

City of Biddeford
Conservation Commission
May 18, 2023 6:00 PM City Hall
Council Chambers & Zoom
<https://biddeford.zoom.us/j/92216375047?pwd=c0dpNDRiSnRBT1I5N0JqOEhLVVhYZz09>
Webinar ID 922 1637 5047 Passcode #994496

Status: Conservation Commission, Thursday, May 18, 2023, 6:00 PM, City Council Chambers & Zoom

1. Secretary Report

- 1.1. Approval of Meeting Minutes from 3-22-23 & 4-27-23

[BCC_Meeting Notes 4.27.23_DRAFT.pdf](#)

[BCC_Workshop_3.22.23_DRAFT.pdf](#)

2. Adjustments to the Agenda

3. Finance Report

- 3.1. Budget for 2024

4. Old Business

5. New Business

- 5.1. Update on the West Brook Subdivision Lawsuit-Maya

- 5.2. Mark Ward progress update-Clifford Park

Mark visited Clifford Park on April 13th & April 28th. The timing of the two visits was good to conduct egg mass counts for wood frogs and spotted salamanders respectively at the wetlands that he had outlined in his proposal. Two of the wetlands are solid candidates for Significant Vernal Pool designation based on the biological criteria. He has not yet submitted the Significant Vernal Pool forms to the state based on those visits not has he compiled a report on his work for the Conservation Commission as yet. He will try to get those items taken care of soon and will certainly do so well in advance of the commission's June meeting. He will also plan to submit an invoice well in advance of the June meeting.

[2023 Clifford Park2 signed.pdf](#)

- 5.3. Annual MCHT Clifford Park/Boutin property easement monitoring visit.

[2023 Clifford Park2 signed.pdf](#)

- 5.4. LD 2003/665 update

- 5.5. Thatcher Brook impairment/Yardscaping event Tuesday 5-30-23, 6:00 PM City Council Chambers

<https://www.biddefordmaine.org/Calendar.aspx?EID=2529&month=5&year=2023&day=30&calType=0>

- 5.6. Endangerment finding proposed: Leaded AV gas

<https://epa.gov/newsreleases/epa-proposes-endangerment-finding-lead-emissions-aircraft>

t-engines-operate-leaded-fuel

- 5.7. Erik's List
[BCC - 2023 Website Content 04-21-2023.pdf](#)
- 5.8. Hidden Hills/SSV Update
- 5.9. Build-out scenario?
- 5.10 Other Business

6. Adjourn-Next Meeting June 15, 2023, 6:00 PM, City Council Chambers & Zoom

Biddeford Conservation Commission

Thursday, April 27, 2023

6:05 pm - 8:15 pm

Attendees: R. Rhames, D. Rioux, M. Lowell, M. Atlas, P. Robbins, and P. Conlon

Guests: N. Whitten

Absent: E. Heumiller and M. Lowell

Meeting called to order: 6:05pm

- I. Welcome new member – Patrick Conlon
- II. *Motion to move voting on two March meeting minutes and one April meeting to the next meeting (M. Atlas 6:14p)*
 - A. *Second: D. Rioux*
 1. *No Discussion*
 - B. *Unanimous approval*
- III. Adjustments to the agenda
 - A. Adding Winding Creek Update to agenda
- IV. Finance Report
 - A. The council didn't get the BCC request for \$5,000
 1. Councilor will be making a motion to accept our request per the meeting minutes Richard shared
- V. Old Business -
 - A. Mark Ward Clifford Park Visits
 1. For background, we hired him in the early 2000's to do an inventory of natural resources on the Kennebunk Vernal Pool Complex
 2. Quoted heavily in the open space plan
 3. Visiting Clifford Park currently –
 - a) Checking egg mass counts in vernal pools
 - b) Wanted to see if he could find evidence of turtles basking in wetlands
 - (1) He has a thesis that there are turtles overwintering in Clifford Park
 - c) Seeing if the existing trails on Boutin property need to be moved to protect critters in the pools
 - B. MCHT Monitoring Visit/Trail-layout consult
 1. Volunteered to come out and walk parcels to do a scheme for trail layout so trails are laid out better
- VI. New Business –
 - A. Yardscaping event on May 30
 1. Should we see if a local farm can bring and sell native plants to help people yardscape responsibly
 - B. Comprehensive Plan Update
 1. <https://our.biddefordmaine.org/en/>
 2. Current Draft (March 30)
<https://www.biddefordmaine.org/DocumentCenter/View/11409/033023-Comprehensive-Plan>
 3. First reading - May 16

4. Second Reading - June 6

C. LD 665 Update

1. Act To Extend The Date By Which Compliance Is Required For Affordable Housing Development, Increased Numbers Of Dwelling Units And Accessory Dwelling Units.
2. Proposed by the Maine Municipal Authority to delay hearing by 2 years
3. *Motion to task R. Rhames with writing a letter of support of LD 665 to our representative Marc Malon on behalf of BCC to make a case against the basic assumptions of LD 2003 – D. Rioux*
 - a) *Second P. Conlon*
 - b) *Unanimous approval*

D. Newtown Road Concerns

1. Fire substation concerns
 - a) Favored location is on Newtown Road (lot from UNE)
 - (1) Plot includes some wetlands
 - (2) Road is not suited to that traffic
2. Proposed 9 unit development
 - a) Too much density, already unmanaged parking and noise violations

E. Recycling/MSW Contract renewal

F. Adjustment to agenda: delaying Erik's website updates so that the commission can review the Conservation Commission Code: <https://ecode360.com/15139303#15139303>

G. Phone numbers not listed on the site

1. What is right and expected in terms of means to contact city representatives

H. Winding Creek Development

1. Due to delegated authority a lot of processes didn't have to take place
2. Maya to request a workshop with someone (Greg Mitchell?) to explain how delegated authority works and what the implications are

VII. Other Business –

A. Oil change development proposal

1. Raises the question: if a development fits the zoning but doesn't fit the city's goals, can a development be vetoed?

VIII. Meeting Adjourned at 8:15

Biddeford Conservation Commission

Wednesday, March 22, 2023

5:06 -

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

Guests: G. Mitchell, C. Ohman, A. Redfield (Farm Viability and Farmland Protection Manager_DACF)

- I. Major points of reference
 - A. Forestry section is lacking
 - B. Agriculture section will be workshopped
- II. Background
 - A. State compiles data and shares with municipalities, one in 2014 another in 2020. This provides a frame of reference for whatever the state agency thinks might be helpful to each municipality.
 - B. Farm Service Agency gets satellite data from state and can identify what it looks like
 - C. Things to ask FSA For
 - 1. List of permits (pfas related?)
- III. 1. What's happening section
 - A. Climate change needs to be more
 - B. Reference the loss of dairy farms (other negative changes)
 - C. Do we want to reference pfas?
- IV. 2. What community says
 - A. Try to pull a quote about the challenges and costs of running or losing a farm
 - B. "The rural landscape is due to agriculture"
- V. 3. Agricultural & Forest Resources
 - A. Alex to send updated farmland and tree growth numbers of acres enrolled in current use tax programs
 - B. Add something that shows a trend of the decrease of farming
 - C. Alex to provide follow up – Participation in active farmlands has dropped by x% between 2010 to 2016
 - 1. 2010 - 42 parcels
 - 2. 2016 - 27 parcels
 - 3. 2020 -
 - D. Link to GIS maps to more accurately show prime ag soils
- VI. 4. Forestry and Tree Growth
 - A. Plug in data from Maine Forest Service
 - B. Include # of hunting and fishing licenses sold to Biddeford to demonstrate the value of the forest habitat
- VII. 5. Challenges and opportunities
 - A. Add agricultural heritage of Biddeford (here or in Farmland in Biddeford section)
 - 1. Lots of dairy farming
 - B. Alex to send language to show "state level trends in agriculture"
 - C. Climate Change Section
 - 1. List NRCS resources for farmers to reference in addition (or in place of Healthy Soils Program language)
 - D. Rural Farm Zone Changes

1. If RF Zones get converted this is the order to consider changes
 - a) Working landscapes
 - b) Conservation
 - c) Recreation
 - d) Low density housing
2. Protecting natural resources and the operations that exist because of it is our priority

VIII. Goal 1

- A. Add responsible solar management under this section

IX. Goal 3

- A. Denis to suggest cluster development language to add ag soils as one of the things that needs to be subtracted from parcel before calculating developable area

**encourage farms to participate in programs that support viability

Maine Coast Heritage Trust
Easement Monitoring Report
2023

Easement Name: Clifford Park Expansion

Location: Biddeford, York

Current Owner(s): City of Biddeford

Address & Telephone: City of Biddeford, James Bennett, City of Biddeford, P.O. Box 586,
Biddeford, ME 04005

Date of Inspection: Friday, April 28, 2023

Method of Inspection: Ground

Monitor's Name and Title: Caitlin Whetham, Conservation Easement Steward

Brief Summary of Inspection:

The group met at the parking area by the main entrance. From there, we headed south on the black trail, blue trail and then walked around the outside of the yellow trail until we followed it north. We left the yellow trail at the eastern end and continued north onto the blue trail, to the black trail, and then pink to green trail before heading back to the parking area.

Land Owner Contact Information

I e-mailed Bill Durkin and Catherine Glynn and their constituents to schedule a monitoring walk.

Weather: Sunny, calm, 60s

Accompanied By: Catherine Glynn, Richard Rhames, Patrick Conlon, Peter Robbins, Sharon Robbins

1. Conservation Easement Provisions

Structures:

No major changes observed. The story walk appeared to be updated and in good condition. There was some covered graffiti on some rocks and trees.

Surface Alterations:

Sections of the trail appeared very wet with large sections of standing water in places likely due to recent heavy rain. Sections of the designated trails appeared to have expanded to avoid the wet areas. The trails appeared compacted due to heavy use and frequent foot traffic. We observed numerous rouge trails on the Protected Property. According to volunteers, any of these undesignated trails have been developed by mountain bikers. There is an effort underway to develop a management plan for the Park to try to address these unplanned trails among other management challenges.

Vegetation Management:

A few large trees appeared to have fallen across the trail in recent wind storms. The trails had been cleared and some of the wood was stacked next to the trail in places.

Waste Management:

The Park appeared to be very clean. There was a recent Earth Day cleanup and dozens of

volunteers showed up to participate. No problems observed though occasional campsites were reported.

Other Provisions:

None.

2. Natural Changes

Other than fallen trees, the vernal pools appeared to have some activity with tadpoles observed.

3. Human Use

Human use of the Protected Property is by members of the public. During our visit we observed a handful of individuals and a couple of dog walkers enjoying the Preserve.

4. Conservation Values

Conservation values appeared to remain intact.

5. Other Information/Comments

Clifford Park has a dedicated group of volunteers working hard to keep it safe and clean! The Park may want to consider removing some of the stacked logs to limit fire danger.

6. Recommended Follow-up, If Any

Next scheduled monitoring in 2024.

Monitor's Name and Title: Caitlin Whetham, Conservation Easement Steward

Organization: Maine Coast Heritage Trust

Address and Phone: Main Office- 1 Bowdoin Mill Island
Suite 201 Topsham Maine 04086 -
207-729-7366



Signature

5/4/2023

Date

- ☐ Map or sketch attached
- ☒ Photos taken and filed with baseline data



Credit: Caitlin Whetham

Date: 4/28/2023

Pink trail markers.



Credit: Caitlin Whetham

Date: 4/28/2023

Recently cleared fallen tree.



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Vernal pool.

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Biddeford Conservation Commission

Proposed Website Updates - April, 21 2023

Prepared by Erik Heumiller

Conservation Commission

The Conservation Commission works in research and advisory roles with city planners on both environmental and conservation needs — helping to maintain healthy ecosystems and public access to land for future generations in the City of Biddeford.

The Conservation Commission consists of seven commissioners, each appointed for a five-year term. Annually, at its first meeting, the commission elects a chairperson, a vice-chairperson, and a secretary.

Contact the Commission: conservationcommission@biddefordmaine.org

Agendas & Minutes

The Conservation Commission meets monthly, and agendas are available prior to meetings. Minutes are available following approval.

[View Archived Meeting Minutes](#)

Commission Members

Richard Rhames
Chair
richard.rhames@biddeford.org
Term Expires: 12/2026

Erik Heumiller
Vice Chair
erik.heumiller@biddeford.org
Term Expires: 12/2026

Denis Rioux
denis.rioux@biddeford.org
Term Expires 12/2024

Maya Atlas
maya.atlas@biddeford.org
Term Expires:12/2024

Michael Lowell
michael.lowell@biddeford.org
Term Expires: 12/2026

Patrick Conlon
patrick.conlon@biddeford.org
Term Expires: 12/2028

Peter Robbins
peter.robbs@biddeford.org
Term Expires: 12/2028

Staff Liason

Gregory Mitchell
Planning and Development Director
Contact by email

Biddeford Conservation Commission

Proposed Website Updates - April, 21 2023

Prepared by Erik Heumiller

Conservation Resources

If you're interested in learning about conservation easements, or other options for your land that don't involve development — explore these organizations:

- Saco Valley Land Trust (sacovalleylandtrust.org)
- Maine Farmland Trust (mainefarmlandtrust.org)
- Maine Woodland Owners (mainewoodlandowners.org)
- York County Soil and Water Conservation District (yorkswcd.org)
 - Contact Melissa Brandt at 207-324-8888

How Can You Help?

Our city is more than the boundaries between our neighborhoods and the undeveloped spaces around them. Every resident contributes to the health of our ecosystem and benefits from access to these wild spaces.

Conscious (but simple) efforts you can take today impact:

- The quality of our waters
- Local fishing and shellfish harvesting
- The health of children and pets

Explore the resources below to see how you can do your part to ensure Biddeford's connected ecosystems can thrive.

Resident Resources

- Guide to Environmentally-Friendly Home Care (**new PDF in progress - add once completed**)
- [Best Management Practices for the Application of Turf Pesticides and Fertilizers \(PDF\)](#)
- [10 Simple Steps to a Safe and Healthy Lawn](#)
- [7 Questions You Should Ask Your Lawn Care Company](#)
- [The Biddeford YardSmart Pledge](#)
- [Maine Yardscaping Partnership](#) (phone: 207-287-2731)