

Proposed Changes to 10% Lot Coverage and Impervious Surfaces on Shorefront Lots

These two proposed changes are linked. One proposal is to relax the rule that restricts structures to 10% of the lot, while increasing the state's minimum requirements for stormwater management on shorefront lots to protect water quality.

Proposed Changes to Section 310.1.5—10% Lot Coverage (Marked Up Copy)

Existing language to be deleted is ~~cross out~~. **Proposed language in bold and underline.**

310.1.5 The total footprint area of all structures on the same lot of record, including porches and decks covered by roofs, shall not exceed 40% **15%** of the total area of the lot. Footprint area calculation includes portions of the lot covered by roof overhangs, but excludes pervious structures like decks, stairs to the shore, or other structures that allow water to percolate. Applicant shall provide photographs to the zoning officer and agree to a site visit, so runoff characteristics can be determined.

Proposed Changes to Section 304.6.7—Impervious Surfaces on Shorefront Lots

Existing language to be deleted is ~~cross out~~. **Proposed language in bold and underline.**

- 304.6.7.1 Intent: The town of Freedom is committed to protecting the town's shorelands under the Town's authority under RSA 674:16. These provisions ~~mirror~~ **meet or exceed the minimum standards of** the requirements of RSA 483-B:9 **(as published in NH Planning and Land Use Regulations 2018-2019 Edition)**, to which Freedom property owners must already comply.
- 304.6.7.2 For the purposes of this article, the definition of impervious surface is any modified surface that cannot effectively absorb and infiltrate water. Examples of impervious surfaces include, but are not limited to: roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and sidewalks. Undisturbed exposed ledge on a property is not considered a modified surface and is not considered an impervious surface.
- 304.6.7.3 As required in section 310.1.5, structures cannot exceed 40% **15%** of the total area of a lot of record.
- 304.6.7.4 No more than ~~30 percent~~ **25%** of the area of a lot located within the protected shoreland shall be composed of impervious surfaces, unless a stormwater management system designed and certified by a professional engineer is implemented. Such system design shall demonstrate that the post-development volume and peak flow rate based on the ~~40-year~~ **25-year**, 24-hour storm event, shall not exceed the pre-development volume and peak flow rate for flow off the property within the protected shoreland.

- 304.6.7.5 If the impervious surface area will exceed ~~20 percent~~ **15%**, but is less than ~~30 percent~~ **25%**, a stormwater management system shall be implemented and maintained which is designed to infiltrate increased stormwater from development occurring after the effective date of this paragraph in accordance with rules established by the department under RSA 485-A:17.
- 304.6.7.6 If the impervious surface area will exceed ~~30 percent~~ **20%** and the tree, sapling, shrub, and groundcover in the waterfront buffer does not meet the point score requirement of 304.6.6.2 of this ordinance in any segment, then such segment shall be planted, as determined by rule of the department, with trees, saplings, shrubs, or groundcover 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 and shall be maintained in accordance with RSA 483-B:9, V(a).
- 304.6.7.7 It is the owner's obligation to maintain the approved stormwater management system to prevent runoff that will degrade water quality. Failure to do so is a violation of these regulations and may be subject to enforcement action by the town.**

Proposed Changes to Section 310.1.5—10% Lot Coverage (Clean Copy)

310.1.5 The total footprint area of all structures on the same lot of record, including porches and decks covered by roofs, shall not exceed 15% of the total area of the lot. Footprint area calculation includes portions of the lot covered by roof overhangs, but excludes pervious structures like decks, stairs to the shore, or other structures that allow water to percolate. Applicant shall provide photographs to the zoning officer and agree to a site visit, so runoff characteristics can be determined.

Proposed Changes to Section 304.6.7—Impervious Surfaces on Shorefront Lots

304.6.7 Impervious Surfaces on Shorefront Lots

- 304.6.7.8 Intent: The town of Freedom is committed to protecting the town's shorelands under the Town's authority under RSA 674:16. These provisions meet or exceed the minimum standards of RSA 483-B:9 (as published in NH Planning and Land Use Regulations 2018-2019 Edition), to which Freedom property owners must already comply.
- 304.6.7.9 For the purposes of this article, the definition of impervious surface is any modified surface that cannot effectively absorb and infiltrate water. Examples of impervious surfaces include, but are not limited to: roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and sidewalks. Undisturbed exposed

ledge on a property is not considered a modified surface and is not considered an impervious surface.

- 304.6.7.10 As required in section 310.1.5, structures cannot exceed 15% of the total area of a lot of record.
- 304.6.7.11 No more than 25% of the area of a lot located within the protected shoreland shall be composed of impervious surfaces, unless a stormwater management system designed and certified by a professional engineer is implemented. Such system design shall demonstrate that the post-development volume and peak flow rate based on the 25-year, 24-hour storm event, shall not exceed the pre-development volume and peak flow rate for flow off the property within the protected shoreland.
- 304.6.7.12 If the impervious surface area will exceed 15%, but is less than 25%, a stormwater management system shall be implemented and maintained which is designed to infiltrate increased stormwater from development occurring after the effective date of this paragraph in accordance with rules established by the department under RSA 485-A:17.
- 304.6.7.13 If the impervious surface area will exceed 20% and the tree, sapling, shrub, and groundcover in the waterfront buffer does not meet the point score requirement of 304.6.6.2 of this ordinance in any segment, then such segment shall be planted, as determined by rule of the department, with trees, saplings, shrubs, or groundcover 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 and shall be maintained in accordance with RSA 483-B:9, V(a).
- 304.6.7.14 It is the owner's obligation to maintain the approved stormwater management system to prevent runoff that will degrade water quality. Failure to do so is a violation of these regulations and may be subject to enforcement action by the town.