City of Biddeford
Conservation Commission

July 24, 2024 at 6:00 PM
City Hall Council Chambers & Zoom
https://biddeford.zoom.us/j/92636503583?pwd=YVIxT24xMmVyUDB4ZjR3Qit6MjFEZz09

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Or call in by phone: +1 312 626 6799
Meeting ID: 926 3650 3583
Passcode: 023144

1. Adjustment(s) to Agenda
2. Secretary Report
   - 2.a Approval of Meeting Minutes from March, April, May & June 2024
3. Presentations/Discussions
   - 3.a Consult with Joe McKenney, Rec commission chair, re update, Clifford Park trail design, management, easement etc.
4. Management Plan Cost-Share Update
5. Swan Pond Brook Lot - Update from Planner
6. Water Quality Monitoring Update- Erik
7. Climate Cluster - Maxwell's Farm Closure, Etc.
8. Sustainability Committee Deliberations re: Solar Installations
9. Other Business
   - 9.a Next Meeting, 8/28?
10. Adjourn

Biddeford Conservation Commission

Thursday, March 27, 2023

6:04pm - 7:48pm

Attendees: R. Rhames, D. Rioux, M. Atlas, P. Robbins, M. Lowell, P. Conlon, and E. Heumiller
Guests: Keith Fletcher and David Galbraith

Meeting called to order: 6:02p

I. Motion to approve minutes from 3.4.24 – M. Atlas
   A. Second - P. Conlon
   B. No Discussion
   C. Unanimous

II. Presentation - Keith Fletcher MCHT
   A. Project Manager for MCHT
      1. Works with landowners and partners to help them conserve land (advice and sometimes doing the fundraising and acquisition)
   B. Land acquisition or easements as primary tools of their business
   C. They don't hold the easement
   D. MNRCP - additional level of protection under a different body of law than an easement
   E. Formerly Clare property
      1. Roughly 2008
         a) Earliest effort was to acquire full thousand acres
         b) Had previously not been surveyed for rare or tracked species
         c) Appraised around 1.2M
      2. Maine Water Co. bought the property
         a) President was interested in conservation easement
         b) Solar array will be placed on the excluded lands
            (1) Roughly 6 acres
         c) Conservation easement, public trail + parking (267 acres)
            (1) Concerns about expanding the trails too much would impact wildlife (M. Lowell)
            (2) Bear, whitetail, fischer cats, bobcats, river otters, etc. currently use this parcel (M. Lowell)
            (3) MCHT will have limited parking, 14/15 spots, and develop a single trail to try to limit over use (K. Fletcher)
         d) BCC is interested in the legacy water company parcel (roughly 100 acres) that is mostly swamp and abuts Andrews Rd.
      3. You mentioned some occasions when MCHT process was challenged by Maine Water process – what were those?
         a) How long was the process? (2 years) (typical is within 9 months)
         b) Depends on resource inventory, and desire/timeline of landowner's tax needs
      4. City land can be presumed to be "conservation land" as a secondary easement
         a) MCHT has templates for that
   F. How does the planning and trail systems work (M. Atlas)
      1. How does adding restrictions to trails work?

a) Trails expertise is within MCHT
b) There's flexibility within the easement to change trails

G. Raise enough funds for legal defense, and so the interest gives you enough funds for stewardship (essentially an endowment).
    1. Can be around $500,000 for a stewardship endowment
H. Would MCHT be able to extend the current easement to all of Clifford Park.
    1. Keith in favor, could take it to the MCHT board
    2. City of Biddeford would need to be in agreement
I. MCHT workshops to teach landowners about their options.
    1. Maine Land Trust Network - mostly trusts
        a) Keith could come give a talk/presentation to educate city

III. VRMP
A. Add thatcher Brook
B. Addie Halligan interested in
C. Virtual training - end of April
    1. Followed by in-person training
D. 2-3 sampling units
E. We might be able to acquire and install a hobo logger ($1500)
    1. Software free
    2. Connector unit $200
F. Kristin to join in person for the finalization

IV. BCC Budget 24/25
A. D. Galbraith informed R. Rhames about the budget committee/council meeting
B. City Manager is recommending $3000/year (R. Rhames)
C. HOBO loggers could be an option

V. Comp Plan
A. Adi joining City staff to replace Eric
    1. Has an environmental background
B. Alex Redfield replacement has settled in, R. Rhames has yet to ask about the status of Comp Plan review — currently Biddeford not listed on their website. (R. Rhames)

VI. Draft Clifford Park Easements
A. City retains regulatory rights
B. In order to change an easement, both the landowner, holder, and attorney general have to be in agreement on the change.
    1. Needs to improve the conservation aspect or be in the public interest
C. New park parcels acquired via the land swap are not yet logged in GIS
    1. Likely updated around 4/1/2024
D. BCC members to read through existing easement to be ready for easement recommendations to Policy Committee (R. Rhames)

VII. Solar Ground Installation Ordinance
A. BCC to construct a draft of our desired language and elements of the ordinance to hand off to D. Galbraith. (E. Heumiller)
B. If the City regulates something beyond the State's rules, the City becomes responsible for enforcing it. (R. Rhames)
C. Need to ensure there is a system to avoid people following "state" rules to clear land, then coming to "city" to ask for a development. (P. Robbins)

1. We should institute a separate ordinance that set parameters for how long you have to wait between a clear cut and a development. (5 years) (P. Robbins)
2. BCC could draft ordinance language and present it to the planning board (M. Atlas, D. Galbraith)

D. We could also include recommendations on where we think solar should/should not go. (D. Galbraith)

E. BCC to review MFLT guidelines, and highlight sections of the existing (2020) ordinance language, and Fryeburg's ordinance for our April meeting.

VIII. Website Content

A. Edits to be distributed early April for review

IX. City Parcel Tax Map

A. Tax Map 1, Lot 19 — supposed to be in conservation

1. D. Galbraith to follow up with the city to see what happened

B. Tax Map 1, Lot 69, 70 — BSA lot

1. There is interest in a conservation easement
2. They want to retain management rights and access

X. Working and Open Lands Index

A. R. Rhames spoke to Mark Ward about helping with this

XI. Other Business

A. BCC used to be a member of the Maine Association of Conservation Commissions

B. D. Rioux made motion, P. Robbins seconded

C. Unanimous vote

D. Maya to fill out membership form and submit to Nan

XII. Next meeting 4/24

XIII. Adjourn 7:59

City of Biddeford
Conservation Commission
April 24, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

Attendance:
R. Rhames, D. Rioux, M. Lowell, P. Robbins, E. Heumiller

~~1) Adjustments to the agenda~~

~~2) Secretary's report~~

3) Presentations/ Discussion: UNE Capstone projects
1) Thatcher Brook Watershed —— A political/enviro history
2) Unfragmented Forest Blocks in Biddeford— History, Ecology, & Importance

UNE Student Presentation #1
Working Group 3
17% of TBW is wetlands and vernal pools
14% of TBW is impervious cover (2013)

- Is there a prescribed road back from eutrophication?
- Do you know what types of road salt Biddeford is currently using?
    - Calcium magnesium acetate
- DEP - chloride notes - is it possibly from the increase in precipitation through climate change? Does DEP have any thoughts to source?
- Chloride - does it dissipate if we stop using road salts or is it locked in at current levels?
    - Slowly dissipates, phytoremediation a much quicker solution
- Managing at the watershed level - are there any recommendations for municipal collab for Biddeford/Arundel
    - No specific recommendations, but a definite need for collaboration
- Is the state updating guidance for MS4 - are the standards changing?
    - Signed in 2022 (5 year plan)
- Tree box filtrations - could those be implemented anywhere - or are they ideal for parking lots?
- Sonde - Chloride sensors and issue - they recommend 30 day check-ins, etc. to prevent data fouling

Takeaways:

- Create a "salt smart" document (ex: maryland)
- City training
- Use multiple forms of phytoremediation
- Home Depot / Kohls - reconfigure parking lots to include low-lying rain gardens
- Read "The Sustainable Square Mile"
- 58 outfalls into TBW
- YCSWCD - updates to TBW management plan? Addy Halligan/DEP?

UNE Student Presentation #2
Working Group - Unfragmented Forest Blocks of Biddeford

- Can a vernal pool become “significant” if it wasn’t historically? Knowing some human-developed pools do still provide significant habitat?
- Do you have any recommendations on wildlife bridges above or below roadways?
    - Based on species

Takeaways:

- Anatole Brown - ed. And program manager at Dyer Museum (biddeford maps)
- Feral cats are a growing concern in southern Maine

4) Clifford Park draft proposal—— citizen submission

- Management plan - $3500 +/-
- Project canopy is a financial support
    - NRCS can cost share as well
- Looking to capture any input from BCC to take to the Rec. Commission/Dept.
    - Can be included
- BCC to provide any notes to Jason Saucier via email

5) Climate Cluster Segment

6) HOBO

- Leaning toward YSI - purchase by May
- DO, Conductivity (Salinity, TDS), Temperature, pH, Turbidity
- Chlorides have value, but increase cost and have less longevity
- TBW - 59 outflows - 10 specific sites in restoration plan -
- Reach out to Nan Whitten about fundraising/grants for the BCC

7) Maine Association of Conservation Commissions Newsletter

8) Other business
M. Lowell - to meet with Mayor Marty

9) Next meeting, May 29, 2024

10) Adjourn
Motion - E. Heumiller
Second - P. Robbins

Attendees:
Richard Rhames, Denis Rioux, Michael Lowell, Patrick Conlon, Peter Robbins, Erik Heumiller, Maya Atlas

Meeting called to order: 6:05pm

1. Adjustments to Agenda
2. Secretary Report
   - 2.1. Approve Meeting Minutes for 3-27-24 BCC-Meeting-Notes-2024-03-27.pdf
     - Motion: Table until we can find March/April and link online (E. Heumiller)
     - Second: P. Robbins
     - No Discussion
     - Unanimous
3. Discussions
   - 3.1. Budget 24-25
     - We received our requested budget of $3,000
   - 3.2. UNE Capstone presentations archive?
     - Audio was not recorded in the link available online
     - D. Galbraith will look into backup recordings
     - BCC meetings will be televised, but only up to 7pm due to school board meetings that conflict with schedule
       - Could use the 2nd channel as an alternate? (D. Rioux)
     - Municipal YouTube account?
     - City is using Granicus (system)
     - City could poll residents to see preferred channels for engaging with the city govt. (M. Atlas)
     - D. Galbraith suggested 2nd Wednesday as an option free of conflicts
       - TBD
   - 3.3. Map 1, Lot 19 and…
     - M. Lowell met with Mayor Grohman 5/22/2024 and delivered a letter of intent from the BCC to put this lot into a conservation easement
     - Mayor Grohman mentioned there was some type of interest of solar development in the area that may conflict with conservation goals
     - D. Galbraith thinks this was previously approved to be in a conservation easement, needs to search through city clerk and meeting minutes to see if there was a resolution
   - 3.4. Clifford Park easement: Rec Commission collaboration; sustainability ad hoc
     - Policy Com. - no action

- Rec. Com. - R. Rhames spoke with them this week - no action
  - Joe will attend June meeting to get an update about their perspective and plans for new trails
- Biddeford Saco Climate Action Team
  - Questions about disposition process
  - BSCAT gets support from the Sierra Club

3.5. Climate Cluster 5-22-24 Global Heating Blast.pdf

3.6. Rabbitat event: June 8, 2024; Turtle X-ing signs deployed
- SVLT hosting this event - rain date 6/9/2024
- Rachel Carson representative will speak

3.7. Water quality data logger
- Motion: E. Heumiller
- Second: M. Lowell
- Discussion
  - What locations (P.) — VRMP + any others (E. Heumiller)
  - E. Heumiller to connect w/ D. Rioux about Swan Pond access
- Unanimous

4. Other Business

4.1. DEP VRMP
- Adding Swan Pond location at Denis' property
- Thatcher Brook - 3 locations

4.2. P. Robbins - A friend on map-1 parcels 69-70 was approached by someone looking to purchase the property or looking to get a right of way

4.3. Any updates on the Biddeford Connector highway off ramp expansion
- Worth bringing the conversation to the City Council
- Looking into stats from opposition to Gorham Highway Expansion
- Books: Crossings, Traffication, City Limits

5. Next Meeting - June 26, 2024
6. Adjourn

City of Biddeford
Conservation Commission
June 26, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

Attendees: Richard Rhames, Denis Rioux, Mike Lowell, Maya Atlas, Erik Heumiller
Guests: David Galbraith
Call to order: 6:12pm

1.
Adjustment(s) to Agenda

2.
Secretary Report
Motion to table until our next meeting: D. Rious, Second: M. Atlas

3.
Presentations/Discussions

3.a
Budget Status (post data logger purchase)

- Need to confirm with Nan Whitten if the unit was purchased and we're waiting for shipping, or if we still need to purchase. (D. Galbraith)
    - D. Galbraith confirmed this purchase will still come out of the 2024 budget.

3.b
Water Quality Update

- VRMP sampling has begun. (E. Heumiller)
- BCC and DEP have finalized three locations on Thatcher Brook. (E. Heumiller)
- Sampling Analysis Plan (SAP) approved. (E. Heumiller)

3.c
Capstone Recording Update

- No audio recorded, and no backup system in place. (D. Galbraith)
- BCC meetings were previously played via public access on Sunday nights and viewership was higher. (R. Rhames)
- Currently the

3.d
Map 1, Lot 19

- City Clerk is still researching if this lot was approved by City Council for a conservation easement. (D. Galbraith)
    - Prior to Nov. 2022, possibly back to 2020 (D. Galbraith)

3.e

Recommendations to the Policy Committee Regarding Clifford Park Easement

- Rec. Commission is making recommendations
    - Adding access off West St. is being considered
        - Additional entrances could increase non-approved activity (E. Heumiller)
        - The park needs a holistic plan for trail usage and signage prior to adding entrances. (E. Heumiller)
- Maine Coast Heritage Trail has done some preliminary trail planning for the new land acquisition for Clifford Park. (R. Rhames)
    - Keith Fletcher is in hospice, a great loss for conservation in southern Maine.
- We should pursue the NRCS grant opportunities to get information on what could be available to support Clifford Park, without having to commit to apply to it.
    - Motion to have R. Rhames contact NRCS to get information for potential grants in relation to the management/conservation of Clifford Park, Second: D. Rioux, Vote: unanimous

3.f
Climate Cluster

4.
New Business
Solar Ordinance Update

- Brad Favreau worked with the Sustainability Task Force (D. Galbraith)
- The Conservation Commission, Planning Board, and Sustainability Task Force should all be at the table. (D. Galbraith)
    - Need to make sure habitat and agricultural land are not impacted by other environmental needs. (R. Rhames)
- We could look to the solar installation in Dayton (off Wadlin Rd)

5.
Other Business
Looking for updates on the parcels the City has/would acquire as part of the Clifford Park land swap.

- The new home parcels have been added to the GIS map, but the parcels the city would acquire still show as being owned by E&R Development Corp.

South Street Village and Biddeford Connector - no update.

- City Council has to approve updates to Water Works Drive, prior to any update.

6.
Adjourn at 7:10pm.