

ORDINANCE 09.2012.09

CITY OF LACONIA

In the Year of our Lord two thousand and twelve

AN ORDINANCE AMENDING CHAPTER 235-19, SHORELAND PROTECTION DISTRICT

The City of Laconia ordains:

That the ordinances of the City of Laconia, as amended, be and are further amended in Chapter 235-19 as follows (deletions shown by strike through, additions by bolding):

B. Purpose and intent. The purpose of the SP District is to establish standard for the use and development of shorelands adjacent to public waters, as defined herein. The intent of this chapter is to minimize the degradation of shorelands, **protect water quality**, and assure the retention of benefits provided by such shorelands, including but not necessarily limited to ~~the~~:

And

D. Prohibited Uses

(2) Use of fertilizer particularly **those containing phosphorus**, with the following exceptions:

- (a) Use of lime and/or wood ash: or
- (b) In conjunction with agricultural activities and operations

(3) Bulk storage of chemicals fertilizer, pesticides and herbicides

(a) The use and application of pesticides and herbicides

And

(18) Invasive species as listed under New Hampshire DES banned invasive species list

(19) The definition of HAZARDOUS WASTE as defined by the United States Environmental Protection Agency: "Hazardous waste is waste that is dangerous or potentially harmful to our health or the environment. Hazardous wastes can be liquids, solids, gases, or sludges. They can be discarded commercial products, like cleaning fluids or pesticides, or the by-products of manufacturing processes."

(See <http://www.epa.gov/osw/hazard> for a more detailed list)

F. Minimum requirements within specified areas of the SP District

(1) Vegative buffer requirements

- (a) Whenever property is developed or redeveloped, a vegetative buffer shall be maintained or established within 50-feet of the reference line. **We recommend that this buffer be composed**

of a variety of native and /or non-invasive species. The purpose of this buffer shall be to protect the quality of public waters by minimizing erosion, preventing siltation and turbidity, stabilizing soils, preventing excess nutrients and chemical pollution, maintaining natural water temperatures, maintaining a natural healthy tree canopy and understory, preserving fish, bird and wildlife habitat and respecting the overall natural conditions of the protected shoreland.

And

(d) If Invasive species as listed under New Hampshire DES banned invasive species list are encountered within the construction area they must be made not viable and properly disposed of.

And

(2) Development standards.

(b) New primary structures and additions to existing structures shall be set back at least 50-feet from the reference line of public waters provided that no disturbance of the vegetative buffer area occurs within ~~30~~ 50 feet of the reference line and that any disturbance within ~~30~~-50 feet of the reference line is revegetated **with a variety of native and /or non-invasive species** and stabilized.

And

(5) Additional requirement for a building permit in the SP District. Application materials for building permit in the SP District shall include the following:

(d) Include a sketch and photographs of the location of invasive milfoil in and around any docking structures.

And

(6) No stumps can be removed within 50-feet of the shoreline although they can be ground down.

This ordinance amendment shall take effect upon its passage.


Michael Seymour, Mayor

Passed and approved this 13th day of August, 2012.

Mary A. Reynolds, City Clerk