

Conservation Commission Meeting February 3, 2009

There were approximately 20 Attendees:

- Jo Schuman, Ronnie Kamphausen, Jean Perkins, Gloria Barnes, Bill Emerson, Laura Sewall, Ellen Winchester, James Totman, Leland Rainey, Anna Varian, Marie Varian, Bob Cummings, Mark Alexander, Mike Little - President of the Winnegance Wheelers, Arnold Rice - President of the Sportsman's Club, members of the Phippsburg Sportsmen Club, members of the Winnegance Wheelers, members of the Phippsburg Town Land Management Committee.

- Jo handed out packets containing maps and information.

- Jo described the purpose of the meeting - to discuss the possibility of placing a “*Declaration of Trust*” conservation easement on the town land parcel to protect this piece of land for the following three main reasons:
 - The land continues a wildlife corridor from the basin preserve across to Morse Mountain and Spirit Pond.
 - Maine Inland Fisheries and Wildlife recommends conserving rare Pitch Pine regions. The Phippsburg comprehensive plan says to locate and protect sensitive habitats.
 - Make sure hunting and other traditional activities are preserved on this piece of land.

Map 1 “Town Owned Property in the Ashdale Area”

The crosshatched area has been surveyed. We felt it was important to get this piece protected then we'll work on resources for the other pieces.

Map 2 “Bill Emerson’s foot trail map from Popham Road to Ridgewell Preserve”

The area outlined in red is the area we are suggesting be covered under the conservation easement.

The Blue trail can be seen along the south, east, and north edges of the land and the White trail is located near the western edge.

Map 3 “multi-colored topo map”

This is a “Maine Natural Areas” map. The light green hatching, labeled “Natural Communities”, is where the rare Pitch Pine area is found. The town land in question, parcel 59, is outlined in red.

Map 4 “Ellen’s GPS maps”

We took four trips to see what is growing in there. The first map shows where the area is in relation to Popham Road. The next map is focused closer in. The one that you pull down (unfold) is the most interesting one. The red “stick pins” show what we found there, for example hemlock, moose tracks, swamps, pitch pine. Although we traveled the entire route around the edge of the main area of the town land, we are missing map info for the eastern portion due to GPS problems in the summer caused by the leaf canopy blocking the signal. Our most recent trip was the day of the last storm. Accompanying us was Ronald Joseph from US F&W who is an expert tracker. He identified: deer, fisher, showshoe hare, fox, grouse, squirrel, etc. tracks. We also saw a buck and clear marking of a deer yard.

Map 5 “Land Owner Incentive Program map” from Laura Sewall.

“Morse Mountain Focus Area” is valued for conservation. Taken into consideration in rating the land conservation value were attributes such as: wetlands, size of land, contiguity, known mammals. The Bates property by Meetinghouse Pond has the highest value according to their rating. The town land was NOT rated but all land around it has a high value rating. So, in this context, the town owned land is within a highly valued area.

Letter from Ronald Joseph US Fish&Wildlife

Jo noted that the Selectmen asked that we contact F&W Service. That is why we asked Ronald Joseph to accompany us and he wrote a statement.

Some significant statement from his letter:

Rare pitch pine single most important region.

The town land is part of a lengthy corridor for wildlife.

Conserving large blocks of contiguous land is important for fisher and other wildlife.

“Leonard’s Skipper” butterfly was found nearby and is likely to be found on the town land also.

Over half the state’s original pine barrens are lost. These areas are especially rich in butterflies, owls, black racers, and other creatures.

Jo noted a Problem with the town land: ACCESS

It had previously erroneously been said that an ATV trail is behind the church. There is not a trail there.

There is hiking access off 209, the second driveway after the turn past Small Point Rd. Laura Sewall stated that the Bates Shortridge property is open to townspeople to drive in to fish and hike but not open to ATVs. The Bates land is on the southwestern corner of town property.

The only access to the town land area by ATVs is in the long handle (lot 24) from the Parker Head area.

Bill Emerson has been in on that piece and said it is quite marshy. An ATV can get in there fine though. There is an existing trail through there. It has been used forever and it’s not torn up. The land has had open access by town for many years. In the 70s and 80s there were snowmobile trails.

Map 5 Mike Little’s ATV trail map

We might be able to connect up with those ATV trails.

Discussion

[Please note that the discussion was very fast-paced which made complete and accurate note-taking difficult therefore, be aware that completeness and accuracy of statements may vary.]

- Anna explained that a requirement for Town Land is to avoid “hazardous detrimental impact”. The clubs have been working hard recently at running off the people that were creating problems, and making repairs to damaged areas. She said she did not know what impact there is now.
- Some trails are probably overgrown.
- Some people have access from Granite Ledge, but this is not a public type of situation.
- It is a State Law that you must have permission from owners to pass through their land on ATVs even if it is not posted.
- Jo mentioned that we’d like to set up an ATV trail in the Town Land. There are trails all over in there. We’d need a committee to site an ATV trail not on Pitch Pine area. See Map 3. Basically the southwest corner of the Town Land is the rare Pitch Pine region we’d like to preserve.
- “Who made you the guru of land management?” Jo stated that the Comprehensive Plan said the Conservation Commission should try to preserve areas of special concern in town, especially areas that are part of wildlife corridors. She explained that she is co-chair of the Conservation Commission.
- Anna asked, “Does it have to be a legal preservation? Traditional use doesn’t appear to be hurting anything. We already have the usage of the land. What is the necessity of the special legal preservation?”
- In order for the town to sell or develop it, it has to go before the Town Meeting so it actually is protected now.
- [audience comment] Adding official legal protection will bring in the State and others responsible for enforcement.
- James Totman and Leland Rainey said that the town should never put restrictions on the town land. We don’t want to hinder ourselves in the future that would prevent other uses such as: elder housing, affordable housing for our young people, or a possible potable water area.
- [audience comment] What is the matter with the way things are now? We don’t want any restrictions on the property, for example restricting where ATVs can and cannot go, e.g. Pitch Pine area.

- Anna clarified the excerpt from selectmen's meeting of November 2008. At that meeting they asked us to hold this meeting of all these committees. There was a lot of discussion involving the town land parcel. The selectmen want to know what is on the land? What is happening that is detrimental?
- Note that many former four wheeler trails or snowmobile trails become hiking trails.
- Anna: "What is the reason for the legal document?"
- Jo: To preserve the land for our children's children for hunting, ATV, walking.
- Laura: Couldn't we find some common ground? We all want to keep the land available for experiences in the woods.
- [audience comment] You are trying to take something away from someone who enjoys it. The minute you put a restriction on the land you've got trouble.
- [audience comment] There were many meetings when Mr. Hatch was going to donate the land. We were promised access for horses and 4-wheelers and dogs. We lost our rights to go four wheeling. [fact checking correction: according to Nancy Sferra this is not true]
- Bill: We are trying to set up our rights to this town land now.
- [audience comment] Why set up these rules. Once you do this, everybody is going to get involved.
- Jo: Don't you see you are already losing places you were once able to go.
- Bob Cummings: I'd like to say that ATV damage has not always been fixed. The town does not have to get permission to develop the land (Lee Rainey: Yes, they do for anything over [5 acres?]). Polquin refused to give permission to the land trust walk around edge of his development.
- Jean: We started this so that animals could travel from one part of town to another. The purpose of putting an easement on this land was to keep the land open. That's why we came up with this.
- Animals are pretty adaptive. I've seen them cross Popham road.
- Marie: The Comprehensive Plan stipulates responsibilities assigned to Conservation Commission. At no time was the Conservation Commission assigned to this piece of land. I don't think there is anyone in this room hoping the town will develop this land. It does not seem suitable for building low income housing. We don't know what this town is going to need in the future. No need to preserve it for preservation sake.
- It's already in public trust. What's the need for the official declaration of trust?
- I don't think we need it.
- [audience comment] Isn't this declaration saying we don't trust our fellow residents in Phippsburg? That piece has been owned by the town for a very long time. ATVs and snowmobiles have been used there.
- [audience comment] This town has more conservation easements than any other in Maine. That's tax dollars lost to the community.
- Jo: we should put in writing what we are doing now, how we are using the land now. We want to try to keep it the same as it is.
- Anna: What is the necessity for a legal document? The land is protected at a decent rate now - currently protected from sale unless town votes to ok sale. It is short sighted to protect land now instead of leaving things open for building affordable housing.
- Bill: It seems that the consensus of this meeting is to put trust in the town land management committee to keep the use of this town land going the way it is. It has not been proven to us that there is anything negative happening now.
- Marie: can people go across the Bates land and use the driveway?
- Laura: I am directing it now. There's more presence now. I wanted to have the townspeople free to go fish. There is obvious parking available.
- Jo: Laura built a new trail from the Bates house to the town land.
- Jim: Is there written permission allowing townspeople access?
- Lee: what about parking when Bates people need to use it?
- Laura: has not been an issue yet. Right now it has been fine.
- Marie: as long as you're (Laura) there we can assume it's ok.
- Anna: We'd like to know if the town land management committee management style of leaving things alone unless a problem arises from is satisfactory. We've been not managing it (town land) until there's a

problem. We don't understand what is wrong with it. Is there a problem? Is there something that should be done? Maybe focus on the trail system?

- Jo: I apologize if you think I've been overbearing. This a fine piece of land. I was just concerned about the future. If you think it's well protected we'll leave it as is. If anyone of you see something wrong please tell Anna. The idea was to make the declaration fit Phippsburg we would change the wording to fit our needs.
- [audience comment] Everybody wants the same thing. We don't want it developed. If a problem develops we will all make sure nothing happens.
- Gloria: What if at town meeting someone says let's sell the property? Will we be able to keep this land available to our children's children for enjoyment of the outdoors?
- [audience comment] What about handicapped access? Could a disabled person ride into the town land on an ATV?
- Jo: That would be fine.
- Any other comments?
- A few people were heard saying they thought we came to a good conclusion.
- Anna Varian arranged with two people to evaluate if there is any damage in July when it is dry.