

# TOWN LANDS AND CONSERVATION COMMISSION

(Commission)

Town of Cumberland

290 Tuttle Road

Cumberland, ME 04021

Date: May 4, 2023

(\* = Chair; + = liaison TC; ++=Code enforcement officer; <sup>(T)</sup> = trails SC; <sup>(F)</sup> = forest SC)

Chris Bolduc; Bill Longley ++; Mark Segrist (abs)+; Tig Filson+

To: Members:

David Cowan  
Denny Gallaudet  
Ellen Hoffman  
John Jensenius <sup>vice\*</sup>  
Riva Krut  
\*Mike Schwindt  
Joshua Steirman  
George Turner

Pete Wilson  
David Young

<sup>(F)</sup> Melissa Cott  
<sup>(F)</sup> John Leavitt  
<sup>(F)</sup> \*Gordon Lichter ✓  
<sup>(F)</sup> Todd Ontl  
<sup>(F)</sup> Linda Putnam ✓  
<sup>(F)</sup> Sally Stockwell

<sup>(T)</sup> Shaun Breton  
<sup>(T)</sup> Paige Diamant  
<sup>(T)</sup> Stephen Fitzgerald  
<sup>(T)</sup> David Grimm  
<sup>(T)</sup> \*John Jensenius ✓  
<sup>(T)</sup> Walker Newell  
<sup>(T)</sup> Adam Orellana  
<sup>(T)</sup> Brian Stearns  
<sup>(T)</sup> Don Stowell

Sustainability Subcommittee

Sukie Curtis, Jesse Lamarre-Vincent ✓, Denny Gallaudet, Riva Krut, Meddy Smith, Dave Witherill

Invasives Subcommittee:

Ellen Hoffman, John Jensenius, Mike Schwindt

Farmland Subcommittee:

John Jensenius, Mike Schwindt, Bill Shane, Bob Vail, David Young

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

From: Ellen Hoffman

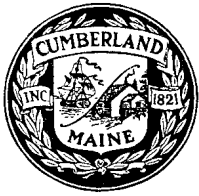
Re: Meeting May 3, 2023

- March minutes were approved as written; there was no April meeting.
- Town Council report (Tig)
  - Town Council meeting on the 8<sup>th</sup> was overview of the FY 24 budget. No change to LCC budget.
  - May 13<sup>th</sup> 7:30 am walk with the Forestry Subcommittee at TB to view invasive and non-invasive areas.
- Bill Report
  - During the month of April 2023, Bill's office issued 30 permits for new buildings such as for pools, sheds, decks, houses, condos, barns, additions, renovations, commercial and solar installations.
  - Approved projects under construction:
    - Oceanview phase 1 (Tuttle Rd) – completed or under construction 53 permits have been issues to date. All lots are committed in phase 1



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Oceanview phase 1 (Tuttle Rd) -completed or under construction 53-permits have been issued to date. All lots are committed in phase 1
  - Oceanview phase 2- 4/52 permits have been issued and work has started
  - Christmas Creek – Vining Way – 19 of 20 are completed
  - Orchard Road – Cortland Court – 7 of 10 building permits issued as of this date
  - Blanchard Oaks – Peaceful Way - 12 of 13 occupied
  - Snowy Owl off Old Gray Road –10 Units (5 duplexes) approved; pre-con and tree cutting
  - The Mark off Route One– 45 units approved; site work blasting complete
  - Ross Estates off Blanchard Road Ext.-3 Units approved
  - Yarmouth Vet at Heritage Village – working on blasting permits
  - The Grange at Longwoods-Building permit issued; work has started
  - White Rock off Skyview Drive – 55 units of senior housing awaiting MSHA
  - Lot split of existing subdivision by amendment at 104 Foreside Road
- Planning Board meeting scheduled for May 16<sup>th</sup> at 7pm:
    - Site Plan for Springbrook Farms by Jeff Storey to remove and rebuild a barn
    - Site Walk and Public Hearing Site Plan for LGC solar field and access road. Site Walk before Planning Board meeting and open to the public.
    - Public hearing for Site Plan amendments at The Grange at Longwoods: building/ parking/ shed (cabins no running water or electricity)/ bathroom locations
  - John asked status of conservation easement for The Grange at Longwoods
  - Future Planning Board items:
    - Rusty Lantern- Food Mart and new bank at Gray Road
    - Dave Chase Pit possible 73 +/- residential off Blackstrap Road
    - Town antenna and carrier cell towers off Range Road and Blackstrap 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 (through April 24<sup>th</sup> 2023)
    - Heat pumps (homes) issued calendar YTD = 058
    - Solar issued calendar YTD = 017
    - Car chargers issued calendar YTD = 007
  - Riva asked for more granularity in the heat pumps (not homes but number of) and solar (kilowatts). Bill will try and provide that information.



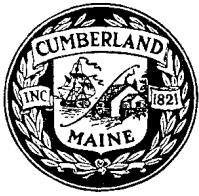
## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

### ○ Commission (Mike)

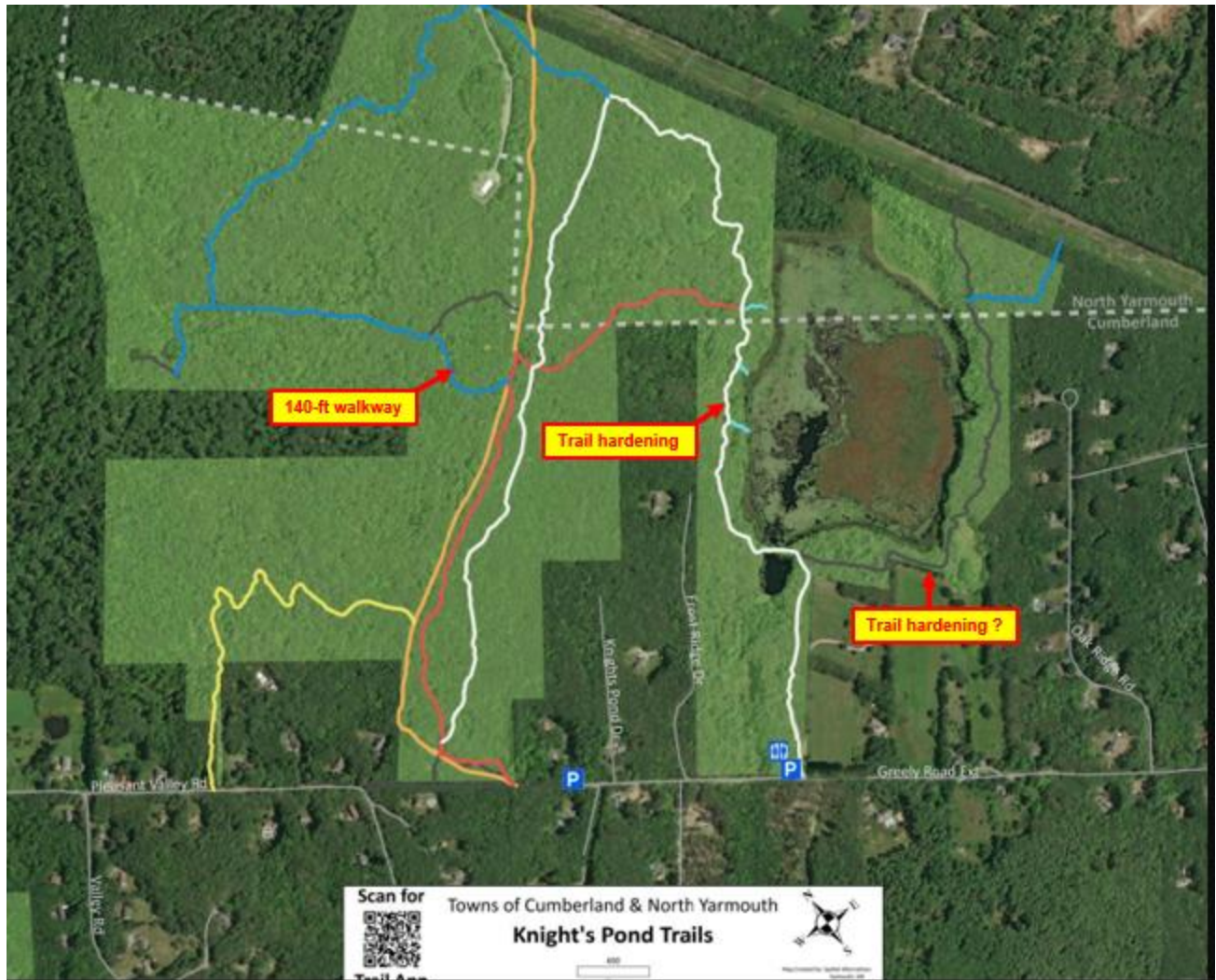
- Archiving (Mike) – Mike and Ellen have organized and scanned in 20 years' worth of Commission documentation to the library website. Thomas moved the files over to the Digitize Maine website. Mike and Ellen need to review what was done before signing off on it. Forestry Subcommittee is in the process of organizing all their documents and will contact Ellen when done to begin the archiving process.
- LCC email – The address has been set up ([lcc@cumberlandmaine.com](mailto:lcc@cumberlandmaine.com)) and is ready to be released. The mechanics still need to be worked out, such as who reads and responds. John J will take the lead on this.
- Channel 2 – Whitney said this site is available for us to use – advertise LCC related activities. John J is the contact.
- LCC Website (John) – John has been working with Whitney to restructure the website. A new button has been added under Town Resources for Parks, Trails and Facilities Map. Quite a lot of work needs to be done deciding under which heading items belong.



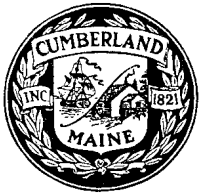
- Textile Recycling (Chris) – box for Apparel Impact should be arriving mid-June.
  - Casco Bay Estuary Partnership Grant (Mike) – Town Council authorized to accept grant. Need to use CBEP code when applying grant money.
- ### ○ Trails Subcommittee (John) – not much done due to weather.
- Knight's Pond – 100 ft walkway to be built along the Blue Trail. Problem getting materials to location.



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)



- Kiosks – all signs have been mounted on the kiosks. Separate dog leash sign on side of post, allowing for better placement of leashes. John mentioned problems he and Ellen have been having with the GPS apps: location icon on the Nature Trail app does not move while traversing the Nature Trail and trails disappearing on the trails app when adjusting the zoom. John will look into this. Also, reading the QR codes on the welcome signs can be problematic. Possible solution is to overlay QR codes on a sticker to eliminate the sign background.
- Forestry Subcommittee (Gordon)
  - No meeting last week
  - Pauling draft Twin Brook Management Plan; hopefully will go to Commission in June and to Council in July for approval.



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Grassland Management (Gordon)
  - Discussion ensued around draft motion for the Town Council to accept the previously drafted policy regarding mowing on Town property until mid-July to ensure the ground nesting birds have finished nesting. Rewording of motion will be sent around by Gordon for another vote. Draft motion as sent to Commission members May 2: No action taken.
  - Below is policy previously sent to Town Council:

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### MEMO

To: Cumberland Lands and Conservation Commission  
From: Forestry Subcommittee  
Re: Grassland Nesting Bird Conservation  
Date: xx February 2023

### Background

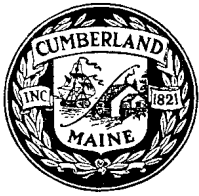
Last June the Conservation Commission worked with Ag Allies – a statewide organization focused on working with landowners on grassland bird conservation - to assess the Town's fields for the presence of grassland nesting birds (including Bobolinks, Savannah Sparrows, and Eastern Meadowlarks) and to make recommendations on management that can help conserve and/or enhance the nesting success of those birds.

Grassland birds are in severe trouble across the nation, including Maine, having declined 53% across North America since 1970 - more than any other group of birds. This decline is in large part due to loss of nesting habitats; here in Maine in particular following the transition of the heyday of agricultural lands years 70-80 years ago to today's shrubland and forestland. As a result, grassland birds have been listed as a high priority for conservation by the Maine Department of Inland Fisheries and Wildlife's State Wildlife Action Plan, and both the Bobolink and Eastern Meadowlark are considered Species of Greatest Conservation Need.

Grassland birds can nest successfully in fields that are a mixture of grasses and forbs left undisturbed between mid-May and mid-July. Timothy-clover fields are ideal for nesting, especially if limed and fertilized as needed. Circular or rectangular fields 8-15 acres with extensive nesting areas in the center are preferred nesting sites.

### Town of Cumberland Grasslands

Currently, there are relatively few highly productive grassland bird nesting sites across the state. After an examination of Cumberland's fields at Twin Brook and adjacent to the Town



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

Forest/Maintenance Shed with grassland birds biologist Maeve McGowan from Ag Allies, much to our delight we discovered both sites are actively supporting nesting grassland birds! Ms. McGowan remarked that these appear to be surprisingly productive sites, with more active nesting pairs here than at most of the other sites she is working with in other communities.

This means as a Town, we have a rare opportunity to ensure we continue to provide high quality nesting habitat for several species of severely declining grassland birds. With appropriate management, both sites should be able to continue to do so or even increase nesting activity and/or nesting success.

Following are specific findings and recommendations from Ag Allies regarding Cumberland's fields:

### Town Forest Fields

- During the 2022 breeding season, there were at least 4 male Bobolinks, 2 of which were part of confirmed breeding pairs.
- Given the size of the field, it likely could support 3-4 breeding pairs.
- **Recommendation: Delaying all haying until after at least the second full week in July should give the birds their best chance of successfully raising at least one clutch of nestlings.**

### Twin Brook Fields – Tuttle Road side

- During the 2022 breeding season, there were at least 4 breeding pairs of Bobolinks, and 2 pairs of Savannah sparrows.
- The property may well support more pairs that we did not count during our visit.
- The birds were highly concentrated in fields to the northeast when we first entered the preserve.
- **Recommendation: For the best nesting success, wait to mow until at least after the second full week of July.**

### Twin Brook Fields – Greely Road side

- The small field out by the baseball field (and close to the neighboring farmer) appears that it *could* support birds if left unmowed.
- The Forestry Subcommittee will visit the site again around the same timeframe as last year to further observe and identify if any nesting birds are present
- **Recommendation: During 2023, delay any harvest there until at least after the second full week of July.**

## 2022 Nesting Season

Based on our initial findings last season, the Town Public Works department helpfully agreed to refrain from mowing at both sites until after the birds had completed nesting, or approximately mid-July (which they said is typically when they mow for the first time anyway).





## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

In addition, Ag Allies agreed to return to the fields in early July to evaluate whether the birds had completed nesting yet in order to let the town know as soon as possible that it was “all clear” to mow. Maeve visited the fields on July 16 and immediately sent an email saying “you are all cleared to have them hayed!”

### 2023 Nesting Season

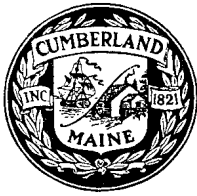
We recommend following the same protocol during 2023 and beyond as we did in 2022 for the fields adjacent to the Town Forest, and all fields at Twin Brook, including the one near Greely Road if possible.

We also recommend placing Ag Allies signs at all three sites to help inform the public about the importance of these grassland nesting sites, and to make Grassland Birds informational sheets and identification pamphlets available at the Town Hall for anyone interested.

Here is an example of the sign:



And here is a snapshot of the pamphlet:



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

### Maine's Grassland Birds



#### BOBOLINKS

The males' song is reminiscent of R2D2 of Star Wars! Perched on a blade of grass or branch, breeding males are striking, described as wearing a tuxedo backwards. Look for the straw-colored patch on the head. Females are buff and brown, with a pointed, pinkish bill and dark eyeline. pc L Suomi-Lecker



#### SAVANNAH SPARROWS

Note the short tail, small head, and the telltale yellow stripe over the eye. Streaks on the breast may converge to form a spot. Listen for a thin, high-pitched "tsss" call. pc L Suomi-Lecker, J Brockway



#### EASTERN MEADOWLARKS

Documented in only a few Ag Allies fields so far, meadowlarks have suffered stunning declines across their range. Note brilliant yellow underparts and black V on the breast. Males have a flute-like song. pc K Greene, M Taylor

#### AMERICAN BITTERN



Unlikely to be seen, this stealthy marsh bird sometimes nests in upland grasslands. If spotted, bitterns often stand still and look straight up at the sky, sometimes swaying like grass. pc L Suomi-Lecker

#### NORTHERN HARRIER



This slim, long-tailed hawk glides low over the grass, sporting a white patch at the base of its tail. Up close it has an owlish face. The gray and white males are smaller than the brown females. Like bitterns, harriers nest in both grasslands and marshes. pc L Suomi-Lecker, M. Taylor

*ID notes adapted from The Cornell Lab, [allaboutbirds.org](http://allaboutbirds.org)*

Here are some links to additional fact sheets of interest:

<https://static1.squarespace.com/static/5b4e0a6912b13ffa1db85e3f/t/6229fdcf8a67056eb95c3b94/1646919165162/AAHabitat+Conservation+MowingUpdate21.pdf>

<https://static1.squarespace.com/static/5b4e0a6912b13ffa1db85e3f/t/6229fd492451f0640b2da354/1646918986348/AAFactSheet-Landowners.pdf>





## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

Here is our recommendation for a new policy the town could adopt for supporting grassland bird nesting success in Cumberland:

WHEREAS grassland birds as a group are in severe trouble across the nation, including here in Maine, having declined 53% across North America since 1970 - more than any other group of birds.

WHEREAS the decline is in large part due to loss of good quality nesting habitat.

WHEREAS the Town of Cumberland owns two sites where grassland birds are currently nesting, including multiple pairs of Bobolinks and Savannah Sparrows.

WHEREAS the State of Maine has identified several grassland birds as Species of Greatest Conservation Need and grassland bird nesting areas as a high priority for conservation in the Maine Wildlife Action Plan.

WHEREAS the Town of Cumberland grassland bird nesting sites support more nesting pairs than most other known grassland bird nesting sites across the southern and central portions of the state.

WHEREAS grassland birds require high quality grasslands that are undisturbed between early-May to mid-July for successful nesting and raising of young.

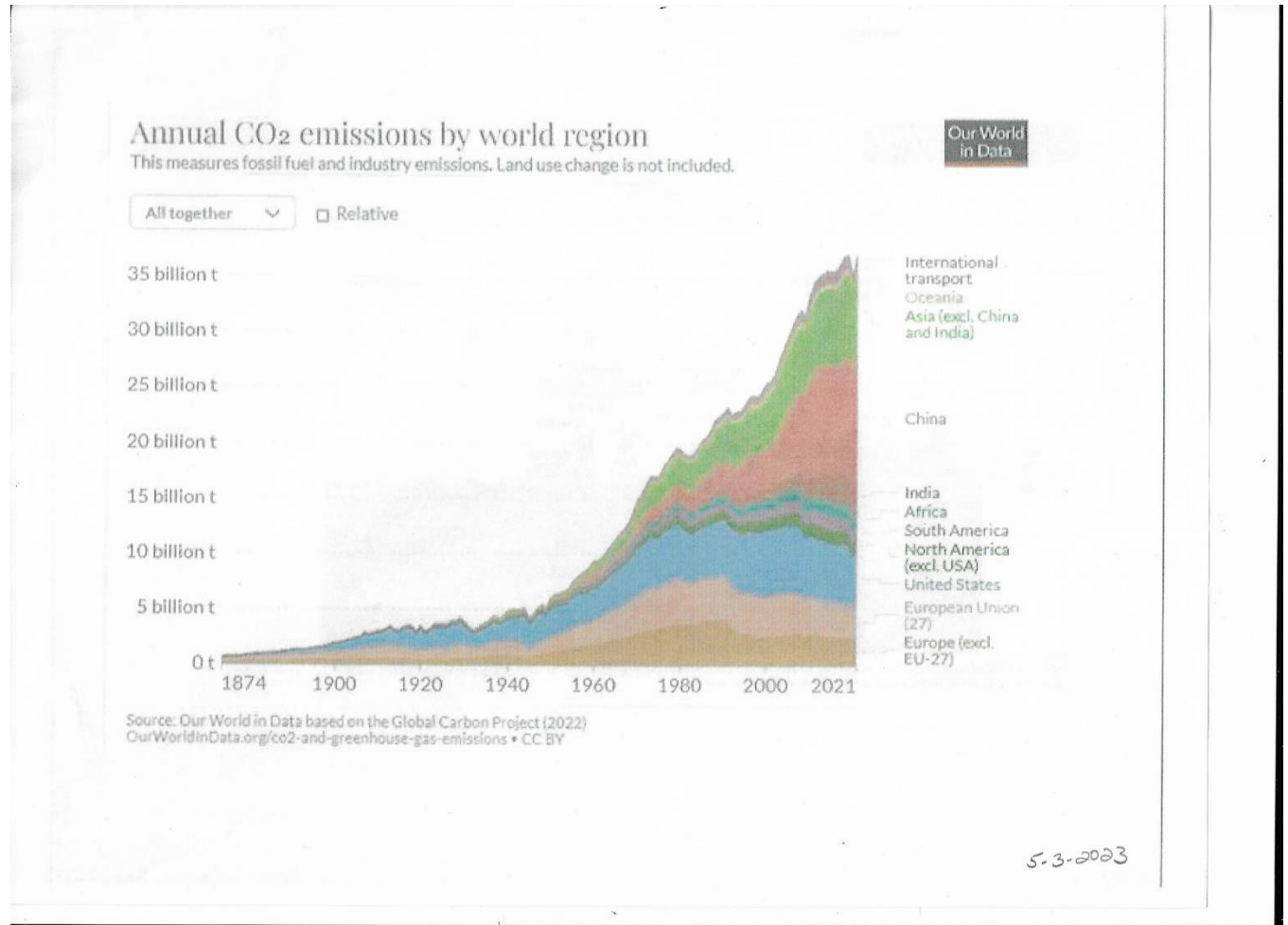
WHEREAS the Town of Cumberland has a unique opportunity to protect nesting habitat for these rapidly declining grassland bird species.

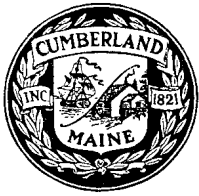
THEREFORE the Town of Cumberland commits to delaying all mowing of all fields adjacent to Stiles Way and all fields at Twin Brook Recreation Area until after the grassland birds have been documented to have completed nesting (approximately July 15). In addition, the Town commits to posting signs during the nesting season (approximately May 1 - July 15) identifying these areas as Grassland Bird Nesting Habitat and requesting that all dogs be either leashed or kept away from these areas during that time period.

- 
- Sustainability Subcommittee (Denny)
    - Denny presented information about the Global Carbon Cycle (see below). Mentioned Maine's output was mostly from transportation and manufacturing but 90% of Maine is forested which offsets about 70% from this output. Cumberland is roughly 60% forested or grassland and offsets about 70% of its carbon emissions. CAP tries to work to improve that number. Why programs such as Lawns Gone Wild and management plans are important. The current solar farm supplies 100% of the electricity needed by the Town. EV busses and LED lighting will also help to reduce our carbon footprint.

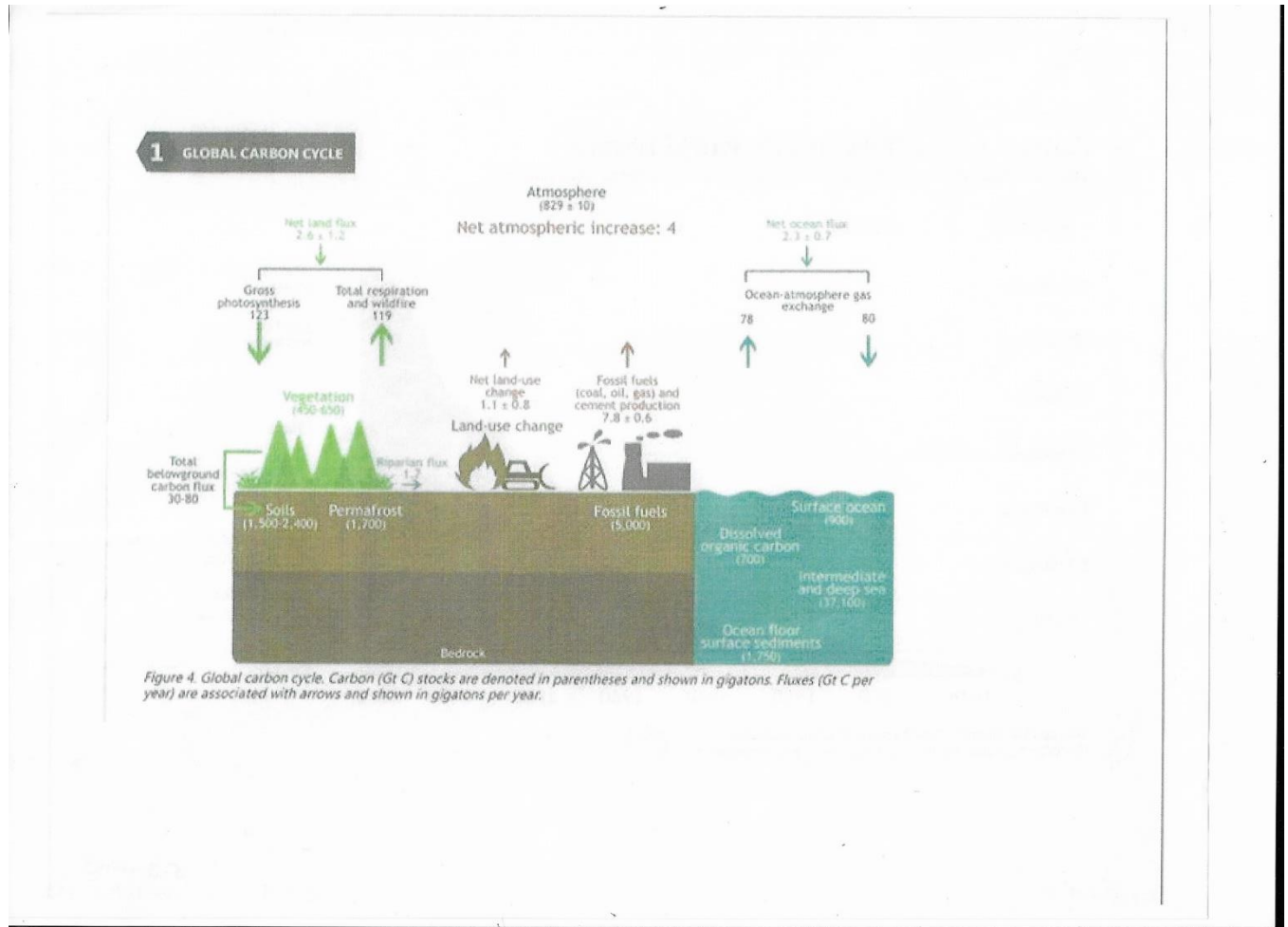


# TOWN LANDS AND CONSERVATION COMMISSION (Commission)





# TOWN LANDS AND CONSERVATION COMMISSION (Commission)



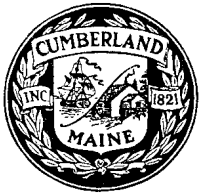
- IECC 2021 Stretch Code (Denny) – building code. State is currently using 2015. Going to 2021 will reduce carbon footprint. When does the 2021 code get implemented? Needs to go into building ordinance and Council needs to adopt. Need Bill L to explain process. Chris will follow up with Bill L.
- Library – Chris working on implementing engineering study of library. Need to get money to implement recommendations (2025). Should reduce use of natural gas by 50%. Val Halla building and West Cumberland fire station also need to be looked at for improvements.
- Invasives Subcommittee (Mike)
  - Training session May 6 1:00 for iMapInvasives at the library. Mike will try to get Power Point presentation to make available online.
- Farmland – Town Orchard/Food Independence (Mike)
  - Site Walk – Jesse, Mike, Ellen, Chris and Bill L did a site visit to the area behind the salt pad. Roughly five acres available for orchard/garden. Restrictions in the wet areas (can



Riva moved, Denny seconded we request the Town Council authorize the LCC or its successor agencies to use the Town-owned land on Stiles Way, less the area now used for the salt shed, compost and brush piles, so long as the land is used either as a community orchard, for food production or for community agrarian education activities. The approximately five-acre plot is bordered on the Northeast by the ravine between the Town Forest and the railroad property, on the Southeast by the railroad property, on the Southwest by privately owned property, and on the Northwest by the Town Forest.

[illegible]

- Mentioned that there is an abandoned apple orchard (Terrison's). Can the Town use that?
- Mike mentioned that this was a large project and we should consider spinning off as a separate subcommittee. He asked Sustainability Subcommittee to draft charter.



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Composting (Chris) - Chris and Bill looking at food composting options at Skowhegan for guidance.
- New Business/coming attractions (Mike)
  - Future for composting
  - Tree City designation
  - Trail Maps

Next meeting – June 7, 7 PM.