

Please provide information, on submitted plans or in a written narrative, as to how the following criteria have been met. If “not applicable” provide written notice as such.

616.6.3. All development within the Watershed Protection Overlay District shall be evaluated to ensure that:

616.6.3.1 Non-point source pollution is prevented to the maximum extent possible, taking into account site conditions such as slope, soil type and erosivity and vegetative cover.

616.6.3.2 Best Management Practices (BMPs) are in place and are sufficient to remove or neutralize those pollutants that present a potential impact to the water body. The use or creation of detention ponds is not allowed for runoff control, except in those cases where an extended detention pond may be necessary to develop a site.

616.6.3.3 Grading and removal of vegetation at a development site is minimized and erosion and sedimentation control measures are in place and properly installed.

616.6.3.4 If two or more dwelling units share a common sewage treatment system a perpetual maintenance agreement from the building’s owner is required.

616.6.3.5 Uses that may potentially cause contamination within the Watershed Protection Overlay District, must submit a spill prevention control and countermeasures plan for approval.

616.7 Hydrologic Study and Plan shall be done by a professional engineer or hydrologist licensed in the State of New Hampshire and shall contain the specifications contained within the Cobbetts Pond Watershed Protection Ordinance.

616.8 Buffer Requirements

616.8.1 A 100-foot wide buffer zone shall be maintained along the edge of any tributary stream discharging into Cobbetts Pond and along the edge of any wetlands associated with those tributary streams. The required setback distance shall be measured from the centerline of such tributary stream and from the delineated edge of a wetland. Streams shall be delineated from their mean high water mark. The buffer zone shall be maintained in its natural state to the maximum extent possible.

616.8.3 All development shall be located outside of the required buffer zone.

616.8.4 The following uses shall not be permitted within the buffer zone:

616.8.4.1 septic tanks and drain-fields;

616.8.4.2 feed lots or other livestock impoundments;

616.8.4.3 trash containers and dumpsters which are not under roof or which are located so that leachate from the receptacle could escape unfiltered and untreated;

616.8.4.4 fuel storage in excess of fifty (50) gallons [200L];

616.8.4.5 sanitary landfills;

616.8.4.6 activities involving the manufacture, bulk storage or any type of distribution of materials hazardous to Cobbett’s Pond as defined in the Hazardous Materials Spills Emergency Handbook, American Waterworks Association, 1975, as revised, including specifically the following general classes of materials:

616.6.3.5.1 oil and oil products,

616.6.3.5. 2 radioactive materials,

- 616.6.3.5.3 any material transported in large commercial quantities that is a very soluble acid or base, highly biodegradable, or can create a severe oxygen demand,
- 616.6.3.5.4 biologically accumulative poisons,
- 616.6.3.5.5 the active ingredients of poisons that are or were ever registered in accordance with the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 USC 135 et seq.),
- 616.6.3.5.6 substances lethal to mammalian or aquatic life,
- 616.6.3.5.7 road salt,
- 616.6.3.5.8 lawn fertilizers.

616.9 Septic Systems

- 616.9.1 For any new construction, an Effluent Disposal System (EDS) shall be installed in accordance to NH DES regulations requiring a 75 foot setback from Hydric-A soils and a 50 foot setback from Hydric-B soils from any surface water or wetland area.
- 616.9.2 RSA 485-A: For any expansion of an existing structure, or the seasonal conversion of an existing structure, the owner shall conform to 38 and the associated Code of Administrative Rules for Subdivision and ISDS Design Rules, as amended.
- 616.9.3 For a new subdivision development for which EDS's are proposed, if the lots are less than 5 acres, then all plans and permit application shall conform to all relevant NH DES rules and regulations. For lots that are greater than 5 acres, all plans and permit applications shall show an area of 4000 sq. ft., within which the EDS may be located, with test pit and percolation test data to verify the site's suitability for a septic system.
- 616.9.4 If any septic assessment or an on-site inspection indicates that the existing system is in failure, a plan for a replacement system shall be submitted to NH DES within 30 days from the date of the onsite inspection.

616.10 Site Construction

- 616.10.1 No new impervious driveways are allowed within 75 feet of any surface water or wetland area. Accessory structures are allowed when permitted by the NH DES.
- 616.10.2 The impervious area of any building lot is limited to 30%. Impervious area includes building area, gravel or asphalt driveway and parking area. For lots that currently exceed 30% impervious area, re-development must decrease the percent of impervious area.
- 616.10.3 For any use that will render impervious more than 20% or more than 2,500 square feet of any lot, whichever is greater, a storm water management and erosion control plan, consistent with Storm water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire, Rockingham County Conservation District, August 1992, as amended, shall be prepared and submitted to the Planning Board. No building Permit shall be issued until such time as the Planning Board has reviewed and approved said plan.

616.11 Commercial Agriculture Activities

- 616.11.1. Livestock are not allowed direct access to Cobbetts Pond or its tributaries.
- 616.11.2 Application of fertilizers or pesticides is not allowed within 200 feet from Cobbetts Pond or its tributaries or wetland.
- 616.11.3 All livestock grazing and feeding areas shall be a minimum of 200 feet away from Cobbetts Pond or its tributaries.

616.11.4 All runoff from livestock feeding areas shall be directed away from Cobbetts Pond or its tributaries or wetland area.

616.11.5 The storage and use of all animal manure for fertilization purposes must be conducted in accordance with the Best Management Practices for the Handling of Compost, Fertilizer, and Manure in New Hampshire, NH Department of Agriculture, Markets and Food.

616.11.6 Unless stricter setbacks or operational requirements are outlined above, all agricultural operations shall be conducted in accordance with the Manual of Best Management Practices for Agriculture in New Hampshire, NH Dept. of Agriculture, June 1993, as amended, and in accordance with all appropriate sections of the Comprehensive Shoreland Protection Act, *RSA 483-B*.

616.12 Commercial Forestry Activities

616.12.1 A minimum 75-foot undisturbed natural vegetated buffer shall be maintained adjacent to all surface waters or wetland areas.

616.12.2 Unless stricter setbacks or operational requirements are outlined above, all forestry operations shall be conducted in accordance with the Best Management Practices for Erosion Controls on Timber Harvesting Operations in New Hampshire, NH Division of Forests and Lands, February 2004, as amended, and in accordance with all appropriate sections of the Comprehensive Shoreland Protection Act, as detailed in *RSA 485-A:17*.