



TOWN LANDS AND CONSERVATION COMMISSION

(Commission)

Town of Cumberland

290 Tuttle Road

Cumberland, ME 04021

Date: May 5, 2022

(** = town manager; * = Chair; + = liaison TC; ++=Code enforcement officer; (T) = trails SC; (F) = forest SC)
Bill Shane**; Bill Longley ++; Mark Segrist +; Allison Foster+

To: Members:

Jennifer Bell (abs)	*Mike Schwindt	(F) Ted Chadbourne	(T) Shaun Breton
Denny Gallaudet	George Turner (abs)	(F) Melissa Cott	(T) Stephen Fitzgerald
Matt Grondin (abs)	Pete Wilson	(F) John Leavitt ✓	(T) *John Jensenius ✓
Ellen Hoffman	David Young	(F) *Gordon Lichter ✓	(T) Matthew Leclair
John Jensenius vice*		(F) Linda Putnam	(T) Brian Stearns
Riva Krut		(F) Todd Ontl	(T) John Stewart
		(F) Sally Stockwell	(T) Don Stowell

Sustainability Subcommittee:

Sukie Curtis, Jenn Grasso, Jesse Lamarre-Vincent, Denny Gallaudet, Riva Krut, Ivy Frignoca

Note: Only members of the Commission and voting members of the subcommittees need attend. “✓” indicates subcommittee member attended Commission meeting.

From: Ellen Hoffman

Re: Meeting May 4, 2022. Meeting held via Zoom. Rod Vogel from CCLT also attended.

- April minutes were approved with a minor (date) correction.
- Tom Gruber has resigned.
- **Town Council** (Allison)
 - In the next issue of the Crier, the Council Corner will be highlighting CAP and focusing on what individuals can do regarding climate change.
 - Budget – April 25th Town budget was approved. LCC and portions of PW and Parks/Rec were combined into one bucket. The Town Council was unclear on some of the requested expenditures.
- **Commission** (Mike)
 - Bill report (summarized from Bill L’s notes):
 - During the month of April 2022, 28 permits were issued for a variety of structures such as: pools, sheds, decks, renovations, additions, and solar installations.
 - Oceanview Phase I (Tuttle Rd) under construction; 41 permits have been issued. All lots have been reserved in Phase I.
 - Christmas Creek – under construction; 19 building permits issued.



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- Orchard Rd - Cortland Court – seven building permits issued.
- Blanchard Oaks – Peaceful Way – 10 building permits issued and all 13 lots are sold.
- Planning Board meeting scheduled for March will include:
 - Major Staff Site Plan amendment for LGC Clinical Diagnostics AKA Maine Standards – small addition at the rear for refrigerated storage etc.
 - Oceanview Phase II – proposed revision to storm water plan – public hearing
 - Sketch Plan – Wyatt property 5-7 single family lots now under contract.
- Items to be addressed in future Planning Board meeting:
 - 10-Lot subdivision between 1-95 & Old Gray Road in the VMDR zone.
- Heat pumps permits issued calendar YTD = 66
- Solar permits issued calendar YTD = 15
- Car Chargers in April = 2
- Denny raised the issue of affordable housing in Cumberland. Said that developers make the houses more expensive by how they choose to build and what materials they use. Need to look how we deal with developers – a sustainability issue. Bill S mentioned that there is a newly formed town Housing Taskforce, will look at different criteria. Working with Falmouth. Mentioned that state laws might flip zoning issue up-side down. Exclusionary zoning. He noted that there are changes coming. Also need to look at refugee population.
- Budget (Mike) – LCC requested \$47,450 but was only allocated \$40,000 (see below) so there is a \$7,450 shortfall. Before finalizing FY 2023 work plans, need to revisit budget to reallocate resources among the Commission and subcommittees. Mike would like to have work plans completed by the June meeting. Mike will setup a meeting next week to discuss budgets with subcommittee chairs. Bill mentioned that there is a tax exempt number to use when making purchases and we should check with the Town for preferred vendors. Also, as per current rules – all expenditures over \$500 need finance director’s approval; all expenditures over \$1,000 need Town Manager’s approval. Emails are acceptable for spending requests.
- Subsequent to our meeting, Allison sent an email describing the budget review request and identified the following as net new expenditures totaling \$12,000:
 - Lawn Pilot Program \$5K
 - Raised Beds \$500
 - Orchard \$5K
 - Resources for acquiring easements, right of refusal, etc. for potential food production \$2K



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Lands and Conservation Commission FY 2023 Budget Request						
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	DESCRIPTION	COST	2023	2024	Explanation
0631-1010	PT Payroll	CLIMATE ACTION - Sustainability staff position				TBD
		CLIMATE ACTION - Lawn pilot Program	\$5,000			TBD Pilot program for sustainable lawns (100 pilot lawns) CAP II
		FOOD INDEPENDENCE - Raised beds	\$500			start with five - skyline - Materials Only
0633-3080	Landscaping	FOOD INDEPENDENCE - Orchard	\$5,000	\$10,500		25 x \$200 per plant
		TOWN FOREST - "Recent sightings" display	\$250			For app (100) and photos.
		TOWN FOREST - signs	\$250			
		TOWN FOREST - kiosk maps	\$1,200			Need for 6 Kiosks under construction
		TRAILS - Miscellaneous	\$250			Signs, map updates, etc.
		FORESTRY - Five informational signs	\$2,000			
0633-3160	Misc Expenses	FOOD INDEPENDENCE - Locate resources for acquiring easements, rights of refusal, etc. for potential food production	\$2,000	\$5,950		TBD 10 hours x \$200 Legal Time
0633-3410	Capital Outlay	CLIMATE ACTION - Compost grinder	**			**2-3 year pay back - CAP II- TMR now probably \$45k from Capital
		GPS TRAILS - Consultant time	TBD			
		FORESTRY - Town Forester meeting attendance	\$1,100			
		FORESTRY - Town Forester Twin Brook plan update	\$5,500			
		FORESTRY - Invasives grant proposal	\$1,500			
		FORESTRY - Town Forester boundary blazing at Twin Brook, Rines	\$3,200			
0635-5000	Contracted Services	Invasive Management	\$10,000	\$21,300		
0635-5090	Engineering	CLIMATE ACTION - Engineering study				TBD Heat pump for library
		TRAILS - Rines Forest Including Godsoe Property	\$2,400			200 Feet of Walkway
		TRAILS - Greely Woods	\$400			Gravel (currently, no cost) 20 yd s x \$20
		TRAILS - Knight's Pond	\$2,500			\$2,500 from JSC budget
0635-5100	Grounds Maintenance		\$4,400	\$9,700		
		2022 LCC FY 2023 budget request		\$47,450		
Note:						
TBD - To Be Determined						

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			FOOD INDEPENDENCE - Raised beds	\$500			start with five - skyline - Materials Only
	0633-3080	Landscaping	FOOD INDEPENDENCE - Orchard	\$5,000	\$5,500		25 x \$200 per plant
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			FORESTRY - Five informational signs	\$1,500			
	0633-3160	Misc Expenses	acquiring easements, rights of refusal, etc. for potential food production	\$1,000	\$4,450		TBD 10 hours x \$200 Legal Time
	0633-3410	Capital Outlay	CLIMATE ACTION - Compost grinder	**			**2-3 year pay back - CAP II- TMR now probably \$45k from Capital
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	0635-5000	Contracted Servi	Invasive Management	\$10,000	\$20,400		
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			2022 LCC FY 2023 budget request		\$40,050		
Note:							
TBD - To Be Determined							



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- CAP Phase II (Mike): Monday, May 9th the Town Council will hear a report from LCC on Phase II on the CAP. Phase II is to develop a goal and action plans for the business and household sectors. Where the first phase was focused on larger municipal goals, this second phase is looking at more personal responsibility for the reduction of Cumberland's residential footprint. Bill S mentioned that this item will be third on the agenda, which could lead to a long evening. Questioned as to postpone item until the following meeting, idea was rejected.
- Twin Brook (Gordon) – Forestry Subcommittee recommendation to pause all future harvest until update Forest Management Plan. Send memo to Town Council with this recommendation. Also need to get a better handle on invasive plants. Motion made for LCC to make recommendation to Town Council to pause future harvest until Twin Brook Forest Management Plan is updated. Riva seconded; motion passed unanimous. See Twin Brook Harvesting Memo below:

MEMO

To: Cumberland Lands and Conservation Commission
From: Forestry Subcommittee
Re: Twin Brook Forest Management Plan
Date: 28 April 2022

The Forestry Subcommittee has carefully reviewed the current management plan written by Chip Love, recent harvesting activity, and state of the remaining forest at Twin Brook and as a result of that review - which included several walks through the forests with members of the subcommittee and the Town Forester – we would like to strongly recommend pausing all future harvesting activity until our Town Forester Paul Larrivee can update the management plan. In particular, we feel some urgency to consider the public use of the property, the town's forestry management guidelines, and the encroaching invasive plants in and adjacent to the property while developing a new plan.

The current plan calls for first harvesting in the "wilderness" side of the property off Greely Road (Harvest Area # 1 on attached map). This was accomplished over the past several years. In our collective view, including input from Mr. Larrivee, harvesting is now complete in Harvest Area 1 - the area between the ball field and the railroad tracks - and there is no need to return to that area for further harvesting activity for at least another 10 years, perhaps more.

However, we understand the Town Manager has already brought together Mr. Larrivee and Spring Brook farm manager Jeff Storey to discuss moving forward with additional harvesting at Twin Brook during the winter of 2022. If a harvest does occur, we request: (1) any additional harvesting follows sound silvicultural prescriptions and operational practices; (2) the planned work takes into consideration the town's forestry management goals and harvesting restrictions in the stream buffers and wetland protection areas as required under a DEP Order (see attached order and map); (3) a contract is prepared between the Town and Mr. Storey that spells out how the harvest will be managed, how the wood will be measured, how the wood will be sold, and how much the town will receive for the stumping; (4) that the contract be limited only to 2022; and (5) that the contract clearly states that Mr. Larrivee will be managing the harvest and that Mr. Storey will be acting under Mr. Larrivee's direction as the logger/harvester only.

The current plan then suggests doing some "light" harvesting in other sections of the property between 2020-2029, and then returning to Harvest Area #1 and starting over again on a 10-year rotating basis. However, the area on the east side of the Greely Rd entrance road (Harvest Area #2) and surrounding Windle Brook is heavily infested with a cornucopia of invasive plants. Before any



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harvesting in that section can occur, if at all, we must first address how to manage the invasives; otherwise opening up the canopy will certainly cause the invasives to spread even more.

Similarly, we have deep concerns about opening up the forest canopy to the east of the soccer fields off Tuttle Road (Harvest Area #4), as that would likely invite a rapid spread of buckthorn and other invasives that are lurking at the edge of the town property, having grown up after a heavy harvest on the adjacent land some years ago.

We all know how expensive and challenging it is to control invasives once they have taken hold, and we do not want to encourage that in yet another one of the town's forests. Unfortunately, the current plan does not fully address the threat of invasives, other than stating: "There are some invasive species and should be removed as soon as possible".

In addition, the subcommittee questions whether the "light" harvests as described in the current plan are too aggressive given current stocking levels and growth projections, and overall forest management goals of the town. Furthermore, the plan does not really take into account the recreational use of the property or other public benefits.

Therefore, we feel it would be in the best interest of the town and the public to pause any future forestry activity at Twin Brook now, but definitely after a potential winter 2022 harvest, until we can reassess our options, consider how the forests and forest management of Twin Brook fit into the larger goals for the public's use of this property, and determine if it is possible to both safely conduct a harvest and keep the invasives from spreading. We can then work with the Town Forester to develop an updated forest management plan to replace the current one, which could be completed by fall of 2022.

If any future harvesting activity is planned at Twin Brook, we recommend the harvest be conducted under the guidance of the Town Forester, just as all other harvests are managed on Town lands. The Town Forester is responsible for ensuring both the management plan and the harvest operations are in the best interest of the town and meet the Cumberland Town Forests Management Guiding Principles (attached).

Under this scenario, the Town Forester would be responsible for identifying trees that are slated for harvesting; recommend to the Forestry Subcommittee the names of at least two trained professional loggers that could do the work under a signed contract administered by the Town Forester; be responsible for ensuring the most appropriate equipment is used for the planned job that will minimize damage to soils and other trees; oversee the harvest; and oversee the sale of the wood.

○ **Recreational Trails Subcommittee - (John)**

- Greely Woods Subdivision Recreational Easement: John continues to work with property owners to try and obtain the written documentation for the recreational easement that appears in the subdivision plans. He has spoken to five of the six property owners and hopes to speak with the remaining one soon.
- Kiosks: The Boy Scout continues his work on the kiosks.
- Online Trail Mapping: We are hopefully nearing the completion on the effort to get the trail maps online.



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- Trail Updates:
 - Knight's Pond: Brian Stearns is taking the lead on the effort to relocate the White Trail. The new trail has been laid out and flagged. Work to build the new trail will begin soon. John will lead an effort this Saturday to construct a walkway across a wet area on the southeast side of the pond.
 - Greely Woods: Gravel has been delivered and efforts to harden soft areas of the trails have begun.
 - Rines Forest: Fred Kinney gave the Trails Subcommittee permission to mark the trail from Blanchard Road to the Rines/Godsoe Town property. A trail sign has been put up along Blanchard Road and the trail has been blazed with red markers.
 - Town Forest: The Town will install the remaining culvert behind the salt shed soon. A high school student will be working on improving the trail connection from the Blue Trail to the Red Trail behind the salt shed as her senior project.
- Snow dog grooming – John made a motion to extend the trail period for the snow dog grooming for another winter given the lack of snow. Peter seconded, all except Gordon in favor; motion carries.
- **Forest and Natural Resources Subcommittee (Gordon)**
 - Todd Ontl was welcomed. He comes with much knowledge regarding carbon sequestration in forests.
 - Forest Management Plans: Paul is almost finished final updates to Rines Forest and Knights Pond Management Plans pending review and approval. Rines Forest needs one more walk through before approval of plan. Evaluate reserve area for carbon storage – free from harvest. Need to confirm or expand in size.
 - Twin Brook: Paul agrees that there should be no new harvest. See memo and motion above under Commission/Twin Brook. Paul will remove ribbons on hazard trees that didn't get taken out during harvest. Paul will paint a no-cut reserve line along border. Due to budget shortfall, Paul will hold off on doing timber cruise. Need to improve low lying areas.
 - Knights Pond – need to schedule walk to clean up stubs left from improper cutting of trees by pond; check vernal pool area; meet with crew to decide on next steps for erosion control on Greely Rd Extension.
 - Grasslands Management
 - Sally spoke to Ag Allies; they will be in the area this summer to walk some of the fields in North Yarmouth and will walk our properties as well. Part of a sustainable agriculture intuitive. Best practices.



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- Need to identify largest town-owned grasslands that are at least five acres: golf course, field by Town Forest and Twin Brook. Need to understand recommendations and best practices.
- Education - Better with signs – what we are doing and why. Why the forest or trails look the way they do. Example – signage regarding erosion control, invasive plant management, trail relocation, harvest work. John suggested putting info on social media.
- **Sustainability Subcommittee (Denny)**
 - GOPIF Grants (Governor’s Office of Policy and Innovation and the Future) – are available to municipalities. Proposal for projects. State has list of actions where no need for local match. Grant proposals due September 22. Denny made motion that the SSC will be requesting grant funding for the State from the following two actions:
 - Install a heat pump or VRF system for heating/cooling and heat pump water heating in municipal/tribal buildings.
 - Create a climate change education, outreach, and engagement program, focusing on mitigation and adaption.Riva second; Pete abstained, motion passed. Not limited to these two ideas.
 - Composting (Denny and Riva). Complex area. Want to get the science straightened out. Would like to hold off on taking action (spending money) until figure out best approach. Do more research and possibly visit sites.
- **Invasive plants (Mike)** – No update
- **Farmland assessment (Dave)** – No update
- **New Business**
 - Need to revisit budget/work plans for 2023 with budget shortfall. Mike will setup a Zoom meeting to discuss.
 - Mike would like all subcommittee chairs to write up annual report by August 10th.
 - Skip July meeting
 - Rod Vogel gave a quick mention of CCLT active projects: the Reed Family Farm and LongWoods Preserve; still raising money.
- Next meeting June 1st - 7:00 PM via Zoom.