

Wetlands Sub-Committee Meeting Minutes

October 14, 2009

2:00 pm

Sub-Committee Members Present: Karen Ebel, Dale Conly, Laura Alexander, Pierre Bedard, Peter Stanley, and Ken McWilliams

Karen Ebel called the meeting to order at 2:00 pm.

The Sub-Committee spent the first fifteen minutes getting organized for the interview with Peter Schauer, wetland scientist, who is coming in to meet with the Sub-Committee at 2:15pm.

Vernal pools were one of the topics discussed by the Sub-Committee. Peter Stanley noted they could and should be mapped with the subdivision application process. Pierre Bedard noted there is a DES Working Group on vernal pools. He also noted most, but not all, vernal pools qualify as jurisdictional wetlands.

Peter Schauer joined the Sub-Committee and everyone introduced themselves to him.

Karen Ebel provided an overview of the wetland issue the Sub-Committee is trying to address. She emphasized the Sub-Committee wanted to establish a sound scientific basis for the manner and extent to which wetlands and other surface waters are buffered pursuant to New London's regulations. One question is whether some or all of intermittent and perennial streams should be buffered and, if so, how wide a buffer.

Ken McWilliams explained the process of developing the "Streams and Wetlands Protection Map" dated March 13, 2001 cited in the Wetlands Ordinance.

Peter Stanley noted the current regulations on buffers for streams and wetlands may be reduced by special exception rather than a variance which provides more flexibility to the property owner.

Peter Stanley stated he thought the primary goal of the wetlands regulations is to protect the functions of wetlands, particularly important wetlands. He noted wetlands serve many functions including flood storage, erosion control, and wildlife corridors among others. Peter emphasized how sensitive he has become to the importance of managing stormwater runoff due to the impact of eroded soil on surface water resources.

Karen Ebel noted how progressive New London has been on some of these environmental and conservation related issues. New London was one of the first of the area towns to adopt regulations for protecting shore lands around the lakes and ponds.

She cited the Low Impact Development (LID) design standards that were incorporated as part of the Subdivision Regulations recently adopted by the Planning Board. She said that the Planning Board was responding to the development community in attempting to refine their buffering regulations and to make them easier to comprehend and apply. She noted the evolving science of wetlands protection and mitigation and DES's related work, but stated that the PB did not feel it could wait any longer for the state.

Peter Schauer indicated he supported Peter Stanley's goal and thought the wetlands regulations should be based on the functions and values of wetlands. He noted the Army Corps of Engineers have a standard procedure for determining the functions and values of wetlands.

Peter Schauer cited the approach used in the Town of Auburn where all jurisdictional wetlands have a standard buffer width. Auburn chose a standard buffer width of 125 feet. Auburn permits a reduction of the buffer width down to 75 feet if the landowner has a wetland scientist prepare a Functional Assessment Report that justifies a lesser setback. Peter also cited the Town of Bow where all jurisdictional wetlands have a standard buffer width of 75 feet.

Karen Ebel asked Peter Schauer to describe the concept for the scope of services he would provide. Peter Schauer indicated he would assist the town with developing the regulation and provide education about understanding the regulation including the process of developing and processing the Functional Assessment Report. He noted vernal pools would be addressed in addition to steams and wetlands. He indicated he would submit a brief written proposal and fee within a week.

In response to Karen Ebel's inquiry, Peter spent a few minutes outlining his qualifications for the work highlighting his municipal work experience.

On behalf of the Sub-Committee, Karen Ebel thanked Peter Schauer for meeting with the group to discuss his approach to the issue and looked forward to receiving his proposal. Peter Schauer left the meeting at this point.

Laura Alexander noted she will e-mail a copy of the Wetland Functions to Peter Stanley and Ken McWilliams.

The Sub-Committee then discussed the necessity of interviewing a second wetland scientist. Ken McWilliams noted he had received an e-mail from Michael Simpson who is the second wetland scientist the Sub-Committee asked Ken McWilliams to contact. Michael Simpson was not able to meet with the Sub-Committee today due to a scheduling conflict. After some discussion, the Sub-Committee indicated they felt it would be wise to interview a second wetland scientist and they would like to hear Michaels Simpson's approach to their issue. The Sub-Committee asked Ken McWilliams to contact Michael Simpson again to find a mutually agreeable meeting date and time over the coming month.

The meeting adjourned at 3:30pm.

Date Approved: _____

Chairman: _____