

Town of Exeter- Planning Board



Application
for:

Conditional Use Permit:
Wetland Conservation Overlay
District

July 2014

**Town of Exeter
 Planning Board Application
 Conditional Use Permit: Wetland Conservation Overlay District**

Detailed Proposal including intent, project description, and use of property: (Use additional sheet as needed)

| Wetland Conservation Overlay District Impact (in square footage): | | | |
|---|--|----------|--|
| Temporary Impact | Wetland: | (SQ FT.) | Buffer: |
| | <input type="checkbox"/> Prime Wetlands | _____ | <input type="checkbox"/> Prime Wetlands |
| | <input type="checkbox"/> Exemplary Wetlands | _____ | <input type="checkbox"/> Exemplary Wetlands |
| | <input type="checkbox"/> Vernal Pools (>200SF) | _____ | <input type="checkbox"/> Vernal Pools (>200SF) |
| | <input type="checkbox"/> VPD | _____ | <input type="checkbox"/> VPD |
| | <input type="checkbox"/> PD | _____ | <input type="checkbox"/> PD |
| | <input type="checkbox"/> Inland Stream | _____ | <input type="checkbox"/> Inland Stream |
| Permanent Impact | Wetland: | (SQ FT.) | Buffer: |
| | <input type="checkbox"/> Prime Wetlands | _____ | <input type="checkbox"/> Prime Wetlands |
| | <input type="checkbox"/> Exemplary Wetlands | _____ | <input type="checkbox"/> Exemplary Wetlands |
| | <input type="checkbox"/> Vernal Pools (>200SF) | _____ | <input type="checkbox"/> Vernal Pools (>200SF) |
| | <input type="checkbox"/> VPD | _____ | <input type="checkbox"/> VPD |
| | <input type="checkbox"/> PD | _____ | <input type="checkbox"/> PD |
| | <input type="checkbox"/> Inland Stream | _____ | <input type="checkbox"/> Inland Stream |

List any variances/special exceptions granted by Zoning Board of Adjustment including dates:

Describe how your proposal meets the conditions of Article 9.1.6.B of the Town of Exeter Zoning Ordinance:

ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

TAX MAP _____
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAXMAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

Condition Use Permit Criteria

9.1.6 Conditional Uses:

A. Conditional Use Permit: Under the enabling authority granted by NH RSA §674:21 II, the following uses are only permitted in the Wetlands Conservation Overlay District pursuant to the issuance of a conditional use permit by the Planning Board provided that all of the conditions listed in article 9.1.6.B below are met.

1. Construction of roads and other access ways, parking areas, utilities, structures, drainage systems, wells and wastewater disposal systems and other site improvements that impact the Wetlands Conservation Overlay District, provided that the proposed construction is essential to the productive use of land not within the Wetlands Conservation Overlay District.
2. If prime wetlands are involved then the following: Agriculture activities including grazing, hay production, truck gardening and silage production provided that such use is shown not to cause increases in surface or groundwater contamination by pesticides or other toxic or hazardous substance and that such use will not cause or contribute to soil erosion.
3. Within the 100 ft. buffer around prime wetlands, forestry and tree farming consistent with the best management practices as published by the NH Department of Resources and Economic Development and NH Cooperative Extension. As specified, in Logging Operations (Env-Wt 304.05), all skid trails, truck roads and log landings shall be located 50 feet from streams or ponds and designed using appropriate erosion control devices. Stream and Exeter Zoning Ordinance – Amended March 2014 9-7 wetlands crossings shall be kept to a minimum in size and number.

B. Conditions:

1. That the proposed use is permitted in the underlying zoning district;
2. That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Wetlands Conservation Overlay District;
3. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer and that no alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible; 4. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction;
5. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons;
6. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.