

TOWN LANDS AND CONSERVATION COMMISSION

(Commission) Town of Cumberland 290 Tuttle Road Cumberland, ME 04021

Date: March 8, 2024
(* = Chair; + = liaison TC; ++=Code enforcement officer)
Chris Bolduc; Bill Longley ++(abs); Mark Segrist +(abs); Tig Filson+;
To: Members:
Commission
David Cowan, Denny Gallaudet, Ellen Hoffman, John Jensenius vice*, Riva Krut,
Jesse Lamarre-Vincent, *Mike Schwindt, Joshua Steirman, George Turner (abs), Pete Wilson (abs),
David Young
Forest Subcommittee
Melissa Cott, *Gordon Lichter $$, Todd Ontl, Linda Putnam, Sally Stockwell
Invasive Subcommittee
*David Cowan, Khristopher Lalemand, Daniel Sites
Orchard Subcommittee
Adam Blackwell, Michelle Gardiner, Betsey Harding, Will Harper, *Jesse Lamarre-Vincent, Denise
Thorsson
Sustainability Subcommittee
Sukie Curtis, *Denny Gallaudet, Riva Krut, Jesse Lamarre-Vincent, Meddy Smith, Dave Witherill
Trails Subcommittee
Shaun Breton, Paige Diamant, Stephen Fitzgerald, David Grimm, *John Jensenius,
Adam Orellana, Brian Stearns, Don Stowell $$

Note: Only members of the Commission and voting members of the subcommittees need attend. " $\sqrt{}$ " indicates subcommittee member attended Commission meeting.

From: Ellen Hoffman

Re: Meeting March 6, 2024

- The second version of the February minutes were approved as written (those containing Riva's comments). Riva moved to accept; Dave C seconded; unanimous; no discussion.
- Penny Asherman of CCLT was in attendance.
- Town Council (Tig)
 - Mark is not in attendance because he broke his leg.
 - Drowne Rd referendum did not pass.
 - Budget meetings will be held 5:00 6:30 on Town Council meeting nights.
 - March 25
 - April 8
 - April 22 Town Manager budget presentation
 - May 13 Public Hearing on adoption of FY 25 budget



- Bill Report (from Bill L's handout)
 - During the month of February 2024, Bill's office issued 17 permits for new buildings such as for pools, sheds, decks, houses, condos, barns, additions, renovations, commercial and solar installations.
 - Approve projects under construction:
 - Oceanview phase 2- 18/52 permits have been issued
 - Christmas Creek Vining Way 19 of 20 are completed
 - Orchard Road Cortland Court 8 of 10 building permits issued as of this date
 - Snowy Owl off Old Gray Road –10 units approved; still blasting
 - The Mark off Route One– 45 units are now under construction;
 - Ross Estates off Blanchard Road Ext.-3 Units approved; pre-con complete; meeting to be held between Town, developer and LCC to discuss open space. Important parcel for trail connectivity.
 - Yarmouth Vet at Heritage Village pre-con complete. Blasting complete.
 - White Rock off Skyview Drive 55 units of senior housing awaiting MSHA.
 White Rock off Skyview more than likely not be built.
 - Lot split of existing subdivision by amendment at 104 Foreside Road; pre-con March 6, 2024.
 - Planning Board meeting scheduled for March 19, 2024 at 7pm; workshop at 6:30 PM for an eight-lot Conservation Subdivision off Harris Rd. Denny will attend.
 - Public Hearing for sketch plan for 72 units (36 will be "affordable") in Chase Pit at 77 Blackstrap Road with public water from the Portland Water District extended from the West Cumberland Fire Station.
 - Public Hearing for change in hours of operation in the TCD as referred to the Planning Board from Town Council.
 - Future Planning Board items:
 - Public Hearing for Rusty Lantern convenience store with fuel pumps and a bank with drive through at 181 Gray Road.
 - Heat pump, solar, car charger permits (2022)
 - Heat pumps (homes) issued calendar YTD = 206
 - Solar issued calendar YTD = 055
 - Car chargers issued calendar YTD = 009
 - Heat pump, solar, car charger permits (2023)
 - Heat pumps (homes) issued calendar YTD = 223
 - Solar issued calendar YTD = 059





- Heat pump, solar, car charger permits (through February 29, 2024) •
 - Heat pumps (homes) issued calendar YTD = 015YTD = 006
 - Solar issued calendar
 - Car chargers issued calendar YTD = 005

See below



24-027	24-033	24-036	24-035	JILDING PE	2400	316	4482	3081	566	1967	2301	474	183	284	450	46	2096	BASIC INFO RECORD #
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REVISION ENERGY	DEVLIN CONTRACTING	Maine Solar Solutions	VETURE SOLAR, LLC	ONTRACTOR	28-Feb-24	28-Feb-24	15-Feb-24	01-Feb-24	07-Feb-24	08-Feb-24	06-Feb-24	12-Feb-24	22-Feb-24	13-Feb-24	06-Feb-24	01-Feb-24	06-Feb-24	ID DATE ISSUED
207-517-5247	781-812-0240	207-331-4897	207-468-7686	INTRACTOR	24	-24	-24	-24	-24	-24	-24		-24	-24	-24	-24	-24	SUED
				PHO PERMIT	SOLAR	SOLAR	SOLAR	SOLAR	Generator	EV Charger	EV Charger	Cooper Creek Elecric	2-Heat Pumps	2 heat pumps	2 Heat pumps	2 Heat pumps	1 Heat pump	DESCRIPTION
14-Feb-24	27-Feb-24	28-Feb-24	28-Feb-24	ISSUED PER		2		W	J. P.		Joshua				,	Geo		
01-Aug-24	27-Aug-24	28-Aug-24	28-Aug-24	CONTRACTOR DINTRACTOR PHO PERMIT ISSUED PERMIT EXPIRES ESTIMATED COST	VENTURE SOLAR	Maine Solar Solutions	DEVLIN	William LeVay- Revision	J. P. Electric - Jeffrey Polland	David Perry-RRHP	Joshua Dutch-Paragon Electrical Services		Thomas Srattard	Joe Falcone	Dave Perry-RRHP	Geoff Grigsby-Edge Energy	-Dave Perny-RRHP	ELECTRICIAN
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olar with 30 panels. Subject to as adopted by the State of Maine	the IRC-2015 as	as adopted by the	as adopted by the		81 BLACKSTRAP ROAD	19 BLANCHARD ROAD	17 CLIPPER STREET	8 ISLAND VIEW DRIVE		171 RANGE ROAD	130 RANGE ROAD	10 FLINTLOCK DRIVE	12 BIRCH LANE	BRUDER KAREN L 237 RANGE ROAD	78 ORCHARD ROAD T	2 13 MUIRFIELD ROAD	SHUMADINE JOHN 106 RAVINE DRIVE	LOCATION



- Public Works Chris mentioned work in Town Forest cutting invasives. Phragmites will be cut this spring. Public Works also cut along the Dog Trail on the Greely Rd side of Twin Brook.
- Food Waste Denny working with the schools in an effort to get the students composting food waste. The schools gave the go ahead. The challenge is getting the kids to participate. Will use Garbage to Gardens who will bring to town composting facility. The schools need to work on the contamination issue.
- March 19th workshop with Planning Board regarding Conservation Subdivision on Harris Rd.
- Note for the time being, the issue of moving (or adding new) ballfields is off the table. Possible workshop in the future to discuss funding, sources and location.
- Commission (Mike)
 - Walker Newell resigned from Trails Subcommittee. John made motion to accept Walker's resignation; Gordon seconded, unanimous.
 - FY 25 workplan and budget Asked Town Council for \$40,000 plus the roll up money from FY 23.
 - Riva about the staff person, the \$10,000 for a contract person to help with finding and applying for grants.
 - Mike request was never put in budget.
 - Penny GPCOG provides support to North Yarmouth and Chebeague Island.
 - Dave C- we could use some support on the admin side of things
 - Tig What we are working on are really regional efforts. Look into cost savings with neighbors. Big ask, time and effort; combine resources.
 - Dave C We need a Conservation Officer work on all matters like sustainability and conservation, similar to Falmouth.
 - Chris need to bring forward in budget. Perhaps collaborate with other departments or towns, multiple roles.
 - Josh intermediate step, not necessarily full time
 - Mike \$10,000 contracted services in budget, maybe work with another town.
 - Riva see if GPCOG has a point person we can use; finding additional sources of money.
 - Tig suggest using Paul L, very passionate and knows our spaces. His role as New Glouster selectman is almost over. He understands cost savings when is best to apply certain practices.
 - Josh consider using Land Trust (Penny said Land Trust very busy)
 - Gordon Paul L is very busy



- Jesse made motion to approve FY 25 work plan and \$40,000 budget, Riva seconded; motion carries unanimously.
- See workplan and budget below:

Your Lands and Conservation Commission, at its 3/6 meeting, approved a \$40,000 budget request for Fiscal Year 2025. This request is for the same funding level as has been appropriated to us for the last two years.

Our \$40,000 funding request is for the following units:

Commission	12,509
Trails	5,000
Forest	6,100
Sustainability	1,000
Invasives	10,391
Community Orchard	5,000

Our FY '25 work plan, which was also approved at that meeting, contemplates using essentially the entire balance of carry forward funds from earlier budget periods. Combined, the majority of the budget will be used for invasive control in our town.

Fiscal Year 2025 Work Plan and Budget Request 3/6/24

Commission

During the 2025 Fiscal Year the LCC will:

- Support and provide guidance to the Subcommittees in meeting their approved workplans for the year.
- Maintain butterfly garden, peony garden plus pollinator garden at Val Halla.
- Propose putting conservation easements on Twin Brook and the Town Forest.
- Work with the Planning Board when housing projects are proposed to ensure the conservation subdivision provisions are implemented and other natural resource protections (e.g., for wetlands, vernal pools, protected species, etc.) are observed.
- Provide public information at least quarterly to inform the citizenry of our activities.
- Consider doing a survey to determine the future direction of the LCC and its subcommittees.

Budget (\$17,900 – Same)

- Signage \$650
- Sightings \$250
- Food independence \$2,000
- Invasives \$5,000
- Contracted Services \$10,000

Community Orchard

July - Preparing rows and building trellises for future grape and berry plantings in spring 2025 **August** - Holding a seminar on pollinator support, and how to build in additional pollinator habitat through thoughtful plantings. Continuing work on initial orchard establishment.



TOWN LANDS AND CONSERVATION COMMISSION

(Commission)

September - Holding a seminar on companion planting, what species to plant along with trees in the orchard.

October - Propagation seminar to teach residents about various techniques to grow more plants through various methods.

November - Collecting seed for spring propagation from butterfly garden, peony garden, and wild seed plants at orchard.

December - Educational seminar in partnership with Prince Memorial Library tbd.

January - Educational seminar in partnership with Prince Memorial Library tbd.

February - Educational seminar on pollinator support plants and seed swap in partnership with Prince Memorial Library.

March - Grafting workshop to start nursery trees for planting in the orchard in the following year **April** - Holding a seminar on building air prune boxes for young tree starts.

May - Second round of tree planting. Holding a seminar on planting grapes, berry bushes and other support species in the orchard.

June - Continued work on orchard maintenance and establishment. Assess the need for additional benches/tables etc. for community gathering space and begin community builds of such items.

Budget (Same \$5000) to support ongoing orchard maintenance and growth including;

- Additional tree, shrub, and support plant purchases
- Tool and irrigation supply purchases as necessary
- Supplies and support for educational seminars for residents
- Develop an area for seedling tree nursery to support future tree planting around Cumberland as per Town Council adopted Climate Action Plan Phase 1, action item vii.
 - **Develop tree planting program for public ways and easements**. Continuing education and community outreach around ecologically productive landscape practices as per Town Council adopted Climate Action Plan Phase 2, action item 3.
 - Adopt ecologically productive landscaping practices

Sustainability

Proposed action items for the 2024-25 work plan are:

- Ordinance for phase out of gas-powered leaf blowers
- Completion of VRF installation in library
- Monitor/provide assistance for solar project at MSAD #51
- Local incentives for residential heat pumps e.g. July special rebates
- Submit Project Canopy application for tree planting along roadways.

Budget request: \$1,000 for 10 July special heat pump rebates. (had 3,500)

Invasives

Work Plan:

- 1. Draft Town-wide management plan, review with LCC advisory group.
- 2. Subcommittee member recruitment and training
 - a. Advertise for open positions as needed.
 - b. MNAP Field Guide, IMapInvasives, home study resources and field training.
- 3. Basic Invasives Management Plan Template

a. Create or adopt an existing template suitable for use by non-professionals, residents, volunteers.



- 4. Stewardship aka Adopt-a-Site
 - a. Each Subcommittee member or volunteer to adopt a parcel of their choice.
 - b. Conduct inventory and prepare a plan (using template).
 - c. Implement plan, track progress, record on IMapInvasives.
- 5. Inventory
 - a. Set up iMap Invasives "Projects".
 - b. Coordinate with MNAP for how-to and other details.
 - c. Coordinate with other land managers, Subcommittees, volunteers.
- 6. Work Days
 - a. Individual stewardship sites, additional Town and CCLT sites.
 - b. DPW licensed applicator to treat cut stems.
 - c. Outside contractor if DPW unavailable.
- 7. Professional Invasives Management Services

a. Prepare work scope and seek professional services to implement control of one or more high priority management units. e.g., Japanese knotweed along Town roads.

b. Research/seek grants and funding opportunities.

8. Outreach

a. Quarterly presentations and webinars, e.g., Amanda Devine, IMapInvasives, Invasives Management Planning for Landowners, Native plants and seeding, etc. Registration, record, post on YouTube.

b. Print, disseminate MNAP / Falmouth brochures via displays at Town Hall, Val Halla, etc.

c. Post interpretive signs where treatment is occurring.

d. Social media postings - Facebook, Instagram, Town Crier.

e. Review and improve Town Invasives website.

f. Coordinate with FNR Subcommittee, CCLT, MCHT, RRCT, Maine Audubon, neighboring towns, etc.

- 9. Prevention
 - a. Review Town ordinances, conservation subdivisions, site plan reviews, etc.
 - b. Include State list of outlawed plants in outreach messaging.
 - c. Contact local landscapers, nurseries, suppliers.

Budget - \$14,750

1. Tools & Equipment	. \$ 750
a. Puller Bear, Safety gear (vests, glasses, gloves, hats), MNAP Field	d Guides
2. Printing	\$ 1,500
a. Brochures and Signage	
3. Contractor Services	\$ 10,000
4. Plants and Seed	. \$ 2,500

Trails

Rines Forest

Improve trail through Godsoe portion of property (possibly 1,300 feet of walkways) Improve and reroute waterfalls trail, close and restore steep section. Improve yellow trail (hopefully, Public Works)

Greely Woods

Continue to harden trails where needed Greely Woods Subdivision Easement - get it done - minus one homeowner Knight's Pond CUMBERLAND CUMBERLAND Maine Maine

TOWN LANDS AND CONSERVATION COMMISSION

(Commission)

Continue to harden trails where needed With JSC approval, begin work on accessible trail on southeast side of pond

Budget - \$5000 - for building materials and gravel (had \$5,500)

Forest

- Greely Woods plan \$1500 for Town Forester
- Create a general management plan for Greely Woods with a forest description section
- Town Forest forest management plan update \$1500 for Town Forester
 - Update the 2016 Town Forest plan recommendations
- Invasives

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- Signs for Rines Forest \$300
 - Town Forest invasives spraying \$0 covered under town budget?
 - Additional chemical treatment of the areas that have been ground
- Rines Forest invasives grinding \$15,000 (10 days @ \$1500/day)
 - Continue working with RAM Mulching to grind invasives based on priority areas -5-10 additional days
- Rines Forest invasives spraying \$9,000 (20 acres @ \$450/acre)
 - Initial chemical treatment of the areas where invasives were ground ~20 acres
- Twin Brook grinding and spraying
 - Using town resources to begin grinding priority areas in summer 2024
 - Potentially following up with chemical application if time permits in fall 2024
- Volunteer invasive days
 - Conduct periodic work days to tackle designated areas; open to the public as a participation/educational opportunity
- Invasives education of neighboring properties where appropriate **\$100 for mailers**, possible to use something from the Invasives subcommittee
 - If planning to grind areas of Rines Forest or Twin Brook along boundary lines, create and send educational materials about the activity and explain how those landowners can/should address the invasives on their properties (Working with the Invasives Subcommittee)
- Burning at Rines and Broad Cove (**TBD**)
 - Explore controlled burns at Broad Cove and at "the landing" at Rines Forest to remove piles of buckthorn that were pulled
- Researching opportunities around other natural resources in Cumberland (TBD Ideas)
 - Planning for sea level rise best practices for managing bluff erosion and salt marsh migration.
 - Stream water quality best practices for lawns, fertilizers, pesticides affecting water quality of streams and Casco Bay.
 - Stormwater runoff, importance of natural (wetlands) and constructed features in modulating runoff as severe storms become more frequent.
 - Dog waste and water quality. We have a system how is it working? Can it be improved?
 - Impact of housecats on wildlife, encourage indoor cats.
 - Birds strategies to reduce window strikes (municipal buildings, schools, advice for residents).
 - Status of deer herd, impact on native plant communities.
 - Vernal pools. We conducted a survey some years ago should we consider updating?
- Web site changes



- Ongoing improvements to the Forestry Subcommittee page on the Cumberland town
 website
- Town Forester general advisory and project management
 - Monthly meetings and travel \$1,200
 - Overseeing and layout of grinding and spraying \$2,500

Budget - \$31,100

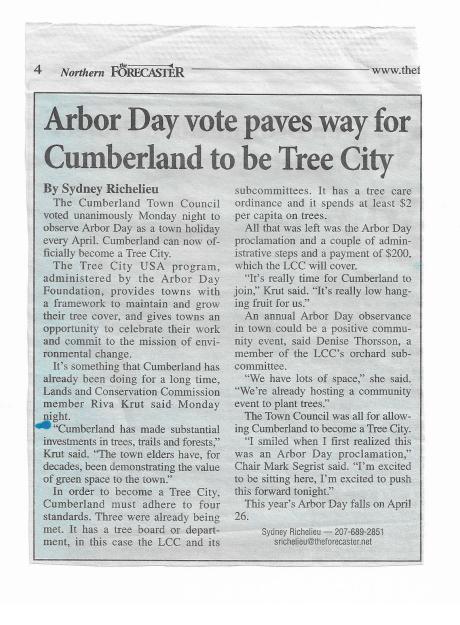
Cumulative budget request \$74,750



for FY '25	C budget	request														
			Total		Food	Town			Forester		Twin		Knight's			
			General	Adjust	Independ	enceForest	Invasives	Admin	#6340	Invasives	Brook		Pond #8517	Sustain	Orchard	Invasive
Carryforward from '23			38,735					29,987	1,390			2,762	706	1,890	2,000	
FY '25 budget request			40,000													
Highest funding level			78,735													
Initial Budget request			74,750													
Slack			3,985													
Minus late payments			(2,500)													
Net elbow room			1,485													
FY '25 initial request			74,750					17,900	31,100			5,000		1,000	5,000	14,750
Adjust request																
Admin invasives				(5,000)				(5,000)								
Admin T. Forest				(391)		(391)										
Rines cutting/spraying				(25,000)					(25,000)							
Contractor services				(4,359)												(4,359)
Total Adjustment			(34,750)													
FY '25 request			40,000		-	(391)	-	12,900	6,100	-	-	5,000	-	1,000	5,000	10,391
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Tree City (Riva) – Town Council granted our Tree City proclamation. Next step – we need to establish an Arbor Day celebration – end of April. Need to put note in Crier. Need a work process to renew each year. The Town has the option to put up signs. Public Works needs to decide where to display signs – needs to be put on poles.



 Web Demo (John) – John gave a demo on the developments and improvements to the LCC website. He noted that the calendars sync up – our events will be on the Town's. He mentioned that Jesse will have to add the Orchard events to our calendar since those websites are not linked.



- o Trails Subcommittee (John)
 - Due to the wet weather, the trails are vey wet. The early thaw is not helping either.
 - Homestead (off of Pleasant Valley Rd) Planning on work needed to be done to tackle invasives.
 - Leashes new animal control officer not sure if will continue with leash program.
 - Rines Forest John mentioned the blue ribbons are the survey markers for the wetlands. Not sure what to do with this information. Needs to be surveyed in the spring for vernal pools. Permit needed for construction in wetlands.
 - Penny mentioned that Falmouth closes trails when too wet. John prefers to monitor the trails rather than close.
- Forestry Subcommittee (Gordon):
 - The second draft of Paul's Town Forest and Rines Forest Invasive Management plans are ready for review. After review they will go to LCC for acceptance and then to Town Council. Once approved, then can apply for reimbursement from State.
 - Looking for one or two new members. Mike has a potential candidate.
 - Ellen mentioned that Paul is no longer needed for a walk around Town Hall to identify invasives vs native species since Public Works already cut the area in question.
 - Paul still needs to do a priority list.
- Sustainability Subcommittee (Denny) no meeting held last month
- Community Orchard (Jesse)
 - Food Forest Lawns Gone Wild talk last week had a great turnout.
 - Grafting of apples and pears workshop on the 16^{th} at PML.
 - April 28th water wise gardening workshop at the Orchard.
 - May 1st plan to plant first 50 trees. Meet at Orchard 9-3.
 - Jen Lopardo working on design template for the Orchard website.
 - Shed at the Orchard now has a vinyl flooring, but still needs a lock box.
 - Thinking about signs to place in Town Forest directing to Orchard.



- Riva would like to use the tree planting on May 5th as our Arbor Day celebration. She will coordinate with Jesse. Needs to be an annual celebration.
- Invasive Subcommittee (Dave C)
 - Dave C went out with one of the committee members doing a winter plant ID. Would like to open this up to a wider audience.
 - Held first meeting.
 - iMapInvasives app is back up and running by still is a bit wonky. Workshop planned for the spring with Chad Hammer of the Maine Natural Area Program (MNAP). Still deciding on how to organize by projects, and naming convention.
 - Dave C attended a Project Canopy grant writing training session thought it very work intensive.
 - Dave C asked Chris to please let him know when work was going to be done in any of the parks so he can make sure only the invasives are cut.
- New Business/coming attractions (Mike)
 - Future of composting
 - New member documentation
 - Playground at Twin Brook
- Debriefing from Affordable Housing vote: Jessie brought up issue of mentioning affiliation with LCC when voicing opinion different then LCC stance.
 - John need to maintain command structure: subcommittees report to LCC and LCC reports to Town Council and Town Council report to public.
 - Should there be a majority report and a minority report?
 - Josh Clear reporting lines. Blurry lines between citizen and affiliations in a small town. Leary of structure when people want to speak.
 - Riva how apply protocols what is the process with minority?
 - Dave C comfortable giving opinion and affiliation. In future represent spectrum of opinions not up or down. How to elevate Commission's role so Town Council looks to us for guidance.
 - Josh strive for consensus. Question was a yes or no not meeting our obligation. This was a specific project not a sweeping statement.
 - Mike the Commission took no position on the affordable housing issue. Our job is to report to the Town Council, not the public.
 - Mike the version of the letter that was presented to the Town Council went through nine iterations. We all had opportunities to give opinions. Silence is consensus. Should we give a majority and a minority report? Everyone needs to be involved be active and participate to make your point known.
 - Tig process was a big part of the issue need to get LCC documents in advance. LCC meetings are public. The document that was dispersed outside of LCC members was not finished still a draft.
 - Mike need timely referral Town Council to LCC.



• Mike in summary:

The First Amendment is alive and well. You are always free to express your personal opinion.

In this case, the Commission issued a report.

- The final vote was 7-1
- The report is the consensus of the Commission, not an expression of any individual's opinion or position.

It is appropriate for those who disagree with the Commission's report to provide a minority report in the name of the Commission if they choose to do so.

• As such, it is also appropriate to timely provide the minority report to all Commission members. Simple courtesy.

Basic rules of committees

If you are not there when committee work is done, it's very hard to make your case.

• We don't do proxies.

If you do not use the opportunities to influence the end product, it is also hard to make your case.

- Three opportunities to submit written comments.
 - •
 - 8 people submitted comments after the January draft.
 - o 1 person proposed major changes to the February X draft
 - 0
 - There was a proposal to delete a portion of the report that failed on a 4-4 vote.
 - We went through 9 drafts trying to best express what I gleaned was the consensus of the Commission before settling on the final report.
- The recommendations were verbatim from the proposed language change.

Silence is deemed to be concurrence.

• Mind reading is not part of the job description.



 Penny – Land Trust, PML and the Sustainable Subcommittee are planning nine climate events with a local focus.

