


MEMORANDUM

To: Conservation Commission/Inland Wetlands and Watercourses Agency

From: Suzanne Simone, Environmental Planner 

Date: October 21, 2022

Re: Native Planting and Pesticide Ordinance

The Conservation Commission chairman was contacted by Kristi Vitelli and provided the Native Planting and Pesticide Ordinance document (attached). The author is seeking feedback from the Commission before their presentation of this proposed language to the town council.

NATIVE PLANTING ORDINANCE

WHEREAS, the Town Council of Glastonbury acknowledges that pollination is an essential ecological survival function, and without native plants and the pollinators that depend on them, the human race and all of earth's terrestrial ecosystems will not survive;

WHEREAS, protecting and promoting genetically diverse and appropriate native plantings is seen as a way to increase microhabitats for the conservation of wildlife which is accomplished by establishing new habitats while maintaining and connecting the existing habitats;

WHEREAS, The Town of Glastonbury recognizes that the health and safety of its residents is of paramount concern and that high standards for the promotion and protection of the health and safety of its residents must underlie municipal action.

WHEREAS, It is in the best interest of the Town of Glastonbury and its residents to protect the ecological integrity of its rivers and streams and to improve and protect water quality throughout the region.

WHEREAS, Glastonbury has shown leadership in encouraging practices necessary to protect the public health and environment; and

WHEREAS, it is recognized that native trees offer the greatest degree of habitat for pollinators; and

WHEREAS, the Town Council of Glastonbury adopting this Native Planting Ordinance will help combat the climate crisis, species extinction, and global warming while protecting pollinators.

BE IT RESOLVED BY THE TOWN COUNCIL OF GLASTONBURY:

The Municipal Code of Glastonbury is hereby amended by inserting a new ordinance as follows:

Purpose:

The purpose of these regulations is to establish minimum standards for the use of native plantings in the Town of Glastonbury for municipal and open space lands.

Justification:

The town recognizes the significant benefits of establishing and protecting native plants for species conservation, protecting pollinators, ecological restoration, and combating the climate crisis by maximizing the use of native plantings by the town.

Intent:

It is the intent of this ordinance to maximize the use of appropriate native plantings on municipal properties to help mitigate the effects of habitat loss and fragmentation from development and the proliferation of non-native plantings in our town landscapes.

These goals will be accomplished by:

1. protecting and promoting genetically diverse and appropriate native plantings including native trees that are more efficient at sequestering carbon than introduced species;
2. promoting the use of native plants in watersheds which filter pollutants, stabilize banks, and provide food for macroinvertebrates that in turn feed fish and other aquatic species;
3. promoting larger and more connected populations of native plants to ensure that pollinators will retain the ability to migrate in response to changes in climate;
4. educating residents about the importance of native plant species and the native pollinators to the ecosystem.

Definitions:

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them as follows:

1. *Bioswales* means vegetated linear channels designed to concentrate and convey stormwater runoff while removing debris and pollution.
2. *Invasive plant* means a plant that is both non-native and able to establish on many sites, grow quickly, and spread to the point of disrupting plant communities or ecosystems. For purposes of this ordinance, all plants listed on the Connecticut Invasive Plant List first published in 2004 and updated annually by the Connecticut Invasive Plant Council pursuant to Connecticut Public Act No. 03-136 are considered invasive plants. The town may also, at its discretion, refer to lists developed by nonprofit, governmental or educational institutions, or other subject matter experts, particularly focused on invasive plants in states east of the Mississippi River.
3. *Native plant* means a plant that has occurred naturally in a particular region, ecosystem, or habitat without human introduction. Native plants help the environment the most when planted in places that match their growing requirements. They will thrive in soils, moisture and weather of your region, which means less supplemental watering, and fewer pest problems requiring toxic chemicals. Native plants also assist in managing rainwater runoff and maintain healthy soil as their root systems are deep and keep soil from being compacted. For a tree, shrub, herbaceous perennial or ornamental grass to be considered native to our region, it must be indigenous to the Northeast.
4. *Other town-owned property* shall include all other property owned and maintained by the town which does not fall within one of the other specifically defined categories for property listed within this ordinance.
5. *Park* means a civic space designed for active and passive recreation, with its character defined by the uses and features provided to meet the needs of different user groups.
6. *Plantings by the town* shall include plantings done by third parties on behalf of the town.
7. *Pollinators* mean animals (primarily insect, but sometimes avian or mammalian) that fertilize plants, resulting in the formation of seeds and the fruit surrounding seeds, that humans and other animals rely upon to produce nuts and fruits that are essential components of a healthy diet, and that the majority of flowering plant species found worldwide rely upon to make the seeds that will become the next generation of plants.
8. *Straight species* means a plant that is not a cultivar nor that has been bred for particular traits.

9. *Streetscapes* shall include the visual elements of a street including the road, adjoining buildings, street furniture, and open spaces that combine to form the street's character; provided, that for the purposes of this ordinance, streetscapes shall not include street trees but shall include street medians.

Restrictions and requirements:

1. This ordinance will apply to all new plantings and replacement plantings of trees, shrubs, and other plantings on municipal land, including seeds used in place of plants.
2. The town shall not include any invasive, plant, tree, vine, shrub, grass, or groundcover in any town plantings.
3. Due to the high wildlife value of native trees, 100% of new and replacement tree plantings on municipal properties will be native to the Northeast. Native trees support the greatest number of insects and the birds and wildlife species that consume those insects. Non-native trees do not support this diversity.
4. New and replacement shrubs will be a minimum of 85% native for municipal properties. Native shrubs support a high number of insects and often produce berries or other fruit important for fall and winter food for birds.
5. The town may plant not more than 50% non-native, non-invasive plants in bioswales, streetscapes and other town owned properties when the town determines that the situation demands flexibility in planting for memorialization, aesthetic, geographic, survivability, or other purposes.
6. In town parks, a minimum of 100% of all new trees and 85% of shrub replacement plantings by the town each year shall be native plants.
7. The town may plant non-native, non-invasive plants in the following areas or for the following purposes; provided, however, that the town shall still try to include native plants:
 - a. Community gardens;
 - b. Lawns and athletic fields; and
 - c. Holiday, seasonal and annual decorative plantings.
8. The town shall prioritize sourcing native plants that have not been treated with neonicotinoids. These pesticides are deadly to pollinators.

Exceptions:

1. This ordinance does not apply to plants grown for food, lawns, green roofs, or other applications that have an obvious reason to use non-native plants.
2. This ordinance does not apply to annual plants that complete their life cycle within one growing season.
3. Existing trees and other plants will remain unaffected by this ordinance.

Enforcement:

This ordinance shall be implemented and administered by Town of Glastonbury departments and held in compliance by the Town Manager.

Operative date:

This ordinance shall become operative immediately.

Severability:

It is the intention of the Glastonbury Town Council that each separate provision of this ordinance shall be deemed independent of all of the provisions herein, and it is further the intention of the Town Council that if any provision of this ordinance be declared to be invalid by a court of competent jurisdiction, the remaining provisions of this ordinance shall remain valid and enforceable.

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