

## **CITY COUNCIL WORK SESSION**

### **Proposed Prime Wetlands Designation**

April 7, 2008 – 6:15 p.m.  
Council Chambers

Eileen Dondero Foley

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City Council Present: Mayor Ferrini, Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith, Kennedy, Spear and Pantelakos

City Council Absent: Councilor Raynolds

Staff Present: John P. Bohenko, City Manager; Cindy Hayden, Deputy City Manager; Robert Sullivan, City Attorney; Peter Britz, Environmental Planner/Sustainable Coordinator; David Holden, Planning Director; and Kelli L. Barnaby, City Clerk

Others Present: Mark West, West Environmental Consultant; and Steven Miller, Conservation Commission

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Mayor Ferrini called the work session to order at 6:15 p.m.

City Manager Bohenko said the City Council will receive background information on the proposed Prime Wetlands Designation. He advised the City Council that this was outlined in the 2005 Master Plan and the Conservation Commission is in favor of moving forward with this matter. City Manager Bohenko informed the City Council that we will be seeking to establish a public hearing at the next City Council meeting relative to this matter.

Deputy City Manager Hayden introduced Mark West and Peter Britz who will be making the presentation this evening. She informed the City Council that this process has involved the State and designating prime wetlands is another way to add additional protection of our wetlands.

Environmental Planner/Sustainable Coordinator Britz, spoke to the grant the City received in 2005 to map our prime wetlands. Mr. West advised the City Council that the mapping and cataloging of wetlands is a significant step in order to have the prime wetlands listed with the State.

Mr. West outlined the prime wetlands requirements as follows:

- Wetland vegetation soils and hydrology
- At least 50% very poorly drained soils
- Generally over 2 acres in size
- Wetlands must be evaluated and comparatively ranked

Mr. West reviewed the criteria of approval of projects in and adjacent to prime wetlands.

1. No significant net loss of values;
2. Consistent with RSA 482 A:1
3. The project could not be relocated to avoid impacts on prime wetlands;
4. The projects impacts on prime wetlands are the minimum practical;  
and
5. The project incorporates appropriate and practicable compensatory mitigation for each of the wetland functions and values of RSA 482-A:1, and each of the functions and values

He advised the City Council of the new rules proposed:

- 100' Wetlands Bureau Prime Wetland Buffer to be treated like the current Tidal Wetland Buffer
- Must apply to NHDES for any grading impacts in 100' buffer and filing fees for impacts are based on square footage of disturbance

Mr. West said a prime wetlands designation benefits cities and towns as a planning tool and engages the NHDES Wetlands Bureau in protection of municipalities' most important wetland resources.

Environmental Planner/Sustainable Coordinator Britz reviewed a mapping outlining the wetlands including the Great Bog, which is the largest wetlands for prime designation. He advised the City Council that a remapping of the boundaries of the wetlands needs to be done before going to the State requesting the designation. In addition, he addressed the vernal pool located in the Jones Avenue area. City Manager Bohenko informed the City Council that vernal pools will be looked at separately.

Environmental Planner/Sustainable Coordinator Britz spoke of the wetlands located at the Pease Tradeport and said that a letter will be sent to the Pease Development Authority requesting to establish that lot as a prime wetlands designation.

City Manager Bohenko said he would like to have the City Council appropriate funding to map the areas outlined and reviewed this evening. He advised the City Council that the areas will be further reviewed by the Planning Board and Conservation Commission with a report back to the City Council. He informed the City Council that there are approximately 30 municipalities that are looking or are designated as prime wetlands.

Councilor Dwyer asked who would have the final say if the City and State do not agree on the designation of an area. Mr. West said that communities request the designation of prime wetlands and have the ability to have them undesignated.

Councilor Kennedy spoke in support of moving forward with the process.

Assistant Mayor Blalock said that this provides for another layer of protection for the wetlands.

Councilor Dwyer asked if the ranking of size or weight has an impact in the prime designation. Mr. West said the methodically is based heavily on size.

Councilor Smith spoke to the review of wetlands by the Planning Board and the State's involvement.

Councilor Dwyer suggested footnoting documents to identify a practice that we think is important.

Councilor Pantelakos asked if discussion has taken place with the Pease Development Authority regarding the designation of the wetlands at the Tradeport. City Manager Bohenko said discussions are taking place regarding wetlands and we will work with the Pease Development Authority and Newington to discuss the area being designated as prime wetlands.

At 6:50 p.m., Mayor Ferrini closed the meeting.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC  
City Clerk