



Land for Maine's Future Program

Minutes of the Meeting

March 25, 2013

Department of Agriculture, Conservation & Forestry
Maine Forest Service Bolton Hill Facility
Augusta, Maine

Board Members Present:

Bill Vail, Chairman
Chandler Woodcock

Norman Gosline
Walter Whitcomb

James Gorman, Jr. James Norris
Patrick Keliher

Board Members Absent:

Diane Doyle

Ben Emory

Staff Members Present:

Sam Morris Tom Miragliuolo R. Collin Therrien

Others

Ed Meadows, DACF Commissioner's Office
Shannon Ayotte, DACF Commissioner's Office
Jonathan LaBonte, Androscoggin Land Trust
Kathy Eickenberg, DACF Div. of Parks and Public Lands
Tom Abello, The Nature Conservancy
Jeff Romano, Maine Coast Heritage Trust
Tania Zuckerman, Presumpscot Regional Land Trust
Mike Parker, Presumpscot Regional Land Trust
Sarah Demers, Inland Fisheries and Wildlife
Angela Twitchell, Brunswick-Topsham Land Trust
J.T. Horn, Trust for Public Land
Diano Circo, Trust for Public Land
Stephanie Gilbert, DACF

1. Welcome and Introductions

Chairman Vail called the meeting to order, welcomed everyone and asked for introductions around the room. He announced our newly appointed Board member James Norris and asked that he give an overview of his background. Mr. Norris shared that he has been involved in resource appraisal and is interested in being active with the LMF program.

2. Minutes of the Previous Meeting

Motion: by Commissioner Whitcomb, 2nd by Mr. Gorman to accept the February 14, 2013 minutes of the meeting with a minor amendment. Passed unanimously.

Mr. Gosline asked that the "before and after" appraisal values be included in future minutes and ARC reports.

New Business

3. Status / Balance of funds remaining in LMF accounts

Dep. Comm. Meadows presented a spreadsheet on the LMF fund account balances. The cash fund balance as of February 28, 2013 is \$3,992,178

Dep. Comm. Meadows presented information on projects expected to close in 2013. He pointed out that the Randall project appraisal amount went down. The Orbeton project shows zero currently as Parks and Public Lands has agreed to pay project expenses with the expectation they will get reimbursed when LMF funds are available.

Mr. Gosline asked about the status of the Sousa property. Mr. Morris responded stating that it is still alive and that further information would be provided at the April ARC meeting.

Comm. Keliher stated that this satisfied the request for follow up on postponed projects from the last meeting and asked that the staff revisit this at each upcoming meeting.

These figures will only change upon action by the Board or progress on the bonds. The projects will continue to close subject to available funds.

4. Status of Active Projects for Available Funds

Dep. Comm. Meadows reviewed the active projects and funds in response to the Board's request at the February meeting to follow up on this.

Dep. Comm. Meadows informed the Board that some of the public notices for the projects being presented this day did not appear in newspapers a full 10 days before this meeting as requested. As a result, he advised that any action taken at this meeting will be held until the full 10 days has passed to allow for public comment. If any is received it will be brought to the attention of the Board. The 10 day window posting has been a Board practice/courtesy. The public notices were however posted on the website since March 14, 2013 for the full 10 days.

Comm. Keliher asked if the Board takes public comment on a proposed project is the Board then precluded from taking action on a decision at that meeting? Is there a deadline for public comments prior to an LMFB meeting? Comm. Keliher pointed out that the LMFB is not a rule-making body, but we just need to be sure we have a correct process that is fair to all. Mr. Meadows indicated that he would confirm answers to these questions with the Attorney General's office and report back at the next meeting.

Round 7 Farmland Protection Projects

5. Scammon Farm

Ms. Therrien presented the details of the Scammon Farm project. There were no comments or questions.

Public Notice

On March 15th in the Times Record and on March 21st in the Kennebec Journal.

Motion: by Commissioner Keliher, Mr. Gorman 2nd, to authorize the allocation of \$71,070 in LMF funds for the Scammon Farm project subject to standard conditions. Passed unanimously.

6. Randall Orchard

Ms. Therrien presented an overview of the Randall Orchard project. A discussion ensued regarding access "by landowner permission." This is the standard in all LMF agricultural projects.

Stephanie Gilbert of ACF stated that access is granted by "landowner permission only" is written in LMF statute. Chair Vail added that the intent is to conserve agricultural land, not necessarily provide public access. That is an added benefit to these projects.

Tania Zuckerman of Presumpscot Land Trust stated that is it very important to the Randall Orchard landowner to continue to provide traditional public access on this property.

Public Notice

On March 21st in the Kennebec Journal and on March 22nd in the Portland Press Herald.

Appraisal Review Committee Recommendation

In the absence of the (ARC) Chair, Mr. Morris presented the report for the ARC stating that the committee found the “before and after” appraisal to be conducted in accordance with the board’s appraisal standards and recommends approval of the value of the agricultural conservation easement at \$770,000 with the “before” value at \$1,750,000 and the “after” value at \$975,000.

Motion: by Mr. Gosline, Comm. Woodcock 2nd, to approve the recommendation of the ARC to accept the appraiser’s value of \$770,000. Passed unanimously.

Motion: Mr. Gosline, Comm. Keliher 2nd, to authorize funding in the amount of \$385,000 in LMF funds to the Randall Orchard project per standard conditions. Passed unanimously.

Round 7 Conservation and Recreation Projects

7. Androscoggin Greenway

Mr. Morris presented an overview of the Androscoggin Greenway Alden Hill, Area 3 project.

Appraisal Review Committee Recommendation

In the absence of the Appraisal Review Committee Chair, Mr. Morris presented the report for the ARC stating that the committee found the appraisal to be conducted in accordance with the board’s appraisal standards and recommends approval of the value at \$165,000.

Public Notice

On March 21st in the Kennebec Journal and March 16th in the Sun Journal.

Public Comment

Jonathan LaBonte of the Androscoggin Land Trust stated that they support the town of Canton’s request and will not pursue an application for tax exemption; they will align with the town’s interest.

Motion: by Comm. Woodcock, Comm. Keliher 2nd, to approve the recommendation of the ARC to accept the appraiser’s value of the Alden Hill Area 3 property at \$165,000.00. Passed unanimously.

Motion: by Comm. Keliher, Mr. Norris 2nd, to authorize funding in the amount of \$82,500.00 from Conservation and Recreation funds for the Expanding Androscoggin Greenway project per standard conditions. Passed unanimously.

8. Crocker Mountain

Mr. Morris presented an overview of the Crocker Mountain Forest Legacy project.

Appraisal Review Committee Recommendation

In the absence of the Appraisal Review Committee Chair, Mr. Morris presented the report for the ARC stating that the committee found the appraisal to be conducted in accordance with the board’s appraisal standards and recommends approval of the value of the lands to be acquired at \$7,670,000. The “before” value of the property is \$9,250,000, the “after” value of the remainder parcel is \$1,580,000.

Public Notice

On March 21st in the Kennebec Journal and March 16th in the Sun Journal.

J.T. Horn, of the Trust for Public Land thanked the committee for handling this in a timely fashion. He stated that the Trust for Public Land is working to raise funds to successfully complete the closing and have strong support from the local community including a contribution of \$10,000 from the Town of Carrabassett Valley. The town is supportive of the importance of trails to businesses in the area.

Motion: by Mr. Gosline, Mr. Norris 2nd, to approve the recommendation of the ARC to accept the appraiser's value of the Crocker Mountain parcel at \$7,670,000.00. Passed unanimously.

Motion: by Mr. Gorman, Comm. Keliher 2nd, to authorize funding in the amount of \$650,000 in Conservation and Recreation funds for the Crocker Mountain Conservation Project per standard conditions. Passed unanimously.

STAFF UPDATES

9. Newport to Dover-Foxcroft Recreation Rail/Trail Corridor

Dep. Comm. Meadows presented an update on the Newport to Dover recreational rail corridor regarding the sale of a .64 acre parcel acquired with LMF funds. The funds from the sale will be used to acquire other lands for recreational purposes in the same county.

10. Schoodic Bog Parcel

Ms. Therrien presented an update on the Schoodic Bog settlement project. The project resulted from Bangor Hydro's Downeast Reliability transmission line construction which goes through one parcel and through the Donnell Pond Unit. The settlement will compensate for this construction. The existing project agreement between the Frenchman Bay Conservancy and the Department of Agriculture, Conservation and Forestry is to be amended to include the additional acreage derived from the settlement. Mr. Meadows reported that all due diligence had been completed and funds held in escrow were released, pursuant to conditions approved by the LMF Board at its September 2010 meeting.

Legislative Update

Dep. Comm. Meadows shared the status of LD 524 - An Act to Increase the Membership of the Land for Maine's Future Board. The intent is to increase membership of the LMF Board by adding two public members. Membership was at eleven before losing a Conservation Commissioner seat and the State Planning Office Director seat. Comm. Whitcomb added that the recommendation from the department is that the wording be updated to "a majority of existing members" to fulfill a quorum.

Dep. Comm. Meadows presented an overview of LD513 - An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future Board and Training Facilities for Tourism-related Training in Labor Market Areas with Higher-than-average Unemployment. This is not yet scheduled for a hearing. The LMF staff has no prior expertise in this area. He has asked staff to review the bill. Job training is not one of the missions of the LMF program.

11. Maine Land Conservation Conference

Dep. Comm. Meadows announced that the annual Land Trust Conference will be held April 26th and 27th. LMF staff will be participating and presenting there. He noted this is the first land trust conference since the new combined DACF. This conference is a chance to discuss new opportunities for working with land trusts and programs in the new department.

The next LMF Board meeting is scheduled for May 21, 2013 at 1:00 p.m. at the DACF Bolton Hill Facility.

Adjournment: 3:00 p.m.