

ARTICLE 6: WETLAND CONSERVATION DISTRICT

601 General

The Wetland Conservation District as herein defined is shown on a map or maps designated as the “Town of Richmond Wetland Conservation District Map” and is part of the “Zoning Map” of the Town of Richmond, New Hampshire. For a detailed explanation of soil types, see “Soil Survey of Cheshire County, New Hampshire” issued June 1989, on file with the Town Clerk and Planning Board.

In addition to areas shown in the Town of Richmond Conservation District Map any other wetlands identified by a surveyor, soil scientist, engineer, the Conservation Commission, or the Planning Board are included in the Wetlands Conservation District.

Delineation must be conducted by a septic designer, soil, or wetland scientist certified by the State of New Hampshire.

[Rev- March 12, 2002]

601.1 Functions of Wetlands

601.1.1 Wetlands filter pollutants from waters that flow through them, and recharge underground aquifers. This protects and guarantees the town’s water supply. Wetlands store water during the wettest part of the year and release water at a constant rate to maintain regular stream flows, thus, preventing serious flooding.

601.1.2 Wetlands provide critical breeding and nesting habitats for a wide variety of plants and animals, including migratory waterfowl and fish, and provide an array of commercial products, from cranberries and timber to fish. They offer wide-spread opportunities for hunting, fishing, boating, nature study and photography, thus enhancing the quality of life.

601.1.3 Wetlands help to maintain the planet’s atmospheric balance because of the gasses wetlands emit and absorb, such as oxygen, nitrogen, and carbon dioxide.

602 Purpose

602.1 **Control and/or prevent the development of structures and land uses in or near naturally occurring wetlands, which could contribute to pollution of surface and ground water by pollutants, or cause damage to abutter’s property. (Rev. March 2021)**

602.2 **To prevent the destruction of natural wetlands which provide flood protection, recharge of ground water supply, augmentation of stream flow during dry periods, and important wildlife areas. To protect potential water supplies and existing aquifers (water-bearing strata) and aquifer recharge areas.**

602.5 To preserve and protect native flora and fauna and maintain ecological balance.

603 Uses Permitted

Nothing in this section relieves the applicant of any responsibilities for meeting any applicable state or federal requirements, permit processes, etc. Proof of any necessary state and/or federal permits and/or approvals may be required as a condition of any approvals pursuant to this section.

The following activities are exempt from the requirements of the WCD or exempt from the procedural requirements as noted:

Present Ordinance	Proposed Zoning Change
603.1 Forestry and tree farming.	603.1 Forestry and tree farming, provided that the state Forestry regulations, as described in the most recent issue of the UNH Cooperative Extension Manual titled “Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire,” are followed.
603.2 Agriculture	603.2 Agriculture, provided that no fertilizers, non-composted waste from livestock, or any other substances that may enter and pollute the wetlands are used and that the normal drainage patterns are not altered.
603.3 Water Impoundments and well supplies.	603.3 Water impoundments and construction of well water supplies.
603.4 Drainage ways, streams, creeks, or other paths of normal runoff water.	603.4 Maintenance of existing drainage ways, streams, creeks, or other paths of normal runoff water. Maintaining, repairing, or replacing an existing and lawfully located structure or public utility, provided that the work conforms to the general standards adopted in this section.
603.7 Conservation areas and nature trails.	603.7 Conservation areas and nature trails. The construction of fences, footbridges, catwalks, footpaths, or nature trails, provided that they are constructed on posts or piles where applicable to permit unobstructed flow of water and preserve the natural contour of the wetland provided there is no use of toxic material.

NOTHING PRE-EXISTING	603.9 Emergency projects, Emergency projects necessitated by the unforeseeable breakage of existing infrastructure, or a natural weather event, may be commenced. Only the work necessary for abatement of the emergency may be performed. Within seven days the board of Selectmen must be notified of such work.
NOTHING PRE-EXISTING	603.10 Signs, fences, mailboxes, stonewalls, walks, overhangs, balconies, steps and their landings, handicap ramps, essential services, and the like.

604 Special Exceptions

Special exceptions may be granted by the Board of Adjustment for the following uses within the Wetland Conservation District:

- 604.1 Streets, roads, access ways, **driveways**, and utility rights-of-way easements, including power lines and pipelines if essential to the productive use of land not so zoned and if so located and constructed as to minimize any detrimental impact of such uses upon the wetlands. Proper evidence of this effect shall be submitted to the Board of Adjustment and shall be accompanied by the findings of a review by the Richmond Conservation Commission of the environmental effects of such proposed use upon the wetlands in question.

ARTICLE 17 DEFINITIONS

ACCESS WAY: Primarily used for service or maintenance entrance such as agricultural field entrance, oil delivery, woodlot or forestry entrance and the like. Such Access Ways are subject to State and Town regulations.

DRIVEWAY -- A public or private roadway providing primary access from either a public or private road for vehicles to a dwelling, business, parking area, or other structure or facility that is currently used on a regular basis but does not include an access that is primarily used for service or maintenance (such as fuel oil delivery) or for agricultural purposes.

POLLUTION/POLLUTANTS - Any substance that could cause an adverse change in biological, chemical, radiological, or physical properties of the environment.

EMERGENCY PROJECT – A project which requires that work must be undertaken and substantially completed within thirty (30) days to avert an imminent danger to the public.

APPLICANT – Any individual, group of individuals, company, corporation, trust or any other legal entity, and its heirs, agents or assigns.