AGENDA
Cumberland Town Council Meeting
West Cumberland Hall
MONDAY, August 14, 2017
5:30 Ordinance Committee Meeting
7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES
July 24, 2017

III. MANAGER’S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

17 – 110 To hold a Public Hearing to consider and act on setting sewer user fees for FY2018.

17 – 111 To hold a Public Hearing to consider and act on a Mass Gathering Permit for Binnie Media’s Fall Ultimate Yard Sale to be held on September 9, 2017 at the Cumberland Fair Grounds from 9:00 a.m. to 2:00 p.m.

17 – 112 To consider and act on setting the following household waste disposal events:
- Confidential Shredding, Saturday, October 7th from 9:00 a.m. to 1:00 p.m.
- E-waste Collection, Saturday, October 7th from 9:00 a.m. to 1:00 p.m.
- Bulky Item Pick-up Week, October 9th through 13th

17 – 113 To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 38 (Animals) of the Cumberland Code, as recommended by the Ordinance Committee. (Workshop with Planning Board on August 15th at 6:00 p.m.)

17 – 114 To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 4 (Word Use and Definitions – Accessory Dwelling Unit) and Section 45 (Conversions) of the Cumberland Code, as recommended by the Ordinance Committee. (Workshop with Planning Board on August 15th at 6:00 p.m.)

17 – 115 To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendment to Chapter 315 (Zoning), Section 28.4B (Senior Housing Community (SHC) Overlay District) to include a portion of a lot located on Greely Road (Tax Map R04/34A).

17 – 116 To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, update to the Official Zoning Map of the Town of Cumberland to expand the Senior Housing Community Overlay District to include a portion of a lot located on Greely Road (Tax Map R04/34A).

17 – 117 To authorize the Town Manager to seek proposals for the development of the Town owned property adjacent to the Town Forest.

17 – 118 To set a Public Hearing date of August 28th to authorize the issuance of Senior Property Tax Assistance Program payments.

17 – 119 To set a Public Hearing date of August 28th to consider and act on authorizing the Town Manager to execute a purchase and sale agreement for the purchase of 19.6 acres of land around Knight’s Pond.
VI. **NEW BUSINESS**
   • August 28th Swearing in Ceremony for Police Department promotions and recognition of Officers who have obtained EMT Licenses
   • Ordinance Committee Update

VII. **ADJOURNMENT**

VIII. **WORKSHOP** after adjournment re: Senior affordable and affordable housing
MINUTES  
Cumberland Town Council Meeting  
Town Council Chambers  
MONDAY, July 24, 2017  
5:30 P.M. Ordinance Committee Meeting  
6:30 P.M. Town Council Photos  

7:00 P.M. Call to Order  
Present: Councilors Bingham, Copp, Edes, Gruber, Stiles, Storey-King and Turner  

I. APPROVAL OF MINUTES  
Motion by Councilor Gruber, seconded by Councilor Stiles, to accept the July 10, 2017 meeting minutes as presented.  
VOTE: 7-0 UNANIMOUS  

II. MANAGER’S REPORT  
Town Manager Shane gave an update on the Middle and Tuttle Road construction. The biggest issue on the Tuttle Road waterline replacement project is the ledge that they ran into near the Methodist Church. The contractor is doing the best he can to blast the ledge enough to make a trench and we should be back on schedule next week. Please be patient with traffic delays which could take as long as 5 to 10 minutes at times.  

The next section of Middle Road is ready for pavement and is scheduled to be paved this Friday. The project is on schedule and is going very well. Middle Road residents will be receiving a letter from the Town in the next few days regarding the need for a pressure reducing valve for those residents that are presently serviced by Portland Water District. They will need to contact Town Hall to make an appointment for D.J. Small Plumbing to come to their home to install the valve, at no cost. This is necessary because the new waterline will have almost double the water pressure that the present waterline has. We want to get them installed ahead of the new waterline switch over to be sure any problems can be taken care of beforehand.  

III. PUBLIC DISCUSSION  
None  

IV. LEGISLATION AND POLICY  
17 – 099 To hold a Public Hearing to consider and act on acceptance of Greely Woods and other easements.  
This item was TABLED.  

17 – 100 To hold a Public Hearing to consider and act on amendments to Chapter 48 (Coastal Waters), Section 6 (Abandonment of watercraft) of the Cumberland Code, as recommended by the Coastal Waters Commission, and discussion re: Dinghies and enacting a Council Policy until proper notice and Public Hearing is scheduled for August 14th.  
Vice-Chairman of the Coastal Waters Commission, Mike Schwindt explained that the purpose of this it to allow the Commission to be more proactive since the mooring field has been opened up. If someone has a mooring, they can bring a boat with a problem into our waters, but if not, they will not be allowed to (unless it is an emergency situation). If any watercraft is polluting, hazardous to navigation, or in danger of sinking, the
Harbormaster can authorize a private contractor to mitigate the damage to or from the watercraft at the owner's expense. The owner will be required to pay all reasonable costs associated with mitigating loss or damages from a derelict, abandoned or sinking watercraft. Failure to make full and timely payment will result in the immediate loss of all mooring privileges and continued loss for two years after the debt is paid in full.

Chairman Edes opened the Public Hearing.
Public discussion: none
Chairman Edes closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Gruber, to amend Chapter 48 (Coastal Waters), Section 6 (Abandonment of watercraft) of the Cumberland Code, as recommended by the Coastal Waters Commission

VOTE: 7-0 UNANIMOUS

17 – 101 To hear a report from the Tax Assessor and to hold a Public Hearing to consider and act on setting the FY2018 tax rate.

Tax Assessor, John Brushwein said that the 2017-18 commitment is complete with tax bills scheduled to be mailed the second week in August. It is his recommendation that the tax rate be set at $18.80 per $1,000.00 of assessed value, which represents a 3.01% increase above the 2016-17 rate of $18.25.

The State Legislature voted to include the Homestead Exemption increase from $15,000.00 to $20,000.00. However, they also voted to maintain the 50% municipal reimbursement for 2017. Originally, the reimbursement was slated to be at 62.5% when the exemption increased to $20,000.00. As a result, Cumberland has an additional $8,820,000.00 in exempt property for 2017. The reimbursement will increase to 62.5% in 2018. The additional $5,000.00 exemption results in a net increase for homestead owners as follows:

<table>
<thead>
<tr>
<th>ASSESSED VALUE</th>
<th>TAX INCREASE</th>
<th>% INCREASE</th>
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<tr>
<td>$200,000</td>
<td>$ 16.00</td>
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<td>$350,000</td>
<td>$ 98.50</td>
<td>1.54%</td>
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<tr>
<td>$500,000</td>
<td>$181.00</td>
<td>1.98%</td>
</tr>
<tr>
<td>$650,000</td>
<td>$263.50</td>
<td>2.22%</td>
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The LD1 Municipal Tax Levy Limit calculation resulted in Cumberland’s property tax levy being under the property tax levy limit by $614,929.00, therefore, no vote is needed to exceed the limit.

Chairman Edes opened the Public Hearing.

Public discussion: Sam York of Fox Run Road asked if the Town has any recourse (other than the Town vote) for the fact that the School Budget keeps going up faster than inflation each year.

Chairman Edes said that these things are typically decided by 1 or 2 percent of the voters. People have to get out and vote on School issues.

Chairman Stiles said that the Town has no input on the School budget.

Chairman Edes closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Turner, to set the municipal tax rate for FY2018 at $18.80.

VOTE: 7-0 UNANIMOUS
17 – 102   To amend the Council action of May 22, 2017 re: adoption of the FY2018 Budget (no change to tax rate).

Town Manager Shane explained that when the Finance Committee met at the end of the fiscal year, we had one of the largest overages in the municipal budget that we have seen in a long time. Most of it was due to accrual payouts because of employee retirements and resignations, and health insurance plan changes (from single to family plan, for example). Staff has been working on a way to come up with a better way to deal with these fluctuations in the year to year budget. He is proposing to increase the excise tax revenues and add a reserve account line item to the general budget for accrual payouts. There will be no impact on this year’s budget. The action this evening is to amend the revenues and expenses that were voted upon at the May 22, 2017 meeting.

Motion by Councilor Stiles, seconded by Councilor Gruber, to rescind the motion of May 22, 2017 to set the Municipal FY2018 General Fund Expenditure budget at $10,590,575.00 (includes County Tax) and the General Fund Non-Property Tax Revenues Budget of $4,687,399.00 to offset the impact of property taxes, as recommended by the Finance Committee.

VOTE: 7-0  UNANIMOUS

Motion by Councilor Stiles, seconded by Councilor Bingham, to set the Municipal FY 2018 General Fund Expenditure Budget at $10,690,575 (includes County Tax) and the General Fund Non-Property Tax Revenues Budget of $4,787,399.

VOTE: 7-0    UNANIMOUS

17 – 103   To hold a Public Hearing to set rates at which interest will be paid for delinquent taxes and to authorizing applying tax payments to the oldest unpaid taxes.

Town Manager Shane explained that this is the annual setting of the interest rate to be charged for delinquent taxes. Maine Municipal Association recommends 7%.

Chairman Edes opened the Public Hearing.
Public discussion: none
Chairman Edes closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to set an interest rate of 7% for delinquent real and personal property taxes for FY2018. Be it further Ordered, that all payments for delinquent real and personal property taxes be applied to the oldest, unpaid taxes.

VOTE: 7-0    UNANIMOUS

17 – 104   To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Labor Day “Just for Fun” Soccer Tournament to be held on September 2nd and 3rd from 7:00 a.m. to 7:00 p.m. at Twin Brook Recreation Facility.

Chairman Edes opened the Public Hearing.
Public discussion: none
Chairman Edes closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Turner, to approve the Mass Gathering Permit for the Labor Day “Just for Fun” Soccer Tournament to be held on September 2nd and 3rd from 7:00 a.m. to 7:00 p.m. at Twin Brook Recreation Facility.

VOTE: 7-0    UNANIMOUS
17 – 105  To hold a Public Hearing to consider and act on amendments to Chapter 315 (Zoning) Article I, Section 4 (Word Usage and Definitions); Article III, Section 28.4 (Senior Housing Community Overlay District (new)); and Article VI, Section 60.1 (Senior Housing Communities (new)) of the Cumberland Code to establish a Senior Housing Community Overlay District and to adopt definitions and regulations related thereto, as recommended by the Planning Board and Ordinance Committee.

Town Manager Shane explained that this will take an area in the center of Town and create a Senior Housing Overlay District, which will allow for smaller house lots and the ability to offer different types of housing for seniors (market rate and/or affordable). Our hope is that our seniors will be able to stay in Cumberland if they want to downsize. We currently have over 150 people on the waiting list for our Hawthorne Court senior housing facility. There is definitely a need in our community.

Chairman Edes opened the Public Hearing.

Public discussion: Sam York of Fox Run Road asked if this would impact any other activities that might be designated for this zoning area.

Town Manager Shane explained that anything allowed in the current zone would still be permitted.

Chairman Edes closed the Public Hearing.

Motion by Councilor Turner, seconded by Councilor Gruber, to amend to Chapter 315 (Zoning) Article I, Section 4 (Word Usage and Definitions); Article III, Section 28.4 (Senior Housing Community Overlay District (new)); and Article VI, Section 60.1 (Senior Housing Communities (new)) of the Cumberland Code to establish a Senior Housing Community Overlay District and to adopt definitions and regulations related thereto, as recommended by the Planning Board and Ordinance Committee.

VOTE: 7-0  UNANIMOUS

17 – 106  To hold a Public Hearing to consider and act on updating the Official Zoning Map of the Town of Cumberland to add a Senior Housing Community Overlay District.

Town Manager Shane explained that this is the final piece procedurally for the Senior Housing Overlay District.

Chairman Edes opened the Public Hearing.

Public discussion: none

Chairman Edes closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Stiles, to update the Official Zoning Map of the Town of Cumberland to add a Senior Housing Community Overlay District.

VOTE: 7-0  UNANIMOUS

17 – 107  To consider and act on authorizing the Town Manager to advertise for bidders to purchase the former Whitman House with a minimum bid of $25,000.

Chairman Edes explained that this is the house that used to be next to the Fire Station that was moved when construction for the new fire station began.

Motion by Councilor Copp, seconded by Councilor Turner, to authorize the Town Manager to advertise for bidders to purchase the former Whitman House with a minimum bid of $25,000.

VOTE: 6-1 (Stiles opposed)  MOTION PASSES
To set a Public Hearing date of August 14th to consider and act on setting sewer user fees for FY2018.
Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of August 14th to consider and act on setting sewer user fees for FY2018.
VOTE: 7-0 UNANIMOUS

To set a Public Hearing date of August 14th to consider and act on amendments to Chapter 48 (Coastal Waters), Section 2 (Definitions) to add Dinghy, Section 5 (Dockage Time (new)), Section 6 (Dinghies (new)), and renumbering of remainder of Chapter 48, as recommended by the Coastal Waters Commission.
Mike Schwindt, Vice-Chairman of the Coastal Waters Commission said that the Commission has not met to review these amendments yet. Their next meeting is scheduled for September.

Motion by Councilor Bingham, seconded by Councilor Gruber, to adopt the proposed amendments to Chapter 48 (Coastal Waters), Section 2 (Definitions) to add Dinghy, Section 5 (Dockage Time (new)), Section 6 (Dinghies (new)), and renumbering of remainder of Chapter 48, as a temporary policy until formal adoption is complete.
VOTE: 7-0 UNANIMOUS

Motion by Councilor Storey-King, seconded by Councilor Bingham, to table the ordinance amendments until the Coastal Waters Commission can review it at their September meeting.
VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS
Councilor Bingham – It looks like the Forecaster is going to be sold to Maine Today Media, the owners of the Portland Press Herald. He called and left a message for Mo Mehlak at the Forecaster and said that as a member of the Cumberland Town Council, it is very important that they try to continue the high level of local coverage and local sports coverage.

Councilor Gruber – He thanked everyone for supporting the Senior Housing Overlay item. This will allow for affordable housing for our senior residents.

Councilor Storey-King – The Ordinance Committee met earlier this evening to review Impact Fees, Accessory Dwelling Unit and Animal Ordinances. There will be a workshop with the Planning Board on August 15th on these ordinance changes.

Councilor Copp – He asked the Town Manager for an update to the complaint in West Cumberland regarding the gravel pit noise.

Town Manager Shane replied that he reached out to the land owner and was told that they would comply with the informal request that we have on most site-work developments that the work hours be limited to Monday – Friday from 7:00 a.m. to 7:00 p.m. and 8:00 a.m. to 6:00 p.m. on weekends. We do not have a noise ordinance and have been advised by the Town Attorney that they are very difficult to defend. The difficulty in West Cumberland is that is where the Industrial Zone is located.

Chairman Edes – None
Councilor Stiles – He is getting to the home stretch to collect donations for the 4-H auction at the Cumberland Fair that will benefit the Food Pantry. He needs to raise an additional $6,000. Donations can be made at Town Hall or on the Town website.

Councilor Turner – None

Town Manager Shane – None

VI. EXECUTIVE SESSION pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
Motion by Councilor Gruber, seconded by Councilor Bingham, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
VOTE: 7-0 UNANIMOUS
TIME: 8:08 P.M.

Reconvene to regular session at 8:50 P.M.

VII. ADJOURNMENT
Motion by Councilor Bingham, seconded by Councilor Stiles, to adjourn.
VOTE: 7-0 UNANIMOUS
TIME: 8:50 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary
ITEM
17-110

To hold a Public Hearing to consider and act on setting sewer user fees for FY2018
August 3, 2017

Re: Sewer User Fee – **0% Increase** - Proposed September 2017

**Dear Cumberland Sewer User:**

A Public Hearing has been set for **7:00 PM, Monday, August 14, 2017** at the West Cumberland Recreation Hall **on Blackstrap Road** to discuss the sewer user fees as proposed in the table below.

<table>
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<th>Consumption 6 HCF or 150gallons/day</th>
<th>Sept 2015</th>
<th>Sept 2016</th>
<th>Sept 2017</th>
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</thead>
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<tr>
<td>Charge per HCF</td>
<td>$5.29 x 6 = $31.74</td>
<td>$5.29</td>
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<tr>
<td>Base Fee- Ready to Serve</td>
<td>$35.58</td>
<td>$36.92</td>
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<td>Proposed Monthly Avg.</td>
<td>$67.32</td>
<td>$68.66</td>
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<td>$$ Increase</td>
<td>$1.32</td>
<td>$1.34</td>
<td>$0</td>
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<tr>
<td>% Increase</td>
<td>2%</td>
<td>2%</td>
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Please contact my office if I can be of any further assistance to you regarding this matter.

Sincerely,

William R. Shane, P.E.
Town Manager
wshane@cumberlandmaine.com
ITEM

17-111

To hold a Public Hearing to consider and act on a Mass Gathering Permit for Binnie Media’s Fall Ultimate Yard Sale to be held on September 9, 2017 at the Cumberland Fair Grounds from 9:00 a.m. to 2:00 p.m.
Mass Gathering Application – Major Outdoor Event
(5,000 or more persons)

This application must be filed with the Town Clerk not less than 60 days before the date of the event. Application must be accompanied by a non-refundable fee of $500.

Name of applicant: Binnie Media

Address of applicant: 477 Congress St. Tel. # 267-797-0780

Name of event: Maine’s Ultimate yard Sale

Facility where the event will be held: Cumberland Fair Grounds

Is the facility owned by the applicant: yes; no, (if no, attach a copy of the contract with the owner which allows use of the property)

Name of promoter (if different from above): 

Telephone number: 

Will any food vendors be serving at the event? yes, no (if yes, how many, and what types) 4 - Hamburgers, Hot dogs, Fried dough, Lemonade.

These are Contracted by Cumberland Farmers Club

Will any alcohol vendors be serving at the event? yes, no (if yes, list name and attach a copy of the vendors license to sell alcohol, describe alcohol will be served)

Date of event: Sept. 9th, 2017 Time (start and finish times): 9a-2p 

Number of tickets available: 

Expected attendance: 5,000

Description of event: Large Community yard Sale
Describe the three most recent outdoor performances of the group, performer, or event being proposed. Include location, date(s), number in attendance, promoter or sponsoring person or organization.

1. June 2017 - Spring yard sale 5,500

2. Sept. 2016 - Fall yard sale 6,200

3. June 2016 - Spring yard sale 5,000

Description of facility:

A. Seating capacity: __ permanent; __ temporary

B. Other seating capacity: __ festival; __ standing room only

C. Number of toilets available: __ permanent; __ 15 portable

D. Number of parking spaces available: 3,000 on-site; __ off-site

E. Are all parking lots lighted (applicable only if event runs into evening hours) yes; __ no, if no, which lots are not lighted

F. Source of potable water:

G. Refuse containers available, number and size: 15 plus dumpster as Casella Waste

H. Name of refuse disposal company (attach a copy of the agreement to pick up refuse) Case
della Waste Attached

I. When will refuse be picked up? Monday Sept. 17

Public Safety:

J. Describe first aid facilities: Cumberland Fire 

K. Describe emergency facilities: Cumberland EMT
L. Describe communication facilities: _one dozen two way Radios_

M. Number of certified police officers: _Cumberland Police_

N. Other security personnel (include company name and qualifications): _Mark Marion, Cumberland County Sheriffs Office_

O. Describe fire personnel: _Cumberland Fire_

Traffic Plan
P. Description of routes persons attending the event are likely to take, include number of traffic controllers and deployment descriptions. _6 traffic/person parking personnel from @work_

Q. Describe methods used to publicize alternate routes of reaching the scene of the event.

R. Attach statement of availability of private towing firms to remove disabled vehicles.

Crowd Management
S. Plan for discouraging those not holding tickets for the event from not coming to the event site.

T. Plan for preventing trespassing on private property in the area. _Private Security from Sheriff Dept._

U. Will all publicity stop as soon as it is apparent that the event is sold out? _______ yes; _______ no _Marketing ends on Sept. 8th_

V. Description of how the event will be publicized, include how a sell-out will be publicized. _Radio, Facebook, Television_

Other
W. Name of liability insurance: _Massachusetts Bay Ins. Co._

X. Amount of coverage: _1,000,000_; amount of property insurance: _1,000,000_

Preferred type of performance guarantee (i.e., escrow account, irrevocable letter of credit) _Attached_

Authorized signature: _[Signature]_

On ______________________ (date), I received a copy of the Cumberland Mass Gathering Ordinance. ______________________ (authorized signature)
## COVERAGES

<table>
<thead>
<tr>
<th>INSR</th>
<th>LTR</th>
<th>TYPE OF INSURANCE</th>
<th>ADOL/SUB</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF (MM/DD/YYYY)</th>
<th>POLICY EXP (MM/DD/YYYY)</th>
<th>LIMITS</th>
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<tbody>
<tr>
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<td>✓</td>
<td>COMMERCIAL GENERAL LIABILITY</td>
<td>CLAIMS-MADE ✓ OCCUR</td>
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<td>GEN'L AGGREGATE LIMIT APPLIES PER:</td>
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## WORKERS COMPENSATION AND EMPLOYERS' LIABILITY

Any Proprietor or Partner/Executive Officer/Member Excluded? (Mandatory in NH)

| Y/N | N/A |

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<thead>
<tr>
<th></th>
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<th>PER STATUTE</th>
<th>OTHER</th>
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<tbody>
<tr>
<td>E.L. EACH ACCIDENT</td>
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<td>E.L. DISEASE - EA EMPLOYEE</td>
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<td>E.L. DISEASE - POLICY LIMIT</td>
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

All events held at the Cumberland Fair Grounds that are sponsored by the insured during the policy period.

## CERTIFICATE HOLDER

Holder's Nature of Interest: Certificate Holder

Cumberland Farmers Club
197 Blanchard Rd.
Cumberland, ME 04021

## CANCELLATION

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

Authorized Representative

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July 25, 2017

TO: Binnie Media
Attn: Stan Bennett
Phone: 207-344-8007
Email: sbennett@binradio.com

RE: Portable Toilet Rentals for Ultimate Yard Sale at Cumberland County Fairgrounds on 9/9/17

We hereby submit specifications and estimates for:
14 Standard Portable Units ($ 60.00 per unit) $ 840.00
3 Barrier Free Portable Units ($ 90.00 per unit) $ 270.00

TOTAL $ 1,110.00

***************DELIVERY TO BE 9/8/17 & PICKUP TO BE 9/11/17


We propose hereby to furnish material and labor—complete in accordance with the above specifications:

TERMS AND CONDITIONS

1. The customer agrees to pay all invoices related to the service of the portable sanitation facilities, including extra and overtime charges for any service rendered over and above normal servicing schedule. Customer authorizes uses of credit card number on file for all charges incurred in accordance with terms and conditions cited above. Blow Bros. reserves the right to prosecute any customer who intentionally issues a credit card or negotiating a worthless instrument knowing that it will not be honored by the maker or drawer in accordance with State of Maine Law.
2. The customer agrees to pay for any and all damage to or loss of the portable sanitation facilities as an insurer of cause or fault, except for reasonable wear and tear, while the portable sanitation facilities are at the site address.
3. Blow Bros. reserves the right to NOT remove, pump dry and lock the unit until account is paid in full. If lock is destroyed or continued use of unit occurs the customer will be subject to additional charges.
4. The customer agrees not to sell, rent, lease, or otherwise give up possession of the portable sanitation facilities listed herein without prior consent from BLOW BROS.
5. The customer agrees to keep the portable sanitation units clear and accessible for service trucks at all times and to assume any and all tow charges resulting from substandard site conditions.
6. The customer acknowledges that Blow Bros. will not be liable for any damages to pavement, curbing, lawns or any other property resulting from trucks servicing units placed at customer request.
7. The customer agrees to pay a late charge of 1.5% per month on the unpaid balance for all invoices over 30 days. This is an Annual Percentage Rate of 18%. The customer also agrees to pay costs of collection including attorney fees.

Payment to be made as follows:

Due prior to delivery
All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker’s Compensation Insurance.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

*Must sign and fax back to (207) 934-1723. A representative from Blow Bros. will contact you for completion of your detailed order.

Date of Acceptance:

Authorized Signature: [Signature]

Note: We may withdraw this proposal if not accepted within 30 days.

Signature: [Signature]

Margi Brown, Office Manager

(207) 934-2525 • 1-800-4-A-POTTY • Fax (207) 934-1723 • blowbros@gwi.net
Morning Stan,

This is to confirm that 6 flaggers have been ordered for services on 9/9/17.

Any questions or concerns, please contact our office Mon-Fri 7:30 am to 4:30 pm.

Regards,

Sue Richards
Account Manager
358 Main Street
Gorham, ME 04038
207-839-5060 Office
207-839-9060 Fax
suer@atwork.com

This email has been scanned for spam and viruses by Proofpoint Essentials. Click here to report this email as spam.
ITEM 17-112

To consider and act on setting the following household waste disposal events:

- Confidential Shredding, Saturday, October 7th from 9:00 a.m. to 1:00 p.m.
- E-waste Collection, Saturday, October 7th from 9:00 a.m. to 1:00 p.m.
- Bulky Item Pick-up Week, October 9th through 13th
The Town of Cumberland will be hosting an Electronics Drop Off Event (Universal Waste) Saturday, October 7, 2017 9:00 am to 1:00 pm

This is a free event for Cumberland Residents.

The following items may be brought to the Public Works Garage at 23 Drowne Road for disposal on this day:

**Category #1:**
- TV’s
- Monitors
- Speakers
- Telephones
- Laptops
- Computers
- Keyboards
- Stereos
- VCR/DVD players
- Game Consoles

**Category #2:** (proof of residency required)
- Floresent Light Bulbs
- Air Conditioners
- Thermostats
- Dehumidifiers
- Lead Batteries

Please do not bring items prior to 9:00 am on the day of the event. In order to dispose of items in Category #2, you must provide proof of residency. The event will end promptly at 1:00 pm. For more information contact Cumberland Public Services at 829-2220.
Confidential Shredding Service

Saturday, October 7, 2017
9:00 am—1:00 pm
Drop Off Event
Public Works Garage, 23 Drowne Rd

Identity theft is the fastest growing crime in the United States.

Documents containing names, addresses, Social Security numbers, credit card and bank account numbers, etc. should be shredded when they are no longer needed.

On Saturday, October 7, 2017, the Town of Cumberland will have Without A Trace mobile shredding service set up at The Public Works Garage at 23 Drowne Road to shred your private documents for you. This service is for Cumberland Residents only and it is offered at no charge.

Please take advantage of this opportunity to safeguard your personal information and prevent identity theft. Simply load all paper to be shredded in a bag or box (removing all metal paper clips—staples okay) and bring them to the Public Works Garage where they will be shredded in your presence.

Residential Paperwork only.
No Commercial Business.

For More information contact:
Cumberland Public Services
829-2220
Bulky Waste

Fall Pick-Up Notice:

If an item, or group of items, fits in a Town of Cumberland PAYT bag
the material IS NOT BULKY Waste and will not be picked up unless it is in a Town of Cumberland PAYT bag.
Only residential waste is accepted - no commercial trash is permitted.

Fall of 2017 Bulky Item Pickup Week is scheduled for the week of October 9th – 13th.

A Bulky Item Pickup Week was designed to assist the Residents of Cumberland in the disposal of large, oversized items that cannot fit into the Town’s PAYT bags in the weekly trash or be recycled in regular curbside recycling.

Examples of items that could be included in the Bulky Waste Pickup are chairs, couches, mattresses, large metal items such as electric water heaters and bicycles.

Electronics and Universal Waste are not included in the Bulky Item Event and should not be put curbside but can be brought to the Public Works Garage on October 7th between 9am and 1pm for disposal. See the Waste and Recycling page on the Town’s website for details.

Appliances containing Freon should be disposed of at Riverside Recycling for a small fee or donated to a charitable organization like Goodwill.

2 Tires per household will be accepted if the rim has been removed.

Paint Cans that are OPEN and DRY will be picked up during Bulky Waste Week only, at no other time during the year.

For a more extensive list of items that will and will not be picked up this time, please see the Town’s Web Site at www.cumberlandmaine.com or Call Cumberland Public Services at 829-2220
A Bulky Item Pickup Week was designed to assist the Residents of Cumberland in the disposal of large, oversized items that cannot fit into the Town’s PAYT bags in the weekly trash or be recycled in regular curbside recycling.

Examples of items that could be included in the Bulky Item Pickup are chairs, couches, mattresses, oversized plastic toys, and large metal items such as bicycles.

This program was not designed to be a free trash disposal week. Smaller items that could fit into a PAYT bag should be disposed of with your weekly trash. **Generic bags and boxes of household materials will no longer be accepted.**

Phones, computers, TVs and appliances containing Freon should be disposed of at Riverside Recycling for a small fee or donated to a charitable organization like Goodwill, the Salvation Army or Habitat for Humanity.

2 Tires per household will be accepted if the rim has been removed.

Paint Cans that are OPEN and DRY will be picked up during Bulky Item Week only, at no other time during the year.

For a more extensive list of items that will or will not be picked up this time, please see the Town’s Web Site at www.cumberlandmaine.com or Call Cumberland Public Services at 829-2220.
ITEM
17-113

To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 38 (Animals) of the Cumberland Code, as recommended by the Ordinance Committee.
A. Household pets are allowed in all districts. Household pets shall not include horses or any animals kept for purposes of commercial or noncommercial agriculture or animal husbandry, or any uses related thereto, and shall not include any animals that are considered a public nuisance or are otherwise unlawful to possess under state or federal law.

B. Horses may be kept in all districts, provided that there shall be at least one acre of containment area for the first horse to be kept on the premises and 10,000 square feet of containment area for each horse thereafter.

C. Animals other than horses and, including chickens or household pets, may be kept for personal use and enjoyment, noncommercial purposes, provided that the minimum lot size for keeping such animals shall be two acres in all districts, except that the minimum lot size for keeping such animals on properties within the Village Mixed Use (VMU) District, Low Density Residential (LDR) District and the Medium Density Residential (MDR) District as designated in the Town of Cumberland’s Comprehensive Plan shall be ten acres for purposes of this Chapter.

D. The free range of poultry beyond the borders of an owner's property is prohibited.

E. No chicken house and no piggery shall be permitted nearer than 100 feet to any property line.

F. It shall be a violation of this Chapter to keep an animal or animals on any property within the Town that results in an unreasonable use of the property, unreasonably injures another’s land, interferes with the use of another’s land, alters the flow of surface water, or negatively impacts the drinking water of any property through any noise, odor, storage or disposal of materials, animal byproducts or carcasses that are related to the keeping of such animal or animals on the property.

G. Any violation of this Chapter shall constitute a nuisance, and the owner, person or firm having control or use of the property on which animals are being kept in violation of this Chapter shall be fined as established by order of the Town Council for each day such violation is permitted to exist after notification in writing from the Town; provided, however, that a farm operation shall not be considered a nuisance if it is in compliance with applicable state and federal laws, rules and regulations.
Changes to Zoning Map - Fall 2017
ITEM 17-114

To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Chapter 315 (Zoning), Section 4 (Word Use and Definitions – Accessory Dwelling Unit) and Section 45 (Conversions) of the Cumberland Code, as recommended by the Ordinance Committee
MEMORANDUM

Town of Cumberland, Maine
290 Tuttle Road
Cumberland, ME 04021
Telephone (207) 829-2205 • Fax (207) 829-2214

To: Town Council
From: William R. Shane, Town Manager
Date: August 9, 2017
Re: 17-114 Accessory Dwelling Units (ADU’s)

Attached is a draft of the ADU language that we will be discussing with the Planning Board in workshop on Tuesday at 6:00 p.m. The Town Attorney will be updating this to reflect input received from the Ordinance Committee that was not available at the time of this memo.

I believe that the changes reflected in the attached draft will allow for less possible abuse of what is intended to be a very useful and senior-friendly ordinance.

ACCESSORY DWELLING UNIT (ADU)

A secondary dwelling unit to be used as a single family dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.

§ 315-45 Conversions.

A. Accessory dwelling units. One Accessory Dwelling Unit may be constructed as Any single family dwelling or an accessory structure which is either attached to or detached from the primary single family dwelling unit on any lot in the zoning districts may be constructed, altered or expanded to include one additional dwelling unit, in accordance with the requirements of the Site Plan Review Ordinance (Section 229-5 of the Cumberland Code) site plan review requirements and the following standards.

1. Design Standards.

   (a) The Accessory Dwelling Unit to be added shall include no more than two bedrooms and shall not exceed 40% of the total living area of the primary dwelling unit or shall be no less than 600 sq. ft. and no greater than 1,000 sq. ft. of occupied living space, whichever is less.

   (b) An Accessory Dwelling Unit must be designed such that the exterior is compatible with the existing primary dwelling unit in terms of architectural style, height, construction materials, colors, and scale.

   (c) An Accessory Dwelling Unit shall not result in excessive noise, traffic or parking congestion on the lot or within the neighborhood within which the property is located.

   (d) One parking space per bedroom shall be required to be made available on the property on which the Accessory Dwelling Unit is to be located and shall be in addition to the required parking for the primary dwelling unit.

2. Lot Standards.

   (a) An Accessory Dwelling Unit must meet the minimum lot size requirements and setbacks of the zoning district within which it is located. An Accessory Dwelling Unit is not required to meet the lot frontage requirements of the zoning district within which it is located provided that the primary dwelling unit conforms to such requirements. An existing primary dwelling that is a nonconforming structure or building may be expanded to incorporate an Accessory Dwelling Unit subject to the requirements of 315-74 for the expansion of nonconforming buildings or structures, or 226-14 if located within a Shoreland Zoning District. An Accessory Dwelling Unit shall not be permitted on a lot with a nonconforming use.
(b) The district lot size requirements may be waived by the Planning Board, the Town Planner and the Staff Review Committee or the Town Planner in accordance with the as defined in Section 229-6(C) of the Site Plan Review Ordinance in accordance with Section 229-4 of the Site Plan Review Ordinance; provided that the local Plumbing Inspector indicates adequate capacity and conformity with the State Plumbing Code, but in no case shall such conversion Accessory Dwelling Unit be allowed on a lot smaller than 20,000 square feet unless connected to public sewer.

(3) This provision Section shall not prohibit the conversion of a single-family dwelling to a duplex or multiplex dwelling or the conversion of a duplex dwelling to a single-family or multiplex dwelling, so long as said conversion complies with all district and other zoning standards, including but not limited to the minimum lot size per dwelling unit.
YARMOUTH ADU

11. More than 1000 cubic yards. Excavation and removal of lands and filling of lands equaling 1000 cubic yards or more shall be reviewed in accordance with the following criteria:

   a. Specific plans are established to avoid hazards from excessive slopes or standing water. Where an embankment must be left upon the completion of operations, it shall not be at a slope steeper than one (1) foot vertical to two (2) feet horizontal.
   b. The operation is shielded from surrounding property with adequate screening and creates no disturbance of a water source.
   c. No excavation shall be extended below the grade of adjacent streets unless 100 feet from the street line or unless provision has been made for reconstruction of the street at a different level.
   d. Sufficient top soil or loam shall be retained to cover all areas, so that they may be seeded and restored to natural conditions.
   e. A surety bond, one payable to the Town of Yarmouth and issued by a commercial surety company authorized to do business within the State of Maine, is posted by the owner with the Treasurer of Yarmouth by the applicant in an amount recommended by the Town Manager or his/her agent and approved by the Planning board as sufficient to guarantee conformity with the provisions of the grant of approval.
   f. Any Site Plan review shall include the following criteria to insure the protection of public health, safety and general welfare:

      (1.) fencing, landscaped buffer strips;
      (2.) advertising signs, lighting;
      (3.) parking spaces, loading and unloading areas;
      (4.) entrances and exits;
      (5.) time period for operation;
      (6.) hours of operation;
      (7.) methods of operation;
      (8.) weight and loading limit of trucks;
      (9.) potential sand and gravel spillage upon public streets;
      (10.) rehabilitation proposals,
      (11.) street trees of 2 1/2 (two and one half) to 3 (three) inch caliper every 50’ of street frontage,
      (12.) sidewalks on at least one side of the street
      (13.) bike racks

12. Accessory Dwelling Unit: any request shall include a plot/site plan showing the following:

   a. Lot boundaries and dimensions at scale.
   b. Zoning district.
   c. Date of plan.
   d. Property owner with deed reference.

CHAPTER 702
17
YARMOUTH ADU

e. Lot area.
f. Location and setback of all buildings.
g. Date of construction of single-family dwelling.
h. Separate floor layout of all finished levels.
i. All plumbing facilities, kind and location.
j. Use of all rooms.
k. All entrances/exits.
l. All partitions, temporary or permanent.
m. Location and type of all appliances.
n. Rights of way, public and private

Purpose:
The purpose of this section is to promote the public health, safety and general welfare of the community by providing diverse housing choices and to help increase the supply of housing without new land acquisition costs.

In permitting an ADU, the Planning Director and/or CEO shall find that:

a. Exterior design of the accessory unit is compatible with the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.
b. The exterior design is in harmony with, and maintains the scale of the neighborhood.
c. The accessory unit does not result in excessive noise, traffic or parking congestion.
d. **The property fronts on a public water main and public sewer line each with the capacity to serve the additional accessory unit.**
e. Major access stairs, deck entry doors, and major windows will generally be limited to the walls facing the primary residence. Windows that impact the privacy of the neighboring side or rear yard have been minimized. The design of the accessory unit shall relate to the design of the primary residence and shall not visually dominate it or the surrounding properties.
f. The orientation and location of the buildings, structures, open spaces and other features of the site plan are such that they maintain natural resources including heritage or significant trees and shrubs to the extent feasible and minimize alteration of natural land forms.
g. Building profiles, location and orientation relate to natural land forms.
h. **One parking space shall be provided** on-site for each a studio and or one bedroom accessory unit. Two parking spaces shall be provided on site for each a two bedroom accessory unit. Parking of the accessory unit is in addition to the required parking for the primary residence. Required parking
spaces for the primary residence and the accessory dwelling unit may be provided in tandem on a driveway. A tandem arrangement consists of one car behind the other. No more than two cars in tandem may be counted towards meeting the parking requirement.

i. A single-family dwelling exists on the lot or will be constructed in conjunction with the accessory unit. Only one ADU is permitted per lot.

j. Accessory dwelling units are not eligible for variances to setbacks.

k. Before obtaining a building permit for an ADU the property owner shall file with the registry of deeds a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
   a. The accessory unit shall not be sold separately.
   b. The unit is restricted to the approved size.
   c. The use permit for the accessory unit shall be in effect only so long as either the main residence, or the accessory unit, is occupied by the owner of record as the principal residence.
   d. The above declarations are binding upon any successor in ownership of the property;
   e. The deed restrictions shall lapse upon removal of the accessory unit.

l. Units within an Accessory Structure shall not exceed 900 square feet. If an ADU occupies an entire single floor, the Planning Department may allow for an increase in the allowed size of the ADU in order to efficiently use all of the floor area, so long as all other standards of this section are met.

m. An ADU may have no more than two (2) bedrooms.

n. The water and sewage facilities shall meet all existing laws and codes.

o. Approval of an accessory apartment shall be conditional on obtaining applicable building, plumbing, electrical and any other necessary municipal permits.

p. The Fire Chief must review and sign off on the application.

q. Unless part of the design of an existing single family dwelling the dwelling(s) shall have only one (1) front entrance and all other entrances shall be on the side or in the rear of the dwelling. A front entrance leading to a foyer with entrances leading from the foyer to the two (2) dwelling units is permitted. Outside stairways (either open or enclosed), that service an Accessory Dwelling Units on upper stories are not permitted.

r. For an ADU located within an existing garage or other outbuilding, the structure is not required to approximate the exterior features of the existing single family dwelling, but any exterior modifications should be consistent with the architectural style of that structure unless the building is upgraded per the requirement of new structures or unless the new structure is designed in a traditional New England form such as a barn.

s. An existing single family dwelling that is nonconforming solely due to lot size, lot width, lot frontage, lot coverage, height or setback requirements may be expanded to incorporate an Accessory Apartment subject to the requirements of Chapter 701 of the Yarmouth Code Article III for the expansion of other non-conforming single family dwellings.

CHAPTER 702
YARMOUTH ADU

t. ADU's may be permitted on back lots.

u. ADU's are not permitted on a lot with a non-conforming use.

v. ADU's are not permitted on a lot with mixed uses.

w. When an owner wishes to eliminate the accessory apartment proof of the removal of the second kitchen and the restoration of the apartment to its status before the conversion shall be submitted to the satisfaction of the Planning Department. The owner shall record a Release of the Declaration of Restrictions on the Land after inspection and confirmation by the Code Enforcement Officer.

K. REVISIONS TO APPROVED SITE PLANS
The site shall be developed and maintained as depicted in the site plan and the written submissions of the applicant. Modification of any approved site plan shall require the prior approval of a revised site plan by the Planning Board or the Director of Planning and Development pursuant to the terms of this ARTICLE. Any such parcel lawfully altered prior to June 7, 1990 shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including but not limited to topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the Director of Planning and Development for minor site plan or Planning Board for major site plan, and field changes approved by the Town Engineer as provided herein, by any authority or department shall authorize any such modification or alteration. Field changes by the Town Engineer are limited to minor variations necessary to deal with unforeseen difficulties that arise during the course of construction involving such technical detail as utility location and substitution of equivalent plantings and shall not include any substantial alteration of the approved plan or change any condition imposed by the Director of Planning and Development or Planning Board.

L. EXPIRATIONS

1. Applications: A site plan application must be diligently pursued from the date of submission. The Director of Planning and Development or Planning board shall notify the applicant in writing whether the application is complete. If an application is not complete, the written notice shall set forth those items, which have not yet been submitted, and that the applicant will have one hundred twenty (120) days to complete its application. If the applicant fails to submit any item specified within one hundred twenty (120) days of the date of said notice from the Director of Planning and Development or Planning Board, the application shall be deemed null and void. Nothing in this Section shall prevent the Planning Board or Director of Planning and Development from requiring additional information as otherwise permitted or required by the terms of this ARTICLE.

2. Approvals: Site Plan approvals are valid for one year and may be extended for one additional year by the Director of Planning and Development for minor site
ITEM 17-115

To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendment to Chapter 315 (Zoning), Section 28.4B (Senior Housing Community (SHC) Overlay District) to include a portion of a lot located on Greely Road (Tax Map R04/34A)
MEMORANDUM

Town of Cumberland, Maine
290 Tuttle Road
Cumberland, ME 04021
Telephone (207) 829-2205 • Fax (207) 829-2214

To: Town Council
From: William R. Shane, Town Manager
Date: August 9, 2017
Re: 17-115 Senior Housing Community Overlay District (SHCOD) Map Change

Ocean View Properties now has the Godsoe Farm under contract and have proposed a unique and excellent development and preservation opportunity for the Town:

1) Allow the rear piece of the property to be added to the SHCOD

2) Develop the center portion using the underlying zone

3) Protect the 6-acre scenic vista roadside portion with a conservation easement

This is an opportunity for us to follow the Comprehensive Plan and past open space plans while responsibly developing the remainder of the land. It will also allow for a water main loop to Greely Road adding redundancy to our fire protection abilities in this area.

I will explain in greater detail on Monday evening.
ITEM
17-116

To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, update to the Official Zoning Map of the Town of Cumberland to expand the Senior Housing Community Overlay District to include a portion of a lot located on Greely Road (Tax Map R04/34A)
Proposed Additional Land to the SCHOD
ITEM
17-117

To authorize the Town Manager to seek proposals for the development of the Town owned property adjacent to the Town Forest
ITEM
17-118

To set a Public Hearing date of August 28th to authorize the issuance of Senior Property Tax Assistance Program payments
To qualify for this program, you must meet the following qualifications:

1) be 70 years of age or more
2) have a homestead in the Town of Cumberland
3) been a resident of the Town of Cumberland for at least 10 years
4) combined household income does not exceed $75,060

You must meet all 4 of the criteria above to be eligible for this program.

Name: __________________________________________________________________________

Address of Residence: _______________________________________________________________________
_____________________________________________________________________

Home Phone Number: _____________________________________________________________________

How to Apply for the Senior Property Tax Assistance Program:

Step #1: Fill out the application above.

Step #2: Please call, 829-2205, and ask for Pam Lunn or email, plunn@cumberlandmaine.com, to schedule an appointment to review and complete your application.

Step #3: Please bring the following documents to your appointment:

• 2016 Tax Filing (1040, 1040A, 1040EZ)

   -If you do not file taxes, please bring 1099’s or other forms to document income.
   (See reverse side for what qualifies as income.)

• Form of Identification (Drivers License, Maine State I.D., Passport)

• For Rental Properties, please bring a copy of the lease.

Step #4: Attend appointment at the Cumberland Town Hall.

(Insert Date & Time of Appointment Here)
What Qualifies as Income

1. Compensation for services, including wages, salaries, tips, fees, commissions, fringe benefits and similar items;
2. Gross income derived from business;
3. Gains derived from dealings in property (capital or other);
4. Interest;
5. Rents from real estate;
6. Royalties;
7. Dividends;
8. Alimony and separate maintenance payments received;
9. Annuities;
10. Pensions;
11. Income from discharge of indebtedness;
12. Distributive share of partnership gross income;
13. Income from an interest in an estate or trust;
14. IRA distributions;
15. Unemployment compensation; and
Senior Property Tax Assistance Worksheet

Part A

2018 Taxes - 2017 Taxes = Refund for Part A

Part B

(2018 Property Taxes) - (2016 Income) = Refund for Part B

<table>
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</table>

Refund for Part B

Total Refund

Refund for Part A + Refund for Part B = Total Refund

Reviewed by: ______________________________ Date: ____________________________
Approved by: ____________________________ Amount Approved: _______________
$_________________ □ 1. Compensation for services, including wages, salaries, tips, fees, commissions, fringe benefits and similar items;

$_________________ □ 2. Gross income derived from business;

$_________________ □ 3. Gains derived from dealings in property (capital or other);

$_________________ □ 4. Interest;

$_________________ □ 5. Rents from real estate;

$_________________ □ 6. Royalties;

$_________________ □ 7. Dividends;

$_________________ □ 8. Alimony and separate maintenance payments received;

$_________________ □ 9. Annuities;

$_________________ □ 10. Pensions;

$_________________ □ 11. Income from discharge of indebtedness;

$_________________ □ 12. Distributive share of partnership gross income;

$_________________ □ 13. Income from an interest in an estate or trust;

$_________________ □ 14. IRA distributions;

$_________________ □ 15. Unemployment compensation; and


$_________________ Total Income
I, ________________________________, being first duly sworn, depose and state as follows:

1. My name is ___________________ and I am at least 70 years of age and have been a Town of Cumberland resident for at least the past 10 years consecutively and my primary residence is: ________________________________, of the Town of Cumberland, County of Cumberland, and State of Maine. I make the statements herein based upon my personal knowledge.

2. I certify my annual gross income is ____________________

STATE OF MAINE
CUMBERLAND, ss. August 2017

Personally appeared the above named ____________________ and swore the above statements to be true based upon her own personal knowledge.

Before me,

______________________________
Notary Public/Attorney at Law

______________________________
Print Name
Under penalties of perjury, I certify that:
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person
MEMORANDUM
Town of Cumberland, Maine
290 Tuttle Road
Cumberland, ME 04021
Telephone (207) 829-2205 • Fax (207) 829-2214

To: Town Council
From: William R. Shane, Town Manager
Date: August 9, 2017
Re: 17-119 Knight’s Pond – 19.6 acres

I have met and discussed the purchase of the remaining portion of Knight’s Pond (19.6 acres). We have come to an agreement with the terms. They are:

1) $90,000 purchase price paid out monthly over 10 years at 5% interest

2) The balance of the remaining land would allow for 3 additional house lots (complies with current zoning)

3) The Town would allow an access road to be constructed along the easterly property line to allow access to the 3 lots.

4) The Town and Mr. Payntor would split the cost of surveying for the new lot line ($1,800)

5) The Town would pay for legal costs and develop the agreement.

6) The existing barn/garage/shed located to the east of the primary house will be allowed to remain in its existing location.

7) All land use penalties (open space, tree growth, ETC) will be taken care of by the Town.

If these terms are acceptable, I would recommend that you authorize me to execute the purchase of 19.6 acres (+/-) of land at Knight’s Pond.
19.6 Acre +/- offer from John Paynter 2017