



## Town of Tamworth, NH Wetlands Application

**Public Hearing:** A Public Hearing is required for any Special Use Permit or Waiver.

<p><b>Permitted Uses:</b></p> <p><b>Application not required</b></p>	<p>Uses which are allowed, or "permitted" do not require an application, and are defined as:</p> <p>§ D.1 - "single family dwellings, garages, and driveways . . . on pre-existing lots of record as of . . . (March 12, 1991)"</p> <p>§ D.2 - "uses . . . which will not require the erection or construction of any structures or buildings, will not alter the natural surface configuration by the addition of fill or dredging, and uses that otherwise are permitted."          (a) Forestry - Tree Farming using BMPs          (b) Crops and Grazing          (c) Wildlife Refuges*          (d) Parks and Recreation Uses*          (e) Conservation Areas and Nature Trails*          (f) Open Spaces as permitted and required by sub-divisions          (g) Uses incidental to residential property</p> <p>* - Where noted, must be consistent with "purpose and intent" provisions of section A</p>
<p><b>Special Use Permit</b></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Uses for which a Special Use Permit may be granted without meeting the "purpose and intent" provisions of section A:</p> <p>§ E.1.(a) - "Streets, roads, and other access ways, utility right-of-way easements . . . if so located and constructed as to minimize any detrimental impact . . ."</p> <p>§ E.1.(b) - "Water impoundments . . . for wildlife, surface runoff, fire protection, recreational uses."</p> <p>Uses which are not otherwise permitted, may be granted a permit, if the use meets the "purpose and intent" provisions of Section A:</p> <p>§ E.1.(c) "a use not otherwise permitted ... if it can be shown that such proposed use is not in conflict with any and all of the purposes and intentions listed in section A of this Ordinance."</p>
<p><b>Waivers</b></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>§ J.1 "The Board is hereby authorized to grant waivers, in consultation with the Commission, providing that a finding is made that the Purpose and Intent under Section A has been met."</p> <p>§ F.1 "No private subsurface sewage disposal system, or any part thereof, may be constructed or enlarged within a wetland or closer than (*)seventy- five (75) feet to any wetland, as defined by this ordinance, except for the provisions made in Section F.1 a or F.1b."</p> <p>§ F.2 "Unless otherwise permitted by the Board, no construction activity shall encroach within twenty five (25) feet of the limits of a wetland; all efforts shall be made by the site developer to maintain this buffer in its undisturbed vegetative state."</p>

## **Town of Tamworth, NH** **Wetlands Application**

**Description:** Attach a full description of the proposed use(s) of the property, and the existing and proposed improvements.

**Impacts:** Fully describe, illustrate, and include supporting documentation of the impact to the wetlands conservation district. In particular, pursuant to Section E of the Wetlands Conservation District Ordinance of the Town of Tamworth, discuss:

§ E.5.(a) "The environmental impact of the proposed action, including the effects of the wetland's capacity to support fish and wildlife, prevent flooding, supply and protect surface and groundwaters, control sediment, control pollution, support recreational activities and promote public health and safety."

§ E.5.(b) "The character and degree of injury to, or interferences with safety, health, or the reasonable use of property, including abutting or downstream property, which would be caused or threatened by the proposed activity, or the creation of conditions which may do so. This includes recognition of potential damage from erosion, turbidity or siltation, loss of fish and wildlife and their habitat, loss of unique habitat having demonstrable natural scientific or educational value, loss or diminution of beneficial aquatic organisms and wetland plants, the dangers of flooding and pollution, and the destruction of the economic, aesthetic, recreational, and other public and private uses and values of wetlands to the community."

**Waivers:** For waiver requests, show:

1. Why the buffer waiver is needed, including how options to avoid the need for a waiver were considered and found impossible or impractical.
2. How the proposed project will minimize impacts to the buffer area(s) and associated wetlands.
3. Why you think these minimized impacts will not degrade the wetland(s).

**Purpose and Intent:** Where applicable, show that the proposed use and/or waiver is not in conflict with any and all of the purposes and intentions listed in Section A of the ordinance.

§§ A.1-7 "It is intended that this Ordinance shall:

1. Prevent the development of structures and land uses on naturally occurring wetlands which will contribute to pollution of surface and ground water by sewage, sediment or noxious substances.
2. Prevent the destruction of, or significant changes to natural wetlands which provide flood protection.
3. Protect rare, unique, and unusual natural communities, both floral and faunal.
4. Protect wildlife habitats and maintain ecological balances.
5. Protect water supplies and existing aquifers (water-bearing stratum) and aquifer recharge areas.
6. Prevent expenditure of municipal funds for the purposes of providing and/or maintaining essential services and utilities which might be required as a result of misuse or abuse of wetlands.
7. Encourage those low-intensity uses that can be harmoniously, appropriately and safely located in the wetlands."

# Town of Tamworth, NH

## ***Wetlands Application***

**Professional Support:**

Indicate the name, profession, and telephone number of each individual who participated in preparing components of the application (attach extra sheets as necessary).

Name: \_\_\_\_\_ Profession: \_\_\_\_\_ ( ) \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Profession: \_\_\_\_\_ ( ) \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_ Profession: \_\_\_\_\_ ( ) \_\_\_\_\_

Address: \_\_\_\_\_

**LIST OF ABUTTERS AND PROFESSIONAL SUPPORT**

Pursuant to RSA 676:7 of the State of New Hampshire, the Town of Tamworth is required to notify every abutter of the public hearing by certified mail, return receipt requested. The cost of required publication of said notice, and the cost of mailing said notice to abutters shall be paid by the applicant. It is the applicant's responsibility to provide a list of abutters, parties holding an interest in the property (Right of Way, Easement, Covenant), and any professional who has placed his or her seal on a plan that is being submitted (whether the plan was created for the current application or was created sometime before).

**ABUTTER** - "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board. RSA 672:3.

- Tax Map:** Attach a tax map showing the property and abutting lots.
- Notification List:** Provide a list of abutters and parties to be notified. For each name, include the Tax Map# / Lot# or reason for notification, name, and mailing address.
- Mailing labels:** Attach 3 mailing labels for each party to be notified.

## Town of Tamworth, NH Wetlands Application

**Other Permit Approvals Required:**

Attach a copy of any other local, state, or federal permit(s), permit(s) by notification, or application for permit(s), if required for this project. This includes, but is not limited to:

<b>Permit</b>	<b>Application Date</b>	<b>Approval Date</b>
<input type="checkbox"/> US Army Corps of Engineers Dredge & Fill Permit	_____	_____
<input type="checkbox"/> NHDES Wetlands Bureau Dredge and Fill Permit	_____	_____
<input type="checkbox"/> NHDES Alteration of Terrain (formerly Site Specific) Permit	_____	_____
<input type="checkbox"/> NHDES Comprehensive Shoreland Protection Act Permit	_____	_____
<input type="checkbox"/> NH Dept. of Transportation: Driveway Permit	_____	_____
<input type="checkbox"/> Tamworth Floodplain Development Permit	_____	_____
<input type="checkbox"/> Tamworth Driveway Permit	_____	_____
<input type="checkbox"/> _____	_____	_____

**Fees:** When submitting an application, the following fees must be included:

- (1) Application fee \$25.00
- (2) Advertisement fee (Conway Daily Sun) \$45.00
- (3) Postage fees for \_\_\_\_ Abutters' certified notices @ \$10.00 each = \_\_\_\_\_

Note: The cost of any consultants required by the Board to properly administer and enforce this Ordinance shall be borne by the applicant.

**Total Fee Due** \$\_\_\_\_\_

**Submission:** Five (5) copies of the completed application and plans (signed by owners) should be returned to the Tamworth Town Clerk. Attach additional sheets as necessary. Explain any omissions.

THIS APPLICATION IS PROVIDED AS A GUIDE. IT IS INTENDED TO ASSIST IN MEETING THE REQUIREMENTS OF TAMWORTH'S WETLAND ORDINANCE. THE ORDINANCE ALONE SHALL BE LEGALLY BINDING. APPLICANTS ARE ADVISED TO READ, UNDERSTAND AND RELY ON THE ORDINANCE.

If you are signing for anyone other than yourself, you must submit one copy of the legal document authorizing you to do so.

**Endorsement:** (All property owners must sign.)

I/We hereby request that the Tamworth Planning Board review this application for approval, including all plans, documents, and information herewith. I/we represent to the best of my/our knowledge and belief, this application is being submitted in accordance with the regulations of the Town of Tamworth, NH.

\_\_\_\_\_  
\_\_\_\_\_  
Signature(s) of Property Owner(s) Date