



Hampton Seabrook Estuary Management Plan Follow Up: Regulatory Audit

March 21, 2025



Prepared for the Seabrook-Hampton Estuary Alliance
by EF | Design & Planning, LLC

Contents

Introduction	3
Review of Land Use Planning and Regulatory Actions	4
Recommendations	15
Recommendations for SHEA	15
Key Recommendations for the Municipalities	16
Appendix A List of Regulatory Action Items from the EMP	17
Appendix B EMP Actions and Existing Regulations Matrix	19

Introduction

A land use audit was conducted to better understand the status of land use planning and regulatory action items identified in the [Estuary Management Plan](#) (EMP) and to guide SHEA and municipalities in implementation of the EMP actions.

Twenty-one actions from the EMP were determined to be land use planning or regulatory in nature (Appendix A). Some actions apply more specifically to Hampton, Seabrook, or Hampton-Falls, while others are applicable to all communities surrounding the estuary. Some actions were folded into the EMP from other documents, such as municipal master plans.

A matrix was created to categorize actions and document existing language in local regulations and plans for each municipality (Appendix B). A summary of findings and key recommendations for SHEA and each municipality are included in this report.

A draft of this audit was sent to the planning staff in each community. Planning staff were asked to review the draft audit and provide any comments, corrections, and questions. Input from planning staff was then incorporated into Table 1 below.

This audit is not intended to replace a comprehensive review of each community's regulations. It is recommended that each town further review the EMP recommendations and identify opportunities to bring municipal planning and land use regulations into alignment with the recommendations that are supported by the community.



Planning Staff that Provided Input on the Draft Audit:

Hampton Town Planner Jason Bachand, AICP, CMF

Hampton Falls Land Use Coordinator Meghan Lapointe

Seabrook Town Planner Tom Morgan, AICP

Review of Land Use Planning and Regulatory Actions

A summary of findings from the regulatory audit is included in Table 1 below. Input from planning staff is shown in *italics*.

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review

ESTUARY MANAGEMENT PLAN – REGULATORY ACTIONS AND AUDIT FINDINGS		
1.1-4. Implement low impact development and green infrastructure on new and existing development. Develop best practice design standards for stormwater control measures. See Objective 5.1.		
Hampton	Hampton Falls	Seabrook
<p>Site Plan Review Regulations require a stormwater management plan for all site plans, and sedimentation and erosion control, in conformance with the NH Stormwater Manual, which includes LID. However, the NH Stormwater Manual does not require that Precipitation Extremes developed by Cornell University be used. Requiring that this updated, more accurate information be used would strengthen the ordinance.</p> <p><i>Comments from Town Planner: Agreed. Planner has been communicating with DPW about options for updating the Town's stormwater management regulations in the near future.</i></p>	<p>Stormwater management regulations are lacking and would benefit from an overhaul.</p>	<p>Site Plan Review Regulations include LID and stormwater requirements. Subdivision regulations reference the NH Stormwater Manual. Use of Cornell's precipitation data is required. Pervious material is encouraged. Regulations also include guidance on inspection and maintenance of stormwater infrastructure.</p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

1.1-10. Adopt policies to either eliminate fertilizer applications on town properties or implement best practices for fertilizer management (to minimize application and transport of phosphorus). Consider extending these regulations to private properties as well.

Hampton	Hampton Falls	Seabrook
<p>Nothing was identified in the Town Ordinances pertaining to municipal fertilizer application. The Zoning Ordinance has some limitations for application of fertilizers, pesticides, insecticides, or herbicides within the Wetland Conservation District and buffers, except that low phosphate, slow-release nitrogen fertilizers are allowed within 75 and 100 ft from the nearest edge of 1st-4th order streams. BMPs are required within the Groundwater Protection Overlay District.</p> <p><i>Comments from Town Planner: A comprehensive amendment to the WCD Ordinance passed at the March 2025 Town Meeting. The revised language includes the following addition under Section 2.3.4.B.5.a: "Select fertilizers, pesticides, insecticides, or herbicides may be used in the WCD for the purposes of a restoration or vegetation management project if the applicator is licensed by the State of NH (as needed for certain products) and/or the project is taking place on Town-owned land and the Board of Selectmen have approved the work." Otherwise, the use is prohibited.</i></p>	<p>Zoning Ordinance requires BMPs in the Aquifer Protection District. No additional regulations were found for private property. Policy for Town property/operations is unknown.</p> <p><i>Comments from Land Use Coordinator: Fertilizer is used at some town properties, but not all. For instance, fertilizer services were eliminated at the Town park this last year.</i></p>	<p>Aside from source controls for stormwater management, no fertilizer regulations were found. Policy for Town property/operations is unknown.</p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

1.1-15. Develop and enforce septic system regulations that require current best practices and technology for the siting, design, and long-term maintenance of septic systems in the watershed. Consider requiring advanced nutrient treatment systems in environmentally sensitive areas. Consider sea level rise and other climate change impacts in siting and design. Consider a minimum pump-out/inspection interval (e.g., once every 3-5 years). Develop and maintain a septic system database for the watershed to facilitate code enforcement. Consider requiring septic system inspection for all home expansions or property sales. Distribute educational materials to property owners about septic system function and maintenance.

Hampton	Hampton Falls	Seabrook
New septic, leach fields, or other on-site waste disposal facilities are prohibited within 75ft of wetlands, poorly drained soils, and very poorly drained soils. An existing system within 75ft that fails must be tied into the town sewer system, if available, or repaired and replaced according to a design approved by NHDES. The state requires a 75ft setback from waterbodies and a state permit.	Building code requires a larger septic reserve area and larger leach field area than the state. <i>Comments from the Land Use Coordinator: The Town just moved our septic regulations from the Building Code to the Zoning Ordinance.</i>	No zoning ordinances found. <i>Comments from Town Planner: There is only one active septic system in Seabrook and no additional systems are anticipated in the future.</i>

5.1-1. Adopt the HSE Watershed Management Plan into each town's Comprehensive Master Plan.

Hampton	Hampton Falls	Seabrook
Not completed. Most recent update of the Master Plan was completed before the EMP was finished. <i>Comments from Town Planner: While, the EMP has not been formally incorporated into the Master Plan, the Planning Board voted on 4/19/23 to accept it as a companion document to the Master Plan.</i>	Not completed.	Not completed. <i>Comments from Town Planner: The Planning Board will consider incorporating applicable recommendations into the Master Plan during the update of the Natural Resources Chapter.</i>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

<p>5.1-2. Require that the Hampton Comprehensive Master Plan and future updates of the Comprehensive Master Plan integrate sea level rise (SLR) impacts and identify strategies for effectively responding to SLR and encouraging development in safe areas. Strengthen discussion of the estuary's role in mitigating flooding and storm surge; assess and map surrounding land use and buffers; provide specific land use recommendations for the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations; incorporate the estuary into the vision. Largely completed with Hampton Master Plan 2023 update.</p>		
Hampton	Hampton Falls	Seabrook
<p>There are many components of this recommendation. As noted in the recommendation, this was largely completed with the 2023 Master Plan update. However, the updated Vision Statement does not touch on water resources, natural resources, coastal habitat/ecosystems, estuaries, or environmental quality/protection. The focus is more on the built environment. The discussion on the estuary is limited in the plan. However, the Town completed an NRI in 2024, which has extensive information about the estuary and ecosystem services. The Coastal Hazards chapter/appendix of the Master Plan covers impacts and strategies for responding to SLR.</p>	<p>This action is specific to Hampton but could apply to other towns. It could use some fleshing out to be more specific.</p>	<p>This action is specific to Hampton but could apply to other towns. It could use some fleshing out to be more specific.</p> <p><i>Comments from Town Planner: Sea level rise has been integrated into the new Housing and Transportation Chapters of the Master Plan. The Master Plan recommends no new Town roads in a proposed Inundation Zone, and overlay that is not yet defined. The estuary has been incorporated into the Vision section.</i></p>
<p>5.1-3. Update the Hampton Falls Comprehensive Master Plan to include a discussion of the coastal water resources in the water resources management and protection plan chapter; address climate change and hazards; incorporate maps and images.</p>		
Hampton	Hampton Falls	Seabrook
<p>This action is specific to Hampton Falls.</p>	<p>This recommendation may be outdated. The 2019 master plan has a short section on coastal resources, a section on climate change and adaptation planning in the natural resources section, and considerations related to coastal flooding and climate change on transportation, references to climate adaptation and planning, etc.</p>	<p>This action is specific to Hampton Falls.</p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

5.1-4. Update the Seabrook Comprehensive Master Plan to enhance discussion of ecosystem services; identify opportunities to educate the public about estuary health and how land use management impacts the estuary; identify additional research and data needs.		
Hampton	Hampton Falls	Seabrook
This action is specific to Seabrook.	This action is specific to Seabrook.	<p>Discussion of ecosystem services, public education, and additional research and data needs could be included in the next update.</p> <p><i>Comments from Town Planner: This will be addressed during the update of the Natural Resources Chapter. The Town is seeking PREPA funds for a Natural Resources Inventory in 2025.</i></p>
5.1-1. Ensure that each of the watershed towns have Coastal Resiliency Plans and Open Space Plans in place and that future development conforms to those plans.		
Hampton	Hampton Falls	Seabrook
Hampton's Master Plan includes coastal resilience. Hampton does not have a separate open space plan.	It does not appear that Hampton Falls has Coastal Resiliency Plan or Open Space Plan.	<p>Seabrook has a Coastal Hazards & Adaptation Master Plan Chapter but does not appear to have an open space plan.</p> <p><i>Comments from Town Planner regarding the coastal resiliency plan: The Town plans to submit a \$1.4 million grant application to FHWA for an alternative analysis as the first step in ensuring the preservation of overland access to the beach precinct.</i></p> <p><i>Regarding an open space plan: the Town will address open space in the Future Land Use Chapter of the Master Plan.</i></p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

5.1-11. Investigate opportunities to improve applicant, local board awareness of flood vulnerability by restructuring the project review process. Consider the merits of requiring Project Review Committee meeting before ZBA hearing.		
Hampton	Hampton Falls	Seabrook
<p>Requires staff and board discussions and coordination.</p> <p><i>Comments from Town Planner: The idea of requiring Plan Review Committee (PRC) review before Zoning Board hearings has been discussed but cannot occur without a total overhaul of the existing permitting process. PRC is currently a component of Site Plan Review/ Subdivision applications. Additionally, the Planning Board has a third-party review engineer that only becomes involved when the PRC process is triggered. Measures to improve applicant and local board awareness of flood vulnerability should certainly be investigated, but those should probably be in addition to the current PRC process (rather than changing it).</i></p>	<p>Unknown whether this is a need in Hampton Falls. This recommendation was based on CHAT member input in Hampton.</p>	<p>Unknown whether this is a need in Seabrook. This recommendation was based on CHAT member input in Hampton.</p> <p><i>Comments from Town Planner: Town Planner requires floodplain information on every plan and application undergo review by the Technical Review Committee (comprised of Town Department heads) prior to the Planning Board review.</i></p>
5.1-18. Review Zoning Ordinance, Site Plan Review Regulations, and Subdivision Regulations and identify opportunities and strategies to encourage and incentivize development in areas that are not vulnerable to current or potential future flooding.		
Hampton	Hampton Falls	Seabrook
<p>Floodplain and wetland regulations discourage development in locations that are vulnerable now. A coastal hazards overlay district was mentioned in the Master Plan update. No specific incentives to encourage development in locations that are not near water were identified.</p>	<p>Floodplain and wetland regulations discourage development in locations that are vulnerable now. No specific incentives to encourage development in locations that are not near water were identified.</p> <p><i>Comments from Town Land Use Coordinator: Correct, there are no incentive programs to build in non-vulnerable areas.</i></p>	<p>Floodplain and wetland regulations discourage development in locations that are vulnerable now. No specific incentives to encourage development in locations that are not near water were identified.</p> <p><i>Comments from Town Planner: This is addressed in the 2025 Master Plan update and revisions to regulations will follow.</i></p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

<p>5.1-19. Form a subcommittee to work on development of a new coastal hazard overlay district that has higher regulatory standards for areas of the community at risk to flooding and sea level rise. One requirement within the overlay would be that individuals who submit an application to the Planning Board, or the building inspector if no Planning Board approval is required, utilize the NH Coastal Flood Risk Guidance. Another potential component could be inclusion of areas of predicted marsh migration under specific scenarios and timeframes.</p>		
Hampton	Hampton Falls	Seabrook
<p>The Town's ZO does not currently contain a Coastal Hazard Overlay District.</p> <p><i>Comments from Town Planner: There have been recent changes to the Floodplain Management Ordinance which include items from a larger list of higher standards that was developed with input from a steering committee in 2023. We anticipate bringing forward additional higher standards, including future consideration for a Coastal Hazard Overlay District. The Town will also undertake a comprehensive Zoning Ordinance Audit once the ordinance reorganization is complete in April/May 2025.</i></p>	<p>Unclear whether this has been vetted with Hampton Falls.</p> <p><i>Comments from Town Land Use Coordinator: There is no subcommittee or group that looks at NH Coastal Flood Risk Guidance.</i></p>	<p>Unclear whether this has been vetted with Seabrook.</p> <p><i>Comments from Town Planner: Generally little enthusiasm for imposing these higher standards on private property. Town is awaiting the update to the NH Coastal Flood Risk Guidance.</i></p>
<p>5.1-20. Establish a marsh migration overlay zone to prohibit new development in areas of predicted marsh migration under specific scenarios and timeframes.</p>		
Hampton	Hampton Falls	Seabrook
<p>The Town's ZO does not currently contain a Marsh Migration Overlay Zone.</p>	<p>The Town's ZO does not currently contain a Marsh Migration Overlay Zone.</p>	<p>The Town's ZO does not currently contain a Marsh Migration Overlay Zone.</p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

5.1-24, 5.1-25, 5.1-26 Implement the top four priority actions identified by PREP for the town.		
Hampton	Hampton Falls	Seabrook
<p>Top 4 priority actions:</p> <p>1. Increase buffers on 1st-4th order streams to 100 ft Buffers for the following 1st – 4th order streams are 100 ft: Ash Brook, Drakes River, Little River, Nilus Brook, Old River, Taylor River, and Winnicut River.</p> <p>2. Increase septic system and structure setbacks to 100 ft on surface waters Septic setback is 75 ft.</p> <p>3. Adopt fertilizer application setbacks for all waterbodies Fertilizer regulations were not found.</p> <p>4. Use the NH Coastal Flood Risk Summary Part 2: Guidance for Using Scientific Projections to require project siting and design based on future climate projections (sea level rise, storm surge, groundwater rise, and precipitation). Floodplain regulations contain a sea level rise design flood elevation table that provides varying freeboard requirements based on the elevation, the flood zone, and the flood design class.</p>	<p>Top 4 priority actions:</p> <p>1. Adopt 100 ft buffers on all waterbodies, including wetlands Setback for prime and coastal wetlands and surface waters is 100 ft. Setback from non-tidal wetlands, poorly and very poorly drained soils is 75 ft, non-tidal wetland setback is 50 ft.</p> <p>2. Increase septic system setbacks to 100 ft for all waterbodies Septic setbacks appear to be the same as structure setbacks.</p> <p>3. Increase primary structure setbacks to 100 ft for freshwater wetlands Non-tidal wetland setback is 50 ft.</p> <p>4. Adopt a Coastal Hazards Master Plan Chapter. Master Plan has some coastal resources content but no specific coastal hazards chapter.</p> <p><i>Comments from Town Land Use Coordinator: Septic setbacks are the same as structure setbacks.</i></p>	<p>Top 4 priority actions:</p> <p>1. Increase buffers on 1st-4th order streams to 100 ft Buffers are 25 ft</p> <p><i>Comments from Town Planner: Good idea but getting political support may be challenging.</i></p> <p>2. Increase septic system and structure setbacks to 100 ft on surface waters Buffers are 25 ft</p> <p><i>Comments from Town Planner: Only one septic system in town.</i></p> <p>3. Use the NH Coastal Flood Risk Summary Part 2: Guidance for Using Scientific Projections to require project siting and design based on future climate projections (sea level rise, storm surge, groundwater rise, and precipitation). CFR Guidance is not incorporated into the regulations</p> <p><i>Comments from Town Planner: Generally little enthusiasm for imposing these higher standards on private property. Town is awaiting the update to the NH Coastal Flood Risk Guidance.</i></p> <p>4. Adopt model stormwater management regulations Site Plan Review and Subdivision regulations contain stormwater management regulations but are not as extensive as the Southeast Watershed Alliance model ordinance.</p> <p><i>Comments from Town Planner: Town requires on-site recharge.</i></p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

5.1-27. Adopt the regulatory and non-regulatory climate adaptation actions recommended by the RPC (2015) and/or in each town's Natural Hazards Mitigation Plan. Overlaps with the Hampton-specific recommendations from the 2019 CHAT Review (SHEA, 2019).*		
<p>*Due to the scope of this audit and the level of effort required to evaluate the hazard mitigation plan recommendations against the zoning and land use regulations in each of the three communities, this task was not completed.</p>		
5.1-28. Regulate development in Conservation Focus Areas following recommendations in The Land Conservation Plan for New Hampshire's Coastal Watersheds: establish a conservation overlay district, require conservation subdivisions, implement a high standard of development clustering and open space, reduce overall development density, increase riparian and wetland buffers, use minimum impact site design and construction standards, implement use restrictions and performance standards.		
Hampton	Hampton Falls	Seabrook
<p>The Town's Ordinance does not contain a Conservation Overlay District.</p>	<p>ZO Section 14 Residential Open Space-Conservation Subdivision Development Town does not specifically use the Conservation Focus Areas layer as guidance</p>	<p>Town's Ordinance does not have a Conservation Overlay District. Conservation subdivisions are not required. ZO Section 9 - Open Space Development is like a conservation subdivision.</p> <p><i>Comments from Town Planner: The Planning Board voted to delete Section 9 as there are no large tracts left in Seabrook. March 2025 Town Meeting rejected the deletion.</i></p>
5.1-29. Adopt Floodplain Management Ordinance Amendments (Zoning Ordinance Section 2.4). Adopt Wetland Cons. District Amendments (Zoning Ordinance Section 2.3). See source for specifics		
Hampton	Hampton Falls	Seabrook
<p>See comments related to the floodplain ordinance updates, above. <i>Note: The EMP identifies the 2019 CHAT review as the source of this recommendation. The correct reference may be CHAT's recommendations.</i></p>	<p>N/A</p>	<p>N/A</p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

5.1-30. Establish a shoreland protection district and ordinance along major watercourses such as Taylor River, Hampton Falls River, Brown's River, and along other smaller brooks. The ordinance can address setbacks for buildings and septic systems, cutting restrictions for timber removal, minimal shoreland frontage requirements, and prohibition of certain high-risk land uses.
Update erosion and sedimentation control regulations.
Consider a maximum coverage percentage for commercial and industrial lots.
Require an environmental impact study for large subdivisions.
Amend subdivision and site plan review regulations to promote the use of catch basins designed to trap oil and sediments; encourage road designs which require less use of de-icing chemicals; and require that additional runoff created by a development be retained on-site for groundwater recharge and water quality protection.

Hampton	Hampton Falls	Seabrook
<p>5.1-30 should be vetted by the Town of Hampton.</p> <p>The Town's Ordinance does not contain a Shoreland Protection District.</p> <p>Within the GPD, the max impervious surface threshold for residential lots is 40%. For non-residential lots the max is 75%. Max percent impervious coverage is 75% within the Professional Office and Residential District.</p> <p>The Town's Subdivision Regulations do not require an environmental impact study for large subdivisions.</p>	<p>The Zoning Ordinance contains setbacks for wetlands and surface waters and wetland regulations. There is no shoreland protection district. A shoreland protection district would be needed to regulate activity and use outside of the wetland buffer and/or to regulate timber removal that is not forestry.</p> <p>Erosion and sedimentation regulations could be updated to reference the NH Stormwater Manual Volume 3 Erosion and Sediment Controls During Construction. Stormwater and sediment and erosion control should meet the standards of the NH Stormwater Management Manual Volumes 1-3. In addition to low-salt design for new roads, the Town could require Green Snow Pro certification, brine, and other strategies to reduce salt use. Runoff should be contained on the lot.</p> <p>In the Agriculture/Residential District, coverage thresholds ranging from 15-30% depending on the lot size.</p> <p>No Environmental Impact Study requirement was found in the subdivision regulations.</p>	<p>5.1-30 should be vetted by the Town of Seabrook.</p> <p>No shoreland protection district. There are some provisions related to vegetation removal in wetlands but not in the buffer or an upland shoreland area.</p> <p>The Town has no maximum coverage for commercial or industrial lots.</p> <p>No environmental impact study requirement.</p> <p><i>Comments from Town Planner: Seabrook's on-site recharge requirement and parking reforms are more effective than max coverage requirements. Since the parking reforms were adopted in 2019, the town has seen growth in business development, tax base, and jobs, but barely any increase in impermeable surfaces.</i></p>

Table 1. EMP Land Use Planning and Regulatory Actions and Summary of Review (continued)

5.1-31. Adopt recommendations from study on adaptation strategies for coastal flooding; protect key municipal infrastructure; and establish a floodplain overlay district to minimize storm and flood damage to existing developed properties in the dune and estuarine area.

Adopt land development regulations aimed at minimizing impervious surfaces and stormwater flooding, and reducing or preventing nonpoint source pollution.

Encourage adoption or buffers and setbacks that restore and maintain ecosystem services.*

*This action is derived from a plan for Seabrook that is over 10 years old and contains some actions that are vague and should be reviewed and refined. It's unclear what study is referenced and what the adaptation strategies are. The setback recommendation is vague.

Comments from Seabrook Town Planner: Regarding the floodplain overlay district, the most appropriate place for these regulations is the Beach Precinct. The Beach Precinct Planning Board is not yet on board with this.

5.2-5. Consider adopting innovative land use controls, both in the zoning ordinance and subdivision and site plan regulations, to promote open space preservation. Consider implementation of a transfer of development rights (TDR) program to further encourage voluntary open space preservation. See Objective 5.1.

Hampton	Hampton Falls	Seabrook
<p>Hampton does not have a TDR ordinance. Zoning ordinance does not have a Cluster, Open Space, or Conservation Subdivision Ordinance.</p> <p><i>Comments from Town Planner: TDR has been a topic of discussion with the Planning Board and Master Plan Implementation Committee.</i></p>	<p>ZO Section 14 contains the Residential Open Space-Conservation Development regulations. No TDR regulations were found.</p>	<p>ZO Section 9 contains the Open Space Design regulations. No TDR regulations were found.</p> <p><i>Comments from Town Planner: TDR will be brought up during the Master Plan update process.</i></p>

Recommendations

Below is a summary of recommendations for SHEA and each municipality based on the findings of the audit.

Recommendations for SHEA

SHEA could assist with the implementation of regulatory recommendations including:

- Coordinate with Planning Board in each community to integrate the EMP into the municipal master plan when plans are updated.
- Conduct septic system education and outreach, emulate programs implemented by lake associations; identify specific advanced nutrient system requirements and sea level rise planning measure that municipalities can incorporate into regulations. Resources: [Final Report of the NH Shoreland Septic System Study Commission](#), Lake Associations, NHDES, Town of Newbury. Present findings to municipalities.
- Educate municipalities and residents about fertilizer use and regulations. Recommend that each Selectboard prohibit fertilizer on Town-owned land. Partner with master gardeners and landscapers to host workshops for property owners.
- Participate in the next update of the Hampton Falls and Seabrook master plans to provide guidance on incorporating sea level rise into planning and regulations.
- Coordinate with the Conservation Commissions to develop open spaces plans in each municipality or for the region.
- Coordinate with NH Housing, Rockingham Planning Commission, and other partners to host a forum on meeting dual housing and resilience planning objectives for coastal communities. Include topics like tools for directing development to less vulnerable areas and transfer of development rights.
- Coordinate with GBNERR and other partners to increase education about marsh migration and mapping tools and how to support marsh migration at the parcel and municipal scale.

Additionally, SHEA could review or coordinate a review of the consistency of municipal Hazard Mitigation Plans with the EMP recommendations (Action 5.1-27).

Key Recommendations for the Municipalities

Hampton

- Increase septic systems and structure setbacks to 100 ft on surface waters.
- Ramp up policies and procedures for septic system siting and maintenance.
- Consider adopting additional standards from the [Menu of Higher Floodplain Regulation Standards](#).
- Review conservation subdivision ordinance and consider requiring conservation subdivisions for all subdivisions over a certain size.
- Consider requiring an environmental impact study for large subdivisions.

Hampton Falls

- Develop comprehensive stormwater regulations.
- Increase septic systems and structure setbacks to 100 ft on surface waters.
- Increase buffers and structure setbacks for non-tidal wetlands to 100 ft.
- Develop conservation subdivision regulations and consider requiring conservation subdivisions for all subdivisions over a certain size.
- Consider adopting standards from the [Menu of Higher Floodplain Regulation Standards](#).

Seabrook

- Increase buffers on 1st-4th order streams to 100 ft.
- Increase structure setbacks to 100 ft on surface waters.
- Review conservation subdivision ordinance and consider requiring conservation subdivisions for all subdivisions over a certain size.
- Consider adopting standards from the [Menu of Higher Floodplain Regulation Standards](#).

Appendix A List of Regulatory Action Items from the EMP

EMP Action #	EMP Action
1.1-4	Implement low impact development and green infrastructure on new and existing development. Develop best practice design standards for stormwater control measures. See Objective 5.1.
1.1-10	Adopt policies to either eliminate fertilizer applications on town properties or implement best practices for fertilizer management (to minimize application and transport of phosphorus). Consider extending these regulations to private properties as well.
1.1-15	Develop and enforce septic system regulations that require current best practices and technology for the siting, design, and long-term maintenance of septic systems in the watershed. Consider requiring advanced nutrient treatment systems in environmentally sensitive areas. Consider sea level rise and other climate change impacts in siting and design. Consider a minimum pump-out/inspection interval (e.g., once every 3-5 years). Develop and maintain a septic system database for the watershed to facilitate code enforcement. Consider requiring septic system inspection for all home expansions or property sales. Distribute educational materials to property owners about septic system function and maintenance.
5.1-1	Adopt the HSE Watershed Management Plan into each town's Comprehensive Master Plan.
5.1-2	Require that the Hampton Comprehensive Master Plan and future updates of the Comprehensive Master Plan integrate sea level rise (SLR) impacts and identify strategies for effectively responding to SLR and encouraging development in safe areas. Strengthen discussion of the estuary's role in mitigating flooding and storm surge; assess and map surrounding land use and buffers; provide specific land use recommendations for the Zoning Ordinance, Site Plan Regulations, and Subdivision Regulations; incorporate the estuary into the vision. Largely completed with Hampton Master Plan 2023 update.
5.1-3	Update the Hampton Falls Comprehensive Master Plan to include a discussion of the coastal water resources in the water resources management and protection plan chapter; address climate change and hazards; incorporate maps and images
5.1-4	Update the Seabrook Comprehensive Master Plan to enhance discussion of ecosystem services; identify opportunities to educate the public about estuary health and how land use management impacts the estuary; identify additional research and data needs.
5.1-1	Ensure that each of the watershed towns have Coastal Resiliency Plans and Open Space Plans in place and that future development conforms to those plans.
5.1-11	Investigate opportunities to improve applicant, local board awareness of flood vulnerability by restructuring the project review process. Consider the merits of requiring Project Review Committee meeting before ZBA hearing.
5.1-18	Review Zoning Ordinance, Site Plan Review Regulations, and Subdivision Regulations and identify opportunities and strategies to encourage and incentivize development in areas that are not vulnerable to current or potential future flooding.
5.1-19	Form a subcommittee to work on development of a new coastal hazard overlay district that has higher regulatory standards for areas of the community at risk to flooding and sea level rise. One requirement within the overlay would be that individuals who submit an application to the Planning Board, or the building inspector if no Planning Board approval is required, utilize the NH Coastal Flood Risk Guidance. Another potential component could be the inclusion of areas of predicted marsh migration under specific scenarios and timeframes.
5.1-20	Establish a marsh migration overlay zone to prohibit new development in areas of predicted marsh migration under specific scenarios and timeframes.
5.1-24	Implement the top four priority actions identified by PREP for the Town of Hampton: increase buffers on 1st-4th order streams to 100 ft; increase septic system and structure setbacks to 100 ft on surface waters; adopt fertilizer application setbacks for all waterbodies; use the NH Coastal Flood Risk Summary Part 2: Guidance for Using Scientific Projections to require project siting and design based on future climate projections (sea level rise, storm surge, groundwater rise, and precipitation).

EMP Action #	EMP Action
5.1-25	Implement the top four priority actions identified by PREP for the Town of Hampton Falls: adopt 100 ft buffers on all waterbodies, including wetlands; increase septic system setbacks to 100 ft for all waterbodies; increase primary structure setbacks to 100 ft for freshwater wetlands; adopt a Coastal Hazards Master Plan Chapter.
5.1-26	Implement the top four priority actions identified by PREP for the Town of Seabrook: increase buffers to 100 ft for all waterbodies; increase structure setbacks to 100 ft for all waterbodies; use the NH Coastal Flood Risk Summary Part 2: Guidance for Using Scientific Projections to require project siting and design based on future climate projections (sea level rise, storm surge, groundwater rise, and precipitation); adopt model stormwater management regulations.
5.1-27	Adopt the regulatory and non-regulatory climate adaptation actions recommended by the RPC (2015) and/or in each town's Natural Hazards Mitigation Plan. Overlaps with the Hampton-specific recommendations from the 2019 CHAT Review (SHEA, 2019).
5.1-28	Regulate development in Conservation Focus Areas following recommendations in The Land Conservation Plan for New Hampshire's Coastal Watersheds: establish a conservation overlay district, require conservation subdivisions, implement a high standard of development clustering and open space, reduce overall development density, increase riparian and wetland buffers, use minimum impact site design and construction standards, implement use restrictions and performance standards.
5.1-29	Adopt Floodplain Management Ordinance Amendments (Zoning Ordinance Section 2.4). Adopt Wetland Cons. District Amendments (Zoning Ordinance Section 2.3). See source for specifics
5.1-30	Establish a shoreland protection district and ordinance along major watercourses such as Taylor River, Hampton Falls River, Brown's River, and along other smaller brooks. The ordinance can address setbacks for buildings and septic systems, cutting restrictions for timber removal, minimal shoreland frontage requirements, and prohibition of certain high-risk land uses. Update erosion and sedimentation control regulations. Consider a maximum coverage percentage for commercial and industrial lots. Require an environmental impact study for large subdivisions. Amend subdivision and site plan review regulations to promote the use of catch basins designed to trap oil and sediments; encourage road designs which require less use of de-icing chemicals; and require that additional runoff created by a development be retained on-site for groundwater recharge and water quality protection.
5.1-31	Adopt recommendations from study on adaptation strategies for coastal flooding; protect key municipal infrastructure; and establish a floodplain overlay district to minimize storm and flood damage to existing developed properties in the dune and estuarine area. Adopt land development regulations aimed at minimizing impervious surfaces and stormwater flooding, and reducing or preventing nonpoint source pollution. Encourage adoption of buffers and setbacks that restore and maintain ecosystem services.
5.2-5	Consider adopting innovative land use controls, both in the zoning ordinance and subdivision and site plan regulations, to promote open space preservation. Consider implementation of a transfer of development rights (TDR) program to further encourage voluntary open space preservation. See Objective 5.1.

Appendix B EMP Actions and Existing Regulations Matrix

(refer to Appendix B Post-EMP Audit Summary Table_4.25.xlsx)