



# TOWN LANDS AND CONSERVATION COMMISSION

(Commission)

Town of Cumberland

290 Tuttle Road

Cumberland, ME 04021

Date: December 3, 2021

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

Bill Shane\*\*, Bill Longley ++; Tom Gruber + (abs); Mark Segrist +; Allison Foster+

To: Members:

Jennifer Bell (abs)

Sam York (abs)

<sup>(F)</sup> Ted Chadbourne

<sup>(T)</sup> Shaun Breton

Jenn Grasso (abs)

David Young

<sup>(F)</sup> Melissa Cott

<sup>(T)</sup> Stephen Fitzgerald

Matt Grondin

<sup>(F)</sup> \*Denny Gallaudet ✓

<sup>(T)</sup> \*John Jensenius ✓

Ellen Hoffman

<sup>(F)</sup> John Leavitt ✓

<sup>(T)</sup> Matthew Leclair

John Jensenius vice\*

<sup>(F)</sup> Gordon Lichter

<sup>(T)</sup> Brian Stearns

Riva Krut (abs)

<sup>(F)</sup> Linda Putnam

<sup>(T)</sup> John Stewart

\*Mike Schwindt

<sup>(F)</sup> Sally Stockwell

<sup>(T)</sup> Don Stowell

Climate Action Subcommittee:

Sukie Curtis, Jennifer Grasso, Jesse Lamarre-Vincent, Denny Gallaudet, Riva Krut, Ivy Frignoca, Mark Segrist

**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 December 1, 2021

- November minutes were approved as written. This meeting was held in person.
- Town Council (Allison/ Mark)
  - Workshop held on the 15<sup>th</sup> between the LCC and the Town Council was very productive. Need to work together to accomplish mission and goals. Hold off on updating Comprehensive Plan until January-February 2022. Need to discuss survey questions how relate to LCC. Some questions are no longer relevant; others need to be updated. Professionally done survey currently in Survey Monkey. Start with the 2007 version and add composting, sustainability. See meeting minutes below.

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## MEETING NOTES

### Cumberland Town Council and Lands & Conservation Commission Workshop

Monday, November 15, 2021

6:30 P.M.

**PRESENT:** Town Council: Ron Copp, Allison Foster, Tom Gruber, Shirley Storey-King, Mark Segrist, Bob Vail  
LCC: Mike Schwindt, Jen Grasso, Sam York, Riva Krut, Matt Grondin, Denny Gallaudet  
Others: Bill Shane, Bill Longley

Mike Schwindt said that the policies of the Town Council are to be followed.

- Ordinance's state what is needed
- Workshop priorities
  - ✓ Trails, Invasives, Forestry
  - Food composting, EV stations, easements on land, trail projects & agricultural land (GIS)



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Work In Progress on future LCC budget document
- Food waste composting in phase II of plan. Riva Krut reviewed plan. 17% of residents use Garbage to Garden. Town drop off at brush facility fully supported by staff.
- Bob Vail – a few questions around climate action for food waste. \$80K tub grinder and payback period – 2-3 years if 50% of current food waste dropped off.
- Mike Schwindt – Bittersweet – We change the way we do business to train staff, and use the Budget of \$5,000 - \$7,500 for spraying much more spraying.
- Denny Gallaudet – 4 major forests (Rines, Twin Brook, Town & Knight's Pond). No immediate major harvesting. Some repairs to Knight's Pond trails. Twin Brook for harvesting on Greely Road side. Need to be careful with invasives. Carbon benefit of forest is huge. Lots to work with in Climate Action Plan. Forest land 1,000 acres - huge resource to Town. Royal River Land Trust discussed the siting of bobcats in connection with North Yarmouth.
- Mike Schwindt – Open space owned by Town. Perpetuity of land to be placed in open space. How do we manage open areas? Open space land should be put under ownership of Town. Mike to revisit how open space is dedicated.
- Bob Vail – Agricultural plan for Town working in concert with Farmer's Club. Conservation Subdivision – we've identified in our Comp Plan, but what is our Emergency plan and what does it take to implement just the plan?
- Mike Schwindt – Supportive – master gardeners – how many people know how? or have any interest? We used to have aggressive civil defense group plans. Paper plan for emergencies. Butcher shop at the fairgrounds for farmers – Lands & ROFR for future purchases – looking to raise awareness.
- Riva Krut – talking about very similar goals in sustainability and climate action. How important is the research for meeting CAP obligation? Are there other sources that would get better results? Better managing land – “racking and stacking” to prioritize projects to help or move along. We can't chase all the ideas. Need to prioritize. “I like to deal with real things”. How do we bring them together?

Solutions to problems we are trying to solve. What are they? How inclusive?

- Create a brand for sustainable Cumberland.
- Community partners have been making investments in land.

Extensive discussion around Solar panels – fields at the new school site in NY

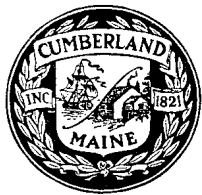
Develop a MSAD solar field. What is holding you up? Urgency.

Bob Vail – 2 gravel pits to be repurposed. What's the plan?

We have a lot of new people in our community and what is the demand for open space? How do we engage more people in our planning for the future of our Town?

Meeting adjourned at 8:15 p.m.

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## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Joint Standing Committee officially adopted trail standards for Knight's Pond. Forestry principals were also adopted. Need to wait for update for management plan for Knights Pond. Work with North Yarmouth to establish a quarterly meeting schedule; don't need to discuss minor issues.

### ○ Commission (Mike)

- Bill report (Bill L and summarized from Bill L's notes):
  - During the month of November 2021, 25 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; 36 permits have been issued.
  - Christmas Creek – under construction; 19 building permits issued.
  - Orchard Rd - Cortland Court – six building permits issued.
  - Blanchard Oaks – Off Blanchard Road Ext. has begun tree clearing and road construction is underway. They hope to have the base coat of pavement before end of paving season. Lots to be sold or made for sale soon.
  - Planning Board meeting scheduled for November has no business.
  - Items to be addressed in future Planning Board meeting:
    - Storey Brothers annual pit approval off Blackstrap/ Goose Pond
    - Coastal Landscaping proposed changes at Middle Road location
    - New school building for MSAD51 (maybe – could be built in NY)
    - 10 Lot subdivision between I-95 and Old Gray Road in the VMDR zone
  - Solar was added to approximately 38% 17 of 44 new homes so far this year; 21 other homes have also added solar as well.
- Coastal Flooding (Mike) – article in Portland Press Herald November 27: Ten Coastal communities unite in plan to deal with climate crisis (article follows). Grant was awarded by National Fish and Wildlife Foundation to the Greater Portland Council of Governments along with additional money raised to be used to develop defenses against coastal flooding in the Casco Bay communities.
  - Need sharing of information between organizations in the communities; Maine Healthy Beaches – data collection.
  - Discussed the importance of eel grass beds and limit boating traffic in these areas.
  - Bill mentioned the significant shell middens found in Broad Cove along with long buried tools.
  - Thomas Bennett (library director) has worked with the state and archeological students at USM studying found artifacts in the middens.



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Mark questioned if there was a bullet point list of what needs to be done to protect the shoreline.
- Denny said shoreline protection will be addressed in Phase 2 of the Climate Action Plan.
- Bill also noted that there are highly erodible soils along Broad Cove.

# LOCAL & STATE

Saturday, November 27, 2021

Portland Press Herald

## Ten coastal communities unite in plan to deal with climate crisis

By DENNIS HOEY  
Staff Writer

Ten communities on Casco Bay are banding together to develop defenses against coastal flooding caused by climate change.

Over the next two years, the towns of Freeport, Falmouth, Cumberland, Yarmouth, Cape Elizabeth, Scarborough, Portland, South Portland, Chebeague Island and Long Island will invest a half million dollars on projects that harness the power of nature to defend against flooding.

Solutions could include restoring salt marshes and beach dunes, making rain gardens to reduce stormwater runoff and landscaping parks to reduce flooding and runoff, and protecting shorelines using natural materials rather than expensive sea walls.

**Maine towns will invest up to half a million dollars to develop a defense system against coastal flooding.**

Funding will be provided by the National Fish and Wildlife Foundation, which announced this week that it has awarded \$250,000 to the Greater Portland Council of Governments (GPCOG) for the regional initiative. The council raised an additional \$250,000 in matching funds from the Gulf of Maine Research Institute, foundation grants and donations from municipalities.

"Now is the time to start planning for the solutions that will ensure our coast can be economically, environmentally, and socially resilient to current and future impacts," Sara Mills-Knapp, the council's sustainability program manager, said in a statement. "We know that nature-based solutions to flooding are essential to protecting habitats and communities, and GPCOG looks forward to supporting our municipalities in this important long-term planning effort."

Similar planning for a rise in sea levels and storm surge was undertaken by the Southern Maine Planning and Development Commission on behalf of the towns of Kennebunk, Wells and York. The

towns released their final report in July.

The assessment found that within the three towns, a total of 3,568 parcels, and over \$845 million in property value, are at risk if sea levels rise just 1.6 feet — the level expected in Maine by 2050. The report recommends that towns take action now and start making plans to prepare for flooding.

"Coastal flooding and sea level rise pose significant threats to southern Maine communities, where the region's identity, economy, and population are inextricably tied to, dependent on, and concentrated along its beautiful coastline," the report states. "Sea level rise, and increasingly frequent and severe storms driven by climate change will exacerbate towns' vulnera-

bilities, exposing people, property, the economy and natural resources to intensifying flood hazards."

GPCOG's project, which will take two years to complete, will attempt to engage people whose livelihoods are affected by coastal flooding. Participants will learn about data collection and analysis and research. The Casco Bay watershed comprises almost 1,000 square miles of land and is home to 20 percent of the

state's population.

The \$250,000 awarded to GPCOG will come from the National Oceanic and Atmospheric Administration and the National Fish and Wildlife Foundation's 2021 National Coast Resilience Fund. Nationally, the fund will distribute \$39.5 million to 49 projects in 28 states and territories across the country, funds that will be used to protect coastal communities.

The Greater Portland Council of Governments is a regional planning agency funded by grants and 25 dues paying member communities.

Dennis Hoey — 207-791-6365  
dhoey@pressherald.com  
Twitter: @DennisHoey



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Snow Dog use Knight's Pond (Mike and Rob Vogel (Land Trust)) – This discussion was carried forward from November's meeting.
  - Rob spoke about the grooming that is done at Bradbury and urged us to keep results of previous vote. Said should have a trial run at Knights Pond. Emphasized that the snow dog grooming has done no damage to trails or rock walls at Bradbury.
  - John made motion to recommend to JSC approve original proposal allow grooming of selected trails as a test. Matt G seconded. Vote carries, all in favor except Denny.
  - Denny said Forestry Subcommittee is worried about over use and there are many competing uses for the trails.
  - Grooming just packs snow down, there will be no restrictions on groomed trails.
  - Number one use of groomed trails is fat tire bikes.
  - Allison said potential concerns are now documented.
  - Sally's memo which brought to question the original vote follows.

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### MEMO

To: Conservation Commission  
From: Forestry Subcommittee  
Re: Snow Dogs at Knight's Pond  
Date: 6 October 2021

Last summer, The Forestry Subcommittee of the Cumberland Conservation Commission walked the trails to review options for forest management and recreational trail activity. During that walk, we also discussed the request from a few folks to do a trial run of using Snow Dogs to groom several of the trails at Knight's Pond this coming winter. In general, most committee members were opposed to the idea. We noted serious concerns about grooming some of the trails for the following reasons:

- Bikers are already using Knight's Pond trails in the winter without groomed trails.
- We noted there are plenty of other options in the area for bikers who want a groomed trail experience and we don't need to offer that at Knight's Pond as well. Those who want a packed trail at Knight's Pond can already use the snowmobile trail.
- Several neighbors who are avid fat tire bikers and frequently bike at Knight's Pond told one of us they would not like to see groomed trails at Knight's Pond – they can go elsewhere for that experience if they want.
- We are concerned about potential dangerous and adverse interactions between fast-riding bicyclists and slow-moving walkers and snowshoers, especially on some of the curves and steep slopes, and especially as more people become familiar with Knight's Pond trails.
- We are concerned about how the motorized activity and noise will affect people who are looking for a quiet experience out in nature.
- We are concerned about how the motorized activity and noise will affect wildlife, especially during winter when they are already stressed.
- We don't want to encourage more motorized activities at Knight's Pond – there are plenty of other places where that is already allowed, and relatively few places where motorized activities are restricted.
- We also wondered whether or not motorized uses are even allowed under the conservation easement, although we have heard that the language is not terribly clear on this and open to interpretation (we have not checked the easement).
- However, The Knight's Pond Management Plan that has been adopted by the Towns of Cumberland and North Yarmouth clearly states that the use of unauthorized motor vehicles, motorized watercrafts, and ATVs are



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

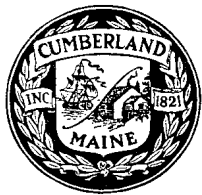
prohibited because they could disturb wildlife and habitat; generate unwanted noise; cause accidental injury and property damage; and are prohibited except in designated areas. Snowmobiles are allowed only on the designated snowmobile trail.

We realize the Conservation Commission has already approved a trial use of Snow Dogs, however we would like to ask the Commission to reconsider this recommendation and deny the request for the reasons stated above. If the Commission is not interested in doing so, the Forestry Subcommittee will likely submit a minor report to the Joint Standing Committee that oversees management issues for the Preserve whenever they take up this issue.

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- LCC Remote Meeting Policy (Mike) – This issue was carried forward from TC/LCC workshop – no quorum to vote. Denny moved to accept policy; John seconds – vote unanimous. Wording of policy:

**Remote Meetings of the Lands and Conservation Commission:** The Lands and Conservation Commission shall conduct its meetings in person unless the Chair (or in his/her absence, the Vice Chair), in consultation with the Town Manager, makes a determination based on their reasonable judgment and review of relevant regulatory and public guidances, that an emergency or urgent issue exists requiring the Lands and Conservation Commission to conduct a remote meeting. Such issues can include, but are not limited to, inclement weather, public safety or health emergencies such as a pandemic, and/or disasters or catastrophes caused by either natural or man-made causes. The determination of such an emergency or urgent issue shall be made as soon as practicable, and notice of a meeting being conducted solely by remote means shall be disseminated consistent with 1 M.R.S. § 406, as may be amended, and this Policy.

- Fiscal Items (Mike) – budget- use Excel spreadsheet to request items (example below). Budget request will be brought before Town Council in February. Need to think forward. Allison – items are more important than the amount. Bill noted that we pay our consultants (Judy – GIS; Paul – forester) by the hour. Need to figure out our priorities.



# TOWN LANDS AND CONSERVATION COMMISSION

(Commission)

Committee: Commission									
Activity (brief description):	Year to implement				Budget needed by Year				
	2022	2023	2024	Later	2022	2023	2024	Later	
<b>Town Forest</b>									
Labels					200	25			
signs					50				
kiosk maps					200				
<b>subtotal</b>					<b>450</b>	<b>25</b>			
<b>Butterfly Garden</b>									
Steel Posts					100				
<b>GPS Trails</b>									
Consultant time	x	x			5,000	1,000	1,000		
<b>Invasive Management</b>	X	x			1,000	750	750		
<b>Orchard</b>				x			x	x	
Locate resources for acquiring easements, rights of refusal, etx			x	x					
<b>Total</b>	-	-	-	-	<b>6,550</b>	<b>1,775</b>	<b>1,750</b>	-	
2021 Preliminary LCC budget items									

## ○ Recreational Trails Subcommittee - (John)

### • Rines Forest

- Work has begun on new parking lot.
- Steve is making plans to extend the new 76 ft. walkway at least another 24 ft. across the wet area on the trail leading from the future parking lot. Lumber is in, work to be completed soon.
- Plans are to change trail color signage to provide consistent “through trail” colors, to mark currently unmarked trails, and to have the Loop Trail pass through the future parking lot. These changes will be coordinated with CCLT to ensure consistency with both printed and posted maps. The changes are expected to occur late this fall or next spring. Remove excess “CT” markers
- Town plans to work on trail leading to Godsoe property. Snowmobile club prefer if no work was done in the winter.

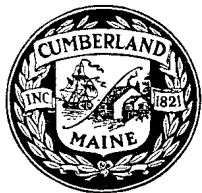
### • Greely Woods

- Several wet areas will need hardening next spring.

### • Knight’s Pond

- Joint Standing Committee has some money for trail work. John will work with counterpart in North Yarmouth to identify projects for next year.

### • Christmas Creek – trail/road still in limbo.



## TOWN LANDS AND CONSERVATION COMMISSION (Commission)

- Snowmobile club has roughly 30 utility poles that are available for use as bridges or walkways as needed.
- Forest and Natural Resources Subcommittee (Denny)
  - No meeting this month.
  - Goal to revisit forest management plan for Twin Brook 2016 – needs update. Plan harvest. Bill suspended all harvesting until plan updated. Jeff Storey plans to cut Greely Rd side. Impasse with Forest Subcommittee and approval of 2016. Bill said our relationship is with forester not logger. Need to keep farm active during winter. Conflicting messages. Still under five year contract with the Town which ends this year. Need plan in place after this winter.
  - Knights Pond
    - Possible harvest but there is an erosion issue from ridge off Greely Rd Extension. John mentioned coming in off of Pleasant Valley Rd instead.
- Climate Action Subcommittee (Riva/Denny) – no update
- Invasive plants (Mike)
  - Mike, Denny, Paul, Bill and Ted Bosage (PW) will meet Tuesday 8am in Town Forest to mark locations. Add to plan.
- CCLT
  - Annual walk at Broad Cove – need of a LCC representative.
- Farmland assessment (Dave) – No update
- Next meeting January 5th, 2022 - 7:00 PM. Zoom or in person –TBD.