



## Chatham Conservation Commission

### MITIGATION GUIDELINES – Policy #04-101 - Revised 2-2009

#### I. Adjacent Upland Resource Areas (AURA)

A. For projects proposed within the AURA on a site where the Adjacent Upland Resource (AURA) Area has been developed all or in part, and where an adequate naturalized vegetated buffer strip (VBS) between developed areas and the wetland resource does not exist or is limited, the applicant is expected to provide mitigation, which may include, but is not limited to, any of the following as deemed appropriate and adequate by the Commission:

1. **Vegetation** – where areas have been previously developed and where landscape is actively managed:
  - (a) at a minimum, the establishment of a VBS of native species to be allowed to naturalize\*\* of the same square footage as the proposed additional permanent disturbance within the Adjacent Upland Resource Area and located contiguous to other naturalized areas;
  - (b) reduction of lawn and replacement with plantings of native vegetation contiguous to other naturalized areas and which will be allowed to naturalize;
  - (c) removal of existing structures or impervious areas and replacement with appropriate native vegetation;
  - (d) enhancement of VBS in ways which the Commission agrees contribute to improved wildlife habitat and biodiversity, attenuation of pollutants, excess nutrients and suspended solids, erosion control, anchoring of soils, dissipation of rain energy, water detention, etc.;
  - (e) replacement of trees in the AURA for trees removed.
2. **Landscape Design** – any landscape design should incorporate the following:
  - (a) preservation of wild, naturalized areas wherever practicable, and where contiguous to other wild areas;
  - (b) minimal hardscape, and where proposed, pervious surfaces, not mortared;



## Chatham Conservation Commission

### MITIGATION GUIDELINES – Policy #04-101 - Revised 2-2009

- (c) minimal lawn area – no turf;
- (d) where lawn is proposed, the lawn should be constructed with a minimum of 4-6" of sandy loam and seeded with a drought tolerant fescue mix appropriate for Cape Cod;
- (e) planting of straight native species of value to local wildlife in disturbed areas;
- (f) any necessary retaining walls in proximity to vernal pools dry-laid to allow for amphibian and small wildlife cover;
- (g) no invasive or potentially invasive species;
- (h) fencing that is not an obstruction to wildlife movement; where fencing is necessarily obstructive, its extent should be minimized (i.e.) pool fencing should be immediately around the pool.

#### 3. **Drainage** – drainage should be managed in any of the following ways:

- (a) roof runoff controlled on new structures either by gutters to downspouts to splash plates or by a gravel trench along the dripline where erosion is not a concern;
- (b) employment of similar stormwater controls for roof runoff on existing structures as noted above to ameliorate site conditions;
- (c) replacement of impervious surfaces with pervious;
- (d) remediation of current conditions with the installation of drainage structures or swales (that contribute to improvement of water quality on the site);
- (e) control and containment of stormwater runoff on driveways that are paved due to severe slopes or use of semi-pervious paving materials (i.e. porous pavement, pavers, etc.).

#### 4. **Other mitigation measures**

- (a) septic system upgraded and sited as far from the wetland resource as possible;



## Chatham Conservation Commission

### MITIGATION GUIDELINES – Policy #04-101 - Revised 2-2009

- (b) sonotube foundations rather than full foundations where practicable;
  - (c) disturbance limited and sited so as to save mature trees, preserve contiguous wild areas;
  - (d) grading minimized to avoid alteration of drainage patterns or the creation of barriers or retaining walls;
  - (e) other site specific mitigation that contributes to the interests of the Wetlands Protection Bylaw.
- B. On a site where existing conditions of the AURA are in a naturalized state, any proposed project necessarily within the AURA should be designed to minimize disturbance, both permanent and temporary, to the Commission's satisfaction, and to incorporate the guidelines under "A".

## **II. Other Resource Areas**

- A. Within all other resource areas for projects proposed such as, but not limited to: water-dependent projects; coastal bank stairways; projects within the 100yr coastal flood plain, etc., the applicant is expected to provide mitigation on the site within the Commission's jurisdiction that contributes to the protection of the public interests of the Bylaw. The Commission **may** consider the following proposals as mitigation if appropriate for the site:
1. where improvement to a VBS is appropriate, native plantings are to be proposed in a 2:1 ratio of square footage for each square foot of new development and are to be allowed to naturalize\*\*;
  2. upgrading existing structures to FEMA compliant foundations;
  3. upgrading septic systems to nitrogen reducing systems or moved as far away from the resource area as possible;
  4. reduction of existing impervious areas; or
  5. other actions which, in the opinion of the Commission, will improve environmental conditions of the site.



## Chatham Conservation Commission

### MITIGATION GUIDELINES – Policy #04-101 - Revised 2-2009

**\*\*NOTE: To naturalize** means to allow an area planted with native species to be permanently undisturbed and that there will be:

- no use of fertilizers;
- no removal of leaf litter or duff layer;
- no weeding;
- no mulching;
- no subsurface irrigation system;
- no hardscape;
- no structures of any kind;
- no future creation of lawn;
- no dumping of yard debris.

Often the Commission requires that areas of planting mitigation be marked in some manner to ensure no future removal or - a low single split rail fence is often requested. Other methods of bounding these areas may be pipes, large boulders, shrub plantings, posts, which are then located and shown on the plan of record.

In an area required to naturalize, pruning for view or additional planting of native species may be allowed with prior consent of the Conservation Commission.