

# ITEM 17-017

To hold a Public Hearing to consider and act on amendments to Chapter 30 (Boards & Commissions), Article 3 (Town Lands and Conservation Commission) of the Cumberland Code, as recommended by the Ordinance Committee



Chapter 30:  
**Boards and Commissions**  
Article III:  
**Town Lands and Conservation Commission**

**§ 30-13 Title.**

This article ordinance be known as the "Cumberland Town Lands and Conservation Commission Ordinance," and shall be referred to herein as "this article."

**§ 30-14 Creation; membership; term of office; organization.**

There is hereby created the Town Lands and Conservation Commission (herein "Commission") for purposes set forth in § 30-16 of this article and for such additional purposes as the Town Council in its discretion may assign.

- A. The Commission consists of **at least** 11 members appointed by the Town Council, all of whom shall be residents of the Town. Appointments to the Commission shall be for terms of three years; provided, however, that an approximate equal number of members shall be appointed for initial terms of three years, two years, and one year.
- B. The Commission shall annually elect a **Chair, Vice Chair,** and Secretary from among its members, plus such other officers as the Commission in its discretion may determine.
- C. Upon the recommendation of the Commission, the Town Council may appoint associate non-voting members to the Commission for terms of one, two, or three years as the Council in its discretion may determine.
- D. The Commission shall establish a regular schedule of meetings and shall give appropriate public notice of its meetings.

**§ 30-15 Purpose and duties.**

The Commission shall **promote** the conservation of natural resources and encourage the conservation of **water,** land, and open space and vistas within the Town and shall **develop** educational programs to achieve greater public awareness of the importance and need for conservation within the Town. The Commission may develop and recommend to the Town Council programs and policies to implement the conservation and recreation-related goals and objectives of the Town's Comprehensive Plan. The Commission may develop programs to achieve greater public awareness of the importance and need for

conservation of natural resources and land within the Town for open space and recreational purposes. In addition, the Commission must:

**A.** Periodically report to the Town Council regarding the condition, status, or current use of the following properties:

**(1)** Any parcel of land owned by the Town,

**(2)** Any parcel of land in which the Town has acquired an interest less than ownership, including but not limited to rights-of-way, easements, rights of development, options to purchase, or any other permissive or conditional use of any type.

**B.** Develop long term strategies for the use of all Town owned open spaces and natural resources.

**C.** Submit recommendations to the Town Council regarding the acquisition of ownership of property within the Town of significant conservation value, or the acquisition of interests in property less than ownership, including but not limited to rights-of-way, easements, rights of development, options to purchase, or any other permissive or conditional use of any type.

**D.** Offer input and recommendations to the Town Council regarding any proposed development of Town-owned property or any significant proposed change in use of Town-owned property.

**E.** 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.

**F.** Coordinate with the Director of Community Education and Recreation and the Parks and Recreation Commission to develop recommendations regarding the use or development of Town-owned property for recreational purposes.

**G.** Develop strategies for coordinating the activities of other conservation organizations within the Town, including the Chebeague and Cumberland Land Trust, and within surrounding communities and the immediate area.

**H.** Develop partnerships with state and local stakeholders including, but not limited to, conservation, education, recreation, cooperative extensions, and government groups.

**I.** Conduct research, in conjunction with the Planning Board, into local land areas that are being considered for development. The Planning Board shall request

input from the Commission in conjunction with any proposed major or minor subdivision that impacts the Town's natural resources or Town-owned property or which involves the transfer of an interest in land to the Town.

J. Advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which the Commission considers necessary.

K. With respect to any of the properties described in Subsection A above, submit recommendations to the Town Council regarding:

- (1) The management, preservation, maintenance, or upkeep of the property.
- (2) Improvements or modifications to the property to meet the changing recreational and open space needs of the Town.
- (3) Methods of facilitating or regulating public use of or access to the property, as may be appropriate
- (4) Methods of increasing public awareness, understanding, and appreciation of the property and its conservation value to the Town.

L. Coordinate the efforts of the subcommittees to assure the duties and responsibilities assigned below in section 30-16 are achieved.

**§ 30-16 Town-Forest and Trails Subcommittees; other subcommittees.**

**A. The Town Council shall appoint standing subcommittees including**

- a) Forestry and Natural Resources and;**
- b) Recreational Trails subcommittees.**

**Each subcommittee shall have at least one member attend the monthly LCC meeting.**

**B. The Forestry and Natural Resources subcommittee shall make recommendations to the Commission on all matters pertaining to the use, preservation, management and maintenance of the town forests and other natural resources. The subcommittee will:**

- (1) Create programs to promote public awareness of and appreciation for the town forests and to enhance the use of these forests for educational and conservation purposes.**

(2) Create and maintain trails through the forests to facilitate public access and to encourage the use of the forests for educational and recreational purposes.

(3) Create a forest management plan, to include recommendations for planting, pruning, harvesting, and replacing trees and other vegetation within the forests, and such other recommendations to protect the conservation values of the forests as may be necessary.

(4) Retain a licensed forester or similarly qualified individual to provide advice in all aspects of forest management and maintenance.

(5) Create programs or plans to coordinate the use and management of the town forests with other Town-owned properties.

(6) Provide, execute and monitor forestry management and conservation management plans for each of the larger forested parcels owned by the Town.

(7) Ensure sustainability and conservation of the properties.

(8) Identify, monitor and mitigate invasive plant/insect species where cost-effective.

(9.) Identify and monitor wildlife habitats and corridors.

C. The Recreation Trails subcommittee shall make recommendations to the Commission on all matters pertaining to the use, preservation, management and maintenance of the town trails. The subcommittee will:

1. Develop and maintain plans for and governing the use and maintenance of all trails that are part of the Town recreation areas including trail easements on private lands.

2. Provide guidance and leadership in existing and new trails within the Town and with surrounding towns.

3. Provide guidance and leadership for securing Town “urban” trails to encourage walk-ability and connections between neighborhoods.

4. Work with the Cumberland Moonlight Snowskimmers to identify trails on Town land appropriate to snowmobiling.

D. The Commission may establish other subcommittees for such purposes as the Commission shall determine in the exercise of its duties.