

**TOWN OF JAFFREY
NEW HAMPSHIRE**

SHORELAND OVERLAY DISTRICT

Article I. Purpose

To establish standards for the subdivision, use, and development of shore lands adjacent to public waters for the purpose of minimizing degradation of shore lands and assuring retention of the benefits provided by such shore lands. All development within the boundaries of this district shall be subject to the provisions of RSA 483-B; except where standards in this section are more stringent, the more stringent shall apply.

Article II: District Boundaries

The Shoreland Overlay District extends 250 feet inward from the reference line (as defined in Article IX and hereinafter referred to as the "shoreline") of the following water bodies¹, and any other water body that exceeds 10 acres in size.

Black Reservoir	Gilmore Pond	Parker Pond
Cheshire Pond	Gilson Pond	Thorndike Pond
Contoocook Lake	Hodge Pond	Wildlife Pond (Ainsworth Pond)
Cummings Meadow	Island Pond	
Frost Pond	Mountain Brook Reservoir	

Article III: Permitted Uses

(A) Residential Development

- (1) Single-family Dwellings
- (2) Duplex dwellings where otherwise authorized by this Ordinance.
- (3) Uses customarily accessory to residential uses.

(B) All other uses are subject to the provisions of RSA 483-B.

Article IV: Minimum Lot Requirements

(A) Lot Size

The minimum lot size for new lots dependent upon on-site septic systems shall be determined on soil types in accordance with Department of Environmental Services (DES) Rules Env-Ws 1000. New lots shall have a minimum Shoreland frontage of 200 feet, as defined in Article IX.

¹ As identified in the *Official List o Public Waters in New Hampshire, New Hampshire Department of Environmental Services, August 1990, amended May 1991.*

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(B) Setbacks

- (1) Primary structures shall be set back a minimum of 75 feet from the shoreline.
- (2) Accessory structures (excluding garages) may be located within the 75-foot setback by special exception provided:
 - (a) an existing vegetated buffer area is maintained;
 - (b) the structure is usually customary and incidental to a legally authorized use in the district.

(C) Buffer Zone

Where already existing, a natural woodlands buffer shall be maintained within 150 feet of the shoreline, subject to standards outlined in RSA 483-B:9,V.

Article V: Subsurface Wastewater Disposal Systems

- (A) All new lots, regardless of size, are subject to subdivision approval by DES.
- (B) Setbacks for septic systems and leaching fields shall be based on soil types in accordance with the standards of the USDA Soil Conservation Service, as follows:
 - (1) 125 feet where the soils data indicate porous sand and gravel with a percolation rate faster than two minutes per inch.
 - (2) 100 feet where the soils data indicate restrictive layers within 18 inches of the natural soil surface.
 - (3) 100 feet where the soils data indicate the presence of all other types of soils.

Article VI: Nonconforming Structures

- (A) Preexisting structures may be repaired, improved or expanded, consistent with the provisions of the Jaffrey Zoning Ordinance regarding non-conforming uses, structures, and lots; however any expansion that increases the sewerage load requires a permit from DES. (Amended 2001)
- (B) Expansion may not extend the structure closer to the water.

Article VII: Commonly Used Waterfront Lots

- (A) Waterfront lots intended for use for common access by nonshore land property owners shall:
 - (1) Contain a minimum of two acres.
 - (2) Have a minimum of 200 feet of Shoreland frontage for the first residential unit and an additional 30 feet for each additional unit.
- (B) No structures other than toilet facilities or picnic shelters are permitted.
- (C) Leach fields shall be set back 125 feet from the shoreline.

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- (D) Off-street parking shall be provided at the rate of 300 square feet per dwelling unit for each unit located 1/4 mile or more from the common area.
- (E) Swimming areas shall be separated from boating areas by appropriate markers.

Article VIII: Erosion and Sedimentation Control

- (A) All construction and/or development shall follow the standards of the *Stormwater Management and Erosion Control Handbook for Urban and Developing Areas in New Hampshire* (USDA Soil Conservation Service).
- (B) Any disturbance of 50,000 contiguous square feet of land requires an Alteration of Terrain Permit from the Department of Environmental Services.

Article IX: Definitions

- (A) "Disturbed Area" means an area in which natural vegetation is removed exposing the underlying soil.
- (B) "Natural Woodland Buffer" means a forested area consisting of various species of trees, saplings, shrubs, and ground covers in any combination and at any stage of growth.
- (C) "Primary Structure" means a structure other than one that is used for purposes wholly incidental or accessory to the use of another structure on the same premises.
- (D) "Protected Shoreland" means, for natural freshwater bodies without artificial impoundments, for artificially impounded freshwater bodies, and for coastal waters and rivers, all land located within 250 feet of the reference line of public waters.
- (E) "Public Waters," for the purpose of this ordinance, shall mean all freshwater bodies listed in the official list of public waters published by the Department of Environmental Services pursuant to RSA 271:20, II, whether they are great ponds or artificial impoundments.
- (F) "Reference Line" means:
 - (1) for natural freshwater bodies without artificial impoundments, the natural, mean high-water level as determined by the Division of Water Resources of the Department of Environmental Services.
 - (2) for artificially impounded freshwater bodies, the waterline at full pond as determined by the elevation of the top of the impoundment structure.
- (G) "Removal or Removed" means cut, sawed, pruned, girdled, felled, pushed over, buried, burned, killed, or otherwise destructively altered.
- (H) "Shoreland Frontage" means the average of the distances measured along the reference line and along a straight line drawn between the points at which the reference line intersects the side lines of the property.
- (I) "Structure" means anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, as well as anything constructed or erected with a fixed location on or in the ground, exclusive of fences.