TOWN OF SCARBOROUGH, MAINE

Town of Scarborough Conservation Commission

August 27, 2025 | 6:00 pm | Hybrid: Town Council Chambers B and via Zoom

To participate in the Conservation Commission meeting remotely, please follow this link:
https://scarboroughmaine.zoom.us/webinar/register/WN_8OwyA9U-Qq-sEtd62T7MbA

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) Welcome and introductions

(2) Land acknowledgement

(3) Vote on minutes from 7/23/25 meeting

(4) Review 8/27/25 agenda

(5) Public comment

6:15 pm **Old Business**

(1) Planning Board Submittals

(2) Sustainable Scarborough Day – Conservation Commission table/activity

6:30 pm **New Business**

(1) Spurwink Marsh Restoration Project:
- Overview of project
- Upcoming activities
- Conservation Commission role

(2) Scottow Hill Road / Beaver Brook project:
- Overview of project
- Review and approve letter of support (attached)

7:15 pm **Updates**

(1) Education Subcommittee

(2) Town Council

(3) Parks and Conservation Land Board

(4) Transportation Committee

(5) Sustainability Committee

(6) Planning Projects: Vulnerability Assessment & Climate Action Plan

7:30 pm **Adjourn**

Next meeting:
September 24, 2025 – Spurwink Marsh/Sawyer Street public meeting
October 22, 2025 – Conservation Commission meeting

Town of Scarborough Conservation Commission

July 23, 2025 | 6:00 pm | Hybrid: Town Manager's Conference Room and via Zoom

Minutes - DRAFT

Present in person:

Commission: Kate Borduas, Crescie Mauer, Cathleen Miller, Abel Plaud
Staff: Jami Fitch, Autumn Speer
Guests: Christine Labaree, resident and appointed Conservation Commission alternate; Crayton Silsby, resident and appointed Conservation Commission alternate; Andrew Mackie, Scarborough Land Trust

Present on Zoom:

Commission: Randi Hogan
Council: Karin Shupe
Guests: Don Hamill, resident

Meeting recording

Call to order

1. Meeting is called to order at 6:01 pm.
2. Cathleen welcomes newly appointed members, Christine Labaree and Crayton Silsby. The Town Council still needs to approve their appointments, which should happen in August. All in attendance introduce themselves.
3. Cathleen offers a land acknowledgement to recognize the Wabanaki People as traditional stewards of Scarborough.
4. Abel motions to accept minutes from the 5/30/25 meeting, Kate seconds. Cathleen requests a revision to the minutes to reflect that she will contact Scarborough Public Library about a book group on the topic of climate change. Roll call vote is unanimous. Motion passes.

Public Comment

1. Andrew Mackie of Scarborough Land Trust (SLT) shares that SLT closed on a 130-acre parcel on Hanson Road and 2 acres on Highland Ave. He also shares upcoming SLT events, including the Broadturn Bash on 9/4 at Broadturn Farm and the Maine Outdoor Film Festival at Memorial Park on 9/11.

Old Business

1. Tree City USA
   - Autumn provides an update on her meeting with Public Works and Community Services. Both departments are on board with the program.
   - The next step will be a workshop with the Town Council. Autumn anticipates the workshop will be in September.
   - Kate notes that she would like to be involved with the selection of species and is interested in serving on the Tree Care Board when it's formed.
   - The Town has an approved plant list, and allowable trees will come from that list.

- **ACTION: JAMI will send the plant list to the Commission.**

2. Planning Board Submittals
   - None for the Commission to review this month.
   - Crescie asks for an update on the proposed Marshview development in Dunstan Corner. Autumn explains that the Town Council did not approve the developer's request for a contract zone. The Developer is revising the plans so that a contract zone will not be needed and so that wetlands will not be impacted. The Planning Board will review the revised plans at its August meeting.
   - Randi shares that recent Chesapeake Bay news about a man who has been hospitalized due to flesh-eating bacteria from swimming in the Bay with an open sore.

New Business

1. LD1829
   - Autumn provides an overview of Scarborough's Rate of Growth ordinance and how recently passed legislation, LD1829, will impact the ordinance.
   - The legislation removes the Town's ability to have a Rate of Growth ordinance in all areas except for designated rural zones. LD1892 is intended to create affordable housing.
   - The Town needs clarification from the State in terms of how to apply LD1829, especially in rural areas.
   - The biggest different Autumn sees in the new law is that development can happen much more quickly than it currently can. She gives an example of a multi-family housing development that will add 400 housing units. With the Town's current Rate of Growth ordinance, the development would occur over several years to allow local systems and infrastructure to accommodate the additional housing units and population. Under LD1829, all the units could be built at once.
   - Autumn also notes that LD1829 sets a minimum lot size of 5,000 sq. ft. for all areas that have public water and sewer. LD128 also allows four units to be built on a 5,000 sq. ft. lot when public water and sewer is available. This density is much higher than what the Town currently allows.
   - Karin asks what options the Town Council has. She suggests a building moratorium and/or updating zoning to remove designated growth areas.
   - Autumn shares that a12-month moratorium is possible. During that moratorium, the Town would need to amend the Comp Plan to change rural designations. She notes that there isn't much opportunity adjust rural designations, based on current uses in the Town. Zoning should also be reviewed to make sure it is "right sized" for the Town. Autumn notes that the Long Range Planning Committee has been reviewing the Town and Village Districts to make sure they allow appropriate types and sizes of development for their locations.
   - GPCOG has been asked to provide a workshop on LD1829 for Town Councils.
   - Autumn notes that the Town's Open Space Plan may help ensure the impact of LD1829 on rural areas is minimal. She suggests a zoning update to create a Rural Conservation designation could help. Changing zoning requires an extensive public process.
   - Autumn also suggests the Town explore an open space impact fee.
   - Autumn believes there may be an opportunity for the legislation to be amended in the next legislative session. It would be worth the Commission following this legislation in case there is an opportunity to provide feedback.
   - Randi reminds the group that the Conservation Commission as a body is not anti-growth. It does encourage thoughtful planning and design to minimize the impact of development on natural resources. She points to the Commission's Conservation Principles for Development.
   - Autumn shares that LD1829 will also affect other legislation, and the bill text references the impacted bills. To get a more complete understanding of LD1829, the Commissioners should also review the other legislation.
   - The Town Council will likely have a workshop to learn more about the potential impact of the legislation.

- Don Hamill joins the meeting to express his concerns about LD1829.
- Jami reminds the Commission they're welcome to reach out to elected officials as private citizens to ask questions or voice concerns over the legislation. They should not represent their comments as being made on behalf of the Town or Commission.

2. Sustainable Scarborough Day
   - Jami reminds the Commission that Sustainable Scarborough Day is 10/5 at Wentworth School and asks if there is interest in the Commission providing a table and activity. If the Commission would like to have a table, Commissioners will need to take a lead role in developing and staffing the table.
   - Randi asks if other Town topics of interest will have a table. Jami shares that the school building committee may have a table, but they haven't committed yet.
   - Jami suggests focusing on tree planting to tie in with Tree City USA. The Commission could give out saplings at the event.
   - Autumn suggests sand art to mimic the open space art display.

Updates

1. Education Subcommittee
   - Cathleen suggests that Sustainable Scarborough Day could be a good opportunity to revitalize the Education Subcommittee.
   - The Commission should plan to have an article in the Town newsletter once per month.
2. Town Council
   - Karin shares that the Town Council checked in on Council goals. The Council was supportive of the Tree City USA efforts. They would also like the Commission to begin work on the Community Rating System (CRS). Karin would like the Commission to take up CRS before Pete is no longer on the Commission.
   - Karin encourages the Commission to discuss the implications of dense development adjacent to wetlands.
3. Parks and Conservation Land Board (PCLB)
   - PCLB is considering an application from SLT for 60 acres off Beachridge Road.
4. Transportation Committee
   - The Town Council adopted the Townwide Transportation Assessment at their 7/16 meeting.
   - The Committee will support a public meeting on 7/29 at Pine Point to discuss improvements to East Grand Ave.
5. Sustainability Committee
   - The Sustainability Committee has been exploring possible solar projects. The Committee's focus will likely shift due to incentives being discontinued and pricing/supply uncertainty due to tariffs.
   - The Climate Action Plan will get underway soon. The Town is in the process of selecting a consultant to assist with the process.
6. Vulnerability Assessment
   - There is a Town Council workshop on the Vulnerability Assessment scheduled on 8/20. Neighborhood meetings will be held at Higgins Beach and Pine Point in September.
7. Other updates
   - Randi recognizes the Town for getting the Eastern Trail Close the Gap project underway.

Next meeting: August 27, 2025

- Crescie would like the Commission to look at the Phillips Brook watershed management plan to see how implementation of the plan is progressing.

Meeting adjourned at 7:29 pm.

TOWN OF SCARBOROUGH, MAINE
CONSERVATION COMMISSION

August 27, 2025

Bryan Emerson
Mitigation Program Manager
The Nature Conservancy in Maine
PO Box 22
Brunswick, ME 04011

Re: Beaver Brook Restoration / Scottow Hill Road Removal Project

Dear Mr. Emerson:

On behalf of the Scarborough Conservation Commission, I am pleased to provide this letter in support of the Town of Scarborough's proposal to the Maine Natural Resource Conservation Program for the Beaver Brook Restoration / Scottow Hill Road Removal Project.

This project is a vital response to the culvert failure on Scottow Hill Road at its intersection with Payne Road. The work, when coupled with the Town's planned improvements to the Payne Road culvert crossings, will restore tidal flow between Beaver Brook and Scarborough Marsh and allow for future expansion of the Scarborough Marsh through marsh migration. Additionally, it will prevent further infrastructure failure and environmental damage from storm surge and help protect rare, threatened, and endangered species habitats.

We recognize the ecological value of this project, which aligns with local, regional, and statewide conservation and resilience priorities, particularly the restoration of tidal flow within this portion of the Scarborough Marsh Focus Area. It also represents a unique opportunity to remove existing infrastructure to accommodate future marsh migration. The Scarborough Conservation Commission is committed to supporting this effort and urges the Maine Natural Resource Conservation Program to award the requested funding.

Thank you for your consideration of this important project.

Sincerely,
SCARBOROUGH CONSERVATION COMMISSION

Cathleen Miller,
Chair