

## Frequently Asked Questions

### Proposed Wetlands Zoning Amendments 2021 Warrant

Draft 2/5/21

#### 1. Why are these zoning amendments being proposed?

Wetlands provide many benefits to the people of Raymond including flood protection, protecting drinking water quality, and protecting surface water quality and habitat for wild animals and plants. See this presentation for more details: [Wetlands and Water Quality](#). The Raymond Conservation Commission obtained a grant to assist with the funding for a wetlands study: [Wetland Mapping & Evaluation Project](#). As a result of the report the Planning Board proposed these zoning amendments to increase protection of wetlands. The report also identifies ten high Priority Wetlands that warrant additional protection due to their location relative to drinking water sources. This map shows the Priority Wetlands: [Top Ten Priority Wetlands](#).

#### 2. What changes are proposed by these zoning amendments?

[Wetland Zoning Amendments #1 and #2](#) would add language to describe the benefits of wetland function as it relates to drinking water quality and supply. The proposed language is descriptive only and does not change any regulations.

This is the proposed language. ( indicates language added. ~~Strikethrough~~ indicates language deleted.)

2.9.1 In recognition that the majority of drinking water supply sources come from groundwater; and further, that wetlands provide the chief source of groundwater recharge ***and serve to filter and enhance water quality***, all development shall result in no net loss of area or function of wetlands....

***4.9.1.9 Maintain the health and water storage function of wetlands so that they may continue to support water quality and access to drinking water in Raymond.***

[Wetland Zoning Amendment #3](#) proposes to amend the boundaries of the Shoreland Protection Area to include any area within 100 feet of a Priority Wetland. The Shoreland Protection Area is part of the Conservation District overlay (Zone G, Section 4.9 of the Zoning Ordinance).

4.9.3.1. SHORELAND PROTECTION AREA: Is any area of land within seventy-five (75) feet of the seasonal high-water mark of any river, brook, stream, pond or lake as shown on the Water Resource Management Plan (3/2009). Also includes any area of land within seventy-five (75) feet of the high-water mark of any river, brook, stream, pond, or lake having flowing or standing water for six (6) months of the year not included in Water Resource Management Plan (3/2009). ***The Shoreland Protection Area also includes any area within 100 feet of any priority wetland, as shown on Map A.***

[Wetland Zoning Amendment #4](#) would increase the setback from wetlands in the Conservation District from 25 feet to 75 feet for regular wetlands and to 100 feet for Priority Wetlands.

**15.1.4. 15.3.2** All lots containing Zone G land shall comply with the frontage and setback requirements of the underlying zone as set forth in Section 15.1.2 and Section 15.1.3, and shall have ~~minimum wetland~~ **a** setbacks from wetlands **(as defined in article 13: Definitions)** of ~~25~~ **75** feet. **For those wetlands identified on Map A (Priority Wetlands), Priority Wetlands, the setback shall be 100 feet.**

3. So what does this mean?

The proposed language in [Wetlands Zoning Amendments #1 and #2](#) is descriptive only and does not change any regulations.

[Wetland Zoning Amendment #3](#) would increase the Shoreland Protection Area in the Conservation Overlay District (Zone G) to include any area within 100 feet of a Priority Wetland.

This table in Section 4.9.5 shows the allowed uses in Zone G. “P” = permitted. “SP” = special permit from the Planning Board is required.

Type of Use	Wetlands		Shoreland Protection	Steep Slope
	Poorly Drained	Very Poorly Drained		
<b>Agriculture</b> (no-till horticulture is exempt)	P	SP	SP	SP
<b>Forestry/Tree Farming</b>	P	P	P	P
<b>Public Recreation Areas</b>	P	SP	SP	SP
<b>Conservation/Nature Trails</b>	P	P	P	P
<b>Open Space</b>	P	P	P	P
<b>Utilities</b>	P	P	P	P
<b>Buildings &amp; Permanent Structures</b>	SP	SP	SP	SP
<b>Accessory Buildings &amp; NON-Permanent Structures</b>	SP	SP	SP	SP
<b>Roads/Driveways/ROWs</b>	SP	SP	SP	SP
<b>Expansion of Non-conforming Uses (up to 25% expansion only)</b>	SP	SP	SP	SP

If a certain use is permitted in the underlying zone and noted as “SP” under the Wetlands columns in this table, a property owner would need to request a special permit from the Planning Board before making changes to the property within 100 feet of a Priority Wetland.

Per subsection 4.9.6.1., the Planning Board may grant a Special Permit for specific uses identified as “SP” if the Board has made a finding of fact that the requested use is consistent with the purposes of the Conservation District and meets the specific criteria stated in subsection 4.9.6.2.

[Wetland Zoning Amendment #3](#) would also affect the calculation of lot sizes for meeting the minimum lot size. Per subsection 4.9.6.3.2., in determining the minimum lot size for Zones A, C.1, C.2, D and E, no part of the minimum lot size shall include areas identified as being in the Shoreland Protection Area. Per subsection 15.3.1., minimum usable area calculations shall require a minimum 20,000 contiguous square feet of non-Zone G land in Zone A, and a minimum of 40,000 contiguous square feet of non-Zone G land in Zone B within which there exists a developable area of either, 110’ x 110’ SQUARE, 125’ DIAMETER CIRCLE, 180’ EQUILATERAL TRIANGLE. If adopted, [Wetland Zoning Amendment #3](#) would reduce the contiguous non-Zone G land for properties within the 100-foot Priority Wetland buffer.

[Wetland Zoning Amendment #4](#) would increase the setback from wetlands from 25 feet to 75 feet for regular wetlands and to 100 feet for Priority Wetlands. This setback applies to any use in the table from Section 4.9.5 above.

4. Are existing buildings and developments grandfathered?

Yes. Per subsection 4.9.6.3.3., uses which are not allowed, but existing at the time of the adoption of this amendment may be continued, but may only be expanded by Special Permit.

5. Would these amendments prevent me from cutting bushes and trees within the setback?

No, there is nothing in the ordinance that prevents normal property maintenance within the setback. However, the ordinance does encourage preserving natural vegetation within the setback to protect water quality. Per Subsection 4.9.1.7, one of the purposes of the Shoreland Protection Area is “to encourage the preservation and/or restoration of Raymond’s Shoreland Protection Area as a natural vegetated shoreland buffer to filter sediment and pollutants from runoff and thus help protect the town’s water quality”.

6. Would these amendments prevent me from landscaping, gardening and mowing within the setback?

No, there is nothing in the ordinance that prevents normal activities within the setback. However, the ordinance does discourage activities that can have a negative impact on water quality. (Subsection 4.9.1.8 Discourage the following activities in Raymond's Shoreland Protection Area: any alteration of stream paths; landscaping; mowing; dumping of litter or trash, storage of grass clippings, leaves or snow; use of fertilizer and/or pesticides.

7. Would these amendments affect where I put a shed on my property?

Yes, A shed is an accessory building and would only be allowed in the proposed 75-foot wetland setback or 100-foot Priority Wetland setback with a special permit granted by the Planning Board.

8. Who can I contact if I have other questions?

Raymond Planning Department

<https://www.raymondnh.gov/community-development-planning>

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