

Topsham Conservation Commission

Minutes Approved Sept. 14, 2021

August 10, 2021 at 5:30 pm

Remote Meeting on Zoom

In attendance: Audie Arbo, Andrew Deci, Shana Stewart Deeds, Victor Langelo, Steve Pelletier, Raija Suomela. Meetings open to all, please contact the Topsham Planning Office to receive a Zoom link to join us.

I. Approval of July 13, 2021 meeting minutes.

Victor made a motion to accept the minutes with the discussed edits. Steve seconded, and all were in favor.

II. TSWF Forest Plan Addendum Review.

This addendum is almost complete. Steve will forward this addendum for TCC review prior to our next meeting. Wildlife and Recreation were the two main goals for the management plan that was approved by the Select Board. Recreation is growing dominant on the property. The property is heavily used and now includes the 6 Rivers NEMBA trails (trails created since the forest mgmt. plan was written). Pam has recommended that we talk to 6 Rivers (Ernie Phillips) prior to finalizing the addendum.

Parks and Rec will likely put a port-o-potty out there later this summer and will be expanding parking. Horses are also using the property more heavily. Steve sees high recreation interest in the property. There are some wildlife impacts - for the kinds of wildlife there Steve feels we still see the expected species, but there is a degradation of the habitat. There are not special wildlife needs out there except perhaps for grassland birds, such as bobolinks, around the old landfill. It would be good to be sure there is habitat nearby for wildlife that has less of a recreational impact.

Questions to consider:

Should we could ask for NEMBA to help with invasives around the edges?

Does the Town need a recreational master plan for this area?

Topsham does have the "Town Forest" off Merrill Road, is that a better property for a focus on wildlife management? It is bigger and has more opportunities for wildlife if folks nearby stay in tree growth.

III. Fund Policies.

TCC discussed the various funds collected by the Town for conservation and open space purposes. Victor created an internal Conservation Accounts folder in our Google drive to house info about these accounts.

1. Mallet woods easement maintenance fund - created as part of the easement agreement - the policy for and use of the funds are set. The intent is to maintain easements. There should be funds in this account.
2. Development Transfer Ordinance (DTO) - The policy for and use of the funds are set in the ordinance. These funds are for buying property or conservation easements. There are no funds in this account.
3. Habitat Mitigation Fees - the same account and spending procedures as the DTO. There should be funds in this account.
4. Open Space In-lieu Fees - TCC is working on a policy for this account. There should be funds in this account.
5. Vernal Pool Special Areas Management Plan (VP SAMP) - the policy for and use of the funds are set in the ordinance. There are no funds in this account.

Questions to consider:

Does it make sense to combine funds into one conservation and natural/open space fee account? Can we make updates to the NAP that allows us more latitude for using the funds in addition to just purchasing conservation easements and purchasing properties?

What is our mission statement/are our priorities for spending? What would trigger us to use these funds? Can we articulate this?

Action Items: We need Rod to tell us the balances in these accounts. We need a spreadsheet with the accounts, the balances, and the summary of the uses.

TCC - before the next meeting, review the spending policies in the Google Drive under Conservation Accounts. Victor will add in the links to the DTO and the VP SAMP.

IV. Natural Areas Plan (NAP) Next Steps

Questions to consider:

Do we have clear reasons for the NAP update?

There has been habitat development created by development. Development seems concentrated outside the focus areas. Angus gave us a 10 year history of development in the story map he created. There were about 22 buildings developed in the focus area (costing us quite a bit of money in terms of taxable value and return), and 200 or so in the growth area. We are not sure whether the development has been rather low because of recession, ordinance, or otherwise.

The update should answer whether Topsham's ordinances and incentives are protecting natural areas. We can inform the Town about what could happen if we built out with current ordinances. Since the Update is 10 years later, conditions have changed and development has impacted natural systems - how can we show this? We now have better data. The Town Plan update demonstrated that Topsham residents love the Town and want to preserve the character of the town (natural areas, open space and ag lands), so we need to be sure that the NAP is protecting that character. The Town Plan Implementation Committee focusing on 1-promoting good development and 2-protecting what residents find to be valuable, TCC keep this in mind for the NAP update.

What are our update strategies?

Review the NAP.

Make a budget and request funds to update the NAP.

Understand development and conservation in the last 10 years (consider economic, wildlife and open space impacts).

Review whether the ordinances were effective in protecting focus areas and open space.

Discover what ordinances are associated with the plan, and see whether current ordinances are incentivizing development in a way that protects natural areas and open space. Topsham does have large lot development (questionable whether this is protecting natural areas and open space) and cluster development - TCC should revisit these in the Update.

Consider updates to the NAP based on new data and ensuing development.

Make recommendations.

Action items: Rod was going to talk to Judy about scope of work and cost estimate (update and revise data, compile new maps, facilitate public meetings, finalize/update focus areas). Shana will reach out to Rod and Judy about putting together a proposal for a scope of work and cost estimate. Shana will also be sure to request that the webpage is updated with Audie's appointment to TCC.

Victor will get on the Select Board agenda in late September/early October to discuss the in lieu fee procedures and indicate that we are considering proposing a NAP update. Selectboard agendas are set two weeks in advance. Later in the fall we will give them our update and budget requests for the next fiscal year.

V. Updates

- A. Bowdoin Common Good project application was accepted.

We will find out from Andrew Lardie in a couple of weeks if students decided to sign up for our project.

- B. Solar info - There is no penalty for wetland conversion for solar at the State level. Topsham's ordinances are the only protections against wetland development.

Solar ordinance does not allow for herbicide use. An invasive species mgmt plan is required. A waiver can be sought from the Select board to use herbicides on a case by case basis.

- C. The home being built on Green Street is hiring a contractor to remove Japanese knotweed and take it to a special landfill set up to take invasives. Nearby, the Town Landing Road is thick with Japanese knotweed, and neighbors have requested help to manage it. **Should we let those residents know so that they could work together with the contractor for its removal?**

- D. There were no additional participants, so no input from the public.

VI. Agenda items for the next meeting.

- A. Review funding info
- B. Review Steve's forest mgmt. addendum
- C. Audie will go to MAWS workshop and report back
- D. Was the timing of the MEACC finalized?
- E. Continue NAP discussions.

Victor made the motion to adjourn, Steve seconded, meeting was adjourned at 6:52pm.

Minutes respectfully submitted by Secretary, Shana Stewart Deeds.