



## TOWN OF HARPSWELL

HARPSWELL CONSERVATION COMMISSION  
WEDNESDAY, FEBRUARY 5, 2025, 4:30 PM

### Approved Minutes

#### Open Meeting: 4:35 pm

- **Note Taker Today:** Deirdre Strachan
- **Roll Call:** Mary Ann Nahf, Jenny Zagariello, Jamie Hark, Deirdre Strachan, Anne Caldwell, Abby Roche, Nancy West, Wendy Batson, Planner, Margaret McIntire, Sel. Jane Covey **Absent:** Tony Barrett, Abby Westberry
- **Approval of 1/29 minutes:** Minutes not yet finalized.
- **Announcements:** None
- **Shoreland zoning ordinance changes :** We reviewed changes to the shoreline zoning ordinance (see below) and well as recommendations for approval of four wetlands from the 2008 Open Space Plan found in Appendix 17 A. <https://www.harpswell.maine.gov/index.asp?SEC={D8F76E72-B4B7-46D8-AD86-1A24D3A87B5C}>
  - Steep slopes
  - Freshwater wetlands
  - HAT to HAsT

#### Shoreline Zoning

- In 2008, the Town Meeting approved the Open Space Plan. As part of the process, 29 wetlands were identified. Of these, 25 of these were approved and four were suggested for future approval. See Appendix 17 A for the details about the four suggested for approval that include:
  - 1) Coastal Wetland #29 in Middle Bay Cove with 5 acres in Harpswell and 5 acres in Brunswick
  - 2) Coastal Wetland # 19 in North Harpswell that covers 12 acres.
  - 3) Freshwater Wetland #6 located near Cranberry Horn Hill with 6 acres that protects Quahog Bay from pollution, provides a role in the marine food chain and drains into Brickyard Cove
  - 4) Great Pond, Wetland 23 is the Ice Pond at Gun Point and is the site of a FEMA 100-year floodplain. Note: Does not qualify as a great pond as to dam at one end.

#### Hearing on Zoning Regulations.

- A recent public hearing regarding zoning regulations had pushback about the regulations, especially for Wetland #6.
- State law: Harpswell is not following some of the State setbacks and not showing them on our maps.

- 3) State redid their maps to show steep slopes within the last 2 years. Steep slopes are only reviewed if they do not have any development. Areas with residential areas are zoned residential. If they are in a flood plain, they need to remediate.
- The updating of the Harpswell wetland zoning ordinances will not be reviewed at the Town Meeting in March so we have time to assess the impact on the Wetlands suggested in Appendix 17A. We need to ground truth the four sites.
- Some State laws are enforced by Town and others by State. Where is enforcement? At times, we send to the State. Would the State approve these 4 wetlands?
- Town criteria is 10 acres for wetlands. See list of criteria for wetlands in Jan 13, 2025, Update to Definitions Addendum from the Planning Board.

**Public Education Needed on Wetlands and Resource Protection:** HCC needs to define what resource protection is. Why are these wetlands worth protecting? Freshwater wetlands impact on streams. Runoff into these wetlands is dangerous to the environment and can impact potable water on properties.

**Vernal pools:** Vernal pools are regulated by the DEP. Spotted salamander and shrimp use them. They need to be surveyed in April and May and require a permit from the DEP. During construction, builders must have a 250 setback for construction. Paths OK. Vernal pools with special significance need to be protected. We would like to map them, but it is difficult. The culvert in front of HHLT has a significant vernal pool what has been mapped by the Town. Protection of vernal pools is difficult to enforce. Falmouth has mapped its vernal pools. Unfortunately, some people are filling in vernal pools. We need to convince the public that it is good to have vernal pools on their property.

#### **Next Steps on Ordinance Updates:**

- Prepare a list of potential ordinance changes list.
- Provide education about the value of resource protection (RP)
- Town Meeting: Answer any questions about RP and its function to protect the environment.
- Ordinance exists and should be used during site visits to building sites.
- Update the list of RP Zones and let the public know what RP means, especially when buying a house or building.
- Ground truth four wetlands described in Appendix 17A to determine if they should be protected. Note that the Ice Pond is not a Great Pond due to its dam. To qualify for RP, we need another justification. Wetland #6 is only 6 acres, but it plays an important role for protection of frogs and aquatic insects and in the marine food chain. The culvert adjacent to Wetland #6 keeps streams open. The Planning Office can help.
- Prepare a one-page description about RP for the Town Meeting.

#### **Message Re Brown Tail Moth:**

- Heavy in parts of state but not in this area. We should prepare information or draft an article for the March Anchor.
- Nancy noted that the State dashboard about the Brown-tail moth is hard to understand. We have not seen evidence of the moth this year in Harpswell. We may see it in apple trees is it comes back.
- We should prepare something for the Town meeting if needed.

#### **Envision Resilience:**

- Jamie will meet with group to determine what the group could do to be helpful. They will also meet with Monique Coombs of the MCFA to learn more about the working waterfront. Their project beings in the fall.

- Possible areas for their work might include: 1) improvement of public landings and parking issues 2) living shoreline alternatives 3) impact of HHLT trails on the community 4) issues related to Michell Field

### **Pesticide Ordinance Next Steps**

- HCC should discuss next steps at our next meeting. We need to determine where pesticides can be used and what state requirements are. Harpswell is less strict than the state in its ordinances.
- HHLT is working on it and would like to map where pesticides are used.

### **Casco Bay Estuary Partnership Presentation on Management of Invasives**

- Reviewed last week's program with Casco Bay Estuary Partnership, re: Invasive species control, management of invasive phragmites.
- We need to figure out what HCC should do for follow up.

**Town meeting March 8.** We need to figure out what we will bring to our HCC table at the meeting.

**Adjourned:** 5:40 pm

Upcoming meeting dates: 2/19 & 3/5

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## Minute Taking Info

### Minute Takers 2025

January	Jenny
February	Deirdre
February	Wendy
March	Abby
March	Ann
April	Nancy
April	Jamie
May	Tony
May	Jenny

### Minute Taker Hints

Can use the agenda as template, just substitute Minutes for Agenda

Record attendance, opening and closing time

Record votes - if vote split show the #Yea and nay

Record action items and responsibility

Where possible summarize pertinent discussion

Sign minutes, send draft to members for review; update w edits and resend.

Once minutes approved mark APPROVED and send to: Tina Deschaine, [tdeschaine@town.harpswell.me.us](mailto:tdeschaine@town.harpswell.me.us)

### Parking Lot:

- How we might coordinate Willie C Landscape Design into our WaterWise program.
- Planning Board updates to 2025 ordinances regarding Resource Protection flood zones:
  - How to include the updates to the new velocity areas.
  - How will we think about marsh migration and new vulnerable areas?
- Outdoor Pesticide and Fertilizer Ordinance
- Control of Pesticide use on West Shore Rd. (Mary Ann to contact applicator)
- Discuss steps re: increasing no pesticide /fertilizer no use zone.
- How else might we consider keeping duff in 100ft setbacks?
- Time for a larger conversation
  - <https://www.harpswell.maine.gov/vertical/sites/%7B3F690C92>
- Ticks – Should we learn more about what is being used from the applicators in the area, what we can provide differently than the State regarding control products, how the products affect the marine environment?
- Erosion & armoring New State information.
- Marine Resources desire to regulate disintegrating polystyrene in floats and in construction materials. being cut and used near the water. Contact a couple of builders, also check for sample ordinances. SENT BACK TO MRC for writing ordinance. Needs more work. 01/2024

Some interesting reading and watching:

- [resources](#) from Maine Organic Farmers and Gardener's Association Low-Impact Forestry (LIF) program with focus on the ecosystem of a forest.
- [i-Tree](#) will show you effects of planting or removing a single tree the other National EPA Soils Calculator - <https://www.epa.gov/water-research/national-stormwater-calculator>
- <https://www.maine.gov/dacf/mgs/explore/water/facts/well.htm>
- **P. Slovinsky Jan 2023 explanation of storm erosion on bluffs and wind direction and hard armoring:** <https://www.themainemonitor.org/here-are-some-resources-to-learn-more-about-coastal-erosion-in-maine/>
- P. Slovinsky Feb. 2021 Maine Coastal Property Owner's Guide to Eros., Flood. & Other hazards. [https://digitalmaine.com/cgi/viewcontent.cgi?article=1605&context=mgs\\_publications](https://digitalmaine.com/cgi/viewcontent.cgi?article=1605&context=mgs_publications)
- MOFGA webinar regarding Radical Forestry Management [https://www.youtube.com/watch?v=WPorH1i\\_\\_Uw#t=0m0s](https://www.youtube.com/watch?v=WPorH1i__Uw#t=0m0s)

Edgewood Nurseries Lecture re: Food Forest gardening; discusses ability to grow under the canopy of trees if understand the root structure. (Possible talk w/Aaron. [edgewoodlandscapes@gmail.com](mailto:edgewoodlandscapes@gmail.com) 4 Cruston Way, Falmouth, Maine