

**Enfield Board of Selectmen
Whitney Hall
Enfield, New Hampshire**

MINUTES of November 1, 2010

Board of Selectmen: John W. Kluge, Chairman; B. Fred Cummings

Excused: Donald J. Crate, Sr.

Administrative Staff: Steven Schneider, Town Manager; Alisa D. Bonnette, Executive Assistant; Jim Taylor, Director of Public Works

Others: Richard Crate, Sr., Ken Hill, Attorney Kate Miller of Donahue, Tucker & Ciandella, Shirley Green, Dwight Marchetti, Curtis Payne, Dan Kiley

BUSINESS MEETING

I. CALL TO ORDER

Mr. Kluge called the meeting to order at 6:00 pm.

II. APPROVAL OF MINUTES

Mr. Cummings moved to accept the regular session minutes of October 18, 2010 as printed, Mr. Kluge seconded, vote unanimous in favor of the motion.

Mr. Cummings moved to accept the non-public session minutes of October 18, 2010 as printed, Mr. Kluge seconded, vote unanimous in favor of the motion.

III. COMMUNICATIONS

Tax Collector's Report ~ October 2010:

The MS-5 Financial Report is the last piece to send to the State to get the tax rate set. We hope to know the tax rate this week and get the bills out within 2 weeks. Last year bills weren't due until January.

Town Clerk's Report ~ October 2010:

Year-to-date Town Clerk revenues are off \$10,000 from 2009. The revenues budgeted for 2010 is about \$700,000 and we'll be close to hitting that number.

IV. BOARD REPORTS

Budget Committee:

The Budget Committee met last Thursday. They are looking at preliminary budget figures and moving forward with meeting individual departments.

The next meeting of the Budget Committee will be held November 11.

Mr. Cummings reported a lively discussion about the tax rate. They don't want a higher tax rate than the Town has now. A couple of people expressed interest in a lower tax rate. Mr. Cummings cautioned against the fluctuation from year to year. He feels a steady tax rate is best. There are going to be funds available in 2011 that weren't available in 2010 and these funds could be expended on necessary projects or purchases, or put into capital reserves, without raising the tax rate. There was also discussion of establishing revolving credit for large purchases after the subject was broached by Paul Mirski.

Shirley Green, a Budget Committee member, pointed out that we haven't been putting money into capital reserves.

Mr. Kluge asked how people responded to the revolving credit idea.

Mr. Cummings responded that they liked the idea.

Mr. Schneider agreed there's some real merit to it.

Mr. Kiley said we'd want it to be like a bond, not revolving credit, with a steady interest rate. The interest rate now could be 2% and later 15%.

Mr. Cummings agreed. We want to create the most stable tax environment we can.

Mr. Kiley suggested taking the money and putting it into capital reserves.

Mrs. Green agreed and promoted getting back on plan to put money into capital reserves.

Enfield Village Association (EVA):

EVA is working on fundraising and has plans to go into a ½ day session for long range planning. They would like to look at more economic development.

TIF Committee:

The Tax Increment Finance Advisory Committee met recently and authorized spending to get the engineering done. They also obtained an estimate for engineering and construction of a sewer extension on Route 4. The estimate is \$3.1 million for the construction and \$200,000 to \$225,000 for the engineering for both water & sewer. The goal is, if we can accommodate bond payments with the annual TIF revenues to go to Town Meeting with a plan. It would require a

12” sewer main with two gravity mains to McConnell Road with a pump station to pump to Baltic Street where the existing line would have to be resized to 12”. The water line would be done at the same time. The cost to do the water would be \$1.2 million.

If the work can be timed to coordinate with the State repaving of US Route 4 there would be a potential savings. The TIF Committee has authorized the expenditure for engineering.

The Bond Bank has been asked about a bond schedule on a 30 year note. It won’t impact the tax rate, but the Town has to vote on it because it’s a bond.

Mr. Kluge expressed the hope that the Town will get more tax revenue from development that goes in as a result of improvements in the district.

Mr. Kluge asked about the Main Street work. He was informed that the paving is due to be done on Wednesday. The State wanted the Town to wait until spring to do the work, but the Town will do it all this fall based on the bid documents. The sewer lines were installed, the paving just needs to be completed. The final payment to the contractor will not be made until the construction area is back to the way it was.

V. TOWN MANAGER'S REPORT

VI. PUBLIC COMMENTS

Curtis Payne – Enfield Channel 8:

Mr. Payne thanked the Town Manager and Board of Selectmen for supporting Channel 8. The channel has been in operation a bit more than a year.

In 2005 when Mr. Payne was selectman there was a plan for funding. The Town has gotten used to spending the revenue from Comcast franchise fees that was to be used for Channel 8 operations.

The channel is doing well. It’s just Mr. Payne behind the camera. He said he would be here until things turn around, until the Channel can pay a small stipend to people for filming. Mr. Payne will keep running the channel until the money is there.

Mr. Kluge mentioned that there may be franchise fees for Channel 8 in the future.

Mr. Cummings noted that the Board has also spent some funds on Channel 8 as they’ve been available at year’s end. He encouraged Mr. Payne to submit a budget proposal.

Mr. Kluge added that Mr. Payne should include the cost to have others film.

VII. OLD BUSINESS

Comcast Franchise Agreement:

Attorney Kate Miller explained the ongoing talks with Comcast, Steve Fitzgibbons proposal to the Town for the build out in the Crystal Lake area and the failure of his superiors to approve the proposal. Comcast will consider a build out but will not guarantee it. There has been some improvement in the wording of the contract. The Selectmen have some choices, but not much leverage. They can go ahead with the proposal as written or they can require a build out, though it will have a cost associated with it that will be distributed evenly among subscribers over the period of the agreement.

Mr. Schneider asked what would happen if the Selectmen chose not to sign the agreement.

Ms. Miller explained that cable law is heavily weighted in favor of agreement. The only way it can be avoided is in the case of breach of agreement by the cable company, if the proposal is not reasonable, etc. It's not likely the Town would win and the litigation process is costly.

Mr. Kluge noted that FairPoint is now offering high speed internet. Four of Bob Cusick's neighbors have become connected and Mr. Cusick will soon be connected. FairPoint is offering comparable service. We don't need a Comcast build out now and Comcast will lose business.

Ms. Miller pushed hard about competitiveness. Cable companies are used to being a monopoly and still have that monopolistic mindset.

Because the residents pushing for a build out are now able to obtain high speed internet service he would like to see a final contract.

Ms. Miller asked if the Selectmen would like a second channel.

Mr. Schneider feels that with a five year agreement the Town is OK with one channel. With a 10 year agreement the Town might be interested in a second channel. He asked if another hearing is required.

Ms. Miller replied that no additional hearings would be necessary. The Selectmen can simply discuss the contract wording at a regular Selectmen's meeting.

Mr. Schneider said one variable is the size of the franchise fee, which is currently 3%. The Town can go as high as 5%. There was discussion in the past about dedicating a portion of franchise fees for operations of channel 8. At 3% we can use the franchise fee for town operations. At 4% we can use 1% of the franchise fee for channel 8 operations and the remainder can go into the general fund as revenue. Each percentage point raises about \$10,000. The new agreement is at 4% and the Town can change to 5%.

Mr. Kluge is not comfortable with 5%.

Mr. Cummings believes the Board chose not to increase to 5% in the past.

Mr. Schneider said the Town can keep the option to increase to 5% at a later time and talk about how to distribute the franchise fee collected.

Ms. Miller also wished to talk about a second origination point. If everything is about the same in 5 years the Selectmen can easily bump the expiration date out another few years. If there are changes it's a whole new ballgame.

General discussion ensued regarding the possible future for cable franchise agreements in the State overall and in individual communities.

Curtis Payne said a drop at the Town Hall could provide live feed if that location is considered an origination point. With funding he could then get students to film events.

Ms. Miller added there would be costs to have a new origination point. Most additional services are \$10,000, so that could be expected.

Mr. Kluge suggested including a second origination point as an option, but not a commitment.

Ms. Miller can do that, but recommends it be included in the first three years of the term.

Huse Park:

Richard Crate, Sr., explained that the ad hoc Huse Park Committee had a couple of meetings with CLD Engineers. They haven't heard anything back. They have also contact Ray Burton, trying to get the State to do the culvert replacement. The culvert needs replacing from Route 4 to the river.

Ken Hill showed the Selectmen the proposed area for paving at Huse Park which would include finish paving on the existing paved portion, plus paving what is now gravel. The old Huse Park entrance on Route 4 would be closed and the old Huse Park entrance on Main Street would be gated. They hope to get 6 or 7 handicap parking spots near the end of the handicap ramp.

Mr. Crate said they should have more information after the elections. He does not feel the Town should have to pay for the culvert replacement.

The Committee spoke to Charles Hirshberg and Will Davis of CLD Engineers about drawing up a plan for the parking spaces. Mr. Crate asked what the Town had spent on Huse Park plans and feels someone should look into that.

Over time, if we get pavement and drainage done, grants and other financing sources can be sought. The Lions club may help with ball field fencing.

Mr. Crate also mentioned the need for rules and regulations at Huse Park. Language isn't good and if someone's doing something wrong they should be held accountable.

Mr. Cummings asked if the Committee is looking to upgrade the playground equipment.

Mr. Crate said that at some point things will be fixed up. He doesn't feel the money can be spent on this now; times are tough.

It was pointed out that the floor at the Community Building needs to be redone. Mr. Hill said it could be refinished.

Mr. Hill, a member of the ad hoc Huse Park Committee as well as the TIF Committee, was told there was \$50,000 allotted to Huse Park. Who has the final say on this, the Board of Selectmen or the TIF Committee?

Mr. Cummings explained that the TIF Committee has oversight of TIF funds. They must go to the Community Development Director, the TIF Administrator, for approval. If the Committee and Administrator don't agree on the expense of TIF funds, or there is no Community Development Director, the Selectmen make the decision.

Dan Kiley added that in the case of Huse Park it's a moot point. The Town owns the property so any improvements must be approved by the Board of Selectmen.

Discussion ensued regarding the length of time since the process started for completing Huse Park/Community Building site work. The lack of pavement has contributed to the damage to the wood floor in the Community Building, something Mr. Cummings is not pleased with. Mr. Cummings would like to know what it would cost to refinish the floor.

The pavement won't be done in 2010. It is hoped that the new culvert will be installed this year so paving can be done in the spring. It was questioned who installed the existing culvert in Huse Park, the Town or the State? It's believed that the NH Dept. of Environmental Services should be able to tell us.

Mr. Cummings questioned whether the culvert replacement would be something hired out or done in house. He was informed by Mr. Taylor that it would probably be hired out.

Mr. Cummings noted that even if the Town replaces the culvert and completes the paving it will still cost less than the TIF plan for improvements.

Mr. Schneider agreed, but pointed out that it's not an apples-to-apples comparison as fewer changes are being made. Mr. Schneider added that the TIF Committee authorized engineering of the culvert replacement at a cost of \$5,000; this includes filing for State permits.

If the culvert replacement can be completed this year, paving can be done in the spring.

Shaker Bridge:

Mr. Schneider reported on the State bid results. The low bidder was \$6.91 million for the bridge reconstruction. The bad news is that the lighting that was going to be about \$21,000 is now going to be \$30,684.50, and increase of about \$9,000. We don't need to pay now, but we do have to commit to spend it.

The Board of Selectmen expressed support for the expenditure.

In response to concerns voiced by Mr. Cummings, Mr. Schneider will clarify if payment is required now or later.

November 17th is the first meeting for the rail trail crossing on Main Street.

Mr. Kluge asked if Mr. Schneider has looked at advertising on the sign at the Community Building.

Mr. Cummings said several people have expressed concern about the meeting being held at the Public Works Facility rather than the Community Building. Everyone he's talked with says it makes sense to have it at the Community Building.

Mr. Taylor said the Public Works Facility can accommodate about 50 people.

Mr. Kiley commented that an over filled room is better than an under filled room.

Mr. Schneider will see what the State has done for advertising.

Mr. Cummings said that when the Board went to meet with the Governor about the crossing they were specifically told the reasons they had to go through this is because the plan is different and it has to go through a public hearing process.

Mr. Taylor stated that federal guidelines require a process of input, design, etc.

Mr. Kluge said that this then is a preliminary meeting before a public hearing.

VIII. NEW BUSINESS

Proposed Enfield Watershed Protection Ordinance:

Shirley Green explained to the Selectmen that the Conservation Commission has been working on a Watershed Protection Ordinance and presented a proposed ordinance to the Board for consideration (see Addendum). This year they received a grant to send out booklets and maps to property owners within the watersheds. The other part of the protection plan is to establish a watershed protection ordinance. The Conservation Commission is presenting their draft ordinance to the Planning Board on November 10th with the potential to vote on the Tuesday, March 8, 2011 Town Meeting ballot.

Shirley Green read the following statement:

“I am here on behalf of the Conservation Commission. The Conservation Commission is proposing the adoption of this watershed protection ordinance to protect Enfield's water bodies for now and the future.

A large portion of Enfield is a waterfront community and an even larger portion is part of its watershed. Our water is an extremely valuable natural resource to the whole town. Its economic and recreational value can't be measured. The water bodies belong to the

people and we have a responsibility to protect and maintain them for the greatest public benefit.

They have been and are still being harmed by natural and human impact.

Slow deterioration of water quality is apparent long term. Sediment, chemicals, and fertilizers are washed in by runoff from storm events (rain and snow melt). Removal of trees and foliage adjacent to water bodies has resulted in reduced filtration of runoff thus impacting the quality of both surface and subsurface water. Construction sites without remediation cause extreme sedimentation. Junk machinery, stored fuels and oil, and chemical and animal waste all have negative impact on the quality of lakes, streams, and wetlands. Large lawns, buildings, and driveways/parking areas do not allow water to penetrate the soils thus increasing the runoff during a storm event and reducing the filtration provided. These are a few examples that cause degradation of water quality. The proposed ordinance addresses issues like these.

Many other lake communities in NH are adopting Watershed Protection Ordinances to protect their water bodies. The state encourages towns to adopt their own water protection ordinances. DES is under funded and only able to address a very small portion of the state's needs.

We are asking you to support the adoption of this Enfield Watershed Protection Ordinance. These water bodies are a precious resource to the residents of Enfield. It is vital that we take the necessary steps to protect them.”

Mr. Schneider informed the Board that the State is underfunded as Shirley Green stated. Part of what this ordinance will do is to give the Town greater jurisdiction over its own resources.

Mr. Kluge asked how these regulations relate to present laws on the books.

Mrs. Green explained that the existing regulations are on the shoreline. The proposed ordinance includes the watershed too so it give more protection.

Mr. Cummings noted the 75' buffer zone and asked if that includes where we store salt at our Public Works facilities?

Mr. Schneider responded that the watershed map would have to be checked.

Mr. Marchetti said this is a take off of what the State has, but expands beyond the waters' edge. We have had a situation in Enfield where the State was involved. The State came late and didn't have the manpower to follow up. Phil Neily will be the main enforcer of this ordinance. On Crystal Lake there are 2 or 3 areas where run off is running into the lake. We can't reverse what's been done.

Mr. Kluge asked if this would affect the channeling the Town created on Lockhaven Road.

Mr. Schneider pointed out that this drainage system filters out sediment.

Mr. Kluge questioned the buffer zone in Section 6, is that buffer to the watershed or the bodies of water? Based on this ordinance the Town would not be able to put salt on Crystal Lake Road.

Mrs. Green replied that there are low salt areas in some municipalities.

Mr. Schneider told the Board they have the opportunity to look at this and make comments to the Conservation Commission. A public hearing would need to be held soon.

Mr. Taylor agreed, a public hearing would have to be held to move forward with this.

Mr. Marchetti said they tried to look at the problems we're having and come up with a viable solution. The Commission spoke to other communities. They put a lot of hours into this. They tried to take the best of everyone's ordinances.

Mr. Cummings asked how it would impact us.

Mr. Marchetti responded that if the Town puts salt on the road near water it's not good for the water.

Mr. Kluge said he assumes the areas are well mapped. For people in those areas it's another layer of bureaucracy for them.

Mr. Marchetti stated we want to be the shepherds of our own resources.

Mr. Taylor had some general comments. What are the distances and how does that affect what we have now? Which wetlands map would be used? Mr. Taylor has at least three.

Mrs. Green said the Planning Board makes the decision as to what is a wetland.

Mr. Taylor expects deep concern about a level of regulation in addition to what some people already consider onerous.

Mr. Schneider clarified that what we want is to adopt an existing wetland map and say they are already established.

Mr. Taylor pointed out that there are a lot of calculations including impervious surface calculations that could be tricky for some people. It's often guilty until proven innocent unless you have a specific wetland to begin with. There are different wetland "layers."

Mr. Marchetti suggested adopting the one the Town uses.

Mrs. Green said that was the intent.

Mr. Taylor reiterated that he can print three of them. He asked the Conservation to look at them and select one.

Mr. Schneider said that by the next Selectboard meeting the Board should have feedback from the Planning Board.

Banking Services Bids & Health Insurance Bids:

Mr. Schneider reported that the Town went out to bid for health insurance and banking services.

Mascoma Savings Bank and Citizens Bank responded to the banking services bid. Citizens Bank doesn't have a branch in Enfield so Mr. Schneider recommends going with Mascoma Savings Bank.

Local Government Center and Primex responded to the health insurance bid. Mr. Schneider provided per month costs presented by each vendor and the number of employees on each plan. Both have the same provider networks and plan makeup is similar. There's a significant difference in rates, so Mr. Schneider recommended awarding the bid to Local Government Center.

The Selectmen concurred with Mr. Schneider's recommendations for both banking services and health insurance services.

In terms of budgeting the rates for health insurance have decreased from what the Town is currently paying by an average of .5% on the Point-Of-Service plan and 2% on the HMO plan. When the Board looks at the health insurance budget line they'll see that it's higher. The increase is due to adding an employee that was previously covered by the military.

November 2nd Election:

The Board needs to determine election coverage on November 2nd. Mr. Schneider can cover whatever gap there may be, which is expected to be from 1:30 PM to 3:00 PM.

Administrative Items:

The Board reviewed and approved the following documents: Revised MS-1 Summary Inventory of Valuation and Land Use Change Taxes.

IX. OTHER ITEMS

Mill Street ~ Slow Children Sign:

Mr. Cummings received a request for a "slow children" sign on Mill Street. Speed has become a problem now that the road is newly paved.

Main Street Sidewalk:

Mr. Cummings inquired about the status of the sidewalk on Main Street.

Mr. Taylor responded that the Town has the paint for the sidewalk.

Mr. Cummings reported that the sidewalk in front of St. Helena's is broken; the last foot of the sidewalk has shifted and is broken. It needs attention.

Stevens Street Streetlight:

Mr. Kluge inquired about the streetlight on Stevens Street.

Chief Crate has spoken with National Grid. Chief Crate is not sure where Selectman Crate wanted the light as there is one near the end of the road. They need to get together to discuss this.

Downtown Bridge Lights:

Dan Kiley mentioned that on overcast days the Shaker Hill Road Bridge light closest to the red house stays on and two upriver on the far end as well. Maybe the electric eye is dirty.

Contract Planner:

Mr. Schneider reported that the contract planner will be coming tomorrow, November 2nd. Both he and Jim Taylor will attend the next meeting.

CONFERENCE

I. NON-PUBLIC SESSION

Mr. Cummings moved to enter non-public session at 7:40 PM, RSA 91-A:3 II (a), Mr. Kluge seconded, vote unanimous. Roll call vote: Mr. Cummings – aye, Mr. Kluge – aye, vote unanimous in favor of the motion.

Mr. Cummings moved to come out of non-public session at 7:50 PM, Mr. Kluge seconded, vote unanimous in favor of the motion.

II. ADJOURNMENT

Mr. Cummings moved to adjourn at 7:50 PM, Mr. Kluge seconded, vote unanimous in favor of the motion.

ADDENDUM

P R O P O S E D

ENFIELD WATERSHED PROTECTION ORDINANCE

A. Purpose

1. The Town of Enfield shares with the State of New Hampshire, jurisdiction and responsibility to protect and maintain the quality of its public water bodies, a valuable resource, for the greatest public benefit.
2. The watersheds in the Town of Enfield are valuable and fragile natural resources and have direct influence on the integrity of the water quality of the public water bodies.
3. The creation of performance standards for land use activities within the town watersheds will provide for increased long-term protection of the town public water bodies and their watersheds.
4. Under current local and state laws the Potential exists for random, piecemeal or uncoordinated uses of the land within watersheds in the Town of Enfield, which could have significant negative impact on the water quality of its public water bodies and their tributaries.
5. Where the Town of Enfield watersheds transcend municipal boundaries, the Town of Enfield will seek opportunities to work cooperatively with the neighboring towns toward the common objective of improved water quality within the subject watersheds.

B. Authority and Statement of Intent

1. Pursuant to RSA 674:21, the Town of Enfield adopts a Watershed Protection Overlay Districts and accompanying regulations to ensure the protection and preservation of the surface and ground waters located within the Town of Enfield. The establishment of the Watershed Protection Overlay Districts and adoption of this ordinance is intended:
 - a. To protect aquifers, which serve as existing or potential water supplies,
 - b. To protect surface waters, ground waters, and wetlands,
 - c. To prevent degradation of water quality through the regulation of land uses and development,
 - d. And to protect and assure proper use of water resources within the Watershed Protection Districts.
2. In the event of a conflict between the requirements of this ordinance and other requirements of the Enfield Zoning Ordinance or state law, the more stringent requirements shall govern.

C. Applicability

1. The special provisions established in the Watershed Protection Ordinance shall apply to all development proposals and to potential polluting and land disturbing activities within the Watershed Protection Districts. All such proposals are required to demonstrate that they will "do no harm" to water, wetlands, or soil.
2. The Boundaries of the Watershed Protection Districts are identified through drainage and groundwater analyses. These boundaries as defined by map are essential to the protection of the watersheds.

D. Administration

1. General: The Planning Board is authorized to adopt amendments to this ordinance in order to further administer the requirements of this Watershed Protection Ordinance. All development proposals and potential contaminating activities occurring wholly or partly within the Watershed Protection Districts are subject to the requirements of this Ordinance. Approval and review is in addition to any reviews and approvals required by State Statute or other Town Ordinance. Approval and review and all conditions attached to be completed and documented before any building permit is issued by the Town of Enfield.
2. Enforcement: The Code Enforcement Officer is responsible for enforcing the provisions and conditions of this Watershed Protection Ordinance.

E. Definitions

1. Buffer Zone. Natural/native surface area sufficient in size (not less than 100' from the seasonal high water mark) to mitigate runoff effects harmful to water quality.
2. Public Water Body. All water bodies with surface area of 10 or more acres.
3. Point source pollution. From a single source such as discharge from drainage pipe.
4. Non-point source pollution. Coming from multiple sources.
5. Contamination. Point and non-point pollution, sedimentation, septage or the discharge of hazardous materials.
6. Hazardous Materials. As defined in Superfund Amendment and the authorization Act of 1986 and Identification and Listing of Hazardous Wastes 40 CFR:261 (1987).
7. Development. Any activity resulting in a change in the physical character of any parcel of land but not limited to construction, change in use, or land disturbance.
8. Impervious surface. Any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways unless designed to effectively absorb or infiltrate water
9. Storm water. Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other drainage facility.
10. Stormwater Runoff: Water flow on the surface of the ground or in storm sewers, resulting from precipitation
11. Watershed. The geographic area in which the water drains to a specific stream, lake, or ocean.
12. Wetland. An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, includes but not limited to, swamps, marshes, bogs, and other similar areas. The definition of a wetland will remain consistent with "New Hampshire Code of Administrative Rules Chapter Env-Wt 100-800" (Part Env-Wt 301 Delineation and classification of Wetlands).
13. ISDS. Individual septic disposal system.
14. Surface Water. All water on the surface of the earth.
15. Ground water. Water located beneath the ground surface in soil pore spaces and in the fractures of rock formations.
16. Livestock. Refers to multiple domesticated animals raised in an agricultural setting to produce commodities such as food, fiber, and labor.]

F. Use Regulations

1. Wetlands and surface waters.
 - a. No filling, alteration or any other work is allowed within any wetland area without permits as required by the New Hampshire Department of Environmental Services.
 - b. The property owner or designee is responsible for obtaining all necessary state and federal permits pertaining to the construction and/or installation of any docks, boathouses, footpaths, or steps. Copies of all permits shall be submitted to the Planning Board.
 - c. Any plans or designs as part of the watershed protection zones involving analysis and determination of wetland boundaries, the work to determine such boundaries is to be performed by a Certified Wetland Scientist and/or a Certified Soil Scientist as defined by RSA 310-A:76 II and III as amended.
2. Forestry
 - a. A minimum 50 feet of undisturbed natural vegetated buffer and undisturbed soil shall be maintained adjacent to all wetlands or surface waters.
 - b. All forestry operations are to be conducted in accordance with the Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire, NH Division of Forests and Lands, February 2000, as amended, and in accordance with all appropriate sections of the Comprehensive Shoreland Protection Act, as amended.
3. Agriculture
 - a. Livestock are not allowed direct access to surface waters. Drinking water for livestock is to be provided by the use of a tub or container located a minimum of 200 feet away from any surface water or wetland.
 - b. Application of fertilizers is not allowed within 200 feet of any surface water or wetland.
 - c. All livestock grazing and feeding areas shall be at least 200 feet from any surface waters.
 - d. Any runoff from livestock feeding areas shall be directed away from any surface water or wetland area.
 - e. No commercial spreading of animal manure on fields or pastures is allowed within 200 feet of any surface water or wetland. Manure and fertilizers not to be stored within 200 feet of any surface water or wetland and must be stored or collected on an impervious surface and contained to prevent release of leachate.
 - f. Unless stricter setback requirements are specified in this ordinance, all agricultural operations shall be conducted in accordance with the Manual of Best Management Practices for Agriculture in New Hampshire, NH Department of Agriculture, June 1993, as amended and in accordance with all appropriate sections of the Comprehensive Shoreland Protection Act, as amended.
4. Site Construction
 - a. No new primary structures are permitted within 100 feet of any surface water or wetland area. Accessory structures are allowed as permitted by the Comprehensive Shoreland Protection Act, as amended.

- b. The impervious area of any building lot is limited to a maximum of 30%. For any project that will render impervious more than 15% of the area the proposal must include a storm water management and erosion control plan consistent with Storm Water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire, Rockingham County Conservation District, August 1992 as amended. The continued operation and maintenance of the plan shall be adhered to by the property owner. Impervious areas include, but are not limited to, driveways, parking areas, and building areas.
5. Septic Systems
 - a. For new construction, no Individual Sewage Disposal System (ISDS) shall be installed within 100 feet of any surface water or wetland within the districts.
 - b. For expansion or seasonal conversion of an existing structure, the owner must conform to RSA 485-A:38 and the associated Code of Administrative Rules for Subdivision and ISDS Design Rules, as amended.
6. General
 - a. The following shall not be permitted within 75 feet of any required buffer zone.
 1. Fuel storage in excess of fifty gallons.
 2. Sanitary landfills.
 3. Activities involving the manufacture, bulk storage or any type of distribution of materials hazardous to the watershed protection Districts as defined in the Hazardous Materials Spills Emergency Handbook, American Waterworks Association, 1975, as revised including specifically the following
 - a. Oil and oil products.
 - b. Radioactive materials.
 - c. Biologically accumulative poisons.
 - d. Substances lethal to mammalian or aquatic life.
 - e. Storage or spreading of road salt.
 4. Auto repair facilities or junkyards.
 5. Spreading of any fertilizer.