

**TOWN OF FREEDOM**  
**EROSION CONTROL APPLICATION FOR SHOREFRONT LOTS**

Construction in the shorefront is governed by NH state law (RSA 483-B and the Freedom Zoning Ordinance (Sections 304.6.3 and 702—see full language on page 4). Before starting construction, a property owner must complete this application. Depending on the project, one of two things will happen:

1. If the project is eligible for a permit by notification (PBN) and meets all four conditions listed as sections 304.6.1.a through d., the Zoning Officer will grant a permit upon receiving this completed application, copies of all state application materials, and a copy of the state-issued permit by notification.
2. If the project exceeds the conditions in sections 304.6.1.a through d., Zoning Board of Adjustment for a special exception under Section 304.6.4. Project criteria for permit by notification.

Follow the link below for instructions for applying for a Permit by Notification. To download form, scroll to the bottom of the page.<https://onlineforms.nh.gov/app/#/formversion/282248b1-10d0-4046-9d49-e85d148c09a3>

**Please note:** The state defines the shorefront district (which is the “minimum standard”) at 250 feet. Freedom’s shorefront district extends 300 feet back from the water.

**1. Owner Information**

Owner \_\_\_\_\_ Date: \_\_\_\_\_  
Permanent Address: \_\_\_\_\_ Phone # \_\_\_\_\_  
E-mail Address: \_\_\_\_\_ Cell# \_\_\_\_\_

**2. Property Information**

Property Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Map# \_\_\_\_\_ Lot# \_\_\_\_\_ Lot Size (acres) \_\_\_\_\_ Zoning District \_\_\_\_\_  
You can find the first 3 items on your tax bill. Check zoning district with Zoning Officer.

**3. Proposed Project**

\_\_\_\_\_

PBN Approval #: \_\_\_\_\_ Approval Date: \_\_\_\_\_

Best Management Practices (BMP) to be used during construction, please show detail of silt fence installation:  
\_\_\_\_\_  
\_\_\_\_\_

Source of BMPs during construction: \_\_\_\_\_  
Best Management Practices (BMP) for Post Construction: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Source of post-construction BMPs: \_\_\_\_\_

**Please note:** See page 5 for an example of silt fence installation.

The undersigned owner hereby requests a zoning/erosion control permit for the above use, to be issued based on the representations contained herein. Permit is void in the event of misrepresentation and/or not being in compliance with the Zoning Ordinance, site plan review, subdivision regulations (if applicable) and other applicable state and town laws and regulations.

This application must be submitted by and signed by all owners of the property listed on this application.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print name \_\_\_\_\_  
Property owner

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print name \_\_\_\_\_  
Property owner

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print name \_\_\_\_\_  
Property owner

If you are using an agent for this application, provide the information below:

**Designation of Agent**

I designate the person listed below as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made based on such representations.

Agent \_\_\_\_\_ Telephone # \_\_\_\_\_

Address \_\_\_\_\_

Owner's signature \_\_\_\_\_

Owner's signature \_\_\_\_\_

Owner's signature \_\_\_\_\_

## Zoning Officer Decision

**The Zoning Officer is required to deny an application under Section 2303, if:**

- The application is for a use that requires a special exception
- The application requires a variance

The ZBA is the only body that can grant either of the above.

Approved \_\_\_\_\_ Date \_\_\_\_\_ Zoning Officer \_\_\_\_\_

Denied \_\_\_\_\_ Date \_\_\_\_\_ Zoning Officer \_\_\_\_\_

Reason for denial \_\_\_\_\_

\_\_\_\_\_

If the Zoning Officer denies the application, the applicant may appeal this decision to the Zoning Board of Adjustment. Please use the Zoning Board Application at <https://townoffreedom.net/wp-content/uploads/2019/03/ZBA-APPLICATION.pdf>

### ZBA Tips:

- Application and Appointment of Agent Form must be completed and signed by all owners of the property.
- Abutter letters go directly to ZBA at PO Box 227, Freedom, NH 03836
- The applicant is responsible to fulfill all requirements from the ZBA and provide the necessary information. The applicant is responsible for reading the regulations. The Zoning Officer's role is to help the applicant complete the application if the applicant requests help.
- To be considered by the ZBA, an application must be significantly different from a previous application which the ZBA has previously denied.
- If the ZBA approves the special exception or variance, the application will come back to the Zoning Officer for action. The Zoning Officer will determine that the applicant has met all conditions imposed by the ZBA and sign below.
- The ZBA approval can be appealed within 30 days of the decision.

**Approval below signifies that the applicant has submitted proof that they have met all conditions listed by the zoning board of adjustment.**

Approved \_\_\_\_\_ Date \_\_\_\_\_ Zoning Officer \_\_\_\_\_

Per ZBA decision dated: \_\_\_\_\_

## **Zoning Ordinance Sections that regulate Erosion Control Activities**

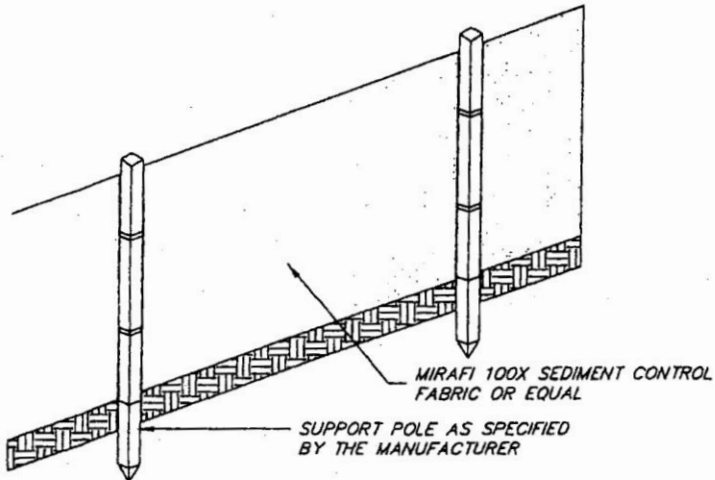
### Section 304.6 SHORE FRONT DISTRICT - OTHER REQUIREMENTS

- 304.6.1 Construction in the Shorefront - RSA 483-B, the Shoreland and Water Quality Protection Act, requires a permit for construction, excavation, and filling activities within the protected shoreland. Any person undertaking construction, excavation, or filling activities in the protected shorefront that meet the criteria a) to d) below shall obtain a permit from the NH Department of Environmental Services. In order to conduct the project in the town of Freedom, the applicant shall complete an application and provide one copy of all state application materials and the state issued permit by notification to the Freedom Code Enforcement Officer. The Freedom Code Enforcement Officer will issue a zoning permit after reviewing the application materials and the permit issued by the Department of Environmental Services. Projects that do not meet the criteria listed in a) to d) below will go to the Zoning Board of Adjustment for a special exception under Section 304.6.4. Project criteria for permit by notification:
- a. Construction, excavation, and filling, or other activity that impacts less than 1,500 square feet and adds no more than 900 square feet of impervious area within a protected shoreland area.
  - b. Construction, excavation, and filling, directly related to stormwater management improvements and erosion control projects or environmental restoration or enhancement projects.
  - c. Maintenance, repairs, and improvements of public utilities, public roads, and public access facilities.
  - d. Any similar activities defined as qualified for a permit by notification by rules of NH Department of Environmental Services.

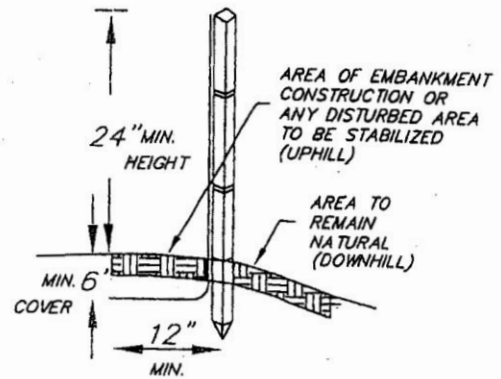
### Section 702 Permits Required and Exemptions

- 702.1 RSA 483-B, the Shoreland and Water Quality Protection Act, requires a permit for construction, excavation, and filling activities within the protected shoreland. Any person undertaking construction, excavation, or filling activities in the protected shorefront that meet the all criteria in 702.3 . below shall obtain a permit from the NH Department of Environmental Services. To conduct the project in the town of Freedom, the applicant shall complete an application and provide one copy of all state application materials and the state issued permit by notification to the Freedom Code Enforcement Officer. The Freedom Code Enforcement Officer will issue a zoning permit after reviewing the application materials and the permit issued by the Department of Environmental Services.
- 702.2 Projects that do not meet the criteria listed in 1) to 4) below will go to the Zoning Board of Adjustment for a special exception under Article 7, Section 702:
- 702.3 Project criteria for permit by notification:
- 702.3.1 Construction, excavation, and filling, or other activity that impacts less than 1,500 square feet and adds no more than 900 square feet of impervious area within a protected shoreland area.
  - 702.3.2 Construction, excavation, and filling directly related to stormwater management improvements and erosion control projects or environmental restoration or enhancement projects.
  - 702.3.3 Maintenance, repairs, and improvements of public utilities, public roads, and public access facilities.
  - 702.3.4 Any similar activities defined as qualified for a permit by notification by rules of NH Department of Environmental Services.

## Best Management Practice for Silt Fences



FRONT VIEW



SIDE VIEW

### NOTES

1. THE HEIGHT OF THE BARRIER SHALL NOT EXCEED 36 INCHES.
2. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM 6-INCH OVERLAP, AND SECURELY SEALED. SEE MANUFACTURER'S RECOMMENDATIONS.
3. POSTS SHALL BE PLACED AT A MAXIMUM OF 10 FEET APART AT THE BARRIER LOCATION AND DRIVEN SECURELY INTO THE GROUND (MINIMUM OF 12 INCHES). WHEN EXTRA STRENGTH FABRIC IS USED WITHOUT THE WIRE SUPPORT FENCE, POST SPACING SHALL BE AS MANUFACTURER RECOMMENDS.
4. A TRENCH SHALL BE EXCAVATED APPROXIMATELY 6 INCHES WIDE AND 6 INCHES DEEP ALONG THE LINE OF POSTS AND UPSLOPE OF THE BARRIER IN ACCORDANCE WITH RECOMMENDATIONS.
5. THE FABRIC SHALL NOT EXTEND MORE THAN 36 INCHES ABOVE THE ORIGINAL GROUND SURFACE, AND WILL EXTEND A MINIMUM OF 8 INCHES INTO THE TRENCH. FILTER FABRIC SHALL NOT BE STAPLED TO EXISTING TREES.
6. THE TRENCH SHALL BE BACKFILLED AND THE SOIL COMPACTED OVER THE FILTER FABRIC.
7. FABRIC BARRIERS SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UPSLOPE AREA HAS BEEN PERMANENTLY STABILIZED.
8. FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST ONCE DAILY DURING PROLONGED RAINFALL AND ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.
9. SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER STILL BE NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.
10. SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
11. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER BARRIER IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDDED.