

TOWN LANDS AND CONSERVATION COMMISSION

(Commission)

Town of Cumberland

290 Tuttle Road

Cumberland, ME 04021

Date: February 8, 2024

(* = Chair; + = liaison TC; ++=Code enforcement officer; ^(T) = trails SC; ^(F) = forest SC)

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

To: Members:

Commission

David Cowan, Denny Gallaudet, Ellen Hoffman, John Jensenius ^{vice*}, Riva Krut,
Jesse Lamarre-Vincent(abs), *Mike Schwindt, Joshua Steirman (abs), George Turner, Pete Wilson,
David Young (abs)

Forest Subcommittee

Melissa Cott, John Leavitt, *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, Walker Newell,
Adam Orellana, Brian Stearns, Don Stowell

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 February 7, 2024

- January minutes were approved as written. Dave C moved to accept; Denny seconded; unanimous; no discussion.
- Penny Asherman of CCLT was in attendance.
- Town Council report (no report – councilors absent)
- Bill Report (Bill L)
 - During the month of December 2023 and January 2024, Bill’s office issued 17 and 19 permits respectively 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- 16/52 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



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- The Mark off Route One– 45 units are now under construction; none have been sold.
 - 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 permit issued; work has started blasting usually two to three times a day
 - White Rock off Skyview Drive – 55 units of senior housing awaiting MSHA
 - Lot split of existing subdivision by amendment at 104 Foreside Road
 - LGC Clinical Diagnostic’s Solar Field as approved in May with conditions; now under construction
- Planning Board meeting scheduled for February 20, 2024 at 7pm:
 - Public Hearing for extension of 60 feet or so to Skyview Drive off Route One near Falmouth town line at Heritage Village (formerly known as Cumberland Foreside Village)
 - Public Hearing for Storey Bros pit Annual renewal of permit at 48 Goose Pond
 - Public Hearing amendment to Brentwood for lot adjustment ay 11 Brentwood and 81 Ravine Drive (between Cumberland and Yarmouth).
 - Public Hearing amendment to Fairwind Estates at 10 Fairwind Ln Ext and 5 Fairwind Ln Ext.
 - Public Hearing for Rusty Lantern convenience store with fuel pups and a bank with drive thru at 181 Gray Road.
 - Pubic Hearing to revise plans approved for eight-lot parking at 48 Blanchard to provide access to Rines Forest.
 - Future Planning Board items:
 - 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.
 - Town antenna and carrier cell towers off Range Way and the Gray Rd.
 - The Town Council has voted to seek a “Request for Proposal” at the area of the Little League fields adjacent to the old Drowne Rd School for new housing proposed to be mixed use family and senior housing. If a proposal is submitted, the LCC will need to make a recommendation to the Town Council for use of Town property. Town vote March 5th 2024!
 - Relocation of the Little League fields to a new location such as off Stiles Way or another location. The relocation will also require a LCC recommendation to the Council. No other location has been designated yet.
 - Heat pump, solar, car charger permits (2022)

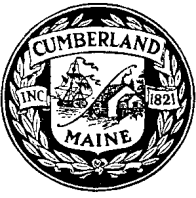


TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- 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
 - Car chargers issued calendar YTD = 016See below
 - Heat pump, solar, car charger permits (through January 2024)
 - Heat pumps (homes) issued calendar YTD = 005
 - Solar issued calendar YTD = 002
 - Car chargers issued calendar YTD = 001See below

DEC 2023

ELECTRICIAN	DATE	ISSUED	OWNER	LOCATION	ELECTRICIAN	TYPE	ESTIMATED FEE
23-472	05-Dec-23	DOUBLEDAY WINFREDS	28 VAL HALLA ROAD	Dave Perry - RHP	1 Heat pump	\$0.00	\$50.00
23-475	06-Dec-23	ST. CLAIR KAREN O	12 WILDMOOD BLVD	Charles MacDermott	1 Heat pump	\$0.00	\$50.00
23-482	11-Dec-23	JUSTICE JEFFREY & SARAH	1 BROWNIE ROAD	Craig Barclay-RHP	1 Heat pump	\$0.00	\$50.00
23-482	18-Dec-23	SMITH ZACHARY & LANCASTER KERRI DRIVE	18 TUTTLE ROAD	Dave Perry - RHP	1 Heat pump	\$0.00	\$50.00
23-500	28-Dec-23	GOSLIN KENNETH	18 TUTTLE ROAD	Malone Electric - Andrew K	1 Heat pump	\$0.00	\$50.00
23-501	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-502	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-503	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-504	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-505	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-506	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-507	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-508	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-509	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-510	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-511	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-512	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-513	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-514	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-515	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-516	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-517	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-518	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-519	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-520	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-521	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-522	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-523	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-524	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-525	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-526	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-527	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-528	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00
23-529	28-Dec-23	CUMBERLAND FORESIDE PA102 US ROUTE ONE		Enertec	1 Heat pump	\$0.00	\$50.00

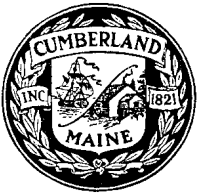


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23-530	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-531	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-532	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-533	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-534	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-535	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-536	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-537	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-538	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-539	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-540	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-541	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-542	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-543	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-544	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-545	28-Dec-23	CUMBERLAND FORESIDE PA 102 US ROUTE ONE	Electric	1 Heat pump	\$0.00	\$50.00
23-497	27-Dec-23	FITZGERALD TORY M	Charles Marc - Daves Wg 2 Heat pumps	4 heat pumps	\$0.00	\$50.00
23-471	05-Dec-23	HINES RICHARD & ANNE	Dave Perry-FRRHP		\$0.00	\$50.00
23-464	27-Dec-23	BURNS BOULE & MANCHESTER 137 MIDDLE ROAD	P & D Electric-Darrel Purn EV charger/subpanel		\$0.00	\$50.00
23-461	07-Dec-23	LYONS KEITH & MEAGHAN	Shawn Laplante-Laplante	Generator	\$0.00	\$50.00
23-468	14-Dec-23	MIRZA ZAREEN TALJ	Brian King	Generator	\$0.00	\$50.00
23-469	14-Dec-23	MIRZA ZAREEN TALJ	Brian King	Generator	\$0.00	\$50.00
23-476	06-Dec-23	BIGELOW BRIAN M	Matthew Martham-Freedom Solar		\$0.00	\$50.00
23-477	06-Dec-23	SEITZ KATHRYN & PATRICK	Jacob Bradley-Maine Solar		\$0.00	\$50.00
23-469	28-Dec-23	BURNS BOULE & MANCHESTER 137 MIDDLE ROAD	William Levey-ReVision EV Solar		\$0.00	\$50.00

DATE ISSUED	BUILDING PERMIT ID	MAP/LOT	OWNER	LOCATION	DESCRIPTION	ESTIMATED COST	FEE
12/1/2023							
06-Dec-23	23-331	02/117	BIGELOW BRIAN M	NEBA WAY	Solar	165760	\$1,332.59
06-Dec-23	23-332	ROB445	SEITZ KATHRYN & PATRICK	OAK RIDGE RD	Solar	175760	\$1,050.00
28-Dec-23	23-342	RO127	BURNS BOULE & MANCHESTER	137 MIDDLE ROAD	Solar	651260	\$403.42
						\$199,047.33	\$2,786.01



TOWN LANDS AND CONSERVATION COMMISSION

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JAN 20 24

PERMIT #	DATE ISSUED	OWNER	LOCATION	INSTALLER	TYPE	FEE
24-004	04-Jan-24	PARLAN NICOLAS & MOSS XANTHE	53 WERE WIND DR	Owner	1 Heat pump	\$50.00
24-014	11-Jan-24	HAMER BRUCE & TRINA	7 BEA LANE	Cohn Hunt C H Electric	1 Heat Pump	\$50.00
24-020	23-Jan-24	CLOSE JERALD & LAMON	271 MAIN STREET	Dave Perry-Royal River Heat Pumps	1 Heat pump	\$50.00
24-021	24-Jan-24	ORNEILLAS ERNESTO & LINDSAY & SIMON RUBI	28 GRAY ROAD	Dave Perry-ARRIP	1 Heat pump	\$50.00
24-002	04-Jan-24	BRUBAKER DANIEL & MOLLY	38 FIELD ROAD	Peter Popov-Express Electric	1 Heat pump & addition	\$56.50
24-008	09-Jan-24	GAHN JEFFREY & PELLETIER ANDREA	59 VINING WAY	Matthew Flaherty	EV Charger	\$50.00
24-001	02-Jan-24	DIMILLO CHRISTOPHER & TONYA	30 FERRIE LANE	David Tashman-Electrical Systems of Maine	Generator	\$50.00
24-005	08-Jan-24	BOWDEN ANDREW & WENDY	156 KINGS HIGHWAY	Bolton Electric - Eddie Bolton	Generator	\$50.00
24-006	08-Jan-24	BLACK CHARLES & LILY	12 GLENVIEW ROAD	Matthew Flaherty-Casco Bay Generators	Generator	\$50.00
24-007	08-Jan-24	CHENEY FAMILY TRUST FUND	10 SURREY LANE	John Faaron-Generator Supercenter of Maine	Generator	\$50.00
24-010	09-Jan-24	TSTES PHILIP BRUCE & MARGARET	38 PEACERFUL WAY	Joshua Holt Atlantic Electric	Generator	\$50.00
24-011	09-Jan-24	CLARK RODNEY & RACHEL	37 PEACERFUL WAY	Joshua Holt Atlantic Electric	Generator	\$50.00
24-012	08-Jan-24	WEIR THOMAS & KANN PERA	54 PEACERFUL WAY	Shawn Laplante Laplante Electric	Generator	\$50.00
24-015	11-Jan-24	JOHNS MICHELE & DESIDERIO NICOLAS	23 GRANITE RIDGE ROAD	Jeffrey Poland-J.P. Electric	Generator	\$50.00
24-019	17-Jan-24	HENRY CHRISTOPHER	16 STONY RIDGE ROAD	Matthew Flaherty-Casco Bay Generators	Generator	\$50.00
24-025	23-Jan-24	CUSHING GREGORY & BERMAN ALISON	74 BLANCHARD ROAD	Shawn Laplante	Generator	\$50.00
24-026	30-Jan-24	AROTO ELENA	8 CASCO BAY DRIVE	Matthew Flaherty-Casco Bay Electric	Generator/subpanel	\$50.00
24-027	30-Jan-24	JEPSON MICHAEL R	10 CASCO BAY DRIVE	Matthew Flaherty-Casco Bay Electric	Generator/subpanel	\$50.00
24-009	08-Jan-24	BELL DANIEL & EMILY	6 BLACKSTRAP ROAD	Matthew Markham-Freedom Forever	Solar	\$50.00
24-024	25-Jan-24	LEBLANC, JENNIFER	17 SEA COVE ROAD	Ken Goussion-Assured Solar Energy	Solar	\$50.00

SOLAR PERMITS JAN 2024

PERMIT #	MAP/LOT	OWNER	LOCATION	PERMIT ISSUED	DESCRIPTION	CONTRACTOR	ESTIMATED COST	FEE	JUDGING PERMIT	Conditions
24-001	RO7/70	BELL DANIEL & EMILY	6 BLACKSTRAP ROAD	08-Jan-24	Solar	Freedom Forever Maine, LLC Matthew Markham	\$143,839.21	\$2,013.75	24-001	Solar installation with 55 panels mounted on roof, 22.275 KW. Issued subject to MUBEC / IRC 2015 as adopted by State of Maine.
24-017	U03/16	LEBLANC, JENNIFER	17 SEA COVE ROAD	25-Jan-24	Solar	Assured Solar Energy	\$16,000.00	\$224.00	24-017	Solar installation with 8 panels mounted on roof, 3.36 KW. Issued subject to MUBEC / IRC 2015 as adopted by State of Maine.



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Land for sale on Harris Rd 8-lot subdivision. Mike mentioned that there should be a meeting between the developer, Town and LCC to make sure the Conservation Subdivision Ordinance is observed.
 - Riva – wanted to make sure that what was being recorded for heat pumps (number of heads, not number of heat pumps) was consistent throughout the years.
- Commission (Mike)
- The majority of the meeting was spent discussing the Drowne Rd affordable housing project.
 - Mike had distributed a version (Draft D) via email on LCC's recommendation for all to weigh in on. (Below)
-

Draft D

February X, 2024

Lands and Conservation Commission recommendation on the proposed 107-unit housing project at Drowne Road

Some months ago the Town Council took steps to help make more affordable housing available in Cumberland. Included were three potential projects that would have added 234 new homes in addition to the 34 new homes constructed through the normal course of 2023.

At this point, we understand the 55-unit senior housing project along US 1 has been cancelled while the 72-unit project is still in the works as are the 107 units proposed for Drowne Road. We do not question the need for affordable housing in southern Maine.

Our primary concern is that the location of the proposed new housing on Drowne Road is inconsistent with land use objectives.

Our authorizing ordinance, Article III, Section 30-15, Purpose and Duties, requires us to "...promote the conservation of natural resources and encourage the conservation of water, land and open space and vistas within the Town..." Unfortunately, the project was not timely referred so we could meet our responsibilities under the ordinance.

The land proposed for the Drowne Road project, is primarily classified either as "Prime" or as "Of Statewide Importance" farmland by the NRCS Web Soil Survey. According to the Conservation Subdivision Ordinance (250-6. D (7)) applicable to developments in the RRI and RR2 zones, these soil types are considered high-value conservation areas needing preservation. Thus, constructing three multi-storied buildings plus adding 200 parking spots is inconsistent with the best use of the limited high value agricultural lands available within the Town.

The removal of the ballfields at Drowne Road is also inconsistent with maintaining open spaces in the town. In listening to the discussions regarding the two existing baseball fields, the first alternative cited



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

was to move them to the 10-acre plot adjacent to Stiles Way and Tuttle Road and adding two more fields plus a 175-car parking lot.

We have not heard discussion about moving the playing fields to North Yarmouth, which shares recreation activities with Cumberland. Wescustogo Hall, the location of the North Yarmouth field, already has a significant adjacent parking lot along with open space that may well accommodate baseball fields without paving more land. Other sites may also provide sufficient space without tying up 10 acres of open land.

Additionally, we believe the gifting land given to the Town by Elizabeth Drowne to a private developer is contrary to her stated wishes and her vision of the Town's use of the property.

We have concerns about the proposed use of the land as a project in private hands when considering the Will of Elizabeth Drowne, the donor. Her purpose in gifting the land in the Town Forest was to support education. The 1892 Will (Book 589/page 204) specified that all future income from the land is to be used for education.

With this project, there would be no potential income from the sale or lease of the land nor will the land be used for education; instead, the land value would be materially diverted for 99 years at no charge with no direct benefit to education. While this may be deemed legal, it is clearly contrary to the intent of the donor.

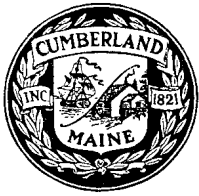
The Drowne Road Project is even more insidious because it represents an ever-increasing incremental development of the gifted land inconsistent with the envisioned land usage at the time of donation, the terms of which the Town accepted when it accepted the gift.

We also note the decision to use generated funds for education rests with "...the officers of said town who have charge of the schools therein." Since elementary and secondary education within Cumberland rests with MSAD #51, a 99-year no-cost lease would deprive that body of its decision-making authority and students of potential income for generations. Also, if the land is included in a TIF district, any property taxes generated from this or any other development cannot be used for education, further negating the stated purpose in the Will.

As a result, we believe the proposed use of the Town Forest land for the 107-unit housing project and 200 space parking lot is inconsistent with the intent of Elizabeth Drowne's gift and with the conservation of natural resources, land and open space within the Town.

Recommendation: We recommend

- The land not be used for the housing project, and,
 - That all remaining land gifted by Elizabeth Drowne to the Town be placed in a conservation trust with future use consistent with the terms of the Will.
-



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Riva sent around a modified version of Draft D proposed modification (below)

Draft D proposed modification

February X, 2024

Lands and Conservation Commission recommendation on the proposed 107-unit housing project at Drowne Road

Some months ago the Town Council took steps to help make more affordable housing available in Cumberland. Included were three potential projects that would have added 234 new homes in addition to the 34 new homes constructed through the normal course of 2023.

At this point, we understand the 55-unit senior housing project along US 1 has been cancelled while the 72-unit project is still in the works as are the 107 units proposed for Drowne Road. We do not question the need for affordable housing in southern Maine.

Our primary concern is that the location of the proposed new housing on Drowne Road is inconsistent with land use conservation objectives.

Our authorizing ordinance, Article III, Section 30-15, Purpose and Duties, requires us to "...promote the conservation of natural resources and encourage the conservation of water, land and open space and vistas within the Town..." Unfortunately, the project was not timely referred so we could meet our responsibilities under the ordinance.

The removal of the ballfields at Drowne Road is inconsistent with maintaining open spaces in the town.

The LCC acknowledges competing needs of land use conservation vs. meeting housing needs. But we feel that conservation is relevant in this case. We note that the land proposed for the Drowne Road project is primarily classified either as "Prime" or as "Of Statewide Importance" farmland by the NRCS Web Soil Survey. According to the Conservation Subdivision Ordinance (250-6. D (7)) applicable to developments in the RRI and RR2 zones, these soil types are considered high-value conservation areas needing preservation. Thus, constructing three multi-storied buildings plus adding 200 parking spots will make it impossible to consider alternate uses for this land for the foreseeable future.

Recommendation: We recommend

- The land not be used for the housing project, and,
- That all remaining land gifted by Elizabeth Drowne to the Town be placed in a conservation trust with future use consistent with the terms of the Will.

-
- Riva's version keeps both of the LCC recommendations. It removes the text about the terms of the original Drowne gift as outside the scope of the LCC remit. It removes the argument of the ballfields as being prime farm land as the LCC is not recommending the replacement of the ballfield. It recommends that any remaining land from the original gift be placed in a conservation easement.



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- In response to the proposal to delete the argument about the terms of the original gift: Denny– mentioned that we (LCC) are responsible for any property donated to the Town. We need to pay attention to the purpose of the gift when we make our recommendations.
- Penny – Land Trust maintains a database to track the donor’s intent.
- Dave C – open space is more important now as more and more encroachment occurs.
- John – we need to honor the intent of the gift; impact other gifts in the future.
- Mike – Section 30.15 subsection E. of the LCC ordinance states:

Make recommendations to the Town Council as to the receipt of gifts in the Town's name for any of the Commission's purposes and administer each such gift for those purposes subject to the terms of the gift.

- Dave C – not just the wording of the Will but how the Town as a whole views the land as the Town Forest.
- George – the project does not conform to the Comprehensive Plan.
- Denny - Motion to accept Draft D. Pete seconded it. Discussion:
 - Dave C – didn’t think mentioning farmland value important. Amend Draft D and remove.
 - Dave C – noted that the footprint of project on paper is unrepresentative of reality– for example there is no grading is shown.
 - Dave C – Motion to remove the mention of prime farmland from the Draft D, Riva second. Denny, Pete and John oppose. 4-4 so motion loses.
- Ellen – why has there not been a site walk? Get a true feel for the scale of the proposal.
- Dave C – Housing Taskforce Advisory Committee proposed this property.
- Riva drafted a minor rewrite to the recommendations of Draft D. Mike will send around updated version for comments.
- The LCC voted to approve this version of the draft, 7-1. (The “no” vote was Riva Krut.
- Denny - Need to make sure this (revised) document is on the website:



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

Drowne Road Affordable Housing

POSTED ON: SEPTEMBER 11, 2023 - 4:55PM

Below are relevant documents to the proposed Drowne Road Affordable Housing Project.

RFP was due to Town Nov. 2, 2023. Documents here are for informational purposes.

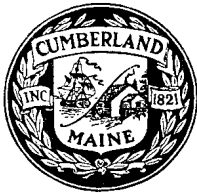
- [RFP - Request for Proposals, Town of Cumberland Affordable Housing Project](#)
- [Cumberland Rental Housing Supply and Demand Analysis - LDS Consulting](#)
- [Cumberland Housing - Links to Census Data](#)
- [Rental Housing Supply and Demand Analysis Summary - LDS Consulting](#)
- [Housing Task Force Report 2023](#)
- [Concept Plan with wetlands](#)
- [Lawton Report - Fiscal Impact Analysis 2009](#)
- [GPCOG Growth Memo](#)
- [Growth - MSAD #51](#)
- [Home Sales vs New Builds](#)
- [Lawton Report - Enrollment Projections 2017](#)
- [Town of Cumberland Resident Survey Results 2022](#)

Posted on 9/15/23

- [Addendum #1 to the Request for Proposals for Affordable Housing Project](#)

Related Documents

- [Inhabitants of Cumberland v. True \(1957\)](#)
- [Shane Letter re: Drowne Road School \(2011\)](#)
- John made motion; Denny seconded to accept the resignation of Jack Iveson who is moving back to Australia. Motion passed unanimously.
- Invasive Subcommittee – Dave C has two candidates: Daniel Sites (3-year appointment), and Khristopher Lalemand (1 year appointment). Dave C motion to approve appointment of Daniel and Khristopher to the Invasive Subcommittee. Denny seconded; passed unanimous.
- FY 25 workplan and budget - \$51,750 total was requested; have already spent \$33,000. FY 24 ends June 30. Mike asked subcommittee chairs to look over write-ups for work



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

plans. Dave C noted that there could be some duplication in requests. Need to get request down to core of \$40,000. Commission and subcommittee chair should try and clean up workplans. Budget to Town Council by next meeting. See preliminary workplan and budget below:

Preliminary

Fiscal Year 2025 Work Plan and Budget Request

2/7//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

Work Plan 2024-2025

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.

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.

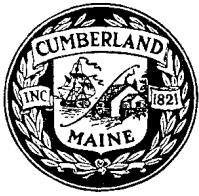
December - Educational seminar in partnership with Prince Memorial Library tbd.

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.



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

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:

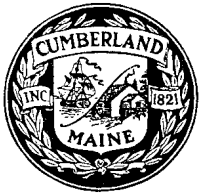
- Ordinance for phase out of gas-powered leaf blowers
- Completion of VRF installation in library
- Monitor/provide assistance for solar project at MSAD #51
- Local incentives for residential heat pumps - e.g. July special rebates
- Submit Project Canopy application for tree planting along roadways.

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 iMap.
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



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- 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 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

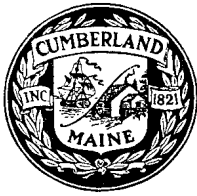
Knight's Pond

- 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
 - Create a general management plan for Greely Woods with a forest management section



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Town Forest - forest management plan update **(TBD)**
 - Update the 2016 Town Forest plan
- Invasives
 - Signs for Rines Forest
 - Town Forest invasives spraying
 - Additional chemical treatment of the areas that have been ground
 - Rines Forest invasives grinding
 - Continue working with RAM Mulching to grind invasives based on priority areas
 - Rines Forest invasives spraying
 - Initial chemical treatment of the areas where invasives were ground
 - 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
 - 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

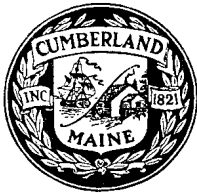
Budget - \$8,100 (Estimate - same)

Cumulative budget request \$51,750



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

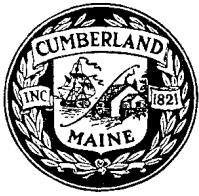
- Trails Subcommittee (John)
 - Rines Forest
 - Gravel delivered for the Waterfall Trail.
 - Bill asked Seevee Maher Engineers to do a wetland survey. Look at bridges and walkways, so no work until that is completed.
- Forestry Subcommittee (Gordon – summary as submitted via email):
 - Admin
 - Web site – Melissa volunteered to take over updates
 - New members – Linda to ask Whitney to post request in Cumberland Crier; Todd to reach out to his connection at the Nature Conservancy.
 - 2024/2025 Work Plan – Gordon to create document and share with subcommittee for approval.
 - Budget – Gordon to speak with Paul about 2024 work plan to come up with estimates for his time and invasive work.
 - Invasives
 - Paul shared reimbursement schedule from NRCS – need to determine which codes apply to Town Forest and Rines.
 - IPCC - Paul to share drafts for Town Forest and Rines Forest prior to February meeting.
 - Rines Forest
 - Paul shared map of where RAM did his grinding – total of approx. 20 acres
 - Paul shared cost to do spraying on a project in North Yarmouth that equated to roughly \$350/acre (including chemicals)
 - Dave and Todd both know of “individual” sprayers – Gordon will follow-up.
 - Broad Cove
 - Mentioned possibility of a burn; to follow-up in 2024
 - Other natural resources
 - Water quality in streams and ponds
 - Invasive plants in streams and ponds
 - Long-term sea-level rise and shoreline issues (erosion/water’s edge habitat).
- Sustainability Subcommittee (Denny)
 - Restart recycling – Denny attended two meetings of an MSAD51 task force looking into restarting recycling in the district. There is a tentative consensus to recycle paper and some plastics, and to initiate food scrap diversion in all grades with collection by Garbage to Garden and possible composting at the Town’s facility. Denny noted that this would be composting food for 2000 individuals for breakfast and lunch. Denny presented



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

a graphic depicting the percentage of food wasted in Maine and what percent of food is disposed of in a green manner. The challenge is to get the kids to participate.

- Information was presented on research into the benefits of banning gas powered leaf blowers. The primary benefit is reduction of GHG emissions but a secondary benefit of noise abatement. Such a ban should be combined with a program to inform residents of the benefits of letting leaves compost in place over the winter. Sukie will develop a draft ordinance.
- The SSC agreed that the CAP action item re: forest carbon offsets for residents needs to be re-examined in light of more stringent standards for voluntary forest carbon offsets.
- Community Orchard (Mike – from Jesse’s email)
 - The Orchard Subcommittee has scheduled all of the educational events for 2024. Several will be held at the library and the rest at the orchard. All will be held on Sunday afternoons. They are listed on the orchard website (cumberlandorchard.org), as well as in the Prince Memorial Library calendar. We are working on getting them updated on the Town website as well.
 - In addition to the learning events, additional drop-in days have been scheduled each month so people can come and informally participate in orchard upkeep and community building. The goal is to have two Sunday work afternoons each month during the growing season.
 - March 2 (Aaron – food forest design @ PML)
 - March 16 (Aaron – grafting apples and pears workshop @ PML)
 - April 28 (Aaron – living soils/ water wise gardening @ orchard)
 - May 5 (Aaron – Fruit tree planting @ orchard)
 - May 19 – Afternoons in the Orchard
 - June 9 – Afternoons in the Orchard
 - June 23 (Jesse – Oil free orchard maintenance @ orchard)
 - July 14 (Jesse – Trellising Berries/Grapes @ orchard)
 - July 28 – Afternoons in the Orchard
 - August 11 (Aaron – pollinator support @ orchard)
 - August 25 – Afternoons in the Orchard
 - September 15 (Aaron – Companion planting @ orchard)
 - September 29 – Afternoons in the Orchard
 - October 26 (Aaron - Propagation workshop @ PML)
 - The subcommittee has received graphic design work from Jen Lopardo, and will be working to select a logo and design template to use in updating the website and our educational handouts going forward.
- Invasive Subcommittee (Dave C)
 - Two new members (see above under Commission)



TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Dave C attended workshop in York on work that was done by an informal group in Falmouth tackling invasives.
 - Spent time networking and doing general research on invasive plants.
 - Ordered Buckthorn Blasters (handheld herbicide applicator). Plans to do some workdays. It was mentioned that to apply on Town property need to have a licensed applicator present.
 - Looking into outreach – most of the properties where invasives are located are on private property. Need to do outreach to residents.
- New Business/coming attractions (Mike)
 - Future for composting
 - Tree City designation
 - New member documentation
 - Invasive Subcommittee membership
 - Playground at Twin Brook
 - Web update
 - Next meeting – March 6, 7 PM.
 - Denny - motion to adjourn meeting, Riva second, unanimous.
 - Penny – Land Trust, PML and the Sustainable Subcommittee are planning nine climate events with a local focus. Details to follow.