# STOrmwater management: Development Requirements

## **Regulation Language**

The following regulation language is recommended to be modified or added to the model regulation language found in the [Southeast Watershed Alliance Post Construction Stormwater Management Standards, 2017 Update](https://scholars.unh.edu/cgi/viewcontent.cgi?article=1034&context=stormwater). The Southeast Watershed Alliance model regulation language has been adopted by many communities subject to the federal MS4 Stormwater Permit to requirements about stormwater management on sites after construction. The regulation language below is typically found within site plan and subdivision regulations, but may also be located within zoning ordinances.

**Element A – Purposes and Goals**

1f. Ensure that stormwater management controls are designed to minimize climate change and sea level rise impacts to ensure long-term effectiveness and enhance protection of coastal water quality.

**Element B – Minimum Thresholds for Applicability**

*Site Plan Review Regulations Only*

1. The post-construction stormwater management standards apply to any development or redevelopment project which are subject to Site Plan Review and:

a. disturbs more than 5,000 square feet,

b. disturbs more than 2,500 square feet within 100 feet of a surface water body, or

c. disturbs more than 2,500 square feet within 100 feet of areas projected to be impacted by sea-level rise or groundwater intrusion {as identified in the 2019-2020 New Hampshire Coastal Flood Risk Summary/ the {Municipality Name} Natural Hazard Mitigation Plan/ {Municipality Name} Master Plan}.

2d. All new stormwater management controls are located as far from shoreland areas to the maximum extent practicable.

2e. Determination of compliance with standards (a.-d. above) will be made by the Planning Board on a case by case basis as site conditions and constraints will differ greatly between various development proposals.

**Element C – Stormwater Management for New Development**

o. The design of stormwater management systems located in areas vulnerable to sea-level rise and groundwater intrusion shall:

i. Avoid locating stormwater controls within shoreland areas to the maximum extent practicable.

ii. Avoid siting stormwater controls near high groundwater if the controls cannot adapt to function with higher groundwater or will be impacted by groundwater intrusion into the system.

iii. Shall be designed to accommodate current and future site conditions such as utilizing native salt-tolerant plants or materials that do not corrode with salt exposure.

iv. Shall be designed to allow for flexibility to allow for future adaptability in the stormwater control design.

v. The use of green infrastructure, such as rain gardens and swales, shall be preferable.