Town of Scarborough Conservation Commission

December 11, 2024 | 6:00 pm | Virtual via Zoom

Minutes

Present via Zoom

Commission: Kate Borduas, Bennett Flanders, Randi Hogan, Cathleen Miller, Abel Plaud, Jessica Sargent, Pete Slovinsky, Maggie Vishneau, Marla Zando
Staff: Jami Fitch, Autumn Speer
Town Council: Karin Shupe

Conservation Commission 12/11/24 meeting recording

Call to order

1. Meeting is called to order at 6:00 pm.
2. Randi offers a land acknowledgement to recognize the Wabanaki People as traditional stewards of Scarborough.
3. Pete motions to accept the minutes from the 10/23/24 meeting, Marla seconds. Rollcall vote is unanimous. Motion passes.

Public Comment

1. None.

Old Business

1. Environmental Standards
   - Town Council's first reading was on 12/4. Autumn Speer and Angela Blanchette provided an introduction and overview of the process to date and a summary of the proposed requirements.
   - There was extensive public comment made.
   - Town Council voted 5-2 to advance the ordinance to the Planning Board.
   - Autumn has pulled together more information to clarify how different landowners will be impacted by the proposed ordinance and to address some frequently asked questions. The presentation to the Planning Board will focus on this additional information.
   - Karin shares that four councilors fully support the ordinance and one supports continuing the process. She notes that there is more work to be done to ensure the ordinance passes. She expects positive feedback from the Planning Board.
   - The Commission notes additional messaging to support wetlands setbacks:
     - Why setbacks and buffers are needed to protect wetlands.
     - Connecting inland wetlands to the health of Scarborough Marsh
     - Connection between flooding and drought
     - Appropriate locations for affordable housing
     - Economic impact of doing nothing
     - Watershed concept – you don't need to touch the Marsh to have an impact
     - Examples of developments successfully (voluntarily) complying with the setbacks

- Cathleen suggests setting up a shared file or drive for sharing information.
- Marla notes that it's important to be in the room during the Town Council meetings.
- Bennett plans to speak in favor of the ordinance at Planning Board and suggests the Commission develops written comments for the Planning Board.
- Autumn asks the Commission to provide justification for the 15-foot buffer.
- Jami notes that DEP staff are reviewing the proposed ordinance language and will provide feedback.
- Marla asked that information about the importance of wetlands be posted on the Conservation Commission webpage. Adding the graphic showing the setback and buffer would be helpful.
- **ACTIONS:**
  - **JAMI will re-share the link to the Commission's shared Google folder.**
  - **RANDI will draft a memo to the Planning Board. COMMISSIONERS will review it and make comments.**
  - **JAMI will add info about wetlands and the setback graphic to the Commission's webpage.**

2. Tree Protection: review and discuss potential draft
   - Autumn pulled together an initial draft of a tree protection ordinance based on the Commission's discussion at the 10/23 meeting. The language mirrors South Portland's ordinance.
   - Autumn walks the Commission through the draft language.
   - Comments and questions:
     - Some of the language in the applicability section for projects not subject to Planning Board approval should probably be moved to a different section.
     - Language around the number of heritage trees removed is inconsistent.
     - Is there a designation location in Scarborough where replacement trees would be planted? *No, that needs to be identified as part of this process.*
     - Should heritage trees have a higher replacement value than other protected trees?
     - How will the public be made aware of the ordinance? *South Portland had a 1-year phase-in period when after their ordinance was passed so they could provide outreach to the community.*
     - Is there already a requirement for measuring trees prior to development? *Existing conditions identifies tree growth areas, but there is no requirement for tree measurements or assessments.*
     - Add exemptions for forest management plans and for the installation of solar panels.
     - Do we need to address the cumulative impact of cutting a few trees over multiple years?
     - What is the stakeholder process? *Get wetland setbacks passed before moving forward with the tree protection ordinance. Autumn suggests Councilor Shupe include tree protection on the list of potential Town Council goals to see if others will support the effort.*

3. Planning Board Submittals
   - White Oaks sketch plan: 10-lot conservation subdivision proposal on Scottow Hill Rd.
     - The Commission discusses how the wetlands setback requirements would apply to conservation subdivisions. The Commission supports exempting conservation subdivisions from the wetlands setbacks requirements.
   - The Downs Town Center Subdivision
     - The Commission supports legally conserving the 75 acres of land to the south of Downs Road and permanently conserving the significant vernal pool.
     - There are concerns of potential impact of development on the significant vernal pool.
     - The Commission continues to be concerned with only two crossings on Downs Road and would like to see a minimum of five crossings be required.

New Business

1. 2025 Goals

- The Commission discusses goals in the context of the Open Space Plan and Vulnerability Assessment.
- Karin shares the goals she is considering: supporting the outcomes of the Open Space Plan, seeking Tree City USA certification, pursuing Community Rating System.
- Pete notes the Town should support Scarborough Land Trust's Marsh modeling project. He also would like to see environmental standards discussions continue.

Updates

1. Education sub-committee
   - Cathleen and Randi thank Marla for her leadership on the education subcommittee and Commission as a whole.
   - Marla encourages the Commission to remain engaged in the Town's land management practices as they relate to pesticide use. She thanks staff for their support of the Commission's work.
2. Town Council
   - Karin notes that goal setting will take place in January.
   - Committees have been selected. Karin will continue to be the liaison to the Conservation Commission. She is also the chair of the Ordinance Committee and a member of the Finance Committee.
3. Parks and Conservation Land Board (PCLB)
   - Jessica shares that the PCLB is in the process of revising the evaluation form to incorporate historic preservation.
   - There is an opening on the PCLB. Members of the Commission are encouraged to apply.
4. Transportation Committee
   - The draft Townwide Transportation Assessment is available for public comment and a Council workshop was recently held. The Assessment will wrap up in early 2025.
5. Sustainability Committee
   - The Sustainability Committee is working on an update to the EV Charging Ordinance.
   - The Town will also begin a Climate Action Plan in 2025. Jami is in the process of writing a grant proposal to support the plan.
6. Open Space Plan
   - The draft Open Space Plan will be available to the public in late December. Public comment will be accepted through mid-January. A Town Council workshop will be held in early spring.
   - A key outcome of the plan is a baseline conserved and protected land in Scarborough. The Town is ~23% conserved. An additional ~2,000 acres needs to be protected to reach the 30x30 goal.
   - Maggie would like to see the Commission and PCLB meet annually to review progress toward implementing the Open Space Plan.
   - Conservation Commission could identify Town-owned properties to be formally conserved. The Commission has made recommendations in the past but no action was taken at that time.
7. Vulnerability Assessment
   - The working group of residents and Town staff will review potential pilot project locations in January.
   - The draft StoryMap that shows flood vulnerabilities through 2100 will be available this winter. The StoryMap will be updated throughout the spring with information about adaptation strategies and pilot projects.

Next meeting: January 22, 2025

Meeting adjourned at 8:02 pm.