

City of Biddeford
Conservation Commission
September 25, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

Attendees: Richard Rhames, Erik Heumiller, Peter Robbins, Denis Rioux, Maya Atlas

Guests: David Galbraith

Call to order: 6:23pm

1.

Adjustment(s) to Agenda

2.

Secretary Report

- Follow up on the meeting with Joe McKenney - has it been rescheduled?
 - Joe McKenney has resigned
- Waiting for an update from Brad Favreau - looking for the draft of the solar ordinance from the Sustainability Committee likely coming to us in late Oct/Nov (discuss further)
- Defer to next meeting

3.

Management Plan, Cost-Share, Project Canopy Coordinator/Director: Jan Ames Santerre

- Project Canopy is part of the Maine Forest Service, possibly source of funds in relation to Clifford Park
 - Clifford Park has not seen much in the way of comprehensive studies or planning in relation to the natural resources and habitat. (R. Rhames)
- Discussion of resources available through the program
 - SEE LINKS FROM R. RHAMES
 - Two options for funds:
 - Project Canopy: < 20K grants
 - Not competitive
 - 1:1 cost share for management plans
 - Does not need to be cash, can be in-kind services
 - Time needs to be tracked via "Davis Bacon"
 - Urban Forestry Program: < 200K grants (part of the IRA funds)
 - Competitive
 - Good to think about ways to engage communities and groups
 - APEX could be an option
 - Need to develop strong connections with other community groups
 - Think beyond Clifford Park - what else in census tracts (parks, green space, etc.)
 - Biddeford was previously part of the Project Canopy Committee

City of Biddeford
Conservation Commission
September 25, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

- Clifford Park saw some programs through school programs
- Half of the cost of the management plan - through Urban Forestry Program
 - Many of the foresters work in NRCS programs, and the management plans would likely contain the same content
 - Soil types, wetland delineation, etc. - to see the parcel as a whole
 - Public work in the space likely includes a very in-depth botanical survey, that may be subcontracted to experts
- Federally funded grants that come through the state
 - Competitive grants, on an annual schedule - winter applications
 - Delivered as an RFP, deadline late winter/early spring
 - Two categories: downtown trees / forestry and education
 - Evaluate archeological impacts, wildlife/habitat, water quality, etc.
 - Simpler for individual landowners
 - How to present? Acreage targets?
 - WRAP plans - minimum of 10 acres
 - They have a required training (Jan/Feb timeline)
- Clifford Park may sit within the “disadvantaged” census tracts for other grants
 - Can match these grants with in-kind services
 - Can serve a multitude of “disadvantaged” communities
 - Likely part of the “dis-investment” in mill towns
- Funds for Invasive Plant mitigation through a separate grant
 - Not competitive, for funding the planning stages as well as the funding of the treatment work
- Our district forester is Oliver
 - We can work with our preferred foresters, but we need to ensure they operate within the guidelines of the program grants
 - Good idea to identify the forester we want to work with prior to applying, to have concrete quotes/costs identified

4.

Swan Pond Brook Lot - Planner Update

- City did tax acquire it, likely in 2019
- Depending on how it was acquired, the City may need to perform certain steps to offload the property
- Waiting on the tax assessor for details

City of Biddeford
Conservation Commission
September 25, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

5.

Water Quality Update

- Not much to report. Collecting samples when possible, but need to build out a more robust system for volunteers.
- Likely will start recruiting more volunteers over the winter and setting up a shared calendar or bi-weekly meetings (April-Sept) to keep in touch with volunteers. (E. Heumiller)

6.

Family Forest Carbon Program

- <https://familyforestcarbon.org/>
- Provides financial and technical resources to landowners with 30+ acres
- Could be a tool for the city and private landowners to monetize land with the value of the stored carbon vs. just development. (E. Heumiller)
- Consider identifying parcels of 30+ acres and sending them info in the mail
 - Info could contain this program as well as conservation easement details and NRCS as well, and project canopy.
 - Could use the opportunity to host an event - capture emails from interested parties

7.

Conservation Commission: Winter Projects

- Identify 30+ acre parcels and the mailer content (Erik)
- Identify conservation cluster areas
 - BCC to do the work that was lacking in the comp plan
 - Identify percentages or target acreage for ag/forest land, geographic regions of conservation need, etc.
- GIS map updates (Erik to work with Greg)
- David to share the state's requirements for edits to the Comp Plan
- New version of sprawl stoppers?

City of Biddeford
Conservation Commission
September 25, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

8.

A 46-acre parcel at 268 Pool St. (Map8-Parcel52-1) abutting Blandings Preserve and the newly acquired City land (land swap) was recently listed and sold (listing for \$575,000) to a developer who was asked to remain anonymous as terms of the sale.

- The development of this lot will impact wildlife in the area as well as have impacts on West Brook's water quality.
- Development of this parcel would likely create another Parkside Dr. neighborhood in an already heavily developed area.
- Noting that the tax card for this property shows a note from 2012 that it features "State of Maine - Endangered Turtles"
 - Any proposed development on this parcel should be thoroughly vetted from environmental and habitat perspectives (IFW, DEP) regardless of the size of the development.
- Could use the identified areas as a means of reaching out to landowners of key parcels to educate them to reach out to the city and/or land trusts if and when they are thinking of selling their property - to get ahead of the sale.
- Rezoning this region as a "conservation zone" with a priority for preventing development

9.

Climate Cluster

10.

BCC archive status update

- Every 2022 and earlier is missing for the Conservation Commission

City of Biddeford
Conservation Commission
September 25, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

11.

Solar Installations

- The Sustainability Committee met 9/16 to review their draft solar ordinance.
 - Erik has shared [notes from our previous meetings](#) to inform the draft.
 - Need to provide clarification that the BCC has not created any draft of a solar ordinance in the past.
 - Much of the 9/16 discussion revolved around human considerations and visual impacts
 - Need more consideration around the long-term impacts to Biddeford's agricultural and forested lands.
 - Aiming to get it to BCC in November, with Planning board in December, and City Council in January 2025
- Takeaways from document/discussion:
 - Biggest concern is that their primary driver is getting the developers approval on this ordinance and "making it as easy as possible" for developers.
 - Some conflicts within the language between section D and section E that we recommend clarifying.
 - Mistaken comments of "not great agricultural soil"
 - Needs to be corrected
 - Conversation revolved around "converting" agricultural land to "better" uses - disregarding the need for agricultural
 - Group was not aware of "prime agricultural soils" or its definition.
 - Disagree with some of their caveats for the "medium scale installation"
 - Think forest, water, and habitat impacts still need to be evaluated to ensure these don't have drastic impacts on habitat.
 - Medium would be 2,000-20,000 would allow 100-200-foot plots, and this feels too large.
 - They want to remove the need for independent review - developers currently hire their own, which has a conflict of interest.
 - Need to educate that it's typically provided as 3 options for the developer to select from.
 - Mentions of habitat and agricultural limitations fall short in my opinion - does not prohibit anything, and offers vague references to "no undue adverse effect" but seems to leave that consideration up to "the applicant"
 - "No free lunch" - said in sacrifice of habitat for sustainable energy
 - Much of the conversation is related to what individual landowners could/might do on their property - seems like the focus is on "small scale" installations.
 - Conversation needs to shift to regard companies coming in to specifically purchase undeveloped land to develop medium/large solar installations.

City of Biddeford
Conservation Commission
September 25, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

- Small scale installations are not our major concern - the ordinance needs to consider the worst case scenario for the large installations and profit-driven development/installations.
- They had issues with limitations of 10 acres
 - That is 435K square feet.
 - Making concessions to give the most to developers right out of the gate - thinking without it, there won't be any solar development
 - We could limit it and see how development goes - and revise the ordinance if needed
- **RECOMMENDATION**
 - Meet with Sustainability Committee at their next meeting (10/7) to provide some insight/education on inaccuracies.
 - Maya to serve as a point person at the 10/7 meeting.
 - Draw them back to the climate action plan - reference the climate action plan and show how these ideas align with their other elements.
 - Relay our concerns about:
 - Agricultural importance + communicating the importance of prime agricultural soils
 - Medium-scale allowances (need to be reduced)
 - A cap on acreage in a single development
 - A general need for a more conservative start to this process, rather than jumping straight into "everything is allowed"
 - Stop catering - these developers are primed to do this work and don't need the city handed to them
 - Conflicts in language between section D and E
 - D-ii - should be licensed, "qualified" is abstract and vague
 - Need to redevelop with trees is also a means of preventing invasive species - this should be included.
 - A separate application would be provided that would likely redirect the need for this if the owner wants to develop housing - that requires its own levels of approval.
 - This is also a part of the consideration of why it's being approved in the first place - it was forest, return to forest.

City of Biddeford
Conservation Commission
September 25, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

12.

Other Business

12.a

FOLLOW UP — Request a 10-year-lookback at approved developments 2014-2023

- D. Galbraith will work with Nan Whitten to pull what data is available.
- Looking for number of development proposals, number of units, etc.

12.b

UNE Internship Placements for conservation-minded students.

- Prior projects involved GIS, and interest waned
- Streamline communications and archiving
- Clifford Park signage and work needs
- Water Quality studies
- Plan to meet with Dylan to discuss the opportunities and interests - Erik to respond to the email chain

12.c

Next Meeting — 10/23/24

6.

Adjourn at 8:45pm.