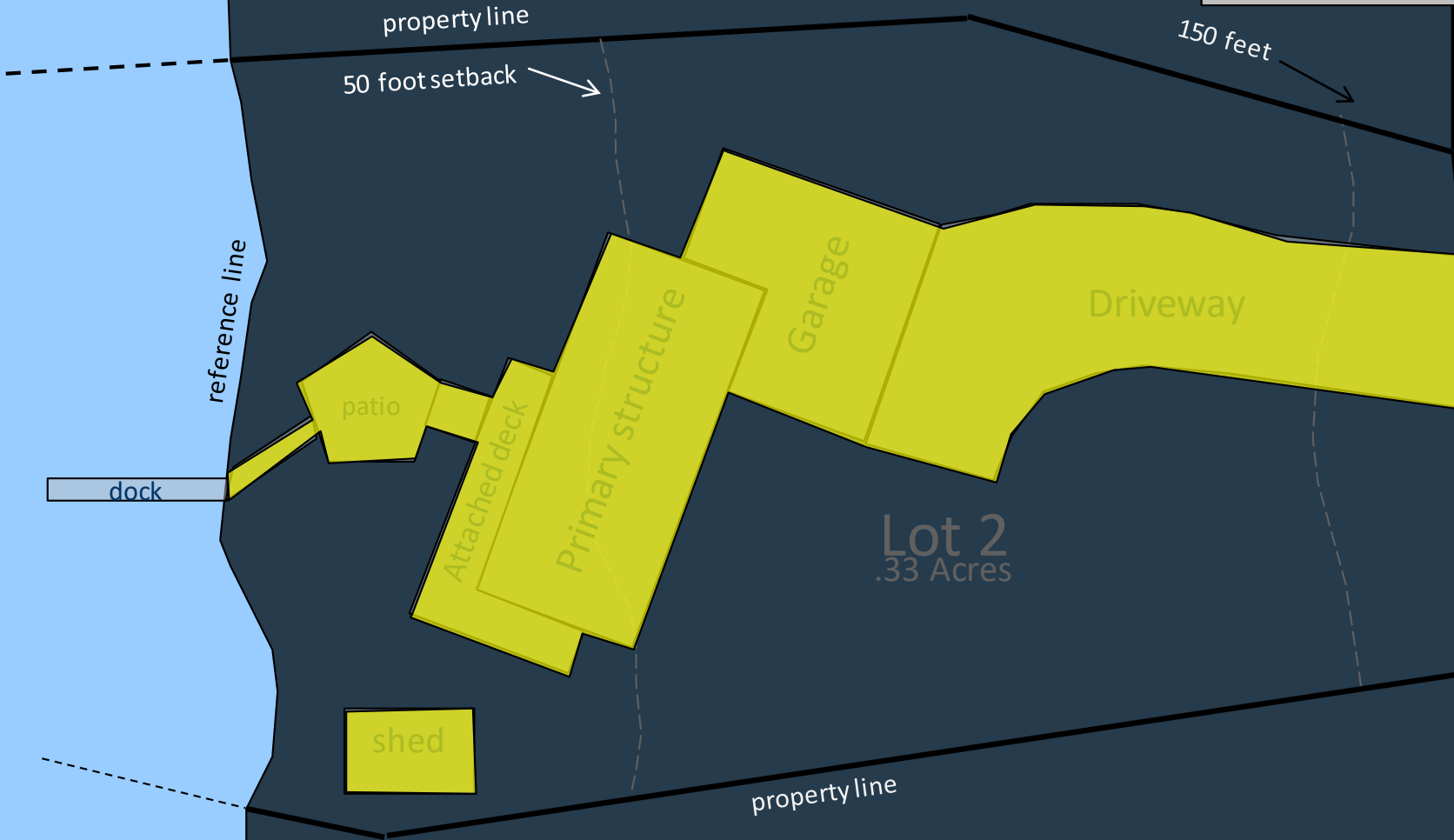
Let's return to this example.



Lot 1
.54 Acres

Lot 2
.33 Acres

Lot 3
.42 Acres



The walkways, patio, deck, primary structure, garage and driveway are impervious.

Impervious Area Thresholds

When the **post-
construction** impervious
area exceeds:

a. 20%

b. 30%

Within the Shoreland Water Quality Protection Act (SWQPA) there are two impervious area threshold to be concerned with – 20% and 30%.

Greater than 20%

If development occurs in a manner that there is a net increase in impervious area that results in greater than 20% of the area of the lot within 250-feet to be composed of impervious surfaces, a stormwater management plan is required. A stormwater management plan means constructing features on the property to ensure that the stormwater that results from the increase in impervious area can be infiltrated into the ground. There are a number of ways to meet this standard.

Rain Garden



A rain garden is an effective way of infiltrating stormwater.



Here is the same rain garden in action.

Rain Garden



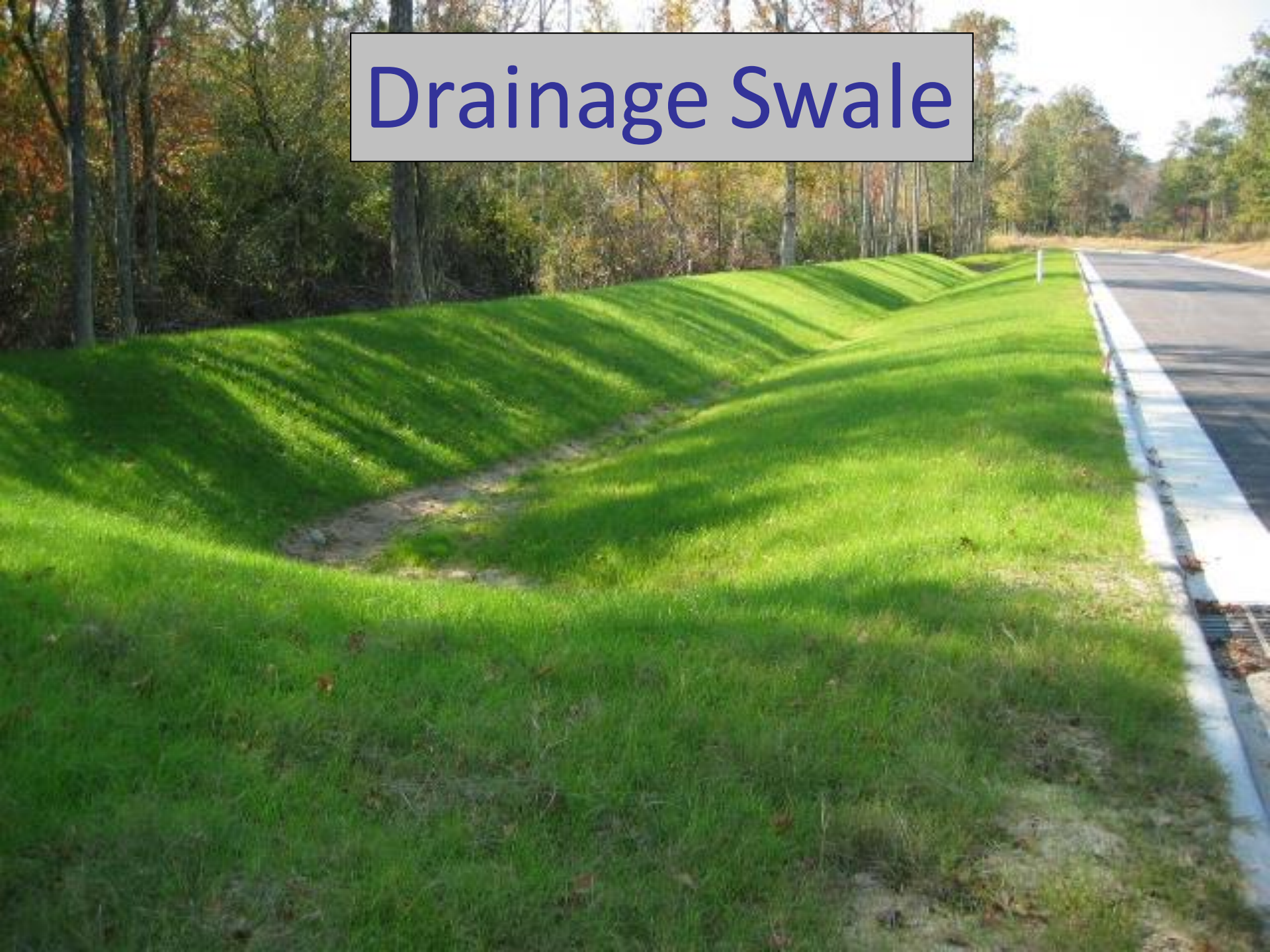
Here is a raingarden infiltrating stormwater from the roof of this structure.

Dry Well



Dry wells are an effective way of infiltrating stormwater.

Drainage Swale



Infiltration Trench



Rain Bars



Rain bars divert stormwater to wooded areas of a property.



On this property, stormwater was directed to this detention area.



Detention area that is able to intercept and infiltrate stormwater.

The NH Homeowner's Guide to Stormwater Management is an excellent resource for installing stormwater management features.

NEW HAMPSHIRE HOMEOWNER'S GUIDE TO STORMWATER MANAGEMENT

DO-IT-YOURSELF STORMWATER SOLUTIONS
FOR YOUR HOME

Soak
UP the
Rain.
New Hampshire



NOVEMBER 2019

Greater than 30%

If development occurs in a manner that there is a net increase in impervious area that results in greater than 30% of the area of the lot within 250-feet to be composed of impervious surfaces, a stormwater management plan must be designed and implemented by a professional engineer. A stormwater management plan means constructing features on the property to ensure that the stormwater that results from the increase in impervious area can be infiltrated into the ground and, if any 25x50-foot waterfront buffer grid segment does not meet the minimum 25-point tree and sapling point score, additional plantings must occur so that each deficient grid segment, once planted, meets the minimum required 25-point score. There are a number of ways to meet this standard.



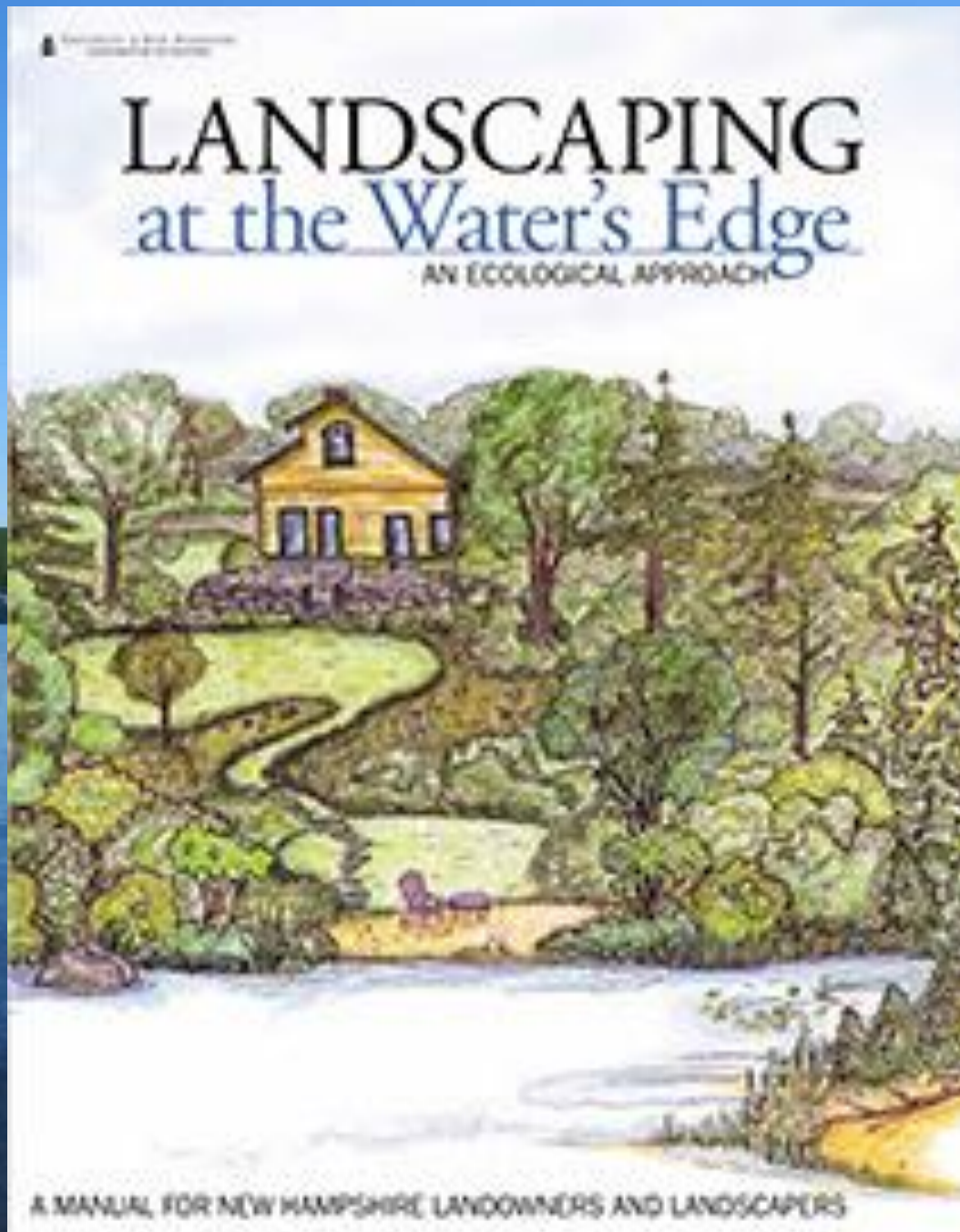
Provide additional plantings within each grid segment so that each grid segments meets the minimum required point 25 point score.

Within this image, as displayed earlier, each grid segment *does not* meet the minimum 25-point tree and sapling point score. If development occurred on this property in a manner that increased the impervious area of the lot within the protected shoreland greater than 30%, the Waterfront Buffer would have to be restored.





This guidance document is an excellent resource for restoring the Waterfront Buffer.



Pervious Surfaces

Pervious materials are *not* “**impervious**”



Pervious Surfaces are designed to infiltrate stormwater. This image depicts a pervious patio.

Pervious Asphalt

A photograph of a road surface illustrating pervious asphalt. The top half of the image shows a dark, porous asphalt surface. A red diagonal line separates this from the bottom half, which shows a traditional asphalt surface with a pool of water. The water is dark and reflects the sky. In the bottom left corner, there is a concrete curb with a pile of dark mulch. The background shows a road with white lane markings.

vious asphalt exists. The top half is a pervious asphalt, it is able to effectively infiltrate
stormwater. The bottom half is traditional asphalt where you can see stormwater
accumulating and traveling to a neighboring catch basin where it discharges into a
waterbody.

This picture demonstrates how a property owner has elected to convert an existing driveway to a pervious surface.



Here, they converted the gravel driveway to a new pervious asphalt. When pervious surfaces are used, they are not quantified when determining the total area of the property that is impervious.



Permitting Process

These activities, within 250-feet of all protected waterbodies, require a NHDES Shoreland Impact Permit.

- 1.) Excavation with mechanized equipment**
- 2.) Filling that changes the contour of the land**
- 3.) Constructing new structures**

NHDES interprets "Excavation" as using mechanized equipment. Using hand tools does not require a NHDES Shoreland Impact Permit.



Constructing new structures requires a NHDES Shoreland Impact Permit. In this instance, even if you used hand tools only, new structures are present, and therefore, A NHDES Shoreland Impact Permit is required. Pervious patios are considered structure, and they too, require a NHDES Shoreland Impact Permit.



Even if you use a small device such as this *Bobcat*, it's considered mechanized equipment and requires a NHDES Shoreland Impact Permit.



Resurfacing existing lawns with topsoil is not considered fill and *does not* require a NHDES Shoreland Impact Permit.



Adding fill in a manner that re-contours the property is considered fill and *requires* a NHDES Shoreland Impact Permit.





BEFORE

Constructing new walkways requires a NHDES Shoreland Impact Permit.
All new walkways within 50-feet of the reference line must be pervious.



AFTER

Constructing new retaining walls requires a NHDES Shoreland Impact Permit.



Constructing new patios requires a NHDES Shoreland Impact Permit.



Existing Walkways

A photograph showing a brick walkway in a yard. The walkway is made of reddish-brown bricks laid in a rectangular pattern. It is flanked by green grass on both sides. In the background, there are brick steps leading up to a building. The overall scene is a well-maintained outdoor area.

Replacing walkways in-kind, same footprint, same configuration, without using mechanized equipment, does not require a NHDES Shoreland Impact Permit.

Existing Patios



Replacing existing patios in-kind, same footprint, same configuration, without using mechanized equipment, does not require a NHDES Shoreland Impact Permit.

Impacts along the immediate shoreline such as constructing new retaining walls and docks requires a NHDES Wetlands Permit. NH Wetlands Law, RSA 482-A, extends from the waterbody to the top of the bank of the waterbody.



Constructing new retaining walls along shorelines that are currently stable with natural rocks and vegetation is not permissible under NH Wetlands Law.



When shorelines are eroding or are unnaturally stabilized with hardened armor such as rip-rap and stone, constructing a “Living Shoreline” is the preferred approach to shoreline stabilization.



Living shorelines are much more able to anchor the shoreline while providing critical wildlife habitat. Living shoreline also act to intercept and absorb stormwater.



Under NH Wetlands, unstable sites like this can be converted to hardened "Water Access Structures."



Water Access Structure



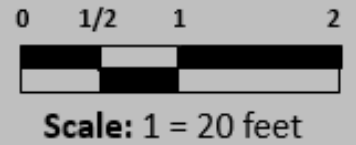
This is an example of a “Water Access Structure.”

Water Access Structure

A photograph of a waterfront patio area. In the foreground, a set of wide stone steps leads up from a grassy area to a stone patio. The patio features a wooden bench, a small table, and several potted plants. In the background, a wooden dock extends into a blue lake, with a metal railing and a curved structure. The scene is surrounded by trees and landscaping.

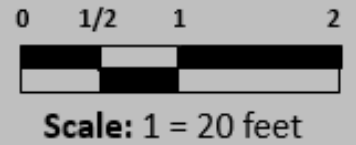
Another example of a “Water Access Structure.”

Water Access Structure Size Limitations



There are limitations to constructing “Water Access Structures.” We’ll return to this lot to demonstrate the limitations on “Water Access Structures.”

Water Access Structure Size Limitations



.54 Acres

property line

50 foot setback

150 feet

reference line

dock

Attached deck

Primary structure

Garage

Driveway

ROW

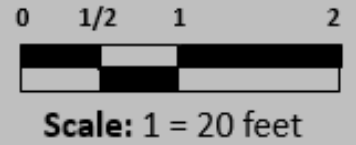
Lot 2
.33 Acres

Length of
Frontage x
7.5

property line

The size of Water Access Structures is limited based on the quantity of "Shoreline Frontage" present on the property. Water Access Structures cannot exceed 7.5 Square feet X the length of Shoreline Frontage.

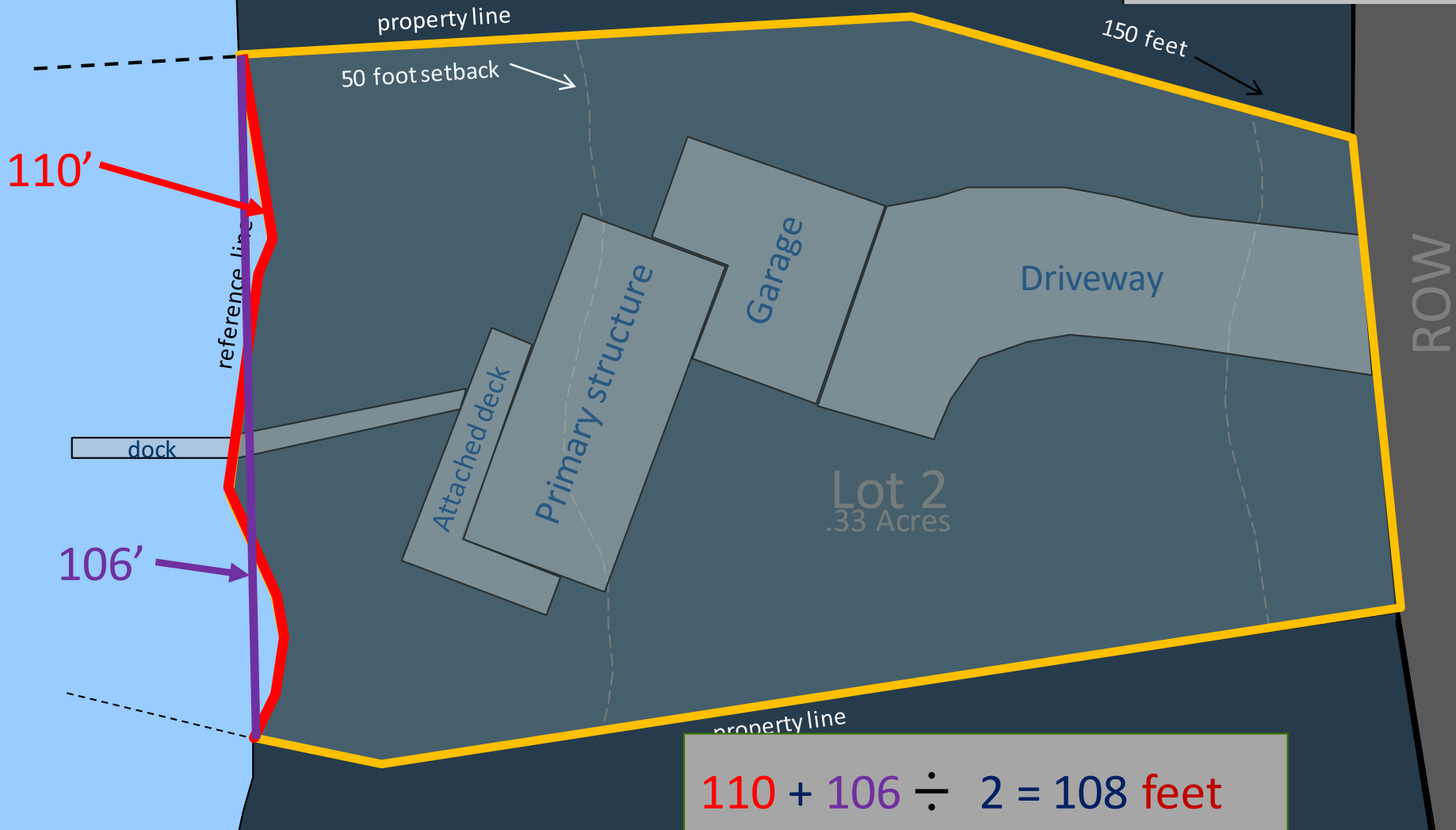
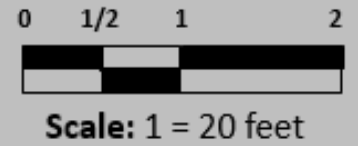
Shoreline Frontage



$$\text{Navigable Frontage} + \text{Pin to Pin Frontage} \div 2$$

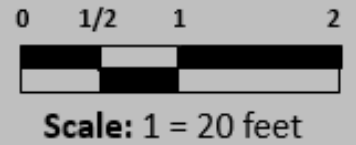
Shoreline Frontage is determined by taking the average of the navigable shoreline and the pin-to-pin shoreline.

Shoreline Frontage



Taking the average of the “navigable shoreline frontage” and the “pin-to-pin shoreline frontage” as an example, this property has 108-feet of “Shoreline Frontage.”

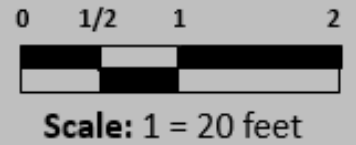
Water Access Structure Size Limitations



$$110 + 106 \div 2 = 108$$
$$108 \times 7.5 \text{ SF} = 810 \text{ SF}$$

108-feet of "Shoreline Frontage" x 7.5 square feet = 810 Square Feet. The maximum size of "Water Access Structures" on this property is 810 Square Feet.

Water Access Structure Size Limitations



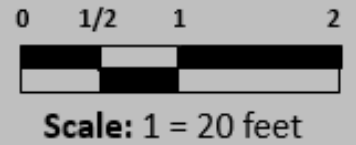
50' x 10' =
500 SF

There is another “Water Access Structure” size limitation to be mindful of. “Water Access Structures” cannot comprise more than 20% of the total “Shoreline Frontage.” This “Water Access Structure” depicted on this slide is not permissible because it comprises more than 20% of total “Shoreline Frontage.”

Combination of existing and proposed water access structures **cannot account for more than 20% of shoreline frontage -
Max = 50 feet.**



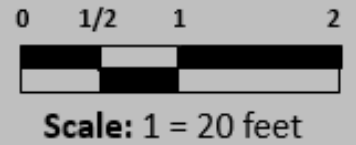
Water Access Structure Size Limitations



$$110 + 106 \div 2 = 108 \text{ feet}$$
$$20\% \text{ of } 108 = 21.6 \text{ feet}$$

On this property, 20% of the total "Shoreline Frontage" = 21.6%.

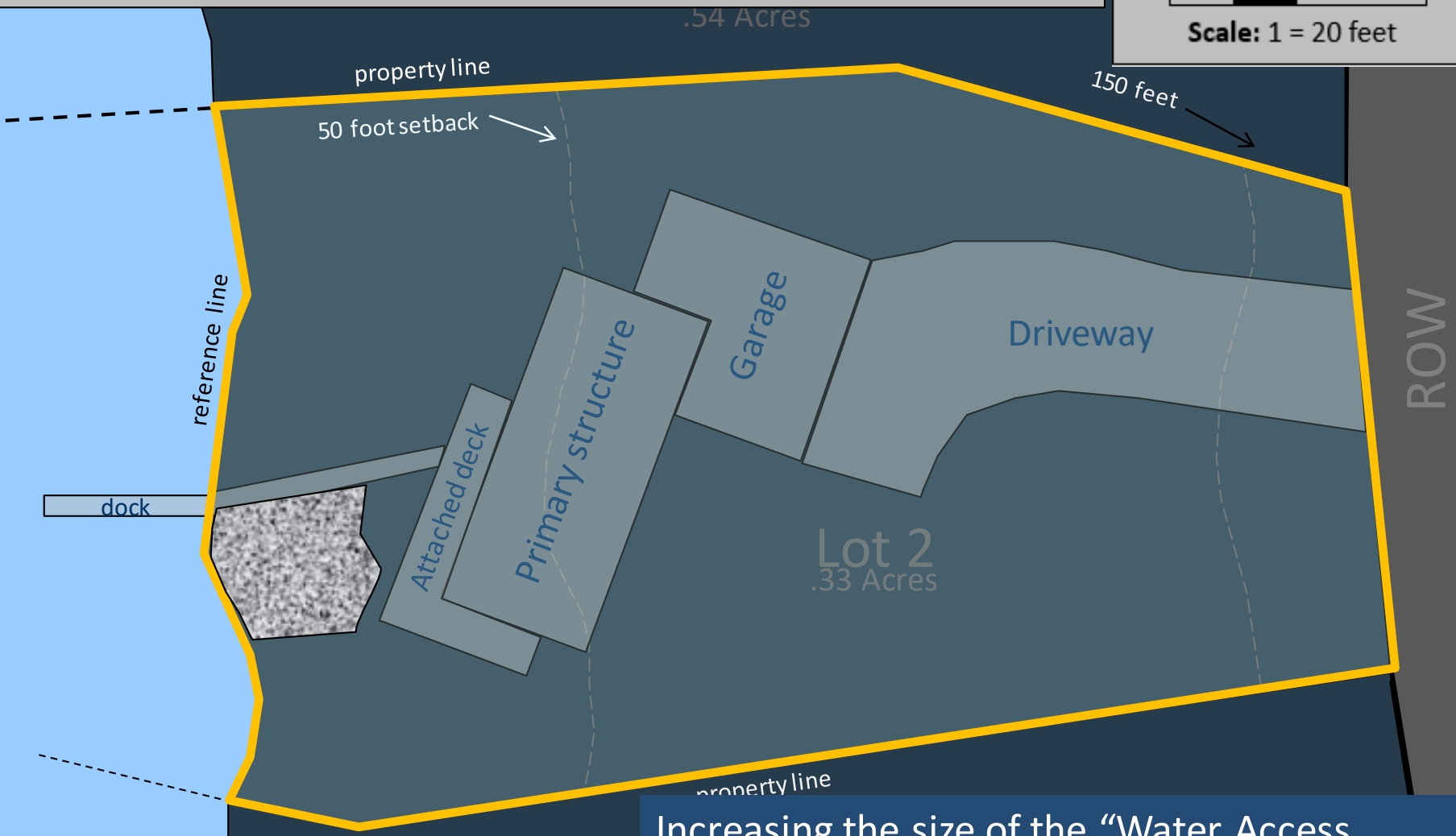
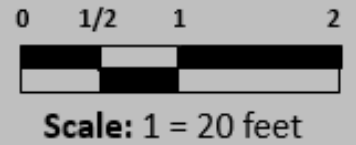
Water Access Structure Size Limitations



$$110 + 106 \div 2 = 108 \text{ feet}$$
$$20\% \text{ of } 108 = 21.6 \text{ feet}$$

Reducing the width of this “Water Access Structure” allows it to conform to this standard.

Water Access Structure Size Limitations



$$110 + 106 \div 2 = 108 \text{ feet}$$
$$20\% \text{ of } 108 = 21.6 \text{ feet}$$

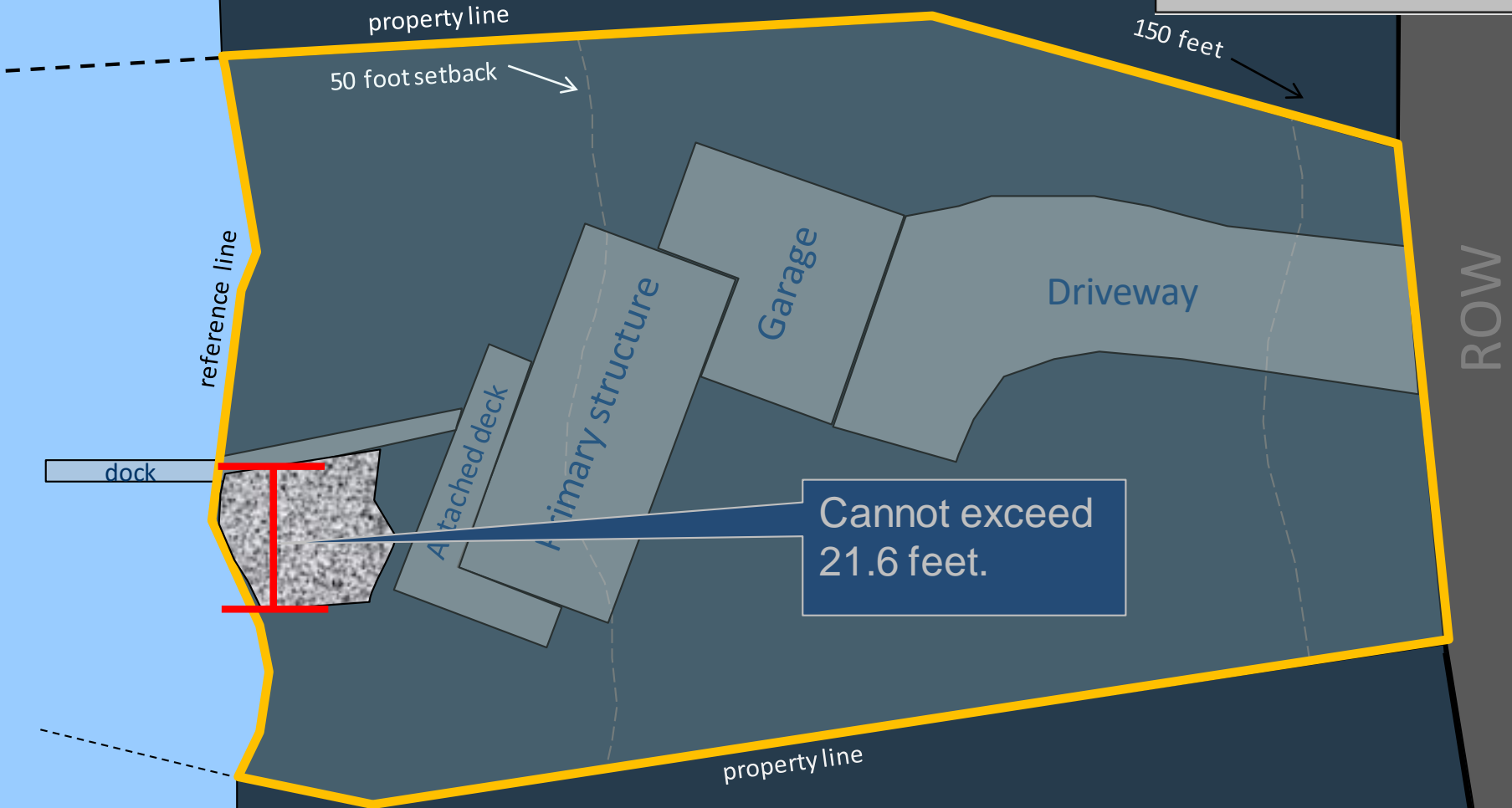
Increasing the size of the “Water Access Structure” landward is permissible provided the total area is less than 810 Square Feet and does not encompass more than 20% of the “Shoreline Frontage” which is 21.6-feet.

Water Access Structure Size Limitations



Scale: 1 = 20 feet

.54 Acres



Cannot exceed 21.6 feet.

$$110 + 106 \div 2 = 108 \text{ feet}$$
$$20\% \text{ of } 108 = 21.6 \text{ feet}$$

Lot 3
.42 Acres

All new paths, walkways and patios
must be *pervious*



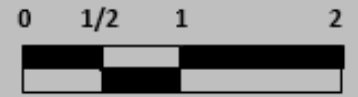
All new walkways and patios within 50-feet of the reference line must be “pervious.”

Perched Beach



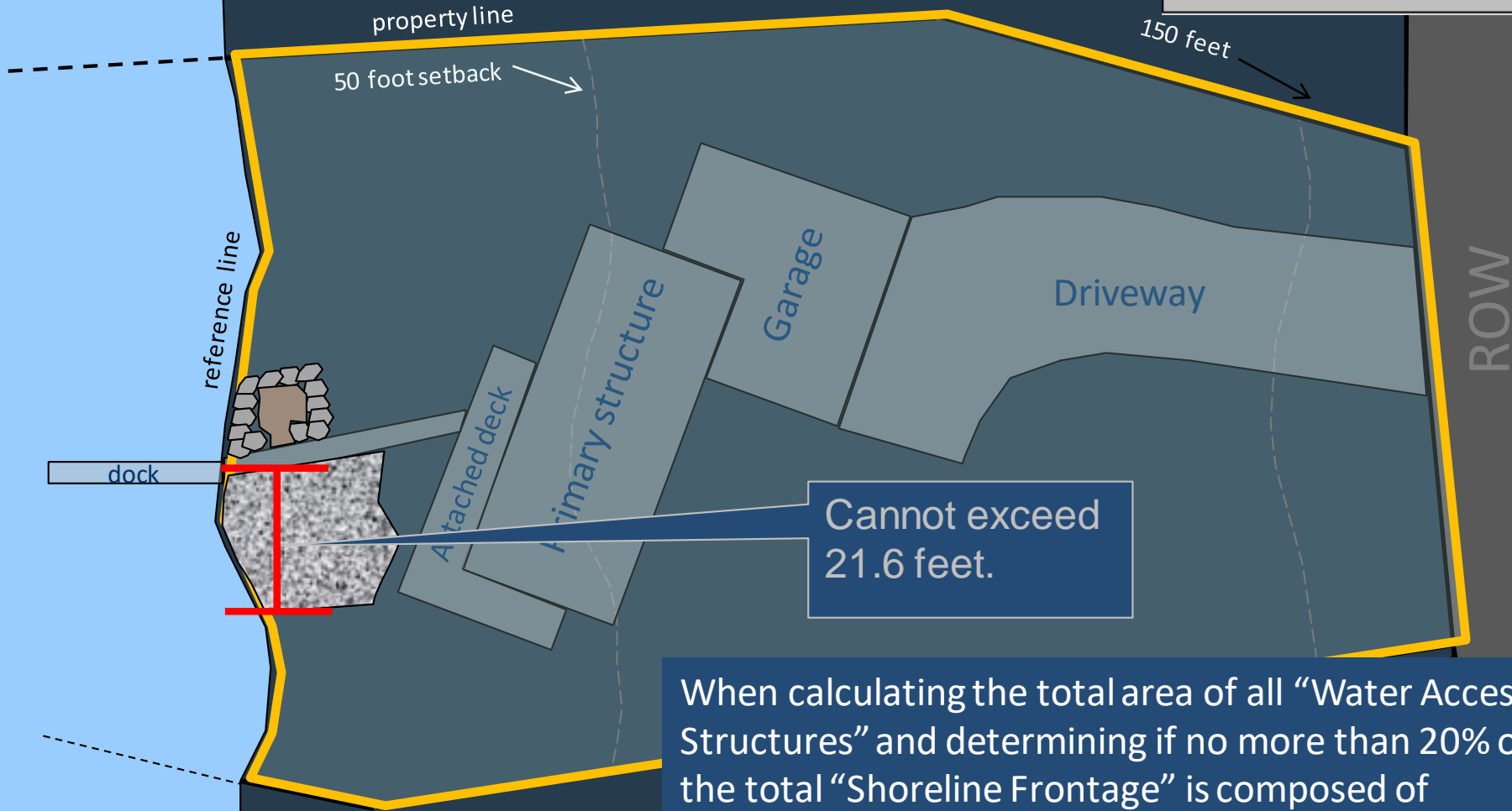
*A Perched Beach is a “**water access structure.**”*

Water Access Structure Size Limitations



Scale: 1 = 20 feet

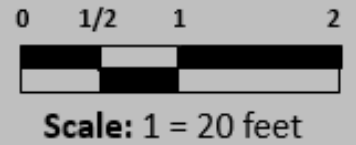
.54 Acres



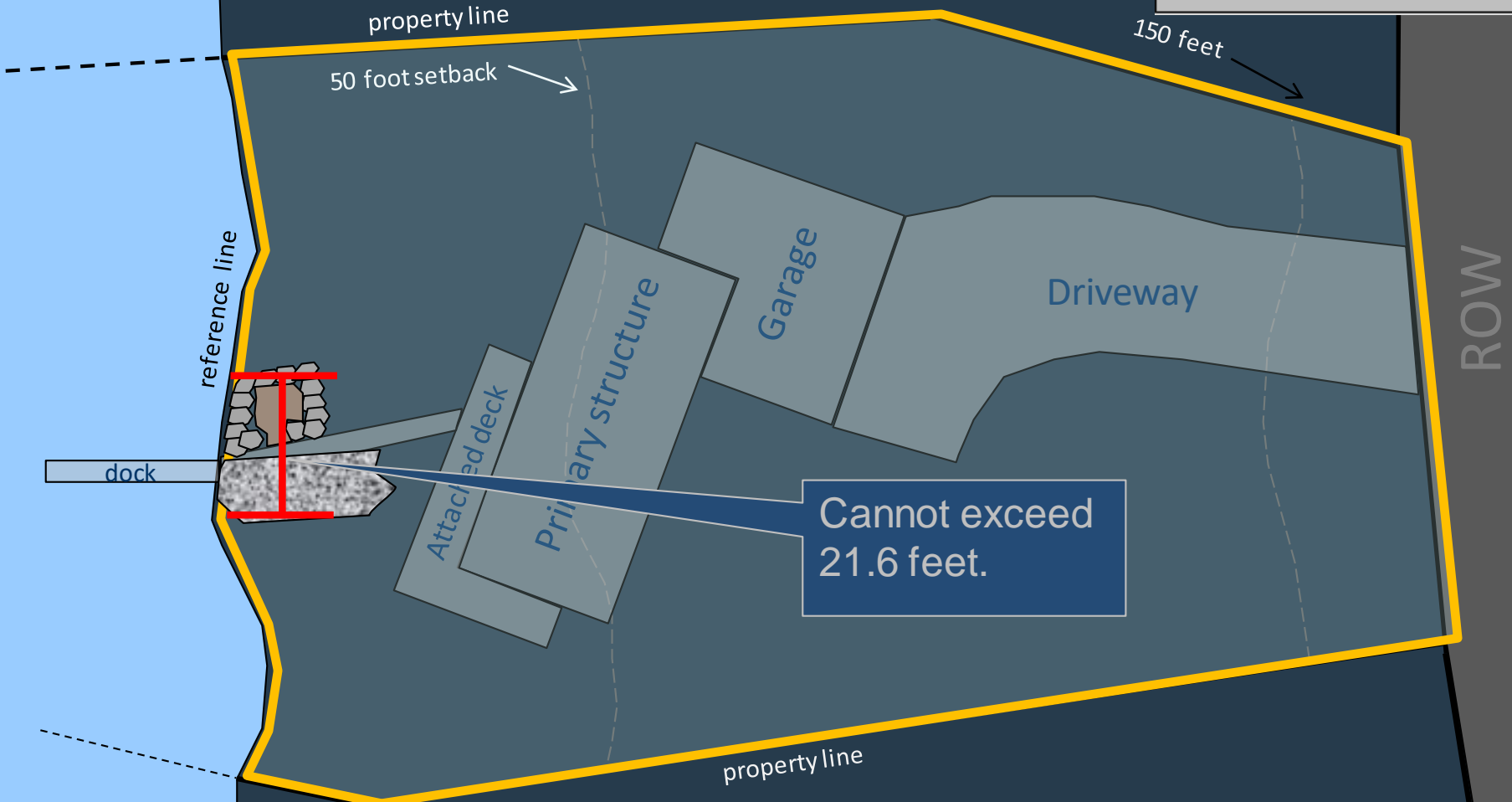
$$110 + 106 \div 2 = 108 \text{ feet}$$
$$20\% \text{ of } 108 = 21.6 \text{ feet}$$

When calculating the total area of all “Water Access Structures” and determining if no more than 20% of the total “Shoreline Frontage” is composed of “Water Access Structures”, perched beaches must be taken into consideration when making this determination. This example is not permissible because the patio and perched beach encompass more than 20% of the total “Shoreline Frontage.”

Water Access Structure Size Limitations



.54 Acres



$$110 + 106 \div 2 = 108 \text{ feet}$$
$$20\% \text{ of } 108 = 21.6 \text{ feet}$$

Reducing the width of the perched beach and the patio allows each “Water Access Structure”, collectively, to encompass less than 20% of the “Shoreline Frontage.”

**Proceed with
Caution**



Always make certain property owners have received a NHDES Shoreland Impact Permit before you begin your landscaping project. It's not uncommon for property owners to receive a NHDES Shoreland Impact Permit to construct a new home and other, larger structures but, it's not uncommon for property owners and/ or general contractors to neglect to include the proposed landscaping activities on the approved plans.

As discussed earlier, additional walkways, patios, perched beaches and retaining walls require a NHDES Shoreland Impact Permit and/ or NHDES Wetlands Permit. If these impacts are not depicted on the Approved Plans associated with NHDES Permit, the existing permit must be amended and, in some instances, a new NHDES Permit is required.



All NHDES Shoreland and Wetlands Permits can be viewed on the NHDES Shoreland Program Webpage.

Be sure to look for the specific Permit Condition that identified the date and the producer of the Approved Plans.



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



SHORELAND IMPACT PERMIT 2021-02871

NOTE CONDITIONS

PERMITTEE: ROBERT F ROWINSKI FAMILY IRREVOCABLE TRUST
PAMELA A ROWINSKI FAMILY IRREVOCABLE TRUST
15 HICKORY RIDGE ROAD
PLAISTOW NH 03865

PROJECT LOCATION 64 MINGE COVE ROAD, ALTON
TAX MAP #59, LOT #9

WATERBODY: LAKE WINNIPESAUKEE

APPROVAL DATE: SEPTEMBER 24, 2021 **EXPIRATION DATE:** SEPTEMBER 24, 2026

Shoreland Permit Application 2021-02871 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

PERMIT DESCRIPTION:

Impact 13,600 square feet of protected shoreland in order to replace the existing residence located 35 feet from the shoreline with a new residence located 40 feet from the shoreline, modify the existing driveway, remove driveway leading down to the boat house, and install a new septic system, if necessary.

Impervious Surface Percentage Approved: 21.4%

Natural Woodland Area Required per RSA 483-B:9,V, (b): 6,438 square feet

THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):

1. All work shall be in accordance with plans by Ames Associates, LLC dated August 23, 2021 and received by the New Hampshire Department of Environmental Services (NHDES) on September 8, 2021 pursuant to Env-Wq 1406.15(f).
2. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
3. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

Here is the specific approved plan associated with the NHDES Shoreland Permit.



1. All work shall be in accordance with plans by Ames Associates, LLC dated August 23, 2021 and received by the New Hampshire Department of Environmental Services (NHDES) on September 8, 2021 pursuant to Env-Wq 1406.15(f).



Take Home Points:

Purpose of the Law

There are Options!

Permitting Process

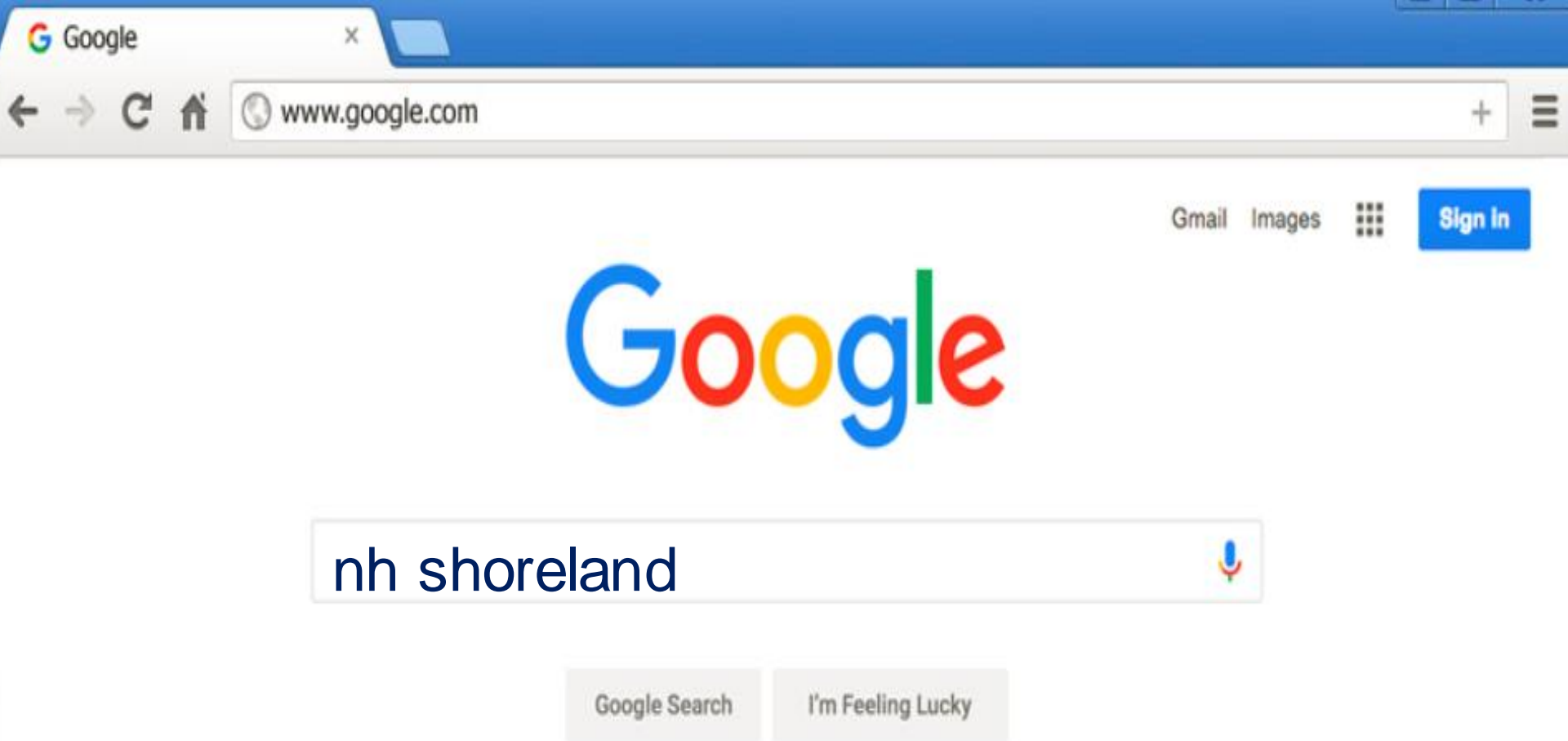
On-Line Resources

In summary, the Shoreland Water Quality Protection Act (SWQPA) does have a purpose – it's not simply a law that aims to protect trees.

There are options, the law has flexibility and seeks to strike a balance between wise shoreland development and environmental protection.

Be mindful of the activities that require a NHDES Shoreland Permit.

The NHDES Shoreland Program webpage is a great resource for completing Shoreland Permit Applications.



The NHDES Shoreland Program webpage is most easily accessed by simply using your favorite web browser to search for: NH Shoreland.



If you have any additional questions,
you're welcome to contact me
anytime.

Jay Aube, CWS
Environmental Permitting Specialist
(603) 431-2222
jaube@tfmoran.com

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