RSA 483-B
Comprehensive Shoreland Protection Act (CSPA)
A Summary of the Standards

Effective July 1, 2008**, A STATE SHORELAND PERMIT is required for many construction, excavation or filling activities within the Protected Shoreland**. Forest management not associated with shoreland development or land conversion and conducted in compliance with RSA 227-J:9 or under the direction of a water supplier for the purpose of managing a water supply watershed, and agriculture conducted in accordance with best management practices as required by RSA 483-B, III is exempted from the provisions of the CSPA. Projects that receive a permit under RSA 482-A, e.g., beaches, do not require a shoreland permit. A complete list of activities that do not require a shoreland permit can be found in the Shoreland Administrative Rules, Env-Wq 1406.

250 feet from Reference Line—THE PROTECTED SHORELAND:

Impervious Surface Area Allowance. Twenty percent of the area within the protected shoreland may be impervious surface. This may be increased up to 30 percent if there are 50 points of tree coverage in each 50 foot x 50 foot grid segment in the waterfront buffer (WB), and a storm water management plan is submitted and approved by DES.

Other Restrictions:

- No establishment/expansion of salt storage yards, auto junk yards, solid waste and hazardous waste facilities.
- All new lots, including those in excess of 5 acres are subject to subdivision approval by DES.
- Setback requirements for all new septic systems are determined by soil characteristics.
  - 75 feet for rivers and areas where the there is no restrictive layer within 18 inches and where the soil down gradient is not porous sand and gravel (perc>2 min.).
  - 100 feet for soils with a restrictive layer within 18 inches of the natural soil surface.
  - 125 feet where the soil down gradient of the leachfield is porous sand and gravel (perc rate equal to or faster than 2min/in.).
- Minimum lot size in areas dependent on septic systems determined by soil type.
- Alteration of Terrain Permit standards reduced from 100,000 square feet to 50,000 square feet.
- For *new* lots with on-site septic, the number of dwelling units per lot shall not exceed 1 unit per 150 feet of shoreland frontage.

150 feet from Reference Line—NATURAL WOODLAND BUFFER (NWB) RESTRICTIONS:

- For lots that contain ½ acre or more within the NWB, between 50 feet and 150 feet of the reference line, the vegetation within at least 50 percent of the area, exclusive of impervious surfaces, shall be maintained in an unaltered state.
- For lots that contain less than ½ acre within the NWB, between 50 feet and 150 feet of the reference line, the vegetation within at least 25 percent of the area shall be maintained in an unaltered state.

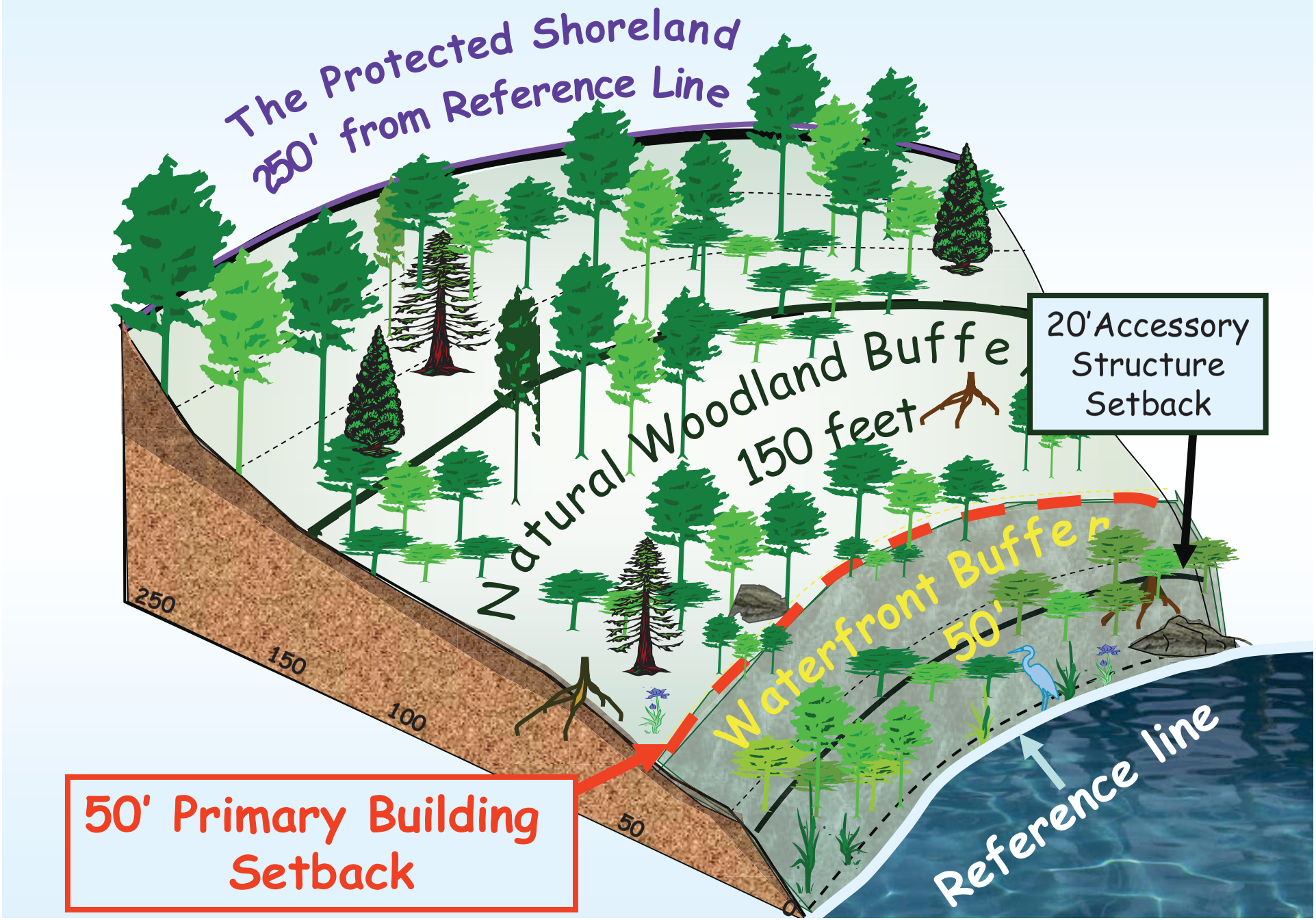
50 feet from Reference Line—WATERFRONT BUFFER and PRIMARY BUILDING SETBACK:

- Effective April 1, 2008, all primary structures must be set back at least 50 feet from the reference line. Towns may maintain or enact their own setback only if it is greater than 50 feet.
- Within 50 feet, a waterfront buffer must be maintained. Within the waterfront buffer, tree coverage is managed with a 50-foot x 50-foot grid and points system. Tree coverage must total 50 points in each grid. Trees and saplings may be cut as long as the sum of the scores for the remaining trees and saplings in the grid segment is at least 50 points.
- No natural ground cover shall be removed except for a footpath to the water that does not exceed 6 feet in width and does not concentrate stormwater or contribute to erosion.
- Natural ground cover, including the duff layer, shall remain intact. No cutting or removal of vegetation below 3 feet in height (excluding lawns) except for the allowable footpath. Stumps, roots, and rocks must remain intact in and on the ground.
- Pesticide or herbicide applications must be by a licensed applicator only.
- Low phosphorus, slow release nitrogen fertilizer may be used for the area that is beyond 25 feet from the reference line. No fertilizer, except limestone, shall be used between the reference line and 25 feet.

REFERENCE LINE: For ***coastal waters*** it is the highest observable tide line; for ***rivers*** it is the ordinary high water mark; for ***natural fresh waterbodies*** it is the natural mean high water level; and for ***artificially impounded fresh waterbodies*** it is the elevation at the spillway crest or, if there are flowage rights, the elevation of the flowage rights.

NON-CONFORMING STRUCTURES Are structures that, either individually or when viewed in combination with other structures on the property, do not conform to the provisions of the CSPA, including but not limited to the impervious surface limits of RSA 483-B:9V(g). They may be repaired, renovated, or replaced in kind using modern technologies, provided the result is a functionally equivalent use. Such repair or replacement may alter the interior design or existing foundation, but shall result in no expansion of the existing footprint except as authorized by the department pursuant to paragraph II of RSA 483-B.

A SITE ASSESSMENT is required prior to executing a purchase and sale agreement for any "developed waterfront property" using a septic disposal system and which is contiguous to or within 200 feet of a great pond (a public water of more than 10 acres) as defined in RSA 4:40-a and upon which stands a structure suitable for either seasonal or year-round human occupancy.

For more information, please visit the DES Shoreland Website at www.des.nh.gov/cspa

Graphic showing the Protected Shoreland with setbacks and areas of restricted use.