

Town of Scarborough Conservation Commission

August 14, 2023 | 6:00 p.m. | Scarborough Town Hall and via Zoom

Meeting Minutes

Present in person:

Commission: Dick Harvey, Randi Hogan

Staff: Jami Fitch, Autumn Speer

Guests: Andrew Mackie, SLT

Present via Zoom:

Commission: Rita Breton, Jessica Sargent, Maggie Vishneau, Marla Zando

Council: Karin Shupe

A recording of this meeting is available online: <https://www.youtube.com/watch?v=6O8xz5dSiu8>

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. Jessica motioned to accept the minutes. Rita seconded. Rollcall vote was 4 in favor, 1 abstain. Motion passed.
4. Public comment
 - Andrew Mackie of Scarborough Land Trust (SLT) encouraged the Commission to recommend ordinance updates to protect the Town's stream and river headwaters. SLT has two property acquisition opportunities will go to the Parks and Conservation Land Board soon, and they are working on another project adjacent to the Scarborough Marsh.

Old Business

1. Conserving Land & Building Resiliency
 - a. Review and discuss proposed Environmental Standards for Natural Resource Protection
 - Autumn provided an overview of the proposed natural resources standards, which are based on similar standards from Portsmouth, NH. The document provided is a starting point for the Commission and others to respond to. The Long Range Planning Committee will also be asked to review the proposed standards. The standards will be inserted into the Town's Site Plan Review Ordinance (Ch. 405B)
 - Maggie asked how tributaries will be handled in the proposed standards.
 - The definition of river, stream, or brook within the document includes tributaries, which means tributaries will be subject to the proposed standards.
 - Dick noted that older some older USGS maps identify streams that no longer appear on more current maps. He'd like to understand why the streams are no longer mapped.
 - The Commission had the following recommended changes to the proposed standards:

Engineering & Technical Services

- Significantly increase the setback for small wetlands.
 - Consider establishing a consistent wetland setback, no matter the size of the resource.
 - Change all vegetated buffer widths to 75-feet.
 - Autumn urged the Commission to consider tiered wetland setbacks based on the size of the resource. The larger setback will leave some lots unable to be developed. Autumn plans to ask the Town GIS staff to complete a mapping exercise to see how the proposed standards will affect properties.
 - Jami encouraged the group to look at these standards as incremental progress because we don't currently have any wetland protections in most cases.
 - Andrew cautioned that vernal pool setbacks should be much larger. Research shows that 100-750 feet surrounding pools is important vernal pool species habitat that should be protected. He referenced the document, "[Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States](#)" as a resource.
 - Randi noted that a lot of wetland disturbance has occurred in the past and the larger setbacks would be a way to make up for this disturbance.
 - Jessica suggested the Commission put together a companion piece to accompany their recommendations that includes justification for their recommendations.
 - Karin encouraged the Commission to put in the numbers they feel are needed and not to put smaller setbacks in the standards because they are afraid the ordinance would not be successful.
 - Dick suggested adding resources to the Commission's shared folder that support the recommended setbacks and buffer widths.
 - The Commission would like Pete to help with a memo with justification for their recommended larger setbacks. Dick had volunteered to help. All Commissioners will seek out resources.
 - **ACTION:**
 - **COMMISSIONERS will look at what other municipalities have for regulations.**
 - **MAGGIE will reach out to the Casco Bay Estuary Partnership for their input.**
 - **COMMISSIONERS will be prepared to make recommendations at the September meeting.**
 - **PETE and DICK will begin working on a memo.**
 - Next Steps:
 - Complete a mapping exercise to understand how the proposed natural resource setbacks will impact properties.
 - Provide justification for the increased buffers and have a draft memo to review at the September meeting.
- b. Schedule and process for additional ordinance updates
- 405C: Shoreland Zoning (includes Resource Protection)
The natural resource protection standards process is supplemental to updating Ch. 405C, Shoreland Zoning Ordinance. The State of Maine sets the minimum shoreland zoning standards, so any changes to the ordinance will require State review, which will prolong the process. The Planning Department still intends to update Ch. 405C, but it will take longer than initially intended.

- Low Impact Development
Staff still hope to bring the LID ordinance to the September meeting, but the timeline may need to be revised.

Addition to the agenda

1. Dick asked if any Commissioners would be interested in assisting with a GIS project. He's looking for some technical support. He's also offered to provide the Commission with an overview of story maps, which may be an educational tool the Commission could use to promote their work.

Updates

1. Town Council
 - Councilors Shupe and Caterina plan to discuss the ad-hoc Open Space Committee with Tom Hall this month to determine how to move the process forward. Karin hopes to have more information at the Commission's September meeting.
 - There is an opening on the Long Range Planning Committee. It would be great to have representation from the Commission on that committee. There is also an opening on the Community Services Board and Portland Water District Board.
 - Karin would like the Town to consider a stormwater management fee to generate funding for stormwater management efforts.
2. Education Subcommittee
 - The Subcommittee report was provided with the agenda. Marla and Rita are working on two articles for *The Leader* and e-newsletter. The speaker series will begin soon – the first workshop about rivers and streams will be on 9/12. Commissioners are encouraged to attend.
3. Sustainable Scarborough Day
 - More than 20 vendors have signed up to participate and six workshops are planned. Jami is working on getting food trucks lined up. Articles in *The Leader* and in the e-newsletter are planned for the end of August and beginning of September. Participating organizations are being asked to help get the word out.
 - Volunteers may be needed on the day of the event. Commissioners are encouraged to attend and volunteer if they're able.
 - A draft proclamation naming October 1st at Sustainable Scarborough Day was circulated to the Commission for their review. The Commission will take action on the resolution at the September meeting. The resolution will be a joint request from the Commission and Sustainability Committee.
4. Sustainability Committee
 - The Sustainability Committee focusing on Sustainable Scarborough Day and a proposal for dedicated sustainability funding.
5. Parks and Conservation Land Board
 - The Parks and Conservation Land Board has not met. A meeting needs to be scheduled. They plan to send a letter to the Town Council to consider another land bond referendum.

Meeting adjourned at 7:24 pm.

Next Meeting:

September 11, 2023 @ 6:00 pm

The October meeting will be moved to 10/16 in observance of Indigenous Peoples' Day.