

Deerfield Planning Board
Pleasant Lake Watershed Protection Ordinance Land Development*
Major Application

*Section 330 of the Pleasant Lake Watershed Protection Ordinance in the Deerfield Zoning Ordinance defines **Development** as any activity resulting in a change in the physical character of any parcel of land, such as may be caused by, but not limited to: subdivisions; change in use; the construction or expansion of a building, deck, or shed; installation of a new well or subsurface sewerage disposal system associated with building construction; land disturbing activity such as Business Commercial Agriculture or commercial forestry; paving of a previously permeable area; grading, engineered; and new road construction. The term development is not intended to include the installation, expansion or improvement of lawns outside of the 100-foot buffer in Section 330.8, ground cover, natural vegetation or planting of shrubs or trees.

For any development that will render post-development impervious surface of more than 20% or more than 2,500 square feet of the entire lot, whichever is greater, a stormwater management and erosion control plan, consistent with New Hampshire Stormwater Manual (latest edition) prepared by NH DES, shall be prepared and submitted for review and approval as part of a Major Watershed Application unless previous approval has been granted through the Site Plan/Subdivision Watershed Application process. Major Watershed Applications are reviewed and approved by the Deerfield Planning Board.

Property Address: _____

Refer to the parcels located within the Pleasant Lake Watershed District, November 2014 to determine if the property to be developed is within the Pleasant Lake Watershed Protection area. If you have questions regarding this application or the process for approval, please contact the Town's Building Inspector at 603-463-8811, ext. 302 or the Town Planner at Southern NH Planning Commission at 603-669-4664.

Map/Block/Lot: _____ Zoning District(s): _____

Property Owner: _____

Property Owner Mailing Address: _____

Property Owner Phone: _____ Property Owner Fax: _____

Property Owner Email: _____

Agent (if different than Property Owner): _____

Agent Mailing Address: _____

Agent Phone: _____ Agent Fax: _____

Agent Email: _____

~~~~~ **Staff Use Only** ~~~~~

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

**Payment to Town of Deerfield for the following fees:**

- |                                         |                  |
|-----------------------------------------|------------------|
| 1. Application Fee:                     | \$ <u>100.00</u> |
| 2. Engineering Escrow Account Fees:     | \$ <u>500.00</u> |
| a. Date Paid: _____ Cash/Check #: _____ |                  |
| 3. Abutters Notice (\$8.70 per Abutter) | \$ _____         |

|                              |          |
|------------------------------|----------|
| <b>Total Application Fee</b> | \$ _____ |
|------------------------------|----------|

Planning Board Meeting Date: \_\_\_\_\_

Copies of Plans/Materials Submitted: \_\_\_ Yes \_\_\_ No \_\_\_\_\_

**Check off Type of Land Development Being Proposed:**

- ☐ Development that will render post-development impervious surface of more than 20% or more than 2,500 square feet of the entire lot, whichever is greater, and is not a Site Plan or Subdivision. If development will render post-development impervious surface of 20% or less, or 2,500 sq ft (whichever is greater) and is not a Site Plan or Subdivision, you must submit a Minor Application.
- ☐ New home construction, additions and/or reconstruction of existing homes. Requires submittal of an erosion and sedimentation control plan (see Section 330.6 F).
- ☐ Uses that may potentially cause contamination within the Pleasant Lake Watershed Protection Ordinance. Requires submittal of a spill prevention control and countermeasures plan (See Section 330.6 H 7).

**ATTACH THE FOLLOWING TO THIS APPLICATION:**

- 2 copies of a Site Diagram/Sketch/Plot Plan depicting the existing and proposed development including all impervious surfaces (driveways, walkways, boat ramps, decks, etc.). Include total square footage of each impervious surface.
- 2 copies of a storm water management and erosion control plan, consistent with the New Hampshire Stormwater Manual (latest edition) prepared by NHDES. This shall be prepared and submitted for review and approval as part of a Major Watershed Application unless previous approval has been granted through the Site Plan/Subdivision Watershed Application process. Major Watershed Applications are reviewed and approved by the Planning Board (see Section 330.6 C).
- The submitted plans shall include information as to how the following criteria have been met. If the criteria is "Not Applicable"; note and provide a written justification.

**Section 330.6 H.** All development within the Watershed Protection Overlay District shall be evaluated to ensure that:

1. No new impervious driveways are allowed within 75 feet of any surface water or wetland area. Accessory structures are allowed within the 75-foot setback when permitted by the NHDES.
2. The impervious surface of any lot is limited to 30%. For lots that currently exceed 30% impervious surface, development must decrease the percent of impervious surface. Replacement in-kind of existing development does not require this reduction of impervious surface.

3. 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.
4. 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.
5. Grading and removal of vegetation at a development site is minimized and erosion and sedimentation control measures are in place and properly installed.
6. If two or more dwelling units share a common sewage treatment system a perpetual maintenance agreement from the building's owner is required.
7. Uses that may potentially cause contamination within the Watershed Protection Overlay District, must submit a spill prevention control and countermeasures plan for approval. This plan shall include the following elements:
  - a. Disclosure statements describing the types, quantities, and storage locations of all contaminants that will be part of the proposed project.
  - b. Contaminant handling and spill prevention techniques.
  - c. Spill reporting procedures, including a list of affected agencies to be contacted in the event of a spill.
  - d. Spill recovery plans, including a list of available equipment.
  - e. Spill cleanup and disposal plans.

### **330.8 Buffer Requirements**

- A. A minimum 100-foot-wide buffer zone shall be maintained along the edge of any tributary stream discharging into Pleasant Lake and along the edge of any wetlands associated with those tributary streams. The required buffer 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.
- B. Any reduction in the required buffer zone width down to an absolute minimum of 50 feet may be granted by the Planning Board upon presentation of a hydrologic or other study that provides documentation and justification, acceptable to the Planning Board, that even with the reduction, the same or a greater degree of water quality protection would be afforded as would be with the full-width buffer zone. In granting such a reduction, the Planning Board may require certain conditions of approval which may include, but are not limited to, restrictions on use, type of construction, and erosion, runoff or sedimentation control measures as deemed necessary to protect water quality.

- C. Any proposed development within the required buffer zone shall require approval of the Planning Board.
- D. The following uses shall not be permitted within the buffer zone:
  - 1. Subsurface sewerage disposal systems and drain-fields
  - 2. Livestock impoundments
  - 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
  - 4. No outside fuel storage
  - 5. Activities involving the manufacture, bulk storage or any type of distribution of materials hazardous to Pleasant Lake as defined in the Hazardous Materials Spills Emergency Handbook, American Waterworks Association, 1975, as revised, including specifically the following general classes of materials
    - a. Oil and oil products
    - b. Radioactive materials
    - c. Any material transported in large commercial quantities that is a very soluble acid or base, highly biodegradable, or can create a severe oxygen demand
    - d. Biologically accumulative poisons
    - e. 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.)
    - f. Substances lethal to mammalian or aquatic life
    - g. Road salt
    - h. Lawn fertilizers

### **330.9 Septic Systems**

- A. For any new construction, a sewage disposal system 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.
- B. For any expansion of an existing structure, or the seasonal conversion of an existing structure, the owner shall conform to RSA 485-A: 38 and the associated Department of Environmental Services Code of Administrative Rules for Subdivision and Individual Sewage Disposal System Design Rules, as amended.
- C. For a new subdivision development for which sewerage disposal systems are proposed, if the lots are less than 5 acres, then all plans and permit applications 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.

- D. 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.

### **330.10 Commercial Agriculture Activities**

- A. Livestock are not allowed direct access to Pleasant Lake or its tributaries. Drinking water for livestock shall be provided by the use of container(s) located a minimum of 100' from Pleasant Lake, tributaries that flow into the Lake or associated wetlands.
- B. Application of fertilizers or pesticides is not allowed within 200 feet from Pleasant Lake or its tributaries or wetlands.
- C. All livestock grazing and feeding areas shall be a minimum of 100 feet away from Pleasant Lake or its tributaries.
- D. All runoff from livestock feeding areas shall be managed to prevent direct discharge to Pleasant Lake or its tributaries or wetland area.
- E. 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.
- F. 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, NH RSA 483-B.

### **330.11 Commercial Forestry Activities**

- A. A minimum 75-foot undisturbed natural vegetated buffer shall be maintained adjacent to all tributaries, surface waters or wetland areas.
- B. 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 Shore land Protection Act, as detailed in RSA 485-A: 17.