

Meeting Notes
CDC/CPAC Natural Resources Review Meeting
Wednesday, February 20, 2008, 7:00 P.M.
Falmouth Town Hall, Large Conference Room

Attendance

CDC: Councilor Wroblewski
CPAC: Hugh Smith, Karen Farber, Jim Thibodeau, Hugh Coxe, Lissa Robinson
Consultant: Jeff Simmons, Beth Della Valle
Town Staff: Theo Holtwijk

New Materials distributed

- Agenda, February 20, 2008
- Draft Meeting Notes February 13, 2008
- Wetlands, Summary of Draft Policy Decisions, January 31, 2008
- Vernal Pool Resource Areas, Summary of Draft Discussion, As of 2/6/08
- Parking lot of issues to be revisited, January 31, 2008
- Draft Press Release, February 20, 2008
- Draft text for website, February 20, 2008
- Draft Frequently Asked Questions, February 20, 2008

The meeting was called to order at 7:03 PM.

Wetlands Policy Choices

The group started with policy choice 4a: the area of concern for wetlands. It reviewed what the science said about this, what the current Falmouth rules were, and what the State's actions were relative to permit by rule on this topic.

It decided to adopt for wetlands of special significance a 250 feet wide zone from the resource as area of concern, with the first 100 feet a "no alteration" zone and the area between 100 and 250 feet one where a flexible approach analogous to the vernal pools would be used.

The group again discussed DEP's stance and wondered what would not be picked up by DEP for review. It agreed that for wetlands of special significance there was a habitat concern, and for less significant wetlands, the concern was more water quality.

For those "regular wetlands" the group considered adopting a 100 feet area of concern from the resource, but then agreed to follow DEP's NRPA standard of 75 feet.

The group then moved to policy area 6: how much development to allow in the area of concern. It confirmed its prior discussion of no disturbance between 0 and 100 feet for wetlands of special significance. Regarding "regular" wetlands

there was much discussion. The current practice by the Falmouth Planning Board was reviewed. The group settled on a zone of 0 to 75 feet where flexible standards would be employed, and a 50 feet building setback. There was some discussion if the zone from 0 to 25 feet should be a no alteration zone, but that question was relegated to the parking lot.

The group wanted a balanced approach, recognized that each situation might be different, and that what exemptions to adopt also played into what standards to have. It was recognized that clear setback rules would make it easier for the Planning Board to review plans, but that its decisions based on that would not necessarily be better.

The discussion then moved back to the science as the underpinning of the policies. Jim Thibodeau requested to review the text of the science documents referenced.

The group then discussed wetlands complexes relative to vernal pool complexes, and decided to have no special rules for those. In the case of vernal pool complexes their close proximity to each other makes them more valuable. This is not necessarily the case with wetlands.

The group then moved to policy area 7: stormwater runoff. There was much discussion whether new stormwater management facilities should be allowed or not in "no alteration" zones of wetlands of special significance. It was argued that in some cases a better design could be accomplished closer to the resource. The group ultimately settled on no specific prohibition, but to rely on Best Management Practices coupled with the flexibility standards previously expressed.

The group then went to policy area 8: types of uses. It agreed to follow a similar approach as with vernal pools and make the rules apply to all uses, but exempt the two commercial corridors. Regarding exemptions, it also decided to follow the same vernal pool approach. Beth will review those notes to make clear what the group decided on that. This would come down on some grandfathering, use of BMP's and some landowner education. There was a question if the Code Enforcement Officer needed more staff assistance to deal with the new rules.

Beth reminded the group that with the Town Attorney opinion it had tackled #10 on the parking lot list, and that that one would come off.

Next Meeting

The group then discussed possible next meeting dates. Joe is going to see who can attend either 2/28, 3/5 or 3/6.

Theo handed out some draft materials to be used for the vernal pool outreach and briefly reviewed what was still missing. There followed a discussion if the group could be ready to hold the targeted vernal pool outreach on 3/20. It was

decided to postpone that roundtable, combine outreach for vernal pools with that of wetlands on a date TBD. Theo will e-mail the distributed materials and committee members will send review comments back to him.

Adjournment

The meeting was adjourned at 10:07 PM

Notes prepared by Theo Holtwijk, February 22, 2008