

Cumberland Town Lands and Conservation Commission

Date: July 15, 2012 (* = Chair; + = liaison TC; ++=Town Mgr.) Bill Shane++ (late)

To: CTL&CC members: Tom Gruber + (abs) Brian Restuccia (abs)
Penny Asherman Ellen Hoffman *Sam York
Ted Chadbourne Steve Moriarty + (abs) David Young (abs)

From: Ellen Hoffman

Re: Meeting July 11th, 2012

- Minutes from June meeting were approved.
- Most of meeting was discussing rezoning around Knights Pond. Land owner John Paynter bought property along Knights Pond 2007 – house plus about 30 acres. 2009 DEP changed zoning from limited residential to resource protection. This new zone changes setback from 75 feet from upland body of water (not water's edge) to 250 feet. There is no building in a resource protected area. Mr. Paynter protested, complained to state (his is the only lot affected by this change). Mr. Paynter wants to possibly build 2-3 house lots. Says this is taking without compensation. 2012 DEP agreed to reverse decision and change zoning back to limited residential. Town now needs to decide if they will allow the change to go back to limited residential. Reason it was changed to resource protection was because migratory birds. Town had requested recommendation from Lands Committee.

PA suggested that we first approach Mr. Paynter and see if he is interested in either selling the property or some sort of easement over property so Town gains access to pond. Knights Pond is man-made though classified as a great pond. Bill S. will discuss with John first to see if he has any interest in selling. Penny will approach from Land Trust side- talk to Rob (Land Trust) first. Land Trust has been in discussions with Mr. Paynter earlier about options for property. Bill S suggested that if Mr. Paynter is interested in selling easement then maybe Town will be able to pay over time – not all at once.

If Mr. Paynter is not interested in selling then Lands Committee should hold a public meeting with Mr. Paynter and abutters to discuss issue so we can make a recommendation to Town Council by their September meeting. We also need to know what happened to make DEP change their mind. Bill S suggested we have Steve Moriarty facilitate meeting so Sam could participate.

The feeling of this committee was to not support the change back to limited residential (leave as resource protected). We need give reasons when we give recommendation; should tie into documents such as Beginning with Habitat maps, Open Space Plan and Comprehensive Plan. PA suggested we search through old minutes of Planning Board and Town Council meetings where Blueberry Hill and Knights Pond were discussed to show significance to town.

- Blueberry Hill logging – no logging to date; probably not until winter.
- Planning Board

- OneSteel Recycling requesting major site plan approval for a junkyard at 77 Blackstrap Road in the West Cumberland Business Park. The application as it currently stands is incomplete. Major concern to this committee is the lacking of information on ground water monitoring which is a huge problem since site is over major aquifer. Sam will send letter to Carla that we feel the plan should not be approved due to the fact that we cannot gauge environment impact without all the facts. Aquifer is a major town resource that needs to be protected. We feel that OneSteel's use of this site is incompatible on top of aquifer. Should table issue. Sam will draft letter and get to Carla before Tuesday 17th.
- Need to make annual request for funding to combat invasive species in Town's open space parcels. Should make request for \$20,000 so Town Council will have in budget by their November meeting.
- Sam will contact Bob Bittenbender to make sure he is all set to do invasive species talk to Town Saturday September 15th 12-2 at Town Hall.
- Projects/goals for 2012
 - Invasive species education – Bob Bittenbender – Sam will try and schedule Bob for Saturday September 15th 12-2 at Town Hall. Think about a gift for doing presentation. Need to advertise. Town supply snacks?
 - Celebrate Arbor Day - TG and PA distributed 350 Balsam Fir seedlings to 4th and 5th graders at NYMS end of May. PA mentioned that it would be better if this was done every other year since it would be a whole new batch of kids.
 - Schedule a walk with the Maine Tree Club. We need to wait until the end of July and try to schedule walk for end of September.
 - Update Trail Guide. Cumberland's trails are individual trails and not connected. Penny will bring Falmouth guide to next meeting. Both Yarmouth and Falmouth are building trails and would like to connect through Cumberland. Brian Sterns is spear heading some of this effort.
 - Discussion of foot trail to connect Falmouth trail with Rines Forest. Problem is property owner's driveway is on right-of-way. Need to flag boundary. Issue is easement says no cutting – but would need to cut some to make trail. Meeting scheduled for next weekend (July 16th).
 - Town Garden – no input from Lands Committee needed.
 - See what projects other towns are taking on. Also look into what is happening through Maine Conservation Commissions. Sam will forward any info he receives.
 - Increase membership.
- **Next meeting September 5th 7:00 (no meeting in August)**