

F. Waterfront Buffer

1. The Waterfront Buffer shall be the protected Shore Land within 50 feet of the Reference Line. The purpose of this buffer shall be to protect the quality of public waters while allowing the property owner discretion with regard to water access, safety, viewscape maintenance, and lot design.

2. Within the Waterfront Buffer all of the following prohibitions and limitations shall apply:

a. No chemicals, including pesticides of any kind or fertilizers, except limestone, shall be applied.

b. Rocks and stumps and their root systems shall be left intact in the ground, unless the vegetation, stumps or root system are determined by a certified arborist to be diseased, in which case the diseased materials shall be removed, including digging the stump out of the ground.

No natural ground cover shall be removed except as necessary to accomplish uses permitted in Section C above or to plant native trees, saplings or shrubs. Pruning of shrubs and ground cover down to a height of 3 feet is permitted.

c. Starting from the northerly or easterly boundary of the property, and working along the shoreline, the Waterfront Buffer shall be divided into 25 by 50 foot segments. Within each segment a minimum combined tree and sapling score of at least 25 points shall be maintained. If for any reason there is insufficient area for a full segment, the number of points required to be maintained in that partial segment shall be proportional to that required for a full segment.

i. Tree and sapling diameters shall be measured at 4½ feet above ground and are scored as follows:

Diameter Score

- 1 inch to 6 inches: 1 point
- Greater than 6 inches to 12 inches: 5 points
- Greater than 12 inches: 10 points

ii. Dead, diseased, or unsafe trees or saplings shall be included in scoring. If cutting dead, diseased or unsafe trees or saplings produces a segment of less than 25 points, that segment shall be replanted in sufficient quantity to equal or exceed the score that existed prior to the cutting. Shrubs and groundcover may be included in replanting and shall be scored as follows:

Four contiguous square feet of shrub area:
1 point

50 contiguous square feet of groundcover
1 point

Shrubs and groundcover, which does not include lawn, may be included in the replanting and shall be scored up to a maximum 50% of any full segment. Shrubs and groundcover may not be used except when replacing dead, diseased or unsafe trees.

- iii. If the total tree and sapling score in any 25 by 50 foot segment exceeds 25 points, ~~then the Planning Board~~ Town Planner, Zoning Administrator or Building Inspector, may authorize the cutting of trees and saplings as long as the score for the remaining trees and saplings in that segment does not total less than 25 points. The remaining scores in partial segments shall be treated proportionally.
- iv. The Planning Board or its designee may authorize the cutting of trees and saplings on a segment of a property having less than the required minimum score of 25 points, as long as trees and saplings are replanted in sufficient quantity to equal or exceed the score that existed prior to the cutting activity. The Planning Board or its designee shall not approve a cutting application that results in less than the required minimum score of 25 points or less than the score that existed prior to the application being filed.
- v. Owners of Lots that were legally developed prior to the adoption of this regulation may maintain but not enlarge cleared areas, including but not limited to existing lawns and beaches, within the Waterfront Buffer. Conversion or planting of cleared areas with native trees, saplings, shrubs and ground cover is encouraged but shall not be required unless it is necessary to meet the requirements of Section H. below. When necessary due to steep topography, retaining walls may be permitted to be installed as part of an overall plan to revegetate the Waterfront Buffer area. New terraces formed by the retaining walls within the Waterfront Buffer must be replanted with natural vegetation consisting of indigenous species of bushes, shrubs and trees. These terraces may not be used to create new grass lawns or to create more impervious surfaces such as stone patios and decks. Construction of retaining walls within the Waterfront Buffer which would require the removal of existing natural vegetative cover is not permitted unless it can be demonstrated through an erosion and sediment control plan that such retaining wall construction is essential for erosion control purposes. Construction of new lawns within Waterfront Buffer is not permitted.
- vi. Normal trimming, pruning, and thinning of branches to the extent necessary to protect Structures, maintain clearances and provide

views is permitted. Trimming, pruning, and thinning of branches for the purpose of providing views shall be limited to the bottom half of the trees and saplings.

- vii. When necessary for the completion of uses permitted in accordance with Section C. 1, 4, 5 & 6 above, and this section, a temporary 12 foot wide access path may be permitted, subject to approval by the Planning Board. The access path shall be completely restored and replanted with native species of trees, saplings, shrubs and ground cover upon completion of construction. In addition, trenching less than 2 feet in depth for the installation of utilities servicing docks and boathouses permitted under Section C. above, may be permitted, subject to Planning Board approval and compliance with Section E. above.