

Town of Scarborough Conservation Commission

March 14, 2022 | 6:00 pm | Hybrid: Town Manager's Conference Room and via Zoom

To participate in the Conservation Commission meeting remotely, please follow this link:
https://scarboroughmaine.zoom.us/webinar/register/WN_MWLUUpM1SSQsjwTkjqqsQVQ

To view the Conservation Commission, please follow this link:
<https://www.youtube.com/channel/UCD5Y8CFy5HpXMftV3xX73aw>

Agenda

6:00 pm Call to order and attendance

- (1) Land acknowledgement
- (2) Vote on minutes from 2/14/22
- (3) Approve 3/14/22 meeting agenda

6:10 pm Old Business

- (1) *Informational item:* Conservation Commission & PMAC Consolidation
 - Discuss pest management next steps
- (2) *Action item:* 2022 goals
 - Prioritize items within “buckets” (see 2/14/22 minutes)
 - Identify desired outcomes
 - Determine action items
- (3) *Informational item:* Community Action Grants
 - Update on application process
 - Update MaineDOT and Maine Coastal Program efforts

7:15pm Updates

- (1) Gorham Connector Turnpike project
- (2) Town Council
- (3) Planning Board
- (4) Sustainability Committee

7:25 pm Set next meeting agenda

7:30 pm Adjourn

Next meeting April 18, 2022 at 6:00 pm

Planning & Code Enforcement

Town of Scarborough Conservation Commission

February 14, 2022 | 6:00 p.m. | Virtual meeting via Zoom

Meeting Minutes - DRAFT

Present: Randi Hogan, Noah Perlut, Councilor April Sither, Pete Slovinsky, Chuck Spangler, Emily Springer, Jami Fitch, Eric Sanderson

Guests: Rita Breton and Marla Zando, Scarborough residents and PMAC members

Call to order

1. Meeting was called to order at 6:00 pm
2. Randi offered a land acknowledgement to recognize the Wabanaki People as traditional stewards of Scarborough.
3. Committee voted to accept the minutes from the 1/10/21 meeting. Motion was made by Pete and seconded by Noah. Randi asked that the summary of the Maine Association of Conservation Districts be included with the final version of the minutes. Vote was unanimous. Motion passed.
4. No changes were made to the agenda.

Old business

1. Conservation Commission & Pest Management Advisory Committee (PMAC) Consolidation
 - Jami attended the Appointment and Negotiations Committee (ANC) meeting on 2/8 to provide an overview of the Conservation Commission and PMAC consolidation process. Members of the ANC expressed concern that consolidating the two groups may result in the organic pest management policy becoming applicable town-wide. Jami explained that Conservation Commission is an advisory committee and cannot set policy for the Town, but the ANC requested that the Town's attorney provide some insight into the matter. The attorney confirmed that having the Conservation Commission serve as the PMAC does not change the scope of the pest management policy. The Consolidation process was referred to the Council's Rules and Policy Committee for their consideration.
 - Next steps:
 - 2/24: Rules and Policy Committee meeting
 - 3/2: Town Council first reading
 - 3/16: Town Council second reading, public hearing, vote
 - April is on the Rules and Policy Committee and shared that she intends to motion that the Committee move consolidation to the full Council for a vote.
 - Randi asked if PMAC would need to meet again separately before the consolidation process is complete. Jami shared that she and Todd Souza have been discussing timing of consolidation and his needs for the year. He's waiting to hear back from the Town's

Planning & Code Enforcement

property maintenance contractor about plans. If a waiver request is anticipated, PMAC may need to meet before consolidation is complete.

2. 2022 Goals

- Jami provided a brief update on the Eastern Trail project. At the January meeting, there was question about the possibility of the Town losing funding for the close the gap project due to delays. The Town set a self-imposed deadline to have construction out to bid by the end of 2021. Easements from landowners are still outstanding, so the project is not out to bid yet. The Town has directed its consultant to pull together the bid documents so the project can go to bid as soon as easements are complete. The Town intends to start construction in 2022.
- Randi provided a recap of the group’s previous discussion and identified the main priority areas the group discussed: land conservation, development zones or tiers, and ordinance review.
- The Commissioners discussed the tiered development concept Pete shared at the January meeting. Randi summarized the two major themes or “buckets” within the concept:
 - Land conservation – includes open space planning, balancing conservation and development
 - Land protection – includes buffer requirements, pesticide restrictions, building setbacks, minimum building elevations
- The group felt that the “buckets” provided focus, but that they were also broad enough to give the group flexibility. The “buckets” also provide a framework for discussing the Commission’s work, which focuses on protecting and conserving land.
- Pete asked if there were plans underway in Town to review ordinances based on recommendations in the Comp Plan. He felt that it may make sense to package similar recommended changes together to streamline the process. Jami noted that there is an acknowledgement that ordinances will need to change as a result of the Comp Plan and other factors (e.g. the Town’s new stormwater permit that will go into effect in July). The Ordinance Committee is unlikely to want to take on a lot of ordinance changes at once, unless the changes are closely related.
- Pete asked if LD1809, which would result in an update the Maine’s Shoreland Zoning Standards allowing higher freeboard elevations to account for sea level rise, would provide an opportunity to look at updating the Town’s shoreland zoning ordinance for other priorities. Jami noted that the Town’s shoreland zoning ordinance will need to be updated to be consistent with State rules, so there may be an opportunity to make updates to that ordinance. Brian Longstaff, the Town’s Zoning Administrator, would be the person to talk to about shoreland zoning changes.
- Eric shared that the Long Range Planning Committee (LRPC) has taken a number of recommendations within the Comp Plan and identified which committees should take the lead on implementing them.
- **ACTION: JAMI will send the LRPC’s table of Conservation Commission-related Comp Plan recommendations to the group.**
- Jami shared that the planning staff is interested in the Conservation Commission taking on the task of developing a scope and budget for developing a Scarborough-specific

- climate action plan. The Planning Department will include funding for the Plan in their Fiscal Year 2024 (July 2023 – June 2024) capital improvement budget.
- Pete asked if the Town has determined what it hopes to get out of the coastal resilience grants currently underway by SMPDC and GPCOG.
 - Jami noted that the projects will identify coastal hazards and provide guidance on how the hazards should be addressed. Both efforts are regional, and may not provide detailed enough information for the Town to implement recommendations. This has also been the outcome of past regional resiliency work. The planning efforts would support a Town-focused climate action and resiliency plan, but a Scarborough-focused plan would result in actionable items, prioritization, and cost estimates. Current planning processes identify weak spots and vulnerabilities, but they don't necessarily get the Town to action.
 - Noah noted that there are a lot of climate action plans from other municipalities and institutions and he hopes that the Town will not reinvent the wheel.
 - Chuck would like any planning process to balance climate mitigation and adaptation.
 - Emily would like action items to come out of the Commission's goal-setting process.
 - Marla asked how the Commission works with staff – what is the role of the Commission and what is the role of staff?
 - Jami explained that the Commission holds staff accountable and helps ensure progress is made on Commission-related work. The Commission members provide input and guidance as Scarborough residents.
 - Randi shared that at the Maine Association of Conservation Commission Conference, Commissions were described as a town's environmental conscience.
 - Pete asked if it will help for staff to identify ordinances that would need to be updated to get to the changes the Commission has been discussing.
 - **ACTION: THE COMMISSION will set action items at the March meeting.**

New business

1. Conservation and Open Space Map

- Jami provided an overview of the map that was pulled together by the Town's GIS Administrator. The map includes Town-owned open space and parks, state and federal lands, conserved parcels, conservation easements, and designated open space associated with private development. The map may be updated based on information the Assessing Department is in the process of gathering. No open space or conserved land associated with The Downs is shown on the map.
- The map will become a live map available in the Town's WebGIS once it's in a more finalized form.
- Pete shared that the Commission went through a process a number of years ago to identify Town-owned parcels that should be in conservation. He suggested that the Commission could revisit that process and work toward getting formal conservation easements on Town property to help increase the Town's overall conserved lands.
- Noah noted that the map shows a lot of opportunity for land conservation in Scarborough and a lot of areas to improve connectivity.

- Jami reminded that group that the Maine Turnpike Authority may put additional lands in western part of Town into conservation as part of its Gorham connector project.
- **ACTION: JAMI will look for more information about The Downs' land conservation/open space plans.**

2. Community Action Grants

- Jami gave the Commission an overview of Community Action Grants scope and requirements. The grants aim to help municipalities and tribal entities implement elements of Maine's climate action plan, *Maine Won't Wait*. Two funding rounds are offered in 2022 (applications due 3/22 and 9/20). Municipalities can only apply for one grant per funding round. Grants can be used for both planning and implementation projects.
- A community meeting is scheduled for 2/23 to allow the public to weigh in on climate change and resiliency priorities. All members of the Commission should have received an invitation to the meeting. Holding a public meeting is an eligibility requirement to be able to apply for the grant.
- The deadline to apply for the grant is 3/22. Due to the small window to apply for the grant, the Town is focusing efforts on a more "shovel-ready" project, which will be a study of Route One where it crosses Scarborough Marsh to understand how we should plan to maintain use of the road given sea level rise. Future funding applications will be informed by input gathered at the 2/23 community meeting.

Updates

1. Maine Turnpike Connector

- The Council hopes to have information about the proposed route for the Gorham Connector by the end of February.

2. Planning Board

- Eric plans to use the conservation and open space map in his review of proposed development to identify potential areas for trail and open space connectivity.

3. Sustainability Committee

- Sustainability Committee continues to work on the EV charging ordinance. The topic will be introduced to the Ordinance Committee on 2/28.

Next Meeting Agenda

1. *Informational item:* Conservation Commission and PMAC consolidation
2. *Action item:* 2022 goalsetting – determine action items
3. *Informational item:* Community Action Grants

Meeting adjourned at 7:28 pm.

Next Meeting: Monday, March 14, 2022 at 6:00 pm