Fels-Groves Farm Preserve
Management Plan

Parks & Lands Committee
Yarmouth, Maine
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1. **Executive Summary**

The expansive rolling fields bordered by woodlands of the Fels-Groves Farm Preserve are a visual treat for passers-by on Gilman Road. The Town of Yarmouth acquired this 55-acre preserve in 2002. It contains rolling fields, forests, and ravines, bisected by Gilman Road. The northern portion consists of 17 acres of field and forest backing up to Whitcomb's Creek, and thence draining to the Royal River. The southern portion, across Gilman Road, contains 38.5 acres and backs up to the CMP power lines, draining to Pittee Creek and the upper estuary of Broad Cove. The property is permanently protected from future development by a conservation easement held by Royal River Conservation Trust (RRCT), which restricts use of the property to low impact outdoor recreation. This management plan compiles available information on the Preserve, describes opportunities and constraints, and sets forth some long-term policies and recommendations for the property. Much of the content of this document is based upon a 2004 report produced under the auspices of the Yarmouth Conservation Commission, which can be referred to for additional historical detail.

A trail network has been established in the southern parcel, which includes a connecting link to the West Side Trail, a multi-use trail situated within a major electric power transmission corridor running from the power plant on Cousins Island north along the western edge of Town. In addition to the low-impact recreational opportunities offered by the trails, considerable portions of the Preserve offer valuable habitat to various species of wildlife and birds, as well as the scenic vistas referred to above. The trail network is heavily used, and is the primary feature attracting users of the Preserve.

Management needs for the Preserve include trail mowing and maintenance, annual mowing of the fields to maintain their open character, educating and monitoring users to avoid conflicts and adverse impacts, and maintaining the integrity of the scenic vistas and open field habitat. Invasive species management will require on-going attention, and has been lacking to date. Several improvements (bridges and board walks) have been made through the work of local volunteers, the Maine Conservation Corps, and several Eagle Scout projects, and there will be periodic maintenance of these. The conservation easements (for the Preserve and the adjoining homestead property) require annual monitoring and reporting.

Future planned work will include laying out and installing a trail network in the northern portion of the Preserve, with a desired boardwalk connection across Whitcomb’s Creek and northerly through the cemeteries, along Smith Street, and on to the Village. In the short term, upgrading of a short wooded loop trail to meet Americans with Disabilities Act (ADA) requirements, construction of an information kiosk, improved trail signage and minor relocations and improvements of eroded and muddy portions of the trail network are on the agenda.
Exhibit A: Fels-Groves Farm Preserve Location
Topography and other Yarmouth Public Lands
2. Description and History

The Fels-Groves Farm Preserve comprises fifty-five (55) acres on both sides of Gilman Road in Yarmouth. Seventeen acres of the parcel are north of Gilman Road, bounded on the north by Whitcomb's Creek and 38 acres are south of the road, bounded by the CMP power line corridor to the south. The east and west boundaries are residential neighborhoods. The original homestead, with nine acres, on the northern side of Gilman Road, was carved out and sold to a private party, subject to a parallel conservation easement held by Royal River Conservation Trust.

2.a. Description

The Preserve is a highly visible property for travelers along Gilman Road. Mature woods and scenic open fields line both sides of Gilman Road, providing a sense of Yarmouth’s more rural past. The property, consisting of rolling fields (25 acres) and woodlands (30 acres), sits on a broad, gently rolling terrace, cut by steep ravines. The fields, forest and ravines are typical of Yarmouth’s coastal area, with underlying glacial marine clays making most of the low lying areas at least seasonally wet.

The northern parcel (17 acres) surrounding the historic brick home has gently sloping grassy pasture that backs up to a series of steep ravines, which drain to Whitcomb's Creek, a tidal estuary and tributary to the Royal River. The ravines are forested with mature pine and hemlock and an open understory. The creek flows through a broad tidal marsh of cattails, rushes and brackish marsh grasses.

The southern parcel (38.5 acres) backs up to the CMP electrical transmission corridor (also the location of a recently constructed segment of the West Side Trail), and drains south into a deep ravine that crosses the power lines and leads further south to Pittee Creek, which becomes the tidal estuary at the head of Broad Cove of Casco Bay. This parcel has three distinct portions. Broad rolling grassy fields cover most of the property, with a small woodlot adjacent to Gilman Road (where the parking lot is located), and mature mixed oak and pine wood forest in the southeast quarter of the property. The mature forest east of the field extends back to the CMP right-of-way. It contains a small stream and ravine. This forest (the “Oak Wood”) has beautiful spreading red oaks that are very old and large. The smaller woodlot near Gilman road (the “Pine Wood”) contains younger forest growth dominated by white pine (and red maple in wet areas).

In addition to offering scenic vistas to travelers on Gilman Road, there are foot trails in the fields, the Oak Wood and the Pine Wood, all in the southern section of the property and available for year-round use. There are also connections with the West Side Trail, a multi-use trail within the CMP transmission line corridor. The northern section has no developed trails at this time. The entire property is accessible in winter, offering connections to trails around the shoreline and the Town's waste treatment plant property, situated on a scenic overlook on Whitcomb’s Creek and the Royal River, and across the river from the marshes and forest of the Spear Farm Estuary Preserve. Following the river’s shoreline downstream from Whitcomb’s Creek leads to Larabee’s Landing, another historic and scenic Town-owned property, with views across and down-river to Casco Bay.

2.b. Land Use History

There is little detailed information about historical land uses on the Preserve. The farm appears to have been consistently in agricultural use, mostly for pasture and haying. Corn and squash were grown on the property until the 1980s. There is evidence of timber harvesting along the ravines of Whitcomb’s Creek, as well as in the Oak Wood in the southern parcel.
The southern section of the property has three distinct portions. The Pine Wood lot adjacent to Gilman Road appears as open field in an aerial photo from 1957. The open fields would have been used for agricultural purposes. After the 1980s, the land was used for hay. The woods on the eastern border (the Oak Wood) are composed of large oak trees at least 80-100 years old, many of the large red oaks consisting of multiple stems growing from a cut stump, the size of which indicates very large original trees.

2. c. Parcel Acquisitions

The Fels-Groves Farm Preserve as we know it today, was originally five separate ten-acre lots, which were not consolidated into common ownership until 1948.

In 1727, the Yarmouth peninsula and shore around Broad Cove were divided into 100 ten-acre parcels. Parcels were laid out to encourage a compact settlement, and to acknowledge and record the landholdings of the 36 settlers then residing in the area. The ownership of the other 64 lots was allocated by drawing numbers out of a hat. Settlers on these lots were each eligible to receive an additional 40-acre tract in what is now mainland Yarmouth and North Yarmouth. The Preserve is composed of 5 tracts of land from this land division (lot numbers 32, 33, 34, 85 and 86), and the boundaries remain largely intact. Gilman Road cuts through tracts 32, 33, and 34. A local watering hole for horses and travelers was recorded at the corner of lot numbers 32, 85, and 86, but there is no sign of it today.

Gilman Road was laid out in 1780, to give access to Larabee's Landing. By 1780, there already had been several changes in ownership between the five lots; however the Groves Farm lots were not under common ownership. Capt. Reuben Prince bought property in 1840 and is believed to have constructed the brick house that is a landmark on the adjoining property. The house passed to his son Harlan P. Prince upon Capt. Prince’s death around 1880, and remained in his family until 1899.

The "Homestead Property", as the bulk of the Groves Farm was called, changed hands repeatedly after Harlan Prince's death in 1899. Arthur and Josie Fels purchased the homestead in 1907. Their daughter, Dorothy Fels, married Clarence Groves in 1951. Dorothy and Clarence Fels-Groves owned the property from 1963 until their deaths in 2001. Following their deaths, the Groves family offered to work with the Maine Coast Heritage Trust and the local community to keep the farm preserved in an undeveloped state.

Maine Coast Heritage Trust purchased all of the land on July 10, 2002. The brick house with its outbuildings is situated on 9 acres which was carved out of the larger property and sold to a private buyer subject to a conservation easement. The remaining 55 acres were transferred to the Town of Yarmouth, subject to the conservation easement attached as Appendix A. The rights of the holder of these conservation easements were assigned to the Friends of the Royal River, a regional land trust, which was later merged with other regional conservation organizations into Royal River Conservation Trust (RRCT). RRCT is charged with monitoring the easements to ensure that the easement conditions are upheld.

2.d. Conservation Easement and Deed Restrictions

The deed from the Estate of Clarence H. Groves to Maine Coast Heritage Trust restricted hunting on the Groves property, using the following language:

"This conveyance is made subject to the following restriction which Grantee covenants and agrees shall be binding on Grantee's successors and assigns, which restriction shall run with the land: hunting on the premises is prohibited unless necessary for population control or eradication of nuisance or introduced species pursuant to governmental determination."
The conservation easement governing the Preserve is intended to:
- protect the natural, scenic, and undeveloped character of the Protected Property;
- to assure its availability as a public park and preserve for low impact public outdoor recreation; and
- to promote the conservation of its scenic open fields and its woodland and their associated wildlife habitat values, and the water quality of the Royal River.

The concluding statement of purpose states: “It is intended to balance the community need for open land available for public outdoor recreation, nature observation and study, with restrictions that will ensure that the experience of the public on the Protected Property will be one, increasingly rare, of relatively unstructured quiet contemplation and reverence for the natural world.” (Emphasis added)

To further those goals, the following uses are specifically prohibited:
- Residential, commercial, industrial, quarrying or mining activities, although charitable/educational uses, community events, or the incidental sale of forest products is allowed.
- Dividing the land, except to remedy boundary disputes.
- Disposal or burial of waste.
- Construction of structures without prior written consent, with enumerated limited exceptions.
- Access by all-terrain vehicles (ATVs) and other motorized vehicles, excepting mowing/maintenance vehicles, and seasonal snowmobile trails.
- Development of high-impact recreational facilities such as recreational courts, playing fields, tennis courts, playgrounds, swimming pools, bleachers, billboards, equestrian rings, mud runs, ATV tracks, race tracks, high intensity lights, stadium facilities, campgrounds, performance stages, or other such high-impact outdoor recreational facilities.

The conservation easement does allow for limited development to support low impact outdoor recreation and conservation of the property. It specifically allows:
- Minor structures to enhance outdoor recreation, outdoor education and scientific study.
- An unpaved parking lot of not more than 2400 sq. ft. (40’ X 60’) and parking and access structures and facilities for public use (gates, sanitation, signs, etc.).
- Unpaved trails and footpaths.
- Man-made ponds for enhanced wildlife habitat and scenic character.
- Scientific, ecological or archeological research or education that does not alter important natural resources.
- Periodic mowing and brush hogging to preserve the open character of the fields on the property.
- Limited cultivation of crops and wildflowers, and livestock grazing.
- Forest management for non-commercial purposes and to cut trails.

The easement holder (RRCT) may allow more surface alteration and vegetation management, consistent with the goals of the easement, via prior written consent.

2.e. Stakeholders
i. Neighbors (including the owners of the Homestead) and others who worked to protect this Property, and who benefit from its existence.
ii. All users of the Property.
iii. Town of Yarmouth - The Town of Yarmouth is the owner of the fee interest in the Property.
iv. The Parks and Lands Committee of the Town, which oversees the Property and advises on Town policy.
v. Royal River Conservation Trust (RRCT) – f/k/a Friends of the Royal River, the holder of the Conservation Easement for the Property.
3. Resource Inventory

3.a. Natural Resources
   i. Geology and Soils

The metamorphic schist and sandstone bedrock underlying the Preserve and surrounding land was submerged under seawater following the last glaciation, and slowly buried by marine clays. These soils derived from fine silts and clays impede drainage, making for damp soils that swell when they are wet and crack when dry. Such soils are difficult to farm. Some locations have a layer of coarse sediments deposited by glacial runoff with improved drainage.

The northern side of the parcel generally has better soils. The house, wooded pastureland behind the house, and Gilman Road take advantage of some of the better-drained soils on the parcel. The fields and woodland are characterized by poorly drained soils that are slow to dry during the spring and wet periods. Naturally occurring drainage ‘pipes’ are observable at gully heads on the southerly parcel.

The soils information for this section is derived from the USDA Soil Conservation Service Soil Survey for Cumberland County, Maine, August 1974. While this publication provides specific soil maps and boundaries, the locations are coarse, generally not field verified, and should be used as a rough guide to the nature of the local soils.

Appendix C depicts the soils limitations of the Property, showing a rough approximation of the 7 soil types found on the property. They are as follows:

- **Belgrade soils** are deep, moderately well drained soils. The water table is deeper than the other soils on the parcel, but still can be seasonably high. This soil erodes easily.
- **Buxton soil** can be slow to drain and become cloddy if cultivated. It also is susceptible to frost heaves and can have a seasonally high water table. The soil can erode easily and is sticky and plastic when wet.
- **Elmwood soils**, mapped as underlying the Pine Wood lot, are deep moderately well drained soils. These soils contain pockets of coarse sediments from glacial outwash streams, overlying more fine-textured sediments. The water table under these soils is deeper. Run-off is slow to medium on this soil. The water table is seasonally high with seepage spots and the risk of erosion. Clay underlies this soil type.
- **Melrose soils** are moderately sloping, well-drained soils. They contain coarse sediments over a clay layer and have a high erosion factor. These are the best-drained soils on the property, and probably dictated where Gilman Road was located in 1780.
- **Scantic soil** is the most prevalent soil type on the parcel, found in the open field and Oak Wood Lot. The upper horizons of the soil are somewhat permeable, but very slow to drain in the lower layers where high silt content impedes drainage. The profile runs from a silty loam to loamy clay. Drainage is poor. These soils are very susceptible to frost heaves and provides an erosion hazard. This makes trail building challenging. Scantic soils are well suited for shallow impoundments.
- **Suffield silt/loam** - the ravines on both parcels are characterized by *Suffield silt loam* with 25 to 45 percent slopes. This soil is on the lower part of the slopes and drainage ways and is underlain by clay laid down as marine and lacustrine sediments. This soil is very susceptible to frost heaves and cut slopes are unstable. It is sticky and plastic when wet.
- **Windsor soil** is typically found on terraces adjacent to streams. It is among the best draining soils on the parcel. Even so, run-off is slow in this soil type, and the soil is easily erodible.
ii. Hydrology and Topography

The topography (Appendices D-1 and D-2) is typical of the Yarmouth coastal area and reflects the historic name “Wescustugto”, which translates to land of many gullies. Glacial marine clays underlie the soils and impede effective drainage, and have frequently eroded into steep ravines through this site. Gilman Road is located on the ridge of a divide between the northern and southern watersheds of the property. The northern portion drains north to Whitcomb's Creek, a tidal estuary and tributary to the Royal River. The southern portion drains into a deepening ravine that crosses the CMP power lines and runs south into Pittee Creek, the upper estuary of Broad Cove, and thence into Casco Bay. The significance of the northerly drainage may have been under-appreciated in the 2004 Report, but it can be assumed that the same concern for protection of the water quality of the Broad Cove Estuary and Casco Bay should exist as with the declared concern for the Royal River.

iii. Vegetation

Appendix B is a full listing of observed species as of 2004. The cover types are described in land sections moving generally from north to south, as follows:

- Whitcomb's Creek - The creek defines the northern boundary of the property and is a wetland dominated by narrow-leaved and broad-leaved cattail, salt marsh cord grass and salt hay. This tidal wetland is mapped in the U.S. Fish and Wildlife Service National Wetland Inventory.
- Ravine Slopes- On the north side of the property, these mostly north-facing slopes are covered by hemlock and American beech on the west side of the parcel and red oak, red maple and white ash on the eastern edge. White birch, red oak and maple are found throughout. Trees are mature, with open understory.
- Ravine Bottoms - These bottoms are very wet, muddy and sparsely covered with wetland grasses and herbaceous growth, along with sensitive fern and fancy fern.
- Open Fields- European farm grasses (timothy, false foxtail, and quack-grass), and asters dominate the open fields, with stubble of meadowsweet, bayberry, and pasture rose, among bed straw, vetch, and marsh and sensitive ferns invading in wet areas and along the edges.
- Pine Wood - Red maple, quaking aspen and paper birch comprise the over story adjacent to Gilman Road, with white pine and hemlock predominating in the southern portion of the woodlot. The drainage near the road is poor and there are many ferns in the ground layer. This woodlot was an open field as recently as 1957, as evidenced by aerial photos from that year. Common buckthorn (an exotic invasive) is found in the understory.
- Rear of the Pine Wood- The southern portion of the Pine Wood lot hosts old-field successional growth dominated by white pines.
- Open Fields south of Gilman Road - These fields are similar in character to those found on the north side of the Road. The soils do not drain as well on the southern parcel and there are several wet seeps, which converge to form the head of the ravine draining to Pittee Creek.
- Mature Hardwoods (the Oak Wood)- This area features beautiful red oaks that are very old and large. Wintergreen, sheep laurel, low-bush and sour top blueberry, and juniper are found in the under story.
- Transitional Hardwoods (southeast portion of the Oak Wood) - American beech, red maple, red oak, and paper birch are interspersed with white pine and balsam fir. The cool damp soils are evidenced by the groundcover of club mosses, ferns and mosses. The ground is hummocky in places.
- Ravine leading to Pittee Creek - The soils of this drainage support black cherry, paper birch and numerous shrubs. Asiatic bittersweet covers many of the trees along the western edge. This nuisance species could threaten to take many limbs and whole trees if not controlled. Morrow’s honeysuckle and glossy buckthorn infest the southwesterly corner of the Oak Wood.
iv. Habitat/Wildlife

The wildlife sighted on the Fels-Groves Farm Preserve is typical of edge and open habitats. There are no known records of special species sightings on the property. The animals found there include (see also notes in Appendix B):

**Large and small mammals:** White-tailed deer, red fox, coyote, raccoon, Virginia opossum, skunk, meadow voles, white-footed mouse, muskrat, red squirrel, grey squirrel, and mink.

**Birds:** Short-eared owl, marsh hawk, red-tail hawk, broad-wing hawk, turkey vulture, American kestrel, American robin, black-capped chickadee, tufted titmouse, wild turkey, bob-white, ruffed grouse, meadowlark, bobolink, song sparrow, tree sparrow, sharp-tail sparrow, grackle, starling, great blue heron, American egret, snowy egret, black duck, mallard, common crow, blue jay, American cardinal, and barred owl.

3.b. Cultural Resources

Apart from the adjoining Homestead property (not part of the Preserve, although aligned with it), and the historic location of Gilman Street, there are no known cultural resources per se, the available resources being natural.

i. Archaeological (no known active archaeological resources at the Preserve)

ii. Historical

The written modern history of the Preserve dates from the very beginnings of the European settlement of the Town, and has been described at length in the 2004 Report. Only a few material artifacts remain, other than the biologic evidence of historic land use. Although the resources available to earlier peoples would surely have led to use of the area by them, there are no recognized traces of their habitation.

3.c. Recreational Resources

The recreational resources of the Preserve are a combination of low impact active use, consisting primarily of walking the trail system, with enjoyment of the beauty of the varying habitat by users, and passive enjoyment of the scenic vistas by passers-by.

i. Public Access

Public access to the Preserve is primarily via Gilman Road, with the parking lot and trailheads being situated off of Gilman Road, in the southerly parcel. There are also two points of access to the trail network from the new West Side Trail, abutting the southerly end of the Preserve. The Preserve parking lot serves as a starting point for the West Side Trail, with a connector leg running southerly from the parking lot.

The northerly parcel has a newly created access right of way connecting the northwesterly corner of the Preserve to Whitcomb’s Way, the road leading to the Waste Treatment Plant. No trail network has yet been established from this point of access. In addition there is wintertime access across the frozen marshes of Whitcomb’s Creek, from the treatment plant to the north facing slopes of the Preserve.
ii. Trails; Exhibit C

The present trail system is exclusively on the southerly parcel, and is depicted on Exhibit C. The trail in the open fields hugs the edges, except for the ‘figure eight’ direct connector from the parking lot to a junction point on the eastern side of the field, near the old ‘spring’ site. This layout is to preserve the field habitat for the ground-nesting bird species that summer there, as well as to maintain the open vistas visible from Gilman Road. The Pine Wood Loop trail is a short loop (approximately a quarter mile) adjacent to the parking lot, which is under study for conversion to an ADA compliant pathway. The Oak Wood Loop, with a branching dead end spur to a scenic overlook, is entirely within the large wooded area to the southeast of the parcel. It has two connections to the West Side Trail, at points near the boundary line with the power transmission corridor, the westerly junction being the terminus of the access trail from the parking lot to the West Side Trail. The latter is the only trail segment upon which bicycles are permitted at present.
iii. Active Recreation

Active recreation is limited to the use of the trail system, and the pursuit of bird watching and nature observation. Dog owners are a large constituency of active users, and many people travel by car to the Preserve as a destination for the exercise of their pets.

iv. Scenic Vistas

The scenic vistas available to the traveler on Gilman Road were a prime motivator for the acquisition of the Preserve, with deep fields to the south, reaching back to the wooded perimeters, and rolling fields to the north, dropping down to the wooded terraces flanking Whitcomb’s Creek. Visibility of the bulk of the entire preserve from this heavily traveled road is an outstanding resource, to motorists, cyclists and pedestrians alike, all of whom enjoy these vistas.

v. Amenities

There are few developed amenities at the Preserve, and this is appropriate, being consistent with the declared purposes and goals of the Preserve. An information kiosk is planned for the parking lot, and there is signage throughout the trail system. Users are asked to carry out all waste, there being no budget or provision for waste removal by the Town. A bike rack has been installed, but has seen little observed use to date.

4. Preserve Land Uses

4. a. Current Uses

Observed users include regular recreational and health regimen walkers (with or without dogs), trail runners, naturalists and birdwatchers, school groups, people using the access trail from the parking lot southerly to the multi-use West Side Trail, and seasonal snowshoe users and cross country skiers. Current uses are monitored by the Preserve Stewards (the RRCT Stewardship Director, Kyle S. Warren, and volunteer Preserve steward, currently Edward Ashley).

4.b. Allowable Uses

Current users fit within the types of allowable uses specified by the Conservation Easement, with very few observed violations to date.

4.c. Restricted Uses

Restrictions on use are set forth in Section 2.d. and Appendix A, describing the deed restriction and the Conservation Easement.

4.d. Conflicting Uses and Constraints

Although snowmobiles are an allowed use on designated trails, the development of snowmobile trails is not recommended. In part this is because of the relatively small size of the parking lot, and a perception that snowmobile use would be inconsistent with the protected values (including peace and tranquility) of the Property. The trails within the wooded portions of the property have not been laid out or constructed with snowmobile use in mind. A major contingent of year-round users consists of dog owners and other pedestrians, and there could be potential for conflict. In addition, many of the wet soils on the Preserve do not freeze thoroughly during most of the winter, presenting an erosion hazard for any motorized vehicle, whether tracked
or wheeled. It is important during the summer bird-nesting season that any traffic in the fields be restricted to the trail system (which for the most part follows the perimeters of fields), so as to not disrupt the ground-nesting songbirds and other wildlife sensitive to intrusion, as well as to maintain the unbroken scenic vista of untrammelled fields. In good seasons, there can be more than one clutch of birds, so young flightless birds (or adults guarding nests) can be present from late May through late September.

There have been occasional reports of conflicts of dog walkers with neighbors’ dogs in one adjoining neighborhood, but on the whole, the dog owners have been very responsible and self-policing. This is a matter for strong continuing education efforts.

**Constraints** - One very real constraint on expanded or alternative uses of the Property is the easement limited size of the parking lot, expressed as being not to exceed 40’ X 60’, an unwieldy configuration. The present lot typically accommodates 4-5 vehicles. This factor will continue to limit motor vehicle access, and in particular inhibits usage by large rigs such as snowmobile trailers. No parking has been made available (or is intended) on the northerly section.

Parking on the relatively wide shoulders of Gilman Road is not advisable as a regular matter, both for safety reasons (walkers, runners and cyclists often travel Gilman Road, making use of the shoulder), as well as being inconsistent with the goal of preserving the scenic vistas of the open fields and woods flanking Gilman Road. At present parking seems adequate to meet current demands (in part because of steady turnover), but this should be monitored on a continuing basis.

**4.e. Possible other or expanded Uses**

- **Expanded Trail connections** - There is great potential for expanding the trail network to the northerly section of the property, and making connections to the wastewater treatment plant, Smith Street and northerly to Route 88, the waterfront, and the village center. There are currently plans on the part of a Boy Scout project to convert the Pine Wood Loop Trail into an ADA compliant trail.

- **Mountain Bikes** - Mountain bikes are permitted on the south bound connector leading from the parking lot to the multi-use West Side Trail, but not elsewhere on the Property. It is anticipated that this connector leg will be surface hardened to withstand erosion. This use should be monitored for signs of degradation. If there is rutting or erosion, we should evaluate remedial solutions, and/or limiting use when soils are wet. Mountain bikes allowed in the wooded loops, where tree roots and soft duff can be easily exposed or damaged.

- **Agricultural Uses** - The easement does allow for "limited cultivation of crops and wildflowers, and livestock grazing." At one time the Preserve was suggested as a satellite site for a community garden, but that suggestion has not been pursued, probably for lack of an adequate community organized to support that use. The soils on the property generally do not drain well but could be amended in small better drained areas. The northern portion of the property has better soils for cultivation, however, the water main runs on the south side of Gilman Road, and there is no parking on the north side of the road. As to possible livestock grazing in the fields adjoining Gilman Road, there is no power or water installed on site, and there would be an implied need for shelter for animals. Such use could interfere with wildlife habitat values, as well as impact the scenic views. All in all, there appears to be little reason to pursue such agricultural uses, and good reasons not to.
5. **Management: Guiding Summary of Management Goals and Strategies**

5.a. **Vegetation and Invasive Species**

- **Invasive Species** - The vegetation on the Preserve has a high incidence of invasive species that spread and damage trees and other natural vegetation communities. These plants can crowd out food sources for wildlife, out compete the native species, and destroy mature trees. Invasive plants on the Preserve include Morrow's honeysuckle, Japanese barberry, glossy buckthorn, Asian bittersweet and possibly purple loosestrife. Monitoring and targeted removal of invasive species should be pursued, with an active invasives management plan being formulated and executed.

- **Mowing Policies** - Mowing in the fall keeps woody growth in check on the open fields and maintains them in a grassy state. Bob-o-links and meadowlark nest on the ground in this habitat and their active nests are destroyed by summer mowing, so there should be no mowing until October. That portion of the trail system in the fields is mowed as needed during the summer, maintaining a more open environment for trail walkers.

5.b. **Trails/Recreation**

The development and installation of trails on the Preserve has been a very successful effort, and the Townpeople have embraced it with enthusiasm. The expressed intent of the easement "to assure the availability of the farm as a public preserve for low-impact outdoor recreation" has been well implemented. Bridges and boardwalks have been installed, and can continue to be developed or maintained as needed to assure good year-round low-impact access and usage. In some instances, minor re-routing may be advisable, to avoid wet ground conditions. The development and opening of the multi-use West Side Trail promises to be a major factor in the recreational life and opportunities for the Town, and the Preserve’s location and connection to it makes the Preserve a strategic part of that vision. Usage will be monitored, and if necessary, measures can be taken to preserve ground conditions and avoid conflicts.

There are few easy places to access the northern portion of the parcel because of the location of the property line along Whitcomb’s Creek, and the steep-sided ravines. In this northern section, it was originally believed that trails should avoid the ravine slopes and wet ravine bottoms, and no development work has been done there at this time. Recent experience with the layout and construction of the West Side Trail through difficult adjoining terrain has demonstrated that knowledgeable construction techniques can overcome these adverse conditions. We should proceed with limited trail development in this section, but only where, and in a manner, which will prevent erosion. The Town has been given an access easement to the northerly portion of the property from the road to the Waste Treatment Plant (Whitcomb Way). This new connection from Whitcomb Way should be developed, utilizing the techniques and materials learned in constructing the West Side Trail. There are places where a boardwalk could cross the upper reaches of Whitcomb’s Creek with low impact. To enable this, negotiations with adjoining landowners should be pursued. The Whitcomb’s Creek estuary is an isolated stretch of very scenic and productive habitat, deserving of protection and discreet low-impact enjoyment, as an adjunct to the Preserve, and a connection to the lower Village.

Trails on the Property not only provide access throughout the Preserve, but can also create linkages with other trails in Yarmouth. There is very real potential for the development of connecting trails to the Village, so that direct off-road access by foot or bicycle is feasible. This would also minimize pressure on the parking lot. The
Town should explore ways to provide access to the north and west of the parcel to connect to trails around the shoreline and the Town's waste treatment plant property, and on to the Village.

We need to avoid the problems experienced in some other Town parks and preserves of ‘over-doing’ the development of trails, which can diminish the quality of experience, and adds to user confusion, environmental degradation and increased maintenance costs. The Property can be (and is) actively enjoyed by a large number of people over the course of a single day, but not all at the same time. In addition to active use, there is the passive enjoyment of passers-by to take into account, which would not be enhanced by an overly busy development of the Property. The current level of development in the southern section of the Preserve seems appropriate and sustainable.

It is noteworthy that trail development to date has been sensitive to the geology, topography, wildlife habitat values and abutting landowners of the Preserve, and this should continue to be the rule. There are high value opportunities for limited expansion of the network.

5.c. Habitat

In order to preserve existing wildlife habitat values, which are of a high order, it is advisable that foot traffic be restricted to installed trails, both in the fields and in the wooded sections of the Property. Apart from trail development, there should be no cutting of timber within the wood lots, and no mowing of fields during nesting season.

5.d. Scenic Vistas

The Groves Farm was purchased to preserve its character and for passive outdoor recreation. The broad sweeping scenic vistas presented by the fields and woods are a prime component of this character. This goal should remain uppermost in mind in assessing all future uses and improvements to the property. Nothing should be constructed which impairs the vistas.

In conclusion, trail use and the remarkable scenic vista qualities of the Preserve appear to be the prime attributes of this Property. All management actions should complement these attributes.
Appendix A – Conservation Easement, dated July 10, 2002, recorded in the Cumberland County Registry of Deeds at Book 17835, Page 103
CONSERVATION EASEMENT ON GILMAN ROAD FARM PRESERVE
IN YARMOUTH, CUMBERLAND COUNTY, MAINE,
TO FRIENDS OF ROYAL RIVER

MAINE COAST HERITAGE TRUST, a non-profit corporation organized and existing under the laws of the State of Maine, with a mailing address of One Main Street, Bowdoin ME, Topsham, Maine 04086, (hereinafter referred to as the "Grantor," which word shall, unless the context clearly indicates otherwise, include the above named Grantor, its successors and assigns, and any successors in interest to the Protected Property);

GRANTS as a gift to FRIENDS OF ROYAL RIVER, a non-profit corporation organized and existing under the laws of the State of Maine, with a mailing address of Box 90, Yarmouth, Maine 04096 (hereinafter referred to as the "Holder," which word shall, unless the context clearly indicates otherwise, include the Holder's successors and assigns);

with QUITCLAIM COVENANT, in perpetuity, the following described Conservation Easement pursuant to the Maine Uniform Conservation Easement Act at 33 M.R.S.A. Section 476 et seq., and Section 170(h) of the Internal Revenue Code, or the Gilman Road Farm Preserve in Yarmouth, Cumberland County, Maine, more particularly described in Exhibit A and depicted in Exhibit B, being attached hereto and made a part hereof (hereinafter referred to as the "PROTECTED PROPERTY");

EXCLUSIVELY FOR CONSERVATION PURPOSES, AS FOLLOWS:

PURPOSE.

This Conservation Easement is intended to protect the natural, scenic and undeveloped character of the Protected Property, to assure its availability as a public park and preserve for low impact public outdoor recreation, and to promote the conservation of its scenic open fields and its woodland and their associated wildlife habitat values, and the water quality of the Royal River. It is intended to balance the community need for open land available for public outdoor recreation, nature observation and study, with restrictions that will ensure that the experience of the public on the Protected Property will be one of increasingly rare, of relatively unstructured quiet contemplation, and reverence for the natural world.

The following recitals more particularly describe the conservation values of the Protected Property and the significance of this grant:

WHEREAS, the Gilman Road Farm Preserve Protected Property is a beautiful parcel of approximately fifty-five (55) acres, consisting of approximately 2.5 acres of open fields that provide scenic enjoyment to passersby on Gilman Road in Yarmouth that traverses the Protected Property, and approximately thirty (30) acres of woodland set back from the roadway and bordering a tributary of the Royal River on the north; and

WHEREAS, the Protected Property, in its existing substantially natural and undeveloped state, creates a rural village oasis in an area experiencing rapid growth of residential subdivision and

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APPENDIX "A"
development sprawl, which provides significant public benefit and the parties hereto wish to preserve this unique character;

NOW THEREFORE, the Grantor and Holder have established this Conservation Easement on, over and across the Protected Property consisting of the following terms, covenants, restrictions and affirmative rights granted to Holder, which shall run with and bind the Protected Property in perpetuity:

SECTION I: RESTRICTIONS AND RESERVED RIGHTS.

1. GENERAL RESTRICTIONS: The Protected Property remains in a substantially undisturbed and natural condition, with extensive open fields and mixed species multi-aged forest at its north and south ends, as generally depicted in Exhibit B, and as documented in Baseline Data, certified by the parties as accurate as of the date of this grant. The Protected Property shall be maintained by Grantor, its successors and assigns, for the benefit of the general public as a traditional rural open space preserve, without subdivision, and without use or building development for commercial, industrial, or residential purposes. Without limiting the generality of the foregoing, the Protected Property is subject to the following specific prohibitions:

A. Residential, commercial, industrial, quarrying or mining activities are prohibited on the Protected Property, except as specifically permitted herein. The incidental sale of interpretive literature or imposition of an entry fee, and use of the Protected Property for charitable fundraising, educational activities, community events, and tours, or the incidental sale of forest products and other natural materials removed in the course of Grantor's permitted land management activities under Sections 3 and 4, shall not be deemed commercial uses.

B. The division, subdivision, partition or other establishment of separate lots on the Protected Property is prohibited, except to remedy bona-fide boundary disputes with Holder's prior written approval, and provided that any portion of the Protected Property may be conveyed to a non-profit entity or division of government that meets the requirements for an assignee of this Easement, as set forth in the "Holder's Affirmative Rights" hereinbelow, to be retained for conservation ownership subject to the terms of this Conservation Easement.

C. The disposal or burial of waste materials of any nature is strictly prohibited on the Protected Property; provided that vegetative debris from permitted activities may be left on the Protected Property; and other waste generated by permitted activities may be temporarily stored in appropriate containment for removal at reasonable intervals.

2. STRUCTURES: As of the date of this Grant there are no structures on the Protected Property except for boundary markers, stone walls, and public road and utility improvements within the public road right of way at Gilman Road in Yarmouth. No additional structures, temporary or permanent, are permitted on the Protected Property without the prior written consent of Holder, except however, the Grantor reserves for itself, its successors and assigns, the following rights:
A. Grantee reserves the right to locate minor structures to enhance the opportunity for low-impact outdoor recreation, nature observation and study, such as hiking, bird watching, cross-country skiing, picnicking, outdoor education and scientific study, such as small unlighted informational and interpretive signs including commemorative plaques and monuments, informational kiosks, seats, benches, picnic tables, fireplaces, platforms, rustic campsites and privies not visible from the public roadway, and trail improvements such as handicapped access trails, boardwalks, markers, steps, trail bridges, culverts, water bars, and railings; wildlife habitat structures such as hatching boxes, observation platforms and blinds; barriers, low fences and rock walls to protect fragile areas, important natural resources, ongoing environmental or archeological research and to block or discourage access by motorized vehicles, while not obstructing the view of the open fields from Gilman Road; and minor structures necessary for public safety and erosion control.

B. Grantee reserves the right to install and maintain, only at or near the parking areas and roadway access permitted in Paragraph 3 B. of this Section, any necessary or appropriate parking and access structures and facilities for public use of the Protected Property as a nature preserve, such as but not limited to fencing, parking barriers, gates, unlighted signs, registration boxes, informational kiosks, lights, dog sanitation devices, and any structures necessary for safety, erosion control and protection of fragile resources.

3. SURFACE ALTERATIONS: As of the date of this grant, there are no surface alterations on the Protected Property except for surface alterations associated with existing structures listed above. No additional filling, dumping, excavation or other man-made alteration or disturbance to the surface of the Protected Property are permitted without the prior written consent of Holder, except that the Grantee reserves, for itself, its successors and assigns, the following rights:

A. Grantee reserves the right to maintain existing surface alterations and to alter the surface to the extent necessary to install the structures permitted in Paragraph 2 of this Section, and to undertake the vegetation management permitted in Paragraph 4 of this Section.

B. Grantee reserves the right to establish, maintain and improve not more than one unpaved parking lot not to exceed 2,400 square feet without the prior written consent of Holder, in a location approved in advance and in writing by Holder as being consistent with the conservation objectives of this easement; including the right to establish unpaved road access from Gilman Road to the parking area, and to install any necessary structures to prevent or discourage unauthorized access by motor vehicles onto the remainder of the Protected Property.

C. Grantee reserves the right to establish and maintain unpaved trails and footpaths, not to exceed four (4) feet in width, to enhance the opportunity for low-impact pedestrian outdoor recreation, nature observation and study on the Protected Property. Holder may approve the establishment of a seasonal snowmobile trail to connect with other such trails off the Protected Property. Grantee must provide signage to prohibit the use of ATVs and other motorized recreational vehicles, other than the allowed snowmobile uses and maintenance vehicles used by Grantee’s agents on the Protected Property.
D. Grantor reserves the right to establish and maintain man-made ponds within existing open areas designed in a manner to enhance wildlife habitat and the scenic character of the Protected Property.

E. Grantor reserves the right to undertake or permit alteration of the surface for ecological, scientific, or archeological education, research or investigation, conducted under then current professional standards and without substantial alteration to important natural resources.

F. All of the foregoing permitted surface alteration activities must be conducted and completed in a manner to minimize soil erosion, to prevent damage to fragile plant communities, wetlands and wildlife habitat, to protect and preserve important natural resources.

4. VEGETATION MANAGEMENT: The Protected Property is composed of large open fields along both sides of Gilman Road, with approximately thirty (30) acres of forest located on the northern and southern ends of the Protected Property, as generally depicted in Exhibit B. No vegetation may be cut, disturbed, altered or removed from the Protected Property without the prior written consent of Holder, except that Grantor reserves, for itself and its successors and assigns, the following rights and accepts the following obligation:

A. Grantor reserves the right to alter or remove vegetation as necessary to install, establish and maintain the structures permitted under Paragraphs 2 and 3 of this Section.

B. Grantor reserves the right and the obligation to maintain the existing fields along Gilman Road, depicted in Exhibit B, by periodic mowing and brushhoggng to preserve the substantially open agrarian character of the Protected Property when viewed from Gilman Road; and the right to cultivate and use such open areas for row crops, cover crops, hay, wildflowers, grazing of livestock, all limited to preserve the opportunity for low impact outdoor recreation by the general public.

C. Grantor reserves the right to cut, prune, alter, remove and otherwise manage forest vegetation on the Protected Property for non-commercial purposes, such as to reduce safety hazards for the uses permitted hereunder; to enhance the substantially natural and scenic character of the Protected Property, including the establishment and maintenance of views from trails and picnic areas; to improve wildlife habitat; to combat active fire and prevent fire, disease or non-native intrusive species; and to create and maintain small open areas for picnic areas. In the event that Grantor's permitted non-commercial vegetation management will result in the harvest of merchantable timber that will not be used on the Protected Property, and Grantor wishes to sell, trade, use off-site, or otherwise receive compensation for such forest products, such harvesting shall be conducted in accordance with a forest management plan designed by a licensed professional forester, approved in advance and in writing by Holder, which plan specifies activities and limitations to be followed to preserve the scenic quality of the Protected Property from the public road, and to preserve wildlife habitat values, water quality, and restoration of public use on areas to be harvested, as intended by this grant.
D. All of the foregoing vegetation management must be conducted and completed in a manner to minimize soil erosion, to prevent damage to fragile plant communities, wetlands and wildlife habitat, and to protect and preserve important natural resources.

5. PUBLIC USE and ACCESS: Grantor agrees to permit and will refrain from prohibiting or discouraging daytime non-motorized low-impact outdoor recreational use by the general public on the Protected Property, that is conducted in a manner consistent with the terms hereof. Grantor reserves the right to use the Protected Property for scheduled or supervised group use, educational programs, ecological and archeological study, non-commercial events, snowmobile use on the permitted snowmobile trail, and other permitted public uses, subject to rules, policies and regulations that may be established by Grantor from time to time to protect the conservation values of the Protected Property and to balance protection of its natural resources with low-impact outdoor recreational use by the general public. Grantor also has the right to curtail or limit such public use to the extent necessary for safety, erosion control, control of excessive or inappropriate public uses, protection and preservation of important natural resources, and protection of ongoing studies or maintenance activities. Without limiting the generality of any foregoing rights and restrictions, Grantor may not establish on the Protected Property recreational courts or fields, swimming pools, bleachers, tennis courts, playgrounds, billboards, equestrian rings, mud runs, race tracks, ATV tracks, high intensity lights, performance stages, stadium facilities, campgrounds, or other such high-impact outdoor recreational facilities.

Grantor and Holder claim the rights and protections against liability for injury to the public to the fullest extent of the law under Title 14 M.R.S.A., Section 159-A, et seq, as amended and successor provision thereof (The Maine Recreational Use Statute), the Maine Tort Claims Act, and under any other applicable provision of law and equity.

SECTION II: AFFIRMATIVE RIGHTS GRANTED.

1. Holder, its successors and assigns, is hereby granted (a) the right to enter the Protected Property for monitoring and enforcement purposes at reasonable times and in a reasonable manner; (b) the right to enforce the terms of this grant by actions at law or in equity, including the right to require restoration of the Protected Property to its condition prior to any violation hereof; (c) the right to assign this Conservation Easement to a qualified donee under Section 170(h)(3) of the Internal Revenue Code, and Section 476(2) of Title 33 of the Maine Revised Statutes Annotated, as amended, provided that Maine Coast Heritage Trust will be first offered such transfer, after prior written notice to the then current owner of the Protected Property; and (d) the right to a percent of the proceeds of the sale of the Protected Property, after extinguishment of this Grant by court order or involuntary conversion, in the proportion set forth in Treasury Regulations 1.170-14 (g)(6)(ii).

2. Holder is granted the right to have its role, and that of Maine Coast Heritage Trust, in protecting the Protected Property with this Conservation Easement and their other contributions, acknowledged in any signage that identifies Grantor as owner of the Protected Property.

Graves-Town sig. 07/16/02

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3. Holder is granted the right, but not the obligation, to enter the Protected Property to maintain the open fields along Gilman Road, including the right to mow and to cut and remove vegetation, including trees, that obstruct the view; after providing reasonable prior written notice to Granter and a reasonable opportunity to cure any failure to meet their obligations under Section 1, Paragraph 4.B.

SECTION III: MISCELLANEOUS PROVISIONS:

1. Holder, by acceptance of this Conservation Easement, does not undertake any liability or obligation relating to the condition of the Property, its control, maintenance or upkeep nor any responsibility for payment of taxes or any other charges attributable to the Protected Property, and Granter agrees to relieve, release, indemnify, defend and hold Holder harmless from any claims therefor, and from any claims for injury to persons or property arising on or about the Protected Property, unless proximately caused by the negligent act or misconduct of Holder, its agents or employees in the exercise on the Protected Property of its Holder’s rights hereunder, and except for Holder’s workers compensation obligations.

2. This conservation easement shall be interpreted liberally under the laws of the State of Maine to carry out its conservation purposes. Any discretionary consent by Holder, permitted under this Conservation Easement for uses that are conditional or not expressly reserved by Granter, and any legally permissible amendment hereto, may be granted only if the Holder has determined in its reasonable discretion that the proposed use furthers or is not inconsistent with the purposes of this Conservation Easement, substantially conforms to the intent of this grant, meets any applicable conditions expressly stated herein, and does not materially increase the adverse impact of expressly permitted actions under this Conservation Easement, provided that Holder has no right or power to consent to any use that would result in a substantial adverse impact to important natural resources on the Protected Property, or that would limit the term or terminate this Conservation Easement, or that would impair the quality of the Conservation Easement or the status of the Holder under any applicable laws, including Title 33 M.R.S.A. Section 476 et seq., or Section 170(h) of the Internal Revenue Code (or successor provisions).

3. Any notices or requests for approval required or contemplated hereunder shall be made by certified mail, return receipt requested, addressed to the Friends of Royal River’s stewardship director, or to such other person or address designated in writing by Holder. Granter’s notices must include sufficient information to enable Holder to determine whether Granter’s plans are consistent with the terms of this Conservation Easement and the conservation purposes hereof. Any notices to Granter required or contemplated hereunder shall be made by certified mail, return receipt requested or by any commercial carrier that requires a signed receipt, addressed to Stewardship Director, Maine Coast Heritage Trust, One Main Street, Bowdoin Mill, Topsham, Maine 04086, or to such other person or address designated in writing by Granter.

IN WITNESS WHEREOF, Granter, MAINE COAST HERITAGE TRUST, has caused this instrument to be signed and sealed in its corporate name by James J. Espy, Jr., its President.
hereunto duly authorized, this 10th day of July, 2002.

MAINE COAST HERITAGE TRUST

by: James J. Espy, Jr.
its President

STATE OF MAINE
COUNTY OF SAGADAHOC

July 10, 2002

Then personally appeared the above-named James J. Espy, Jr., President and authorized representative of Maine Coast Heritage Trust, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before Me,

[Signature]
Notary Public / Attorney at Law
Print or Type Name: [Signature]
My Commission Expires: Sept 13, 2003

Greeves Town, sig 07/10/02
HOLDER ACCEPTANCE.

The above and foregoing Conservation Easement was authorized to be accepted by FRIENDS OF ROYAL RIVER, Holder as aforesaid, and the said Holder does hereby accept the foregoing Conservation Easement, by and through Jane Arbuckle, its Vice-President, hereunto duly authorized, this 10th day of July, 2002.

FRIENDS OF ROYAL RIVER

[Signature]

By: Jane Arbuckle
its: Vice-President

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.      July 10, 2002

Personally appeared Jane Arbuckle, the Vice-President and authorized representative of the above-named Holder, FRIENDS OF ROYAL RIVER, and acknowledged the foregoing instrument to be her free act and deed in her said capacity, and the free act and deed of said corporation.

Before me, [Signature]
Notary Public

Christie J. Kelley
(Please type or print name of notary)
My commission expires: Sept 13, 2003
CONSERVATION EASEMENT ON GILMAN ROAD FARM PRESERVE
IN YARMOUTH, CUMBERLAND COUNTY, MAINE,
TO FRIENDS OF ROYAL RIVER

Exhibit A – 4 pages
Legal Description of the Protected Property

THE PROTECTED PROPERTY is a parcel of lot of fifty-five (55) acres, more or less, being a portion of the premises situated in the Town of Yarmouth, County of Cumberland and State of Maine, conveyed by Margery B. Groves and Franklin L. Groves, Co-Personal Representatives of the Estate of Clarence H. Groves to Maine Coast Heritage Trust by deed dated July 9, 2002, to be recorded, excepting therefrom a parcel or lot, with the buildings therein, having 9.2 acres, more or less, as shown on a "Standard Boundary Survey on Gilman Road Yarmouth, Maine" dated June 14, 2002 made for Maine Coast Heritage Trust by Owen Haskell, Inc., and recorded at the Cumberland County Registry of Deeds in Plan Book 202, Page 446. The Protected Property is more particularly described as follows:

A certain lot or parcel of land with the buildings thereon situated in the Town of Yarmouth, County of Cumberland and State of Maine, being the homestead farm of the late Harlan P. Prince bounded and described as follows, viz:

One piece of land lying on the northwesterly side of the town road leading from Yarmouth to Town Landing, bounded southeasterly by said road, easterly by land now or formerly owned by Watson Drinkwater and William Bucknam, and running by said land until it strikes Whicoms Creek formerly known as the guggle of Arwellis,

Thence running by said Creek to land now or formerly of John Whitcomb;

Thence by said land and land now or formerly owned by Isaac Merrill to said road;

Thence by said road to the point of beginning.

Also one other piece of land situated on the southeasterly side of said road beginning at the northeasterly corner of land now or formerly of Samuel Prince;

Thence by said Prince's land to land now or formerly of Monroe Bucknam;

Thence by said Bucknam's land and land now or formerly of Charles Poole to land now or formerly of heirs of Edward Doyle;

Thence by said Doyle's land to town road;

Thence by said town road to the point of beginning. Both of the above-described pieces together including forty (40) acres more or less.

Also, another certain lot or parcel of land situated in the Town of Yarmouth described as follows:

Beginning on the southerly side of the road leading from Joseph Drinkwater's to William Bucknam's known as Gilman Street and at the northwesterly corner of land formerly owned by Josie H. L. Fei and described above;

Thence running south 20° E along the westerly boundary of the said Josie H. L. Fei's land, a distance of 562.7 feet;

Thence turning an angle of 14° 17' towards the west and running S 30° 18' W, a distance of three hundred seventy-seven and two tenths (377.2) feet;

Thence turning an angle of 3° 31' towards the east and running S 30° 47' W, a distance of five hundred twenty-two and six tenths (522.6) feet;

Groves-Town, ng 071002
Thence turning an angle of sixty 60° 8' towards the west and running N 89° 5' W, a distance of seventy-one and seven tenths (71.7) feet;

Thence turning an angle of 94° 50' towards the north and running 5° 45' E, a distance of four hundred thirty-two and nine tenths (432.9) feet;

Thence turning an angle of 1° 15' towards the east and running N 7° E, a distance of five hundred seventeen and six tenths (517.6) feet to a stone post;

Thence continuing the same course a distance of four hundred ninety-five and one-tenth (495.1) feet to the southerly side of the said Gilman Street;

Thence turning an angle of 97° 43' towards the east and running S 75° 17' E along the southerly side of said street, a distance of five hundred ninety-four and one-tenth (594.1) feet to the point of beginning. The above-described land containing twelve and four one-hundredths (12.04) acres of mowing, be the same more or less.

Also, one other piece of land described as follows:

Beginning at the southwesterly corner of the above-described land;

Thence running S 10° 46' E a distance of three hundred twelve and one tenth (312.1) feet;

Thence turning an angle of 12° 22' towards the west and running S 1° 36' W, a distance of two hundred seventy-eight (278) feet;

Thence turning an angle of 2° 42' towards the west and running S 4° 18' W, a distance of eighty-eight and three tenths (88.3) feet to a point near a brook bed on the northerly line of H.D. Bucknam’s land;

Thence turning an angle of 107° 27' towards the east and running N 76° 51' E along said Bucknam’s northerly line, a distance of two hundred ninety-four and two tenths (294.2) feet;

Thence turning an angle of 21° 9' towards the north and running N 55° 42' E along said Bucknam’s northerly line a distance of one hundred ninety-seven and six tenths (197.6) feet to the southwesterly corner of land once owned by Josie H. L. Fels and described herein;

Thence turning and running northerly along the westerly boundaries of the said Josie H. L. Fels’ land to the easterly boundary of the land first herein described thence turning an angle towards the south and running S 20° W, a distance of sixty-nine (69) feet;

Thence turning an angle 1° 17' towards the west and running S 34° 18' W, a distance of three hundred seventy-seven and two tenths (377.2) feet;

Thence turning an angle of 3° 21' towards the east and running S 30° 47' W, a distance of five hundred twenty-two and six tenths (522.6) feet;

Thence turning an angle of 60° 8' towards the west and running N 89° 5' W, a distance of seventy-one and seven tenths (71.7) feet to the place of beginning. The last above-described land containing twelve (12) acres of pasture, be the same more or less.

Excepting from the latter two above-described parcels a certain tract of land conveyed and/or taken by the Central Maine Power Company for its transmission lines, and described as follows:

A certain lot or parcel of land situated in the Town of Yarmouth, County of Cumberland and State of Maine, beginning at an iron pin set in the ground in the dividing line between land
now or formerly of Josie H. L. Fels and land now or formerly of Perez B. L. Bucknam, said dividing line being the northwesterly line of land formerly of Nicholas D. Bucknam, known as the 6 ½ acre piece, which iron pin is 60 feet, more or less, southwesterly from an iron pin set in the ground in the northwesterly corner of land of Frederick S. Vail, Jr. measured along said dividing line;

Thence extending N 38° 15' W a distance of 266 feet, more or less, to a granite monument set in the ground;

Thence extending N 68° 08' W a distance of 585 feet, more or less, to a granite monument set in the ground in the dividing line between land now or formerly of Josie H. L. Fels and land of Perez B. L. Bucknam;

Thence extending southeasterly along said dividing line a distance of 280 feet, more or less, to land now or formerly of Leroy O. Arringdale;

Thence extending southeasterly along the northeasterly line of land now or formerly of Leroy O. Arringdale a distance of 400 feet, more or less, to said 6 ½ acre piece formerly of Nicholas D. Bucknam;

Thence extending northeasterly along the northwesterly line of land formerly of Nicholas D. Bucknam a distance of 380 feet, more or less, to the iron pin at the point of beginning. Being a portion of the property conveyed to Josie H. L. Fels by Sarah L. Adams by deed dated July 17, 1907, recorded in the Cumberland County Registry of Deeds in Book 812, Page 71.

Also including, however, those rights reserved by Josie H. L. Fels in deed to Central Maine Power Company recorded in the Cumberland County Registry of Deeds in Book 2210, Page 233 to which reference is made for a more complete description of said rights.

Also another certain lot or parcel of land situated in said Yarmouth on the southerly side of Gilman Street and bounded and described as follows, viz:

Beginning at a stake on the southerly line of said Gilman Street at the northeasterly corner of land of Marjorie Williams;

Thence S 76° E along said Gilman Street three hundred eighty-three and five-tenths (383.5) feet to a hub and land of Josie Fels;

Thence S 6 ½° E along said Fels land four hundred ninety-eight (498) feet to a post and land of Perez Bucknam;

Thence S 87 ¼° W along line of said Bucknam land three hundred sixty-five (365) feet to a post and the southeasterly corner of land of Wallace Doyle;

Thence northwesterly along the line of said Doyle land two hundred eight (208) feet to a post and land of Earl A. and Bessie M. Tryon;

Thence N 13 ¾° E along the line of said Tryon land and land of said Marjorie Williams four hundred seventeen and five-tenths (417.5) feet to said Gilman Street and the point of beginning;

Containing four and seven tenths (4.7) acres, more or less.

Being the same premises conveyed by Mary E. Fels by Warranty Deed dated October 27, 1948 recorded in the Cumberland County Registry of Deeds in Book 1942, Page 52.
All of the foregoing being the same premises conveyed by Josie H. L. Fels to Dorothy Fels Groves by deed dated January 10, 1965, and recorded in the Cumberland County Registry of Deeds in Book 2727, Page 403. Reference is also made to the same premises conveyed by Mary E. Fels to Josie H. Fels and Dorothy B. Groves, as joint tenants, by said deed recorded in the Cumberland County Registry of Deeds in Book 1942, Page 31. The said Josie H. Fels, and Josie H. L. Fels died on December 31, 1967. Reference is made to Cumberland County Probate Docket #6227.

EXCEPTING AND RESERVING THEREFROM, a certain lot or parcel of land with the buildings thereon, having approximately 9.2 acres, situated on the northerly side of Gilman Road in the Town of Yarmouth, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a 4" x 4" granite monument with drill hole found on the assumed northerly sideline of Gilman Road at the southeast corner of the land now or formerly of Diana V. Heard (see deed recorded in Cumberland County Registry of Deeds in Book 16191, Page 10);

Thence N 03° 30' 39" W by the land of Heard and by the land now of or formerly of the Roman Catholic Bishop of Portland described in a deed recorded in the Cumberland County Registry of Deeds in Book 941, Page 366 a distance of 301.20 feet to a 5/8" iron rod set;

Thence N 88° 21' 30" E by the remaining land of the grantor a distance of 164.37 feet to a 5/8" iron rod set;

Thence S 66° 03' 59" E by the remaining land of the grantor a distance of 548.41 feet to a 5/8" iron rod set;

Thence S 44° 23' 34" E by the remaining land of the grantor a distance of 72.46 feet to a 5/8" iron rod set;

Thence S 47° 28' E by the remaining land of the grantor a distance of 38 feet, more or less, to the junction of two brooks;

Thence generally southeasterly by a brook and by the remaining land of the grantor a distance of 335 feet more or less to a 5/8" iron rod set, which iron is located S 30° 55' 01" E a distance of 361.45 feet from the last mentioned iron rod set;

Thence S 19° 29' 45" W by the remaining land of the grantor a distance of 154.18 feet to a 5/8" iron rod set, on the assumed northerly sideline of Gilman Road;

Thence N 74° 40' 15" W by Gilman Road a distance of 810.00 feet to the point of beginning.

Meaning and intending to encumber by this Conservation Easement, a portion of the premises conveyed to the grantor by Margery B. Groves and Franklin L. Groves, Co-Personal Representatives of the Estate of Clarence H. Groves dated by deed of sale July 9, 2002 to be recorded in the Cumberland County Registry of Deeds.

The Protected Property and the excluded parcel of 9.2 acres, more or less, are shown on “Standard Boundary Survey on Gilman Road, Yarmouth, Maine” dated June 14, 2002 made for Maine Coast Heritage Trust by Owen Haskell, Inc. and recorded in the Cumberland County Registry of Deeds in Plan Book 202, Page 446. All bearings are magnetic 1972.
CONSERVATION EASEMENT ON GILMAN ROAD FARM PRESERVE
IN YARMOUTH, CUMBERLAND COUNTY, MAINE,
TO FRIENDS OF ROYAL RIVER

EXHIBIT B
Sketch Plan of the Protected Property
Appendix B - Plant Species List
(Compiled by Josh Royte, 2004, with occasional notes as to wildlife)

Field NE quarter of property, (including field edges):
Redtop, red fescue, sheep fescue, Kentucky bluegrass, Canadian blue joint grass, bracken fern, interrupted fern, lady fern, sensitive fern, common haircap moss, teaberry (wintergreen), partridgeberry, creeping mayflower, dryground sedge (Carex lucorum), common strawberry, tall buttercup, Queen Anne's lace (wild carrot), sheep sorrel, bristly dewberry, creeping dewberry, raspberry, common juniper, calico aster, rough-stem goldenrod, silverrod (goldenrod),

Additional species along edges and grown up areas:
Meadowsweet, pasture rose, speckled alder, bayberry, poison ivy, rhodora, large-seeded hawthorne, black cherry, choke cherry, winterberry, red maple, box elder, white spruce, big-toothed aspen.

Ravine bottom and sides:
(fox den on hillside- probably red fox)
Several ground water seeps along side ravines, slumped sides, and at the toe of the slope.
Red oak, hemlock, white ash, red maple, mountain maple, striped maple, American beech, paper birch, yellow birch, white pine, red spruce, balsam fir, Morrow's honeysuckle, Japanese barberry, hobblebush, northern manna grass, tussocks sedge, rough-stemmed goldenrod, spotted touch-me-not, fancy fern, cinnamon fern, sensitive fern, Christmas fern.

Tidal marsh – (mostly ice covered at time of observation)... (Muskrat den, coyote scat)
Large ancient hemlock on steep side bank, narrow-leaved cattail, wide-leaved cattail, American salt bulrush, salt cord grass.

Wooded peninsula between ravines
Yellow birch, red oak, red maple, striped maple, box elder, red spruce, balsam fir, big-toothed quaking aspen, maleberry, winterberry, Morrow's honeysuckle, Japanese barberry, Eurasian bittersweet, winged euonymus, creeping dewberry, blackberry

South Field
Redtop, red fescue, sheep fescue, Kentucky bluegrass, Canadian blue joint grass, barnyard grass, bracken fern, interrupted fern, cinnamon fern, lady fern, sensitive fern, marsh fern, hay-scented fern, oak fern, common haircap moss, yellow rattle, common strawberry, tall buttercup, Queen Anne's lace (wild carrot), sheep sorrel, bristly dewberry, creeping dewberry, raspberry, common milkweed

Southern woods east of ravine
The northern part of these woods is populated with large and old red oak, the back part is young red maple and paper birch with young red spruce and balsam fir in the under story, suggesting past aggressive harvesting and a future with a mixed coniferous to mostly conifer forest. Red oak, red maple, black cherry, big-toothed aspen, quaking aspen, red spruce, balsam fir, white pine, paper birch, apple, Morrow's honeysuckle, Japanese barberry, Eurasian bittersweet, winged euonymus, creeping dewberry, blackberry, poison ivy, arrowwood, withrod (viburnum), common blueberry, sour-top blueberry, wintergreen, rough-stemmed goldenrod, calico aster, New York aster, sensitive fern, lady fern, fancy fern, bracken fern, ground cedar (club-moss), shining club-moss
Appendix C – Soil Constraints

Appendix C: Fels-Groves Farm Preserve
Soil Constraints

Soil Constraints
- Moderate: drainage
- Severe: drainage
- Severe: slope
Appendix D1: Topography of the Fels-Groves Farm Preserve Northern Section
Appendix D2: Topography of the Fels-Groves Farm Preserve Southern Section
‘Come follow me’

Kristen Funkhouser Pierce©