

DRAFT: Conservation Plan for Lowell Preserve

Conservation Goals for Lowell Preserve

Establish a preserve that permanently provides both a great place for the community to have four season recreation and wildlife habitat. The preserve will also provide space for outdoor education programs for the community, recreation department programs, and schools.

- Create a welcoming environment for the public throughout the preserve,
- Improve the trail network in the preserve to increase ease of navigation, sustainability of maintenance, and quality of wildlife habitat,
- Allow current snowmobile routes that cross through the parcel,
- Continue to allow some of the current ATV routes within and through the parcel,
- Comprehensively update signage, including kiosk postings to create an informative and welcoming trailhead; a clear trail map showing the new layout and permitted uses of each trail posted at each trail intersection; and clear directional signage throughout the network,
- Designate specific types of trails for different user groups, for example family-friendly trails, mountain bike trails, horse trails, and motorized vehicle trails,
- Ensure an ongoing wildlife habitat corridor,
- Allow hunting within town and state regulations,
- Continue to use the public access trailhead with parking that is already present on the adjacent parcel.

Future Land Uses

ACTIVITIES ALLOWED

- Low impact passive recreation (walking, running, birding, snowshoeing, X-country skiing, horseback riding-and mountain biking) throughout the trail network,
- High impact active recreation (snowmobile and ATVs) on designated trails only,
- Organized outdoor recreational activities and education events must be low impact maintaining the conservation value of the land within the easement,
- Hunting within town and state regulations.

ACTIVITIES PROHIBITED

- No permanent structures
- No subdivision of the land
- No ballfields, tennis courts, or high impact outdoor recreation fields on the conserved land
- No mining or dumping

WHAT AREA TO INCLUDE IN THE CONSERVATION EASEMENT?

- Map 13, Lot 39

SURFACE ALTERATIONS.

- Trails: Each trail/segment will have specific permitted uses; some will allow high-impact motorized recreation. New trails can only be created or discontinued in collaboration between the town and the conservation easement holder.

- Controlling Rutting and Erosion – allow the addition of barriers if problems arise.

VEGETATION MANAGEMENT.

- General Intent: Important for recreation experience and wildlife habitat
- Open Areas: none
- Forestry: Forest harvesting requires the town to have a forest management plan created by a licensed forester for the purpose of forest health and wildlife habitat value. The forest management plan must be created in consultation with the conservation easement holder and the town.

WASTE DISPOSAL.

- No direct discharge of treated or untreated sewage or toxic gray water.
- The use, storage, discharge or runoff of chemical herbicides, pesticides, fungicides, soaps, detergents or highly acidic or alkaline agents, fertilizers and other toxic agents, including discharge of potentially toxic waste water or other toxic byproducts of permitted uses, must be limited to prevent any demonstrable adverse impact on wildlife, waters and other important conservation values to be protected unless more intensive use is approved in advance and in writing by Holder.

PUBLIC ACCESS

- Public Access will be a right.

ACCESS POINTS

- There is currently one trailhead at the fire station, which is located outside the land proposed for the conservation easement.

CONSERVATION EASEMENT HOLDER

- Proposal to have the Presumpscot Regional Land Trust hold the conservation easement on the Lowell Preserve, town-owned land.

DISPUTE RESOLUTION

- The Management Plan shall include a provision outlining procedures to resolve disputes arising between the parties with regards to its terms and provisions, provided that any dispute resolution or interpretation of Management Plan terms shall be consistent with the conservation purposes of this Easement.

FAQs about Conservation Easements

What is a conservation easement?

A conservation easement is a voluntary legal agreement between a landowner and a land trust that permanently limits certain uses of the land in order to protect its conservation values.

What are the benefits of conservation easements?

Conservation easements allow people to protect the land they love without giving up ownership of it. They are the number one tool available for protecting land. Particularly in areas facing rapid development, conservation easements can complement local zoning by ensuring appropriate growth and protection of sensitive areas. All conservation easements must provide public benefits, such as water quality, scenic views, wildlife habitat, outdoor recreation and/or education.

How does a conservation easement restrict use of the land?

That depends on what you're trying to protect. If you're placing land under easement, you can work with your land trust to decide on terms that are right for the land. While every easement is unique, there are a few general rules. The primary one is development is limited.

Are conservation easements permanent?

Yes.

How much land is protected by conservation easements?

As of 2016, nearly 2 million acres of Maine is protected by land trusts through conservation easements.

What is the role of the land trust?

It's the land trust's job to make sure that the restrictions described in the easement are carried out. To do this, the land trust monitors the property on a regular basis. The land trust will work with the landowner to make sure that activities on the land are consistent with the conservation easement.

What municipalities in the region collaborate with their local land trust, where the local land trust holds a conservation easement on the town-owned land for the purpose of forever providing low-impact recreation and wildlife habitat for the community?

Falmouth, Sebago, Denmark, Bridgton, Freeport, Scarborough, Cumberland, Yarmouth, North Yarmouth, Cape Elizabeth, Brunswick, Biddeford, and Topsham. These collaborations continue to grow as the population in Cumberland County and Greater Portland grows quickly.

Lowell Preserve Project Budget 2021
Presumpscot Regional Land Trust

PROJECT EXPENSE:

\$223,000 Land value assessed 307 acres - Town of Windham (purchased in 1999 for \$200K)

\$5,000 Legal fees for the conservation easement

\$43,000 Long-term Stewardship and Recreation Fund (based on Land Trust calculator)

- \$26,000 ongoing conservation monitoring, \$17,000 ongoing recreation management (see below)

\$17,000 Field work to include public access trails and wildlife habitat enhancements

- Four miles of trail, kiosks, bridges, wildlife habitat improvements (ie bat boxes and invasive species removal) and educational signage, creating different types of trails for a variety of trail users

\$5,000 Project management, community engagement, baseline and land management plan

\$293,000 TOTAL PROJECT EXPENSE

PROJECT INCOME:

Secured:

\$223,000 In-kind donation of Conservation Easement on 307 acres of land owned by the Town

of Windham removing land value because the easement would prohibit permanent structures and subdivision

Potential:

\$ 25,000 Private Foundations

\$ 25,000 Town of Windham Open Space funds and Recreation funds

\$ 20,000 Public Campaign run by the Land Trust for the remainder

\$293,000 TOTAL PROJECT INCOME

Long-term Conservation Funds Needed (from Land Trust calculator)

Preserve	Fee or Easement	Public Access	Acres	Legal Defense /year	Liability Insurance /year	Cost for Monitoring /year	Violations and Boundaries /year	Stewardship Costs / year	Total Stewardship Funds Needed
Lowell Preserve	Easement	Y	307	\$75	\$75	\$645	\$45	\$966	\$26,000

Long-term Recreation Funds Needed (from Land Trust calculator)

Preserve	Fee or Easement	Public Access	Miles of Trails	Trail heads	Acres	Cost for Trails and Trailheads /year	Habitat and Other Rec/year	Recreation Cost/ year	Total Recreation Funds Needed
Lowell Preserve	Easement	Y	4	0	307	\$472	\$75	\$629	\$17,000

Lowell Preserve

Conservation Easement Concept Plan



DRAFT: Management Plan for Lowell Preserve

The Town of Windham will conserve the Lowell parcel (Map 13, Lot 39) through a conservation easement with the Presumpscot Regional Land Trust, once a management plan is finalized for the parcel.

Management Goals for Lowell Preserve

The primary management goals are to create a great place for the community to have four season recreational opportunities and to provide wildlife habitat. The preserve will also provide space for outdoor education programs for the community, recreation department programs, and schools.

- Create a welcoming environment for the public throughout the preserve,
- Improve the trail network in the preserve to increase ease of navigation, sustainability of maintenance, and quality of wildlife habitat,
- Designate specific types of trails for different user groups for example family-friendly trails, mountain bike trails, horse trails, and motorized vehicle trails,
- Comprehensively update signage, including kiosk postings to create an informative and welcoming trailhead; a clear trail map showing the new layout and permitted uses of each trail posted at each trail intersection; and clear directional signage throughout the network,
- Ensure an ongoing wildlife habitat corridor,
- Assess the need and timing for a forest management plan, created by a licensed forester.

ACTIVITIES ALLOWED

- Low impact passive recreation (walking, running, birding, snowshoeing, X-country skiing, horseback riding and mountain biking) throughout the trail network,
- High impact active recreation (snowmobile and ATVs) on designated trails only,
- Organized outdoor recreational activities and education events must be low impact maintaining the conservation value of the land within the easement,
- Hunting within town and state regulations,
- Camping and fires only with special permission of the landowner for education purposes.

Creating a Management Plan

- The Land Trust will draft a management plan for Lowell Preserve which will include priority uses for the parcel, an updated layout of the trails to improve the trail system for a wide variety of uses, and wildlife management strategies. The Land Trust will work closely with all interested parties to create this plan including (but not limited to) the

ATV club, Snowmobile club, Mountain Biking club, Horseback Riding club, and the Parks and Recreation Department. The final approval of the management plan will be signed by the Town Manager or Designee (Director of the Windham Parks and Recreation Department) and the Director of the Land Trust. The Management Plan shall include a provision outlining procedures to resolve disputes arising between the parties with regards to its terms and provisions, provided that any dispute resolution or interpretation of Management Plan terms shall be consistent with the conservation purposes of this Easement. The Management Plan can be changed and updated at any time by the Town Manager or designee (Director, Windham Parks and Recreation Department) and the Director of the Land Trust.