

Section 304. Buffer Areas Required.

(A) A minimum fifty (50) foot vegetative buffer for development activities is required along all perennial and intermittent waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. A minimum one hundred (100) foot vegetative buffer for development activities is required along all rivers. A minimum one hundred (100) foot vegetative buffer for development activities is required along all perennial and intermittent waters within 2,500 feet of rivers. The vegetative buffers listed above shall be required unless the applicant demonstrates that a lesser distance (but not less than thirty (30) feet) is adequate to guard against stream pollution. Evidence may be based on topography, soils, geology, and other pertinent information. (#8)

A minimum one hundred (100) foot vegetative buffer is required along all perennial streams for all new development activities that exceed the low density option. A buffer width reduction is not allowed for development activities that exceed the low density option. (#8)

(B) No new development is allowed in the buffer except for water dependent structures and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of stormwater Best Management Practices. Desirable artificial streambank or shoreline stabilization is permitted.

(C) To avoid a loss of effectiveness in protecting streams, the stream buffer shall remain in natural undisturbed vegetation, except as provided below.

1. Clearing, grading or other land disturbing activities which would reduce the effectiveness of the buffer shall be re-vegetated.

2. Buildings and other features that require grading and construction shall be set back at least ten (10) feet from the edge of the buffer. Crossings by streets, driveways, culverts, railroads, recreational features, intakes, docks, utilities, bridges or other facilities shall be designed to minimize the amount of intrusion into the buffer. The buffer can serve to meet minimum lot size requirements if there is sufficient buildable area remaining on the lot.

3. Stream buffers can be used for passive recreational activities such as walking and bicycling trails, provided that service facilities for such activities, including but not limited to parking, picnicking and sanitary facilities, are located outside the buffer. Trails running parallel to the stream shall be located at least ten (10) feet from the edge of

the stream. Water oriented recreational facilities, such as boat or fishing piers, shall require an approved use permit from the Watershed Administrator.

4. Clearing and re-vegetating the stream buffer for the purposes of improving its pollutant removal efficiency may be permitted.