

DES-SUGGESTED AMENDMENTS TO RSA 483-B

April 8, 2008

1. Amend RSA 483-B:4 as follows:

XXIV-a. "Unaltered state" means native vegetation allowed to grow without ~~interference~~ cutting, limbing, trimming, pruning, mowing or other similar activities that would interfere with the natural growth of the vegetation.

Note: Within RSA 483-B, there is a need to "find and replace" all "undisturbed state" with "unaltered state"

2. Amend RSA 483-B:9 V, (b) as follows:

(2) Within the natural woodland buffer of a given lot:

(A)(i) For lots with one-half acre or less of land within the natural woodland buffer, the vegetation within at least 25 percent of the area outside the waterfront buffer shall be maintained in an unaltered state. Owners of lots legally developed prior to April 1, 2008 that do not comply with this standard are encouraged to, but shall not be required to, increase the percentage of area maintained in an unaltered state, except as required by the department under RSA 483-B:11, II. The percentage of area maintained in an unaltered state on nonconforming lots shall not be decreased.

(A)(ii) For lots with greater than one-half acre of land within the natural woodland buffer, the vegetation within at least 50 percent of the area outside the waterfront buffer, exclusive of impervious surfaces, shall be maintained in an unaltered state. Owners of lots legally developed prior to April 1, 2008 that do not comply with this standard are encouraged to, but shall not be required to, increase the percentage of area maintained in an unaltered state, except as required by the department under RSA 483-B:11, II. The percentage of area maintained in an unaltered state on nonconforming lots shall not be decreased.

3. Amend RSA 483-B:9 V, (g) as follows: (g)

IMPERVIOUS SURFACES.

(1) Subject to subparagraph (2), no more than 30 percent of the area of a lot located within the protected shoreland shall be composed of impervious surfaces.

(2) If the impervious surface area will exceed 20 percent, a stormwater management system shall be implemented and maintained such that it is designed to infiltrate increased stormwater from development occurring after the effective date of this section such that stormwater is infiltrated to meet rules established by the department under RSA 485-A:17. In addition, if the natural tree and sapling cover in the waterfront buffer does not meet the 50-point minimum score of RSA 483-B:9, V(a)(2)(D) in any segment, then such segment shall be planted, as determined by rule of the department, with native trees, saplings, or natural ground cover in sufficient quantity, type, and location either to meet the minimum score or to provide at least an equivalent level of protection as provided by the minimum score.