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**Article 20:** To see if the Town will vote to adopt amendment No. 17 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-27., Shoreland Protection Overlay District, to make additions and deletions to §190-27.C., Development density; §190-27.D., Shoreline setbacks; §190-27.F.(1), (3), (6) & (7), Buffer; §190-27.G., Docks; §190-27.H., Private Beaches; and §190-27.K, Water quality; and to revise §190-31 regarding definition of Boat Storage Shed as follows: “A structure used **exclusively** for the storage of boats **and accessory equipment**, having no plumbing or heating installed, having a floor are of 250 square feet or less, and being no more than 15 feet in height.”

**Proposed by Petition**

**Recommended by the Planning Board (7-0-0)**

## TOWN OF CONWAY

To be filed by: January 10, 2024

### RSA 675:4 PETITION TO AMEND ZONING ORDINANCE

Pursuant to RSA 675:4, the undersigned voters of the Town of Conway, being more than twenty-five (25) in number, hereby submit to the Board of Selectmen the following petition to amend the Town of Conway Zoning Ordinance, to be included on the Warrant for the 2024 Annual Town Meeting scheduled for April 9, 2024:

1. To see if the Town will vote to amend Section 190-27 (Shoreland Protection Overlay District) of the Zoning Ordinance as redlined below (additions to text in bold, and deletions in strikethrough):

C. Development density. The overall density of development on a lot shall be determined with standard zoning and subdivision criteria such as lot size and natural resource constraints. However, the density of development allowed within 300 feet of the normal high-water elevation shall be restricted by the amount of water frontage. In case of conflicting results **between state statute, state regulation, any other provision of municipal ordinance, and this subsection, the most**~~re~~ restrictive regulation shall apply. Density within 300 feet of the normal high-water elevation shall be as follows: ...

D. Shoreline setbacks. Each structure shall have a one-hundred-foot minimum setback from the normal high-water elevation in all underlying zoning districts; with the exception of **a single** boat storage sheds, which shall be set back a minimum of 50 feet from the normal high-water elevation.

F. Buffer. There shall be a fifty-foot-wide vegetated buffer .... The following restrictions shall apply to the buffer:

(1) One access path across the buffer, up to 10 feet in width (measured parallel to the shoreline), is allowed for each 150 feet of water frontage. Such paths shall be designed to prevent erosion and runoff into the lake. **If any lot is allowed more than one access path, such access paths shall be not less than 50 feet apart from another such access path.**

(3) For vegetation four inches or more in diameter, measured 4 1/2 feet above ground level (hereafter referred to as "trees"), no more than 10% of the basal area of trees may be removed from the buffer (not including the area of permitted access paths) in any five-year period. **Any such cutting shall be dispersed evenly within the entire buffer area of the lot, excepting that clearing is allowed within an access path permitted by Subsection F (1) hereof, and/or within a beach permitted by Subsection H hereof.** Before any cutting may occur, the Zoning Officer shall be provided with a plat indicating the size and location of all trees in the buffer, which indicates the total basal area before and after the proposed cutting, **which shows**

**appropriate dispersal of the cutting**, and which indicates all measures to be taken to prevent destruction of the buffer and protect the water quality. Cutting may occur only after receipt of written authorization from the Zoning Officer.

(6) For **existing** beaches permitted ~~in~~by Subsection H, some clearing of land within the buffer is required. In no case shall such clearing for a beach extend inland more than 10 feet from the normal high-water elevation, and such clearing shall be no longer, **deeper, or wider** than the permitted beach **as it existed on or before April 9, 2023**.

(7) **In order to afford maximum protection to the lakes' water quality, the application of chemical fertilizer, insecticides or other chemicals shall be prohibited in the district, including without limitation within the buffer. No vegetation normally requiring fertilization, including grass lawn, shall be planted within the buffer, including without limitation in beach or access path areas.**

G. Docks. Docks ~~which are completely removed from the water for the winter season~~ shall be permitted as follows:

(1) Maximum number of docks shall be one per 150 feet of water frontage, but lots with less than 150 feet of water frontage are permitted one dock.

(2) A dock, **including all ramps and accessory structures**, shall not extend more than 30 feet into the water **from the edge of the water**.

(3) A dock shall not be ~~a~~wider than 10 feet in width.

(4) **The location or length of a dock or a swim float shall not present a hazard to boating.**

(5) **Docks shall be for the exclusive use and enjoyment of the residents of the lot from which it extends, and shall not be transferred, rented, or leased apart from the entirety of the lot.**

H. Private beaches. Beaches, **as defined by N.H. Code of Administrative Rules Env-Wt 102.16 (2019), and which shall also include a "perched beach" as defined in Env-Wt 103.51**, on a Great Pond which are not owned by a unit of government shall be regulated as follows: ...

K. Water quality. In order to afford maximum protection to the lakes' water quality, the application of chemical fertilizer, insecticides or other chemicals shall be prohibited in the district, **including without limitation within the buffer**. In addition, drainage shall be controlled and treated as best as is reasonably possible for any construction or activity, or as a result of any land use, such as access paths. Local regulation of pesticide management is preempted by RSA 430:49.

2. And further amend Section 190-31 (Definitions) of the Zoning Ordinance as redlined below:

**BOAT STORAGE SHED** A structure used **exclusively** for the storage of boats and **accessory equipment**, having no plumbing or heating installed, having a floor area of 250 square feet or less, and being no more than 15 feet in height.

Received  
1/4/24

So petitioned, by the following registered voters of the Town of Conway:

SIGNATURE	PRINTED NAME	PHYSICAL ADDRESS (not PO Box)
<i>Thomas F. Gross</i>	Thomas F. GROSS	496 POTTER Rd Center Conway 03813
<i>Maria M. Gross</i>	MARIA M. GROSS	446 Potter Rd Center Conway 03813
<i>Richard Jacques</i>	RICHARD JACQUES	16 BROWNFIELD RD CENTER CONWAY, NH 03813
<i>Beth Jacques</i>	Beth Jacques	16 Brownfield Rd Ctr Conway NH 03813
<i>James Proulx</i>	James Proulx	52 Little Kate Rd. Center Conway NH 03813
<i>Victoria Schindler</i>	Victoria Schindler	52 Little Kate Rd Center Conway NH 03813
<i>Maria Proulx</i>	Maria Proulx	52 Little Kate Rd Center Conway NH 03813
<i>Michael Wolf</i>	Michael Wolf	402 Mudgett Rd. Center Conway, NH 03815
<i>Dorcas H Deans</i>	Dorcas H Deans	353 Potter Rd Ctr Conway, NH 03813
<i>Thomas S Deans</i>	THOMAS S DEANS	353 POTTER RD CENTER CONWAY, NH 03813
<i>Susan West</i>	SUSAN WEST	34 Denison Way, <sup>Conway</sup> Center NH. 03813
<i>Judy Caprecella</i>	Judy Caprecella	51 Brownfield Rd. Cat Conway 03815
<i>Margaret Goodland</i>	Margaret Goodland	216 Blackbird <sup>NH</sup> Ctr Conway 03813
<i>Jim Goodland</i>	JAMES Jim Goodland	216 Blackbird Ctr Conway 03813
<i>Steven Gagne</i>	STEVEN Steven GAGNE	42 Arlberg Dr Conway 03818
<i>Gaven Gagne</i>	GAVEN Gaven Gagne	42 Arlberg Dr. Conway 03818



