

AGENDA
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, December 10, 2018
7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

November 26, 2018

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

18 – 154 To hold a Public Hearing date to consider and act on the purchase of 51.5 acres of land on Range Road adjacent to the Rines Forest, as recommended by the Lands and Conservation Commission.

18 – 155 To hold a Public Hearing to consider and act on awarding the Tax Anticipate Note borrowing for up to \$2 million, as recommended by the Finance Committee.
TABLED

18 – 156 To hold a Public Hearing to consider and act on amending the Official Cumberland Overlay Zoning Map to add a Medical Caregiver Overlay District in portions of the Highway Commercial (HC), Office Commercial–South (OC-S) and the Village Center Commercial (VCC).

18 – 157 To hold a Public Hearing to consider and act on a Class 1 Liquor License application for Cumberland House of Pizza, for the period of January 17, 2019 – January 17, 2020.

18 – 158 To hold a Public Hearing to consider and act on a Class 1 Liquor License application for Flannel Shirt Food Company, LLC d/b/a Cumberland Food Company, for the period of January 1, 2019 – January 1, 2020.

18 – 159 To hold a Public Hearing to consider and act on a Class 1 Liquor License application for Louie's Grille, for the period of January 8, 2019 – January 8, 2020.

18 – 160 To appoint Tamara O'Donnell as Registrar of Voters for the term of January 1, 2019 through December 31, 2020.

18 – 161 To appoint a member to the Planning Board.

18 – 162 To consider and act on cancelling the December 24th Town Council meeting.

VI. NEW BUSINESS

VII. BUDGET REPORT

VIII. EXECUTIVE SESSION pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.

IX. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, November 26, 2018

7:00 P.M. Call to Order

Present: Councilors Bingham Copp, Gruber, Storey-King and Turner

Excused: Councilors Edes and Stiles

I. APPROVAL OF MINUTES

Motion by Councilor Turner, seconded by Councilor Storey-King, to accept the November 12, 2018 meeting minutes as presented.

VOTE: 4-0-1 (Bingham abstained) MOTION PASSES

II. MANAGER'S REPORT

Central Maine Power is working on tree limb trimming on the Foreside. They are allowed by law to trim anything within 8 feet of the power lines.

We have been getting a lot of calls requesting snow grooming at Twin Brook. It is too soon to begin grooming because it will destroy the trails underneath the snow. It needs to get much colder in order to protect the trails.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

Motion by Councilor Bingham, seconded by Councilor Storey-King, to add item 18-153 to the agenda.

VOTE: 5-0 UNANIMOUS

18 – 145 To hold a Public Hearing to consider and act on Wharfing Out Permit for 59 Sanderson Road (Map U02/Lot 10C), as recommended by the Coastal Waters Commission.

David Witherall, Chairman of the Coastal Waters Commission said that the Commission held a site-walk at the proposed site. The design of this dock is a series of floats, which rest on the beach at low tide, and can be removed in the winter and stored off site. There will be no issue with erosion on the banks. There were a number of neighbors at the site-walk who were concerned with the floats because they will lie on the beach and extend almost to the low tide mark, but that is no reason for the Commission to deny the permit. The Commission recommends that the permit be approved. .

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Turner, to approve the Wharfing Out Permit for 59 Sanderson Road (Map U02/Lot 10C), subject to the recommendation and conditions set by the Coastal Waters Commission.

VOTE: 5-0 UNANIMOUS

18 – 146 To hold a Public Hearing to consider and act on amendments to Chapter 315 (Zoning), Section 4 (Word Usage and Definitions, Section 12 (Office Commercial North District (OC-N)), Section 28.5 (Registered Caregiver Overlay District) and Section 59.1 (Registered Dispensaries) of the Cumberland Code, as recommended by the Planning Board.

Town Manager Shane explained that the medical marijuana caregiver laws that will go into effect in a couple of weeks, allow for Towns to regulate where the business activity can occur. The Council, Planning Board and Board of Appeals met in workshop to discuss where the best areas for these types of businesses should be located. We now have an ordinance that he believes is consistent with what the Council wanted. The 3 commercial zoning districts where this will be allowed are the Office Commercial South District, Highway Commercial District and Village Center Commercial District. The Ordinance Committee did a great job coming up with these three zones and the Planning Board supported the recommendation.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Gruber, to amend Chapter 315 (Zoning), Section 4 (Word Usage and Definitions, Section 12 (Office Commercial North District (OC-N)), Section 28.5 (Registered Caregiver Overlay District) and Section 59.1 (Registered Dispensaries) of the Cumberland Code, as recommended by the Planning Board.

VOTE: 5-0 UNANIMOUS

18 – 147 To authorize the Town Manager to advertise for members of the Bicentennial Committee.

Town Manager Shane said that the Town's Bicentennial is 2 years away. We have been setting aside money for our bicentennial celebration for a few years now. We would like to appoint a committee to help plan the celebration.

Chairman Copp asked if there was any public comment.

No public comment.

Motion by Councilor Gruber, seconded by Councilor Storey-King, to authorize the Town Manager to advertise for members of the Bicentennial Committee.

VOTE: 5-0 UNANIMOUS

18 – 148 To set a Public Hearing date of December 10th to consider and act on the purchase of 51.5 acres of land on Range Road adjacent to the Rines Forest, as recommended by the Lands and Conservation Commission.

Chairman Copp asked if there was any public comment.

No public comment.

Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of December 10th to consider and act on the purchase of 51.5 acres of land on Range Road adjacent to the Rines Forest, as recommended by the Lands and Conservation Commission.

VOTE: 5-0 UNANIMOUS

18 – 149 To set a Public Hearing date of December 10th to consider and act on awarding the Tax Anticipate Note borrowing for up to \$2 million, as recommended by the Finance Committee.

Chairman Copp asked if there was any public comment.

No public comment.

Motion by Councilor Bingham, seconded by Councilor Gruber, to set a Public Hearing date of December 10th to consider and act on awarding the Tax Anticipate Note borrowing for up to \$2 million, as recommended by the Finance Committee.

VOTE: 5-0 UNANIMOUS

18 – 150 To set a Public Hearing date of December 10th to consider and act on amending the Official Cumberland Overlay Zoning Map to add a Medical Caregiver Overlay District in portions of the Highway Commercial (HC), Office Commercial–South (OC-S) and the Village Center Commercial (VCC).

Chairman Copp asked if there was any public comment.

No public comment.

Motion by Councilor Gruber, seconded by Councilor Storey-King, to set a Public Hearing date of December 10th to consider and act on amending the Official Cumberland Overlay Zoning Map to add a Medical Caregiver Overlay District in portions of the Highway Commercial (HC), Office Commercial–South (OC-S) and the Village Center Commercial (VCC).

VOTE: 5-0 UNANIMOUS

18 – 151 To set a Public Hearing date of December 10th to consider and act on a Liquor License renewal for Cumberland House of Pizza.

Chairman Copp asked if there was any public comment.

No public comment.

Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of December 10th to consider and act on a Liquor License renewal for Cumberland House of Pizza.

VOTE: 5-0 UNANIMOUS

18 – 152 To consider and act on authorizing the Town Manager to execute a 60-month lease agreement with TIAA Bank for a photocopier lease.

Town Manager Shane said that any contract that exceeds 12-months requires Council authorization. Photocopiers are primarily leased on a 5-year term and that is pretty much the life expectancy of a copier. This copier is for Town Hall and there is no increase to the budget for this lease.

Chairman Copp asked if there was any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Bingham, to authorize the Town Manager to execute a 60-month lease agreement with TIAA Bank for a photocopier lease.

VOTE: 5-0 UNANIMOUS

18 – 153 To authorize the Town Manager to accept back taxes in the amount of \$3,533.01 for FY2015 for property identified as Map R03/Lot 10B.

Town Manager Shane explained that this property still remains in foreclosure since this is for FY'15 taxes. There will be no release deed issued since FY'16 and 17 are still outstanding.

Chairman Copp asked if there was any public comment.
No public comment.

Motion by Councilor Turner, seconded by Councilor Gruber, to authorize the Town Manager to accept back taxes in the amount of \$3,533.01 for FY2015 for property identified as Map R03/Lot 10B.

VOTE: 5-0 UNANIMOUS

V. NEW BUSINESS

Councilor Bingham – None

Councilor Gruber – Thank you to everyone who helped out with the Thanksgiving baskets for the Food Pantry. It was a huge effort and he sent a special thank you to Bill and Linda Shane who put their hearts and souls into the Food Pantry.

The Aging in Place program will be run by the Recreation Department beginning in January. There was a meeting last week and it was suggested changing the name of the department to Community Services and Recreation Department. This will encompass all the services offered and make it a little clearer for residents.

There were a lot of holiday fairs in Town last Saturday. He attended some of them and really enjoyed the lobster roll at the Cumberland Congregational Church.

Tom Foley's wife, Janet Foley passed away last Wednesday. Condolences to the Foley family.

Councilor Storey-King – The Parks & Recreation Commission will be meeting soon. She would like them to discuss the renaming of the Recreation Department so that it is clear and not confusing for anybody.

Chairman Copp – He attended the groundbreaking ceremony for the Ocean View project. This project will be a huge asset for our community.

Councilor Turner – None

Town Manager Shane – Town Clerk, Tammy O'Donnell was elected president of the New England City and Town Clerks Association. We are very proud of Tammy.

Neal Bungard from the US Forestry Service will walk the Rines Forest with Penny Asherman from the Land Trust. We are hopeful to be able to receive some funding from the USFS for the second piece of property that abuts the Rines Forest. The Council is invited to attend the walk at 1:00 p.m. on Thursday.

December 19th at 6:00 p.m. will be the joint meeting with the North Yarmouth Select Board to discuss current and future ways to work collaboratively.

VI. EXECUTIVE SESSION pursuant to Title 36 M.R.S.A. Section 841(2) to consider and act on applications for tax abatement based on hardship.

Motion by Councilor Bingham, seconded by Councilor Gruber, to recess to Executive Session pursuant to Title 36 M.R.S.A. Section 841(2) to consider and act on applications for tax abatement based on hardship.

VOTE: 5-0 UNANIMOUS

TIME: 7:42 P.M.

Reconvene to regular session at 7:46 P.M.

Motion by Councilor Bingham, seconded by Councilor Storey-King, to deny the poverty abatement request based on hardship.

VOTE: 5-0 UNANIMOUS

VII. ADJOURNMENT

Motion by Councilor Bingham, seconded by Councilor Turner, to adjourn.

VOTE: 5-0 UNANIMOUS

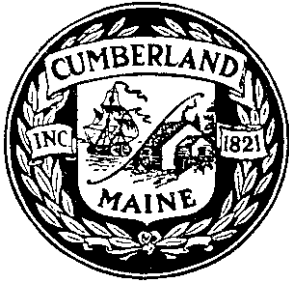
Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM

18-154

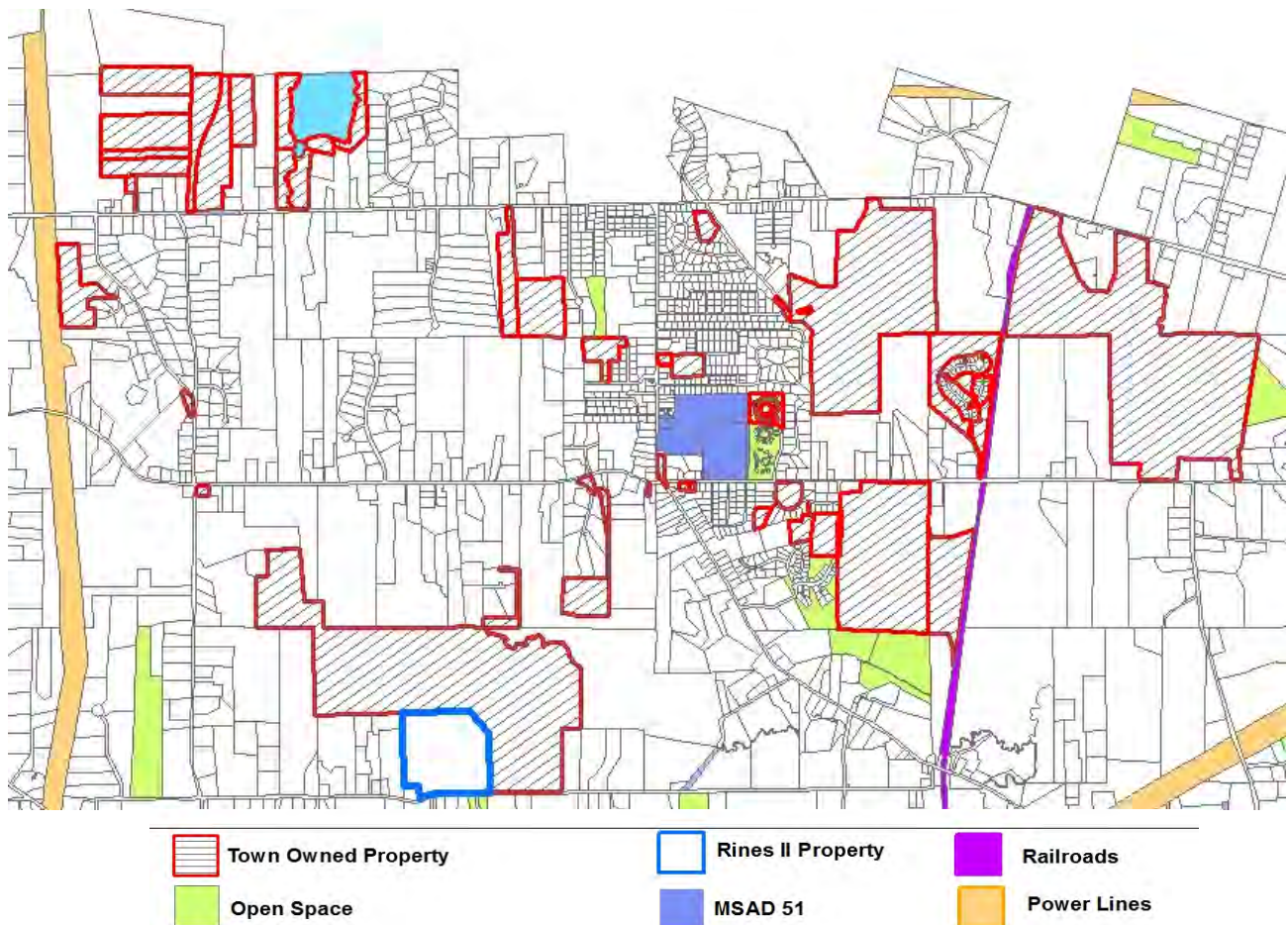
To hold a Public Hearing date to consider and act on the purchase of 51.5 acres of land on Range Road adjacent to the Rines Forest, as recommended by the Lands and Conservation Commission



TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205 FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Subject: Rines Forest II
Date: November 20, 2018

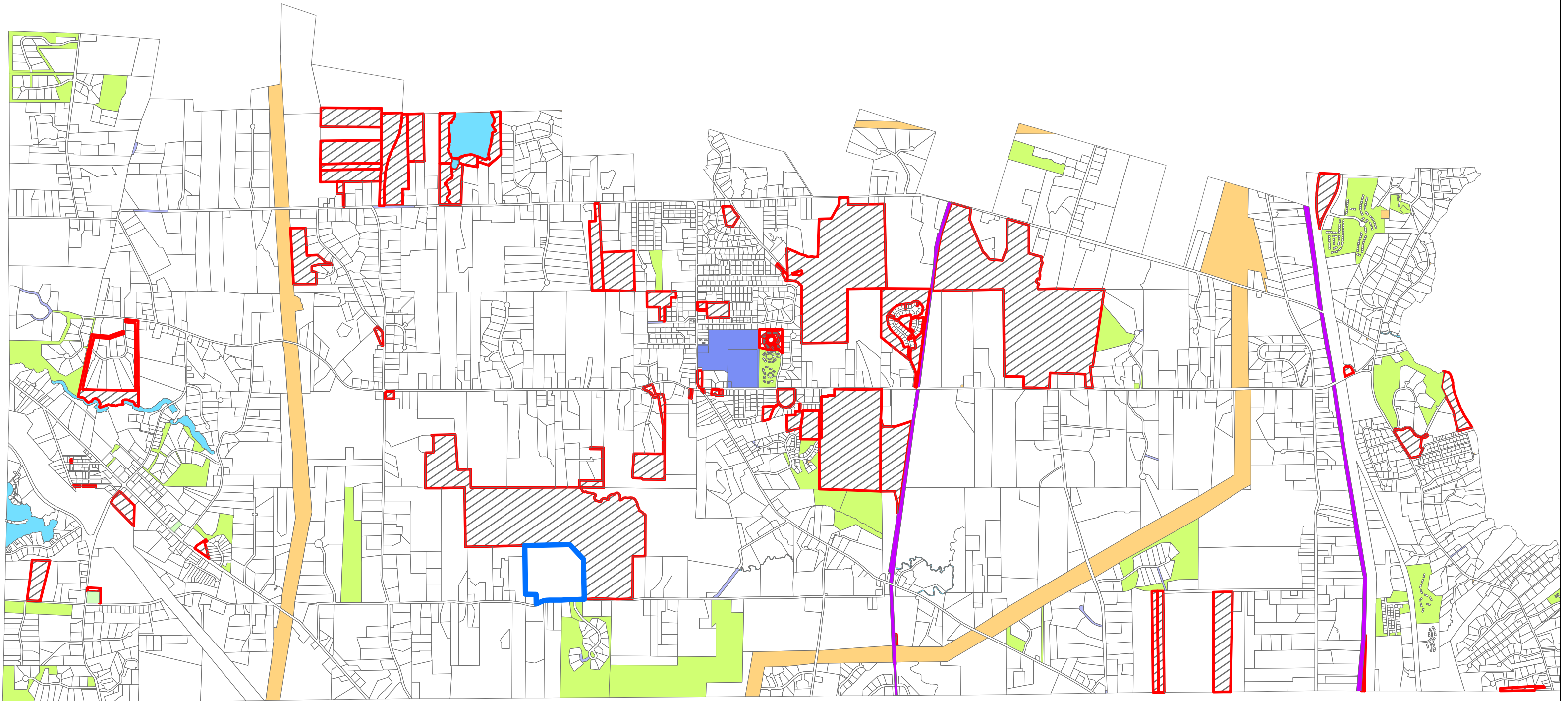
Our option expires this year on the remaining 51.5 acre parcel of the Rines Forest (250 Acres w/ Godsoe Woods). The Land Trust continues its fund raising efforts and The Finance Committee has supported this item moving forward for consideration at the December 10, 2018 Council meeting. The Lands & Conservation Commission support the purchase of this connected piece of open space. The purchase is consistent with your current policy of only considering parcels which will enhance and connect to existing Open Space in Town.



Dale Rines is willing to finance the project over 3 years as well. The current balance in our Land Acquisition Reserve Fund is \$320,000. The estimated annual payment is \$148,900 at 5% interest. We would pay nearly \$38,000 in interest costs for the financing of the total note. The Land Trust has begun fund raising and applying for multiple grants to bring the costs of this purchase down for the Town.

With three years to pay for this, the Land Trust would have time to work on grants to help offset some for the costs. The sales in Crossing Brook also bring in monies that are dedicated to Property Acquisition reserves. Each sale in Crossing Brook has yielded between \$8,000 and \$38,000 to this reserve fund.

I have attached the appraisal, a larger, map of Town Properties and the amortization schedule for the entire cost of the parcel (\$414,000).



Town Owned Property



Open Space



Rines II Property



MSAD 51



Railroads



Power Lines



LOAN AMORTIZATION SCHEDULE

ENTER VALUES

Loan amount	\$414,000.00
Annual interest rate	5.00%
Loan period in years	3
Number of payments per year	12
Start date of loan	6/1/2019
Optional extra payments	\$0.00

LOAN SUMMARY

Scheduled payment	\$12,407.95
Scheduled number of payments	36
Actual number of payments	3
Total early payments	\$0.00
Total interest	\$32,686.25

LENDER NAME

Dale Rines

PMT NO	PAYMENT DATE	BEGINNING BALANCE	SCHEDULED PAYMENT	EXTRA PAYMENT	TOTAL PAYMENT	PRINCIPAL	INTEREST	ENDING BALANCE	CUMULATIVE INTEREST
1	6/1/2019	\$414,000.00	\$12,407.95	\$0.00	\$12,407.95	\$10,682.95	\$1,725.00	\$403,317.05	\$1,725.00
2	7/1/2019	\$403,317.05	\$12,407.95	\$0.00	\$12,407.95	\$10,727.46	\$1,680.49	\$392,589.58	\$3,405.49
3	8/1/2019	\$392,589.58	\$12,407.95	\$0.00	\$12,407.95	\$10,772.16	\$1,635.79	\$381,817.42	\$5,041.28
4	9/1/2019	\$381,817.42	\$12,407.95	\$0.00	\$12,407.95	\$10,817.05	\$1,590.91	\$371,000.38	\$6,632.18
5	10/1/2019	\$371,000.38	\$12,407.95	\$0.00	\$12,407.95	\$10,862.12	\$1,545.83	\$360,138.26	\$8,178.02
6	11/1/2019	\$360,138.26	\$12,407.95	\$0.00	\$12,407.95	\$10,907.38	\$1,500.58	\$349,230.89	\$9,678.59
7	12/1/2019	\$349,230.89	\$12,407.95	\$0.00	\$12,407.95	\$10,952.82	\$1,455.13	\$338,278.06	\$11,133.72
8	1/1/2020	\$338,278.06	\$12,407.95	\$0.00	\$12,407.95	\$10,998.46	\$1,409.49	\$327,279.60	\$12,543.22
9	2/1/2020	\$327,279.60	\$12,407.95	\$0.00	\$12,407.95	\$11,044.29	\$1,363.67	\$316,235.32	\$13,906.88
10	3/1/2020	\$316,235.32	\$12,407.95	\$0.00	\$12,407.95	\$11,090.30	\$1,317.65	\$305,145.01	\$15,224.53
11	4/1/2020	\$305,145.01	\$12,407.95	\$0.00	\$12,407.95	\$11,136.51	\$1,271.44	\$294,008.50	\$16,495.96
12	5/1/2020	\$294,008.50	\$12,407.95	\$0.00	\$12,407.95	\$11,182.92	\$1,225.04	\$282,825.58	\$17,721.00
13	6/1/2020	\$282,825.58	\$12,407.95	\$0.00	\$12,407.95	\$11,229.51	\$1,178.44	\$271,596.07	\$18,899.44
14	7/1/2020	\$271,596.07	\$12,407.95	\$0.00	\$12,407.95	\$11,276.30	\$1,131.65	\$260,319.77	\$20,031.09
15	8/1/2020	\$260,319.77	\$12,407.95	\$0.00	\$12,407.95	\$11,323.29	\$1,084.67	\$248,996.49	\$21,115.76
16	9/1/2020	\$248,996.49	\$12,407.95	\$0.00	\$12,407.95	\$11,370.47	\$1,037.49	\$237,626.02	\$22,153.24
17	10/1/2020	\$237,626.02	\$12,407.95	\$0.00	\$12,407.95	\$11,417.84	\$990.11	\$226,208.18	\$23,143.35
18	11/1/2020	\$226,208.18	\$12,407.95	\$0.00	\$12,407.95	\$11,465.42	\$942.53	\$214,742.76	\$24,085.88
19	12/1/2020	\$214,742.76	\$12,407.95	\$0.00	\$12,407.95	\$11,513.19	\$894.76	\$203,229.57	\$24,980.65
20	1/1/2021	\$203,229.57	\$12,407.95	\$0.00	\$12,407.95	\$11,561.16	\$846.79	\$191,668.41	\$25,827.44
21	2/1/2021	\$191,668.41	\$12,407.95	\$0.00	\$12,407.95	\$11,609.33	\$798.62	\$180,059.07	\$26,626.05
22	3/1/2021	\$180,059.07	\$12,407.95	\$0.00	\$12,407.95	\$11,657.71	\$750.25	\$168,401.37	\$27,376.30
23	4/1/2021	\$168,401.37	\$12,407.95	\$0.00	\$12,407.95	\$11,706.28	\$701.67	\$156,695.09	\$28,077.97
24	5/1/2021	\$156,695.09	\$12,407.95	\$0.00	\$12,407.95	\$11,755.06	\$652.90	\$144,940.03	\$28,730.87
25	6/1/2021	\$144,940.03	\$12,407.95	\$0.00	\$12,407.95	\$11,804.03	\$603.92	\$133,136.00	\$29,334.79
26	7/1/2021	\$133,136.00	\$12,407.95	\$0.00	\$12,407.95	\$11,853.22	\$554.73	\$121,282.78	\$29,889.52
27	8/1/2021	\$121,282.78	\$12,407.95	\$0.00	\$12,407.95	\$11,902.61	\$505.34	\$109,380.18	\$30,394.86
28	9/1/2021	\$109,380.18	\$12,407.95	\$0.00	\$12,407.95	\$11,952.20	\$455.75	\$97,427.98	\$30,850.61
29	10/1/2021	\$97,427.98	\$12,407.95	\$0.00	\$12,407.95	\$12,002.00	\$405.95	\$85,425.97	\$31,256.56
30	11/1/2021	\$85,425.97	\$12,407.95	\$0.00	\$12,407.95	\$12,052.01	\$355.94	\$73,373.96	\$31,612.51
31	12/1/2021	\$73,373.96	\$12,407.95	\$0.00	\$12,407.95	\$12,102.23	\$305.72	\$61,271.74	\$31,918.23
32	1/1/2022	\$61,271.74	\$12,407.95	\$0.00	\$12,407.95	\$12,152.65	\$255.30	\$49,119.08	\$32,173.53
33	2/1/2022	\$49,119.08	\$12,407.95	\$0.00	\$12,407.95	\$12,203.29	\$204.66	\$36,915.80	\$32,378.19
34	3/1/2022	\$36,915.80	\$12,407.95	\$0.00	\$12,407.95	\$12,254.14	\$153.82	\$24,661.66	\$32,532.01
35	4/1/2022	\$24,661.66	\$12,407.95	\$0.00	\$12,407.95	\$12,305.19	\$102.76	\$12,356.47	\$32,634.77
36	5/1/2022	\$12,356.47	\$12,407.95	\$0.00	\$12,356.47	\$12,304.98	\$51.49	\$0.00	\$32,686.25



PHONE: 207.735.5858 FAX: 352.336.4877

422 MEADOW ROAD, HAMPDEN, ME 04444

RINES II PROPERTY

APPRAISAL REPORT OF 51.5 ACRES OF VACANT LAND LOCATED IN CUMBERLAND, CUMBERLAND COUNTY, MAINE

PREPARED FOR

TOWN OF CUMBERLAND

290 TUTTLE ROAD

CUMBERLAND, ME 04021

EFFECTIVE DATE: JUNE 6, 2018

DATE OF REPORT: JUNE 22, 2018

PREPARED BY

JESSE STUDLEY

LEGACY APPRAISAL SERVICES, LLC

422 MEADOW ROAD

HAMPDEN, ME 04444



PHONE: 207.735.5858 FAX: 352.336.4877
422 MEADOW ROAD, HAMPDEN, ME 04444

June 22, 2018

William R. Shane, P.E.
Town Manager
290 Tuttle Road
Cumberland, Maine 04021

RE: Appraisal Report – Rines II Property – June 6, 2018

Dear William:

We are pleased to submit this appraisal of 51.5 acres of forested land located in Cumberland, Cumberland County, Maine. The appraisal estimates the fee simple value of the subject property as of the effective date of appraisal. The property is currently owned by Elizabeth B. Rines. We understand that the Town of Cumberland and Chebeague & Cumberland Land Trust intend to use this appraisal in support of a potential acquisition of the subject property. The client is the Town of Cumberland and the intended users are the Town of Cumberland and the Chebeague & Cumberland Land Trust.

The estate appraised is the market value of the fee simple interest in 51.5 acres of vacant land. The subject property, as of the effective date of appraisal, belongs to Elizabeth B. Rines, described in Book 26735, Page 1 of the Cumberland County Registry of Deeds.

Based on an inspection of the property and our investigation and analyses of market data, the estimated market value of the subject property, as of June 6, 2018, is:

*****FOUR HUNDRED FOURTEEN THOUSAND DOLLARS*****

*****\$414,000*****

*****\$8,039 per acre*****

This appraisal is documented in an Appraisal Report. The following report presents assumptions and limiting conditions, pertinent facts about the market and the subject property, and the reasoning leading to our conclusions. It conforms to the *Uniform Standards of Professional Appraisal Practice* (USPAP) and the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice. The signed Certification of Value is attached as Appendix A.

Sincerely,

Jesse Studley
ME CGA #2851
Legacy Appraisal Services

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APPENDIX

Appendix A.	Certification and Qualifications
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Appendix C.	Comparable Sales
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Appendix F.	Tax Map and Assessment
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ASSUMPTIONS AND LIMITING CONDITIONS

1. The Uniform Standards of Professional Appraisal Practice (2018-2019 Edition p. U-3) defines an extraordinary assumption as *“an assumption, directly related to a specific assignment as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser’s opinions or conclusions.”* The property is appraised subject to no extraordinary assumption.
2. Tax acreage indicated by the Town of Cumberland cites the subject property as 51.5 acres. The appraiser is aware of no recent surveys of the property. For this appraisal the property is considered 51.5 acres.
3. Unless specified otherwise, this appraisal assumes that the subject property is free of liens and encumbrances, in responsible ownership, and under competent management, with free and clear title. The appraiser assumes no responsibility for matters legal in nature, and infers no opinion of title.
 - The subject property is encumbered with an Option to Purchase agreement. The Option to Purchase agreement allows the Town of Cumberland the option to purchase the subject property at an agreed upon price. The agreement runs from August 29, 2003 through August 29, 2018. A copy of the Option to Purchase agreement is included with this report as Appendix G.
4. The appraiser has taken legal descriptions and dimensions from sources thought to be authoritative, but neither assumes nor suggests responsibility for either. The appraiser has not surveyed the property. Maps, drawings, and pictures presented in this report are intended merely to assist the reader.
5. Unless specified otherwise, the appraiser has not considered the existence of potentially hazardous material on the property used in the construction or maintenance of improvements, if any, or the existence of toxic wastes. The appraiser is not qualified to detect such substances. It is assumed that the property is free of hazardous waste as that term is defined under both federal and state statutes. The appraiser has been provided with an environmental study. The Phase I Environmental Site Assessment identified no recognized environmental conditions (RECs). A copy of the environmental study resides in the appraisers’ files.
6. The Uniform Standards of Professional Appraisal Practice (2018-2019 Edition p. U-3) defines a hypothetical condition as *“a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about the physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis”* and their use may impact assignment results. The subject property is appraised subject to no hypothetical condition.
7. This report may not be used for any intended use other than the intended use for which it was prepared. Its use is restricted to consideration of its entire contents.
8. The preparation of this report shall not obligate the appraiser to testify or appear in court unless prior arrangements have been made with the appraiser.
9. The appraiser has not undertaken a soils analysis in conjunction with this study. Development activity undertaken should be based on soils tests conducted by a licensed site evaluator.
10. The appraiser is not liable for any consequential or special damages arising from any error in the conduct or presentation of the appraisal. Any liability on the part of the appraiser or appraiser’s firm is

limited to the amount of fees actually collected for work conducted by the appraiser or appraiser's firm in connection with the appraisal.

EXECUTIVE SUMMARY

SUBJECT PROPERTY

The subject property consists of 51.5 acres of vacant, mostly forested land. The property includes approximately 1,350 feet of paved road frontage on Range Road and is currently utilized as part of a publicly accessed trail system. As of the effective date of appraisal the property was owned by Elizabeth B. Rines.

EFFECTIVE DATE OF APPRAISAL

June 6, 2018.

HIGHEST AND BEST USE

Residential development.

PROPERTY RIGHTS APPRAISED

Market value of the fee simple interest in the subject property. The property is encumbered by an Option to Purchase agreement.

CLIENT, INTENDED USER, AND INTENDED USE

The Town of Cumberland is our client, and The Town of Cumberland and the Chebeague & Cumberland Land Trust are the intended users. The intended use of the appraisal is in support of a potential acquisition of the property.

VALUE CONCLUSION

Sales Comparison Approach:	\$414,000
<i>Final Concluded Value:</i>	<i>\$414,000</i>
<i>Value per Acre:</i>	<i>\$8,039</i>

1. INTRODUCTION

PROPERTY HISTORY

Ten Year Sales History. The subject property was acquired as part of an internal family transfer on March 20, 2009. The deed transferred the property from Dale S. Rines to Elizabeth B. Rines. There have been no fair market value transactions of the property in the 10 years previous to the effective date of appraisal. Included as Appendix G is a copy of the most recent deed.

The subject property is identified by the Town of Cumberland as Tax Map R5, Lot 23A. The property totals 51.5 tax acres with a current tax assessment of \$22,700. The property is taxed at its current use value under the Tree Growth Taxation program (TGT). The property is not currently enrolled in a current use program. A copy of the current tax map and assessment is included as Appendix F.

PROPERTY RIGHTS APPRAISED

This appraisal estimates the market value of the fee simple interest in the subject property. Fee simple interest is defined as *“absolute ownership unencumbered by any other interest or estate subject only to the limitations imposed by the government powers of taxation, eminent domain, police power and escheat”*.¹

The subject property consists of vacant land. The subject property is encumbered by an Option to Purchase.

The subject property is encumbered with an Option to Purchase agreement. The Option to Purchase agreement allows the Town of Cumberland the option to purchase the subject property at an agreed upon price. The agreement runs from August 29, 2003 through August 29, 2018. A copy of the Option to Purchase agreement is included with this report as Appendix G.

EXTRAORDINARY ASSUMPTIONS

The Uniform Standards of Professional Appraisal Practice (2018-2019 Edition p. U-3) defines an extraordinary assumption as *“an assumption, directly related to a specific assignment as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser’s opinions or conclusions.”* The property is appraised subject to no extraordinary assumption.

PRIOR APPRAISAL SERVICES

The appraiser has provided no prior appraisal services on the subject property.

¹ The Dictionary of Real Estate Appraisal, Third Edition (Chicago: American Institute of Real Estate Appraisers, 1993) p. 140

PARTIAL ACQUISITION

The appraisal is not a partial acquisition case appraisal. The appraisal values the entire bundle of rights which compose the subject property.

HYPOTHETICAL CONDITIONS

The Uniform Standards of Professional Appraisal Practice (2018-2019 Edition p. U-3) defines a hypothetical condition as *“a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about the physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis”* and their use may impact assignment results. The subject property is appraised subject to no hypothetical condition.

DEFINITION OF MARKET VALUE

The Dictionary of Real Estate Appraisal, 5th Edition (Appraisal Institute, 2010), states that *“The most widely accepted components of market value are incorporated in the following definition: The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.”*²

The Dictionary also cites the definition used by agencies that regulate federally insured financial institutions in the United States, which we use for purposes of this appraisal: *“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*

- 1. Buyer and seller are typically motivated;*
- 2. Both parties are well informed or well advised, and acting in what they consider their own best interests;*
- 3. A reasonable time is allowed for exposure to the open market;*
- 4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- 5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

² Appraisal Institute. 2010. The Dictionary of Real Estate Appraisal, Fifth Edition, Chicago, IL, p. 122.

(12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994)”³

Legacy Appraisal Service’s market value estimate is our opinion of the probable price obtainable in a market free of abnormal influences. A basic limitation of any appraisal is that it is an opinion of value, and is therefore not a guarantee that a property will sell at the appraised value.

APPRAISAL STANDARDS

The complete appraisal process and resulting appraisal report were performed in accordance with the *Uniform Standards of Professional Appraisal Practice* (USPAP) and the Appraisal Institute’s Code of Professional Ethics and Standards of Professional Appraisal Practice.

CLIENT, INTENDED USER, AND INTENDED USE

The Town of Cumberland is our client, and The Town of Cumberland and the Chebeague & Cumberland Land Trust are the intended users. The intended use of the appraisal is in support of a potential acquisition of the property.

SCOPE OF WORK

For this comprehensive appraisal, the following was conducted:

- Inspected the subject property;
- Inspected and verified all comparable sales;
- Interviewed market participants and other sources concerning factors influencing value;
- Reviewed files and researched relevant market data;
- Applied the sales comparison approach to arrive at a value conclusion; and,
- Prepared an Appraisal Report.

IMPORTANT DATES

The effective date of appraisal is June 6, 2018. Jesse Studley inspected the subject property on June 6, 2018. The valuation analysis and the report were completed on June 22, 2018.

³ (2) Ibid, p. 123

EXPOSURE TIME

Exposure time is the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market. Exposure time is always presumed to occur prior to the effective date of the appraisal.

The market for fee simple properties similar to the subject surged substantially in the 2013-2016 time period and has continued to appreciate through mid-2018. Table 1.1 illustrates average days on market (DOM) for all vacant land properties greater than 10 acres in size that have sold in Cumberland County since 2016. Table 1.2 illustrates the DOM for each of the comparable sales utilized in the appraisal of the subject property. Overall, this data indicates an exposure time for the subject property of 2-4 months.

Table 1.1. Average Days on Market – Cumberland County (sales >10 acres)

<i>Cumberland County, Maine</i>		
Year	# Sales >10 acres	Days on Market
2016	78	108
2017	67	101
2018	30	97

Table 1.2. Average Days on Market – Sales

Sale	Date	Days on Market
C2	7/28/2017	700
C3	5/19/2017	12
C4	1/10/2017	45
C6	10/20/2016	7
C1	5/19/2016	516
C5	7/30/2015	5

2. NEIGHBORHOOD AND MARKET DESCRIPTION

NEIGHBORHOOD

The subject property lies in Cumberland, Cumberland County, Maine. The property is located approximately 10 miles north of Portland; 5 miles west of the Atlantic Ocean; and 2 miles east of I-95.

Cumberland is best described as an affluent suburb of Portland and coastal, heavily populated southern Maine. The economy in the region is centered on the vibrant economy of southern Maine, particularly the greater Portland area. This region of Maine is highly populated and has been built up substantially over the past 20-30 years. Cumberland County is the most populous county in Maine with an estimated population of 292,041 as of 2016. This represents approximately 22% of Maine's total population spread across just less than 3% of Maine's total land area. Cumberland County also contains Maine's highest population density at 337 residents per square mile.⁴

The Town of Cumberland is located approximately 10 miles north of Portland in southern Maine and as of 2016 had an estimated population of 7,843 spread across 26.3 square miles. Cumberland is an affluent suburban southern Maine town with a median household income as of 2016 of \$120,052 versus \$50,826 for the entire State of Maine.⁵ Housing prices are reflective of the close proximity to coastal Maine and the greater Portland area. As of 2018 (through May 31, 2018) the median sale price for a single family residence in Cumberland was \$410,000 versus \$472,500 for Yarmouth; \$410,000 for North Yarmouth; \$580,000 for Falmouth; \$270,000 for Windham; \$303,500 for Cumberland County; and \$206,000 for the entire State of Maine. Median sale prices reflect local housing markets where pricing is generally highest for areas closest to the Atlantic Ocean.

The subject's economic neighborhood is the market area within which substitute available properties exist in the eyes of prospective buyers. There is a limited yet adequate supply of large vacant land properties in Cumberland County that have a highest and best use as either large residential lots or for residential development. The economic neighborhood includes coastal Cumberland County areas within the direct influence of I-95, and coastal and greater Portland real estate markets. The physiographic neighborhood is defined by the locational and physical characteristics of the subject property's environs. South-coastal Maine is generally flat to gently rolling and heavily populated. The subject's physiographic neighborhood consists of the flat to rolling region of south-coastal Maine.

The subject property, consisting of 51.5 acres, is currently utilized for recreation and open space. The subject property abuts conservation land and is located in a rural residential area. Similar lots are relatively rare on the market due to the subject property's excess road frontage, highly developable soils and

⁴ <https://www.census.gov/quickfacts/>

⁵ <https://www.census.gov/quickfacts/>

topography, and abutment to conserved lands. The subject would compete against other properties in the greater Portland area and would elicit strong interest due to its excellent potential to be developed into a multi-lot residential subdivision. The market for similar development properties has recently been good due to a relatively restricted supply and good local housing market.

RESIDENTIAL MARKETS

Figure 2.1 illustrates the median selling price of single family residential units since 2014 in Cumberland County. The data indicates an increasing market over the past 5 years with 2018 sale prices indicating a continued strengthening of the market into mid-2018.

Figure 2.1. Single Family Residential Prices – Cumberland County, Maine

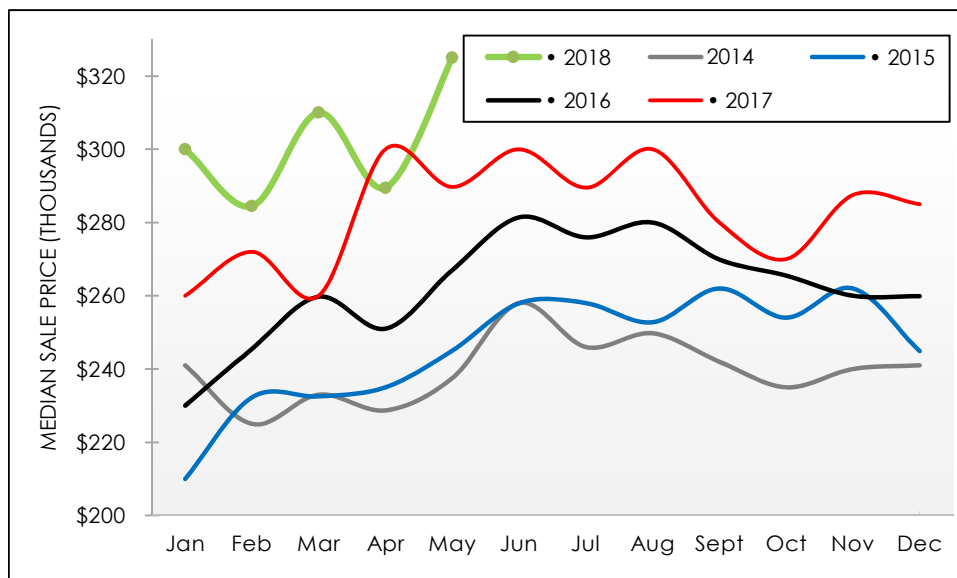


Figure 2.2 illustrates vacant land sales volumes in Cumberland County since 2015. The data indicates an increasing market with the 2018 market indicating continued positive price appreciation. The majority of the sales volumes illustrated in Figure 2.2 are residential lot sales located in the more populated areas of southern and coastal Cumberland County. Not clearly evident in the data is that locations closer to I-95 and coastal Cumberland County are under higher demand than rural areas farther inland from I-95.

Table 2.1 illustrates recent real estate metrics for the Town of Cumberland. The data indicates a market that increased substantially in the 2013-2016 time period. The current market indicates a continuance of the 2017 market with 1st quarter 2018 data indicating a stable to slightly increasing vacant land and residential market heading into the late spring through summer buying season.

Figure 2.2. Land Sales – Cumberland County, Maine

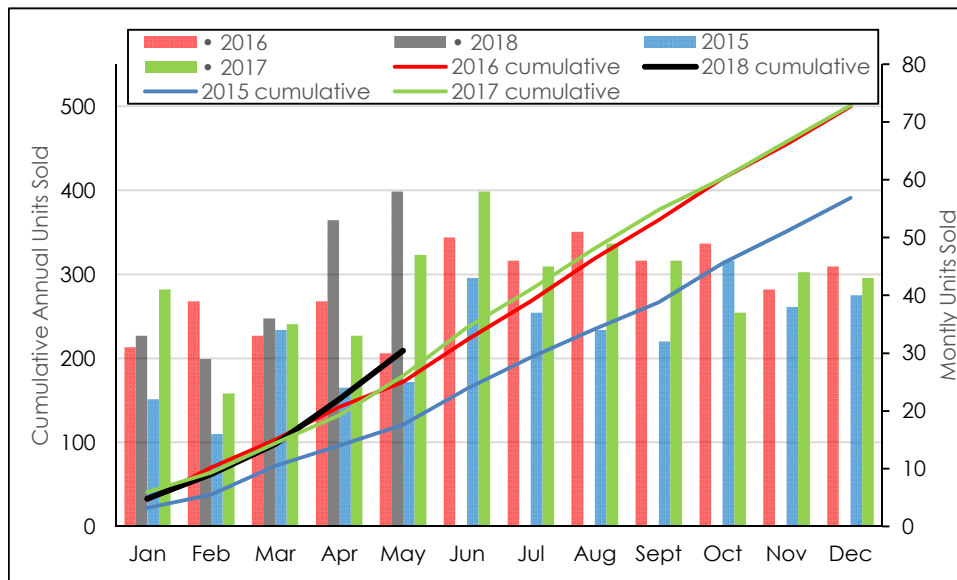


Table 2.1. Cumberland Real Estate Metrics

Year	Land		Residential	
	# of Sales	Median Sale \$	# of Sales	Median Sale \$
2013	17	\$107,100	160	\$358,250
2014	20	\$100,000	167	\$340,500
2015	24	\$124,000	151	\$364,900
2016	24	\$122,000	188	\$360,219
2017	16	\$124,000	163	\$410,791
2018	7	\$128,500	57	\$410,000

* Through May 31, 2018.

3. PROPERTY DESCRIPTION

The subject property is situated as a rectangular block of mostly forested land that totals 51.5 tax acres. The subject property includes 1,350 feet of paved road frontage and has flat to gently rolling terrain. The property also includes a well-managed timber resource and a network of recreational trails open to the public. The property is located off of Range Road, abuts private ownerships and a town forest, and is located approximately 1 mile southwest from the center of Cumberland.

Figures 3.1-3.3 show the general location, topographic and close-up aerial photograph of the subject property.

Ten-Year Use History

The use of the subject property over the past 10 years has been recreation and open space. The subject property is currently utilized as part of a recreational trail system and is open to the public for non-motorized recreational use.

Environmental Site Assessment

An Environmental Site Assessment has not been conducted on the subject property. LAS makes no warranty or comment on the environmental status of the subject property.

Access

The subject property includes approximately 1,350 of frontage on Range Road. Range Road is a paved, public road where it bounds the subject property. The frontage is flat to gently sloping and is well-drained less a small wetland area located in the southeastern corner of the property. The external access to the subject property is more than adequate for continued recreational and forestry uses and potential residential development purposes. Internal access is by way of primitive trails maintained by the Town of Cumberland.

Flood Hazard and Public Utilities

The subject property has access to electricity and public water along its road frontage. Public sewer is not available along the portion of Range Road that borders the subject property.

Flood prone areas (Zone A) include areas within the subject property designated by HUD as "Special Flood Hazard Areas." The entire subject property is located outside of zoned flood hazard areas. A FEMA flood insurance map is included as Appendix E.

Topography and Soils

The subject property topography is flat to gently sloping. The property slopes slightly towards the east with the highest point on the property being in the southwest corner at approximately 200 feet above sea level. The lowest point on the property is in the northeast corner at approximately 135 feet above sea level. A small, seasonal stream runs through the southeastern corner of the property and supports a small area of forested buffer wetlands. Overall, forested wetland areas makeup less than 4 total acres of the subject property. The majority of the property consists of forested land. Figure 3.2 illustrates the topography of the subject property.

The soils found on the property are summarized in Table 3.1. Approximately 84% of the subject property is classified as having soils that are moderately well-drained, well-drained, or excessively well-drained. Approximately 16% (8 acres) of the subject property is classified as having poorly drained soils. The poorly drained soils are associated with the stream that runs through the southern ¼ of the property. Soils present on the property are highly conducive for residential development purposes. A soils map resides in the appraiser's files.

Table 3.1. Soils Type Summary

Soil Type	Description	Depth to Water Table	Drainage Class	Acres	% of Total
BgB	Very fine sandy loam	18-36"	Moderately WD	8.1	15.8%
DeB	Loamy sand	18-36"	Moderately WD	7.0	13.6%
HrB	Fine sandy loam	11-24"	Excessivly WD	15.0	29.2%
HrC	Fine sandy loam	11-24"	WD	5.3	10.3%
Sn	Silt-clay loam	0-12"	PD	8.3	16.1%
WmB	Loamy sand	>80"	Excessivly WD	7.7	15.0%
Total				51.5	100.0%

Timber Resource

The subject property is nearly entirely forested less scattered forest management roads and trails. The property was last harvested in the winter of 2017-2018. The harvest was selective in nature and appears to be part of a long-term management plan developed for the property. The residual timber resource includes a mix of hardwood and softwood, including red oak, white pine, yellow and white birch, hemlock, cedar, fir, spruce, red maple, and sugar maple. Past harvesting activities have created a timber resource with excellent future growth potential. The liquidation value of the timber resource is likely \$600+ per acre, although the aesthetic appeal of the property would be damaged substantially by a liquidation timber harvest. The timber resource adds value to the property primarily due to its aesthetic appeal. A developer of the property could plan on liquidating the timber as a way to recover some initial investment costs, although retaining a well-stocked timber resource would preserve the aesthetic appeal of the property.

Development Values

Development values for the subject property focus on its potential to be developed into a multi-lot residential subdivision. Residential lots are in high demand in Cumberland and the subject property presents an excellent development opportunity. The subject property abuts conservation land which would add to the aesthetic appeal if the property were to be developed with multiple residential lots. The subject property is also located in a relatively quiet rural residential area and has topography and soils suitable for residential development. Additionally, the property includes approximately 1,350 feet of paved road frontage which presents numerous access points for a potential subdivision development. The minimum lot size required for the subject property is 4 acres, although the lot size could likely be reduced based on a subdivision plan that would develop no more than the maximum net residential density. It is feasible that a development of the subject property could involve 10-12 lots averaging 2 acres in size. This would satisfy the net residential density requirement while setting aside more than the 25% required under the Town of Cumberland zoning regulations.

Inspection Photos and Transcripts

Jesse Studley inspected the subject property on June 6, 2018. Appendix B presents inspection photos and transcripts from the property inspections.

Taxation

The subject property is identified by the Town of Cumberland as Tax Map R5, Lot 23A. The subject property is a stand-alone tax parcel and totals 51.5 acres. As of the 2017-2018 fiscal year the tax assessment was \$22,700. The subject property currently enrolled in the Maine Tree Growth tax program (TGT). If the property were to be utilized for development purposes a large withdrawal penalty would likely be incurred. Appendix F includes the property tax map and tax assessment for the subject property.

Land Use Regulations

The subject property is located within an organized town and is therefore is subject to a municipal zoning ordinance and Maine Department of Environmental Protection (DEP) zoning regulations.

Municipal Zoning. The subject property is governed by the Town of Cumberland Zoning Ordinance. The subject property is zoned within the Rural Residential District 1 (RR1). Within the RR1 district the minimum requirement for new lots is 4 acres with 200 feet of public road frontage. If a property is serviced by public sewer the minimum lot size drops to 2 acres. If the property were to be intensively developed the maximum lot density would be based on Net Residential Density. The Net Residential Density is based on the minimum lot size (4 acres) divided by the net developable acreage. Due to the minimal wetland acreage present within the subject property it is feasible that the net developable acreage would total 40-48 acres, and therefore the maximum lot density would likely be in the 10-12 lot range. The zoning also

requires a minimum open space set-aside of 25% of the net developable acreage. Included as Appendix D is the Town of Cumberland Zoning Map and excerpts from the zoning ordinance pertaining to the subject property.

Overall, the municipal zoning currently encumbering the subject property does not adversely affect the highest and best use of the subject property, that being use for a residential subdivision. Considering the zoning requirements it is possible that the subject property could be approved for a 10-12 lot residential subdivision.

DEP Regulations. DEP is responsible for land water standards in organized towns. Under the umbrella of DEP are the Natural Resource Protection Act; the Site Location of Development Act; and the Mandatory Shoreland Zoning Act.

The Natural Resource Protection Act regulates activities adjacent to rivers, streams, great ponds, fragile mountain areas, freshwater wetlands, significant wildlife habitat, coastal wetlands, and coastal sand dune systems. A permit is required for any activity located in, on, or over any protected natural resource; or any activity located adjacent to, and operated in such a manner that material or soil may be washed into, any protected natural resource.

The Site Location of Development Act regulates all development over 29 acres and subdivisions of land over 20 acres into five or more lots in any five-year period. In the case of lots for single-family, detached, residential housing, the Act regulates subdivisions of land over 30 acres in size into fifteen or more lots.

The Mandatory Shoreland Zoning Act established minimum standards that municipalities must follow for the use and development of areas within 250 feet of the normal high water line of any great pond, river, or saltwater body; within 250 feet of the upland edge of a coastal or freshwater wetland; or within 75 feet of the high water line of a stream.

Figure 3.1. Location Map

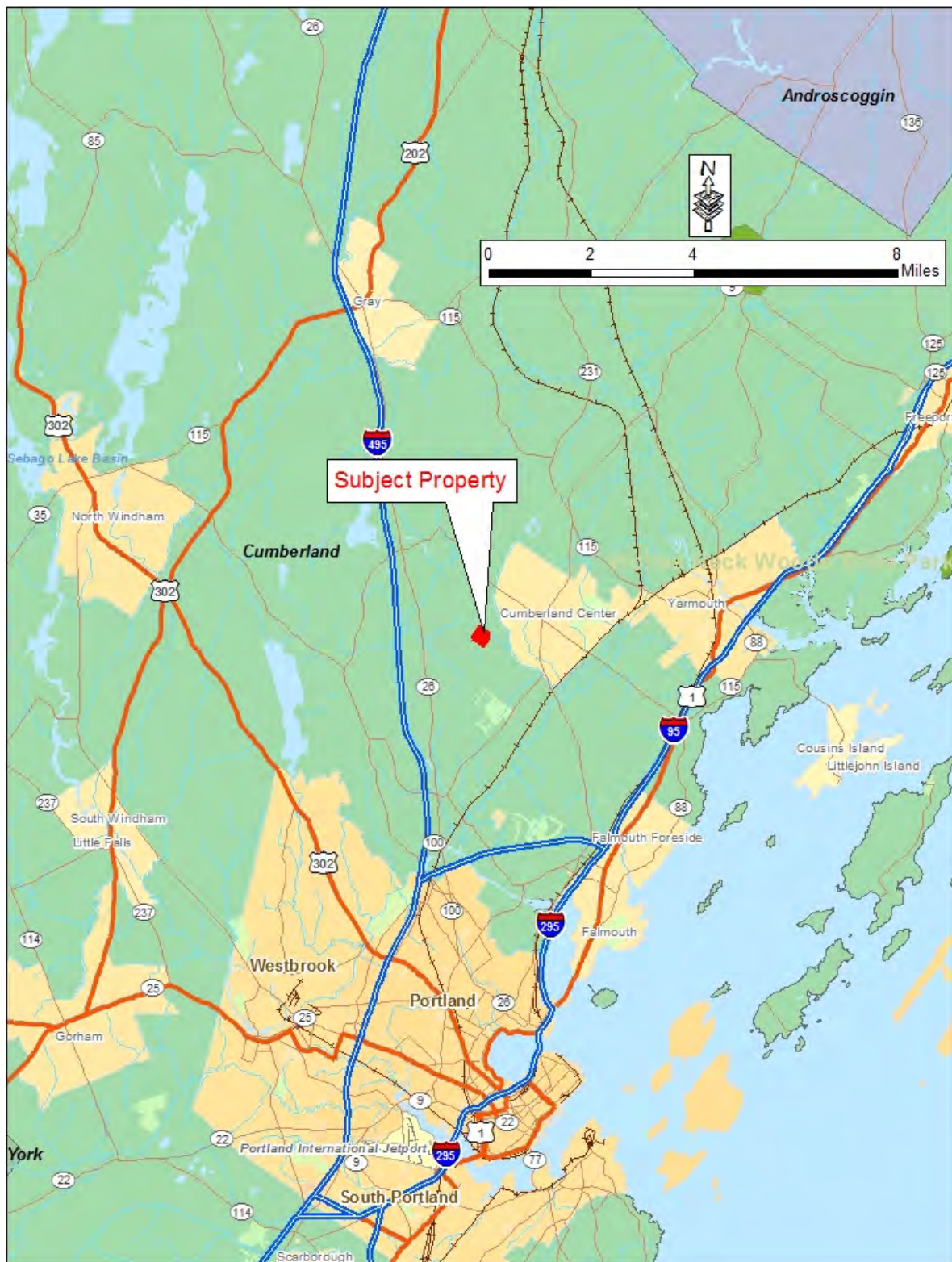


Figure 3.2. Tract Map – Topographic

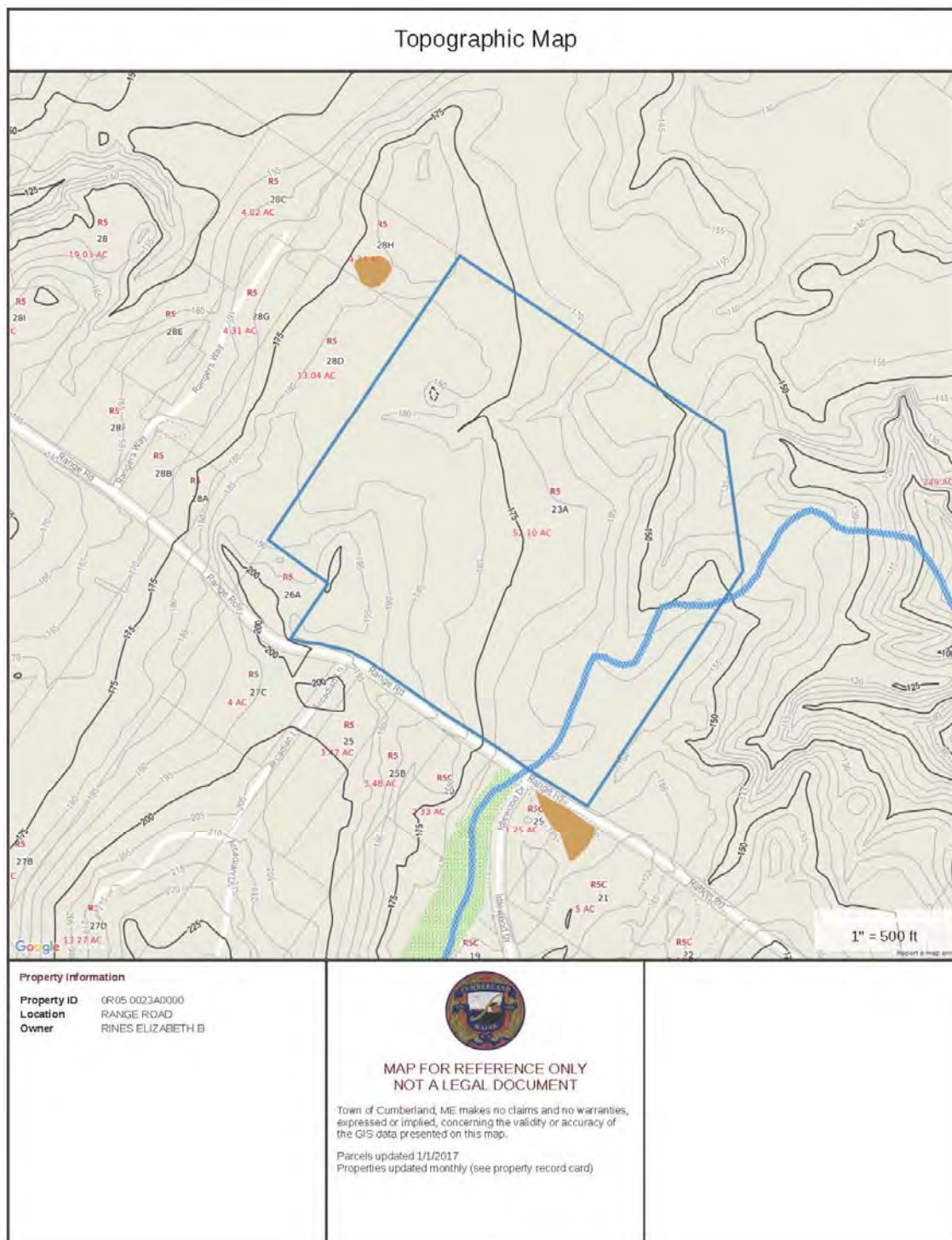


Figure 3.3. Tract Map – Aerial



4. HIGHEST AND BEST USE ANALYSIS, AND VALUATION PREMISES

HIGHEST AND BEST USE

According to the Dictionary of Real Estate Appraisal Sixth Edition, as published by The Appraisal Institute, Chicago, Illinois, 2015, highest and best use is defined as *“The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.”*

For a use to pass as the HBU it must be **physically possible, legally permissible, financially feasible, and maximally productive**. The HBU must be supported by land use trends for similar properties in the subject area. The HBU must be a plausible and likely use for the most likely buyers and their anticipated use. The marketplace must ultimately guide the HBU analysis for the appraiser.

The subject property has a highest and best use of residential development. The subject property, due to its highly developable soils, moderate topography, excess road frontage, and conducive zoning, would most likely be acquired by a residential developer planning on a multi-lot residential subdivision.

VALUATION PREMISES

Appraisal techniques seek to duplicate the process, conscious or unconscious, by which the typical buyer of the property would arrive at the price to be paid. That is, in appraising property, the appraiser must put himself in the shoes of the typical buyer. What process would this prospective purchaser use to arrive at the price to be paid? It is also important to consider the willing seller's viewpoint. Appraisal theory holds that market value can be estimated in three ways: by the sales comparison approach, cost approach, and the income capitalization approach.

The **sales comparison approach** is founded on the principle of substitution, which holds that a buyer would pay no more for the property than the price at which he could obtain a substitute property having similar utility. Analysis is based on open market prices recently paid for similar properties in the market area. Purchase price allocations produce unit rates that may be applied to the subject property components. Where necessary, each sale's unit prices are adjusted to account for the influences of financing, interest conveyed, sale conditions, time (market conditions), location, physical characteristics, and other factors that drive sale price. This approach is particularly useful for vacant land properties. Therefore, the sales comparison approach is appropriate for estimating the market value of the subject property.

The **cost approach** consists of the summation of several elements, usually including improvements, the current crop, and bare land for agricultural properties. It is also founded on the principle of substitution; that is, a buyer would pay no more for the subject property than the cost to purchase a comparable parcel of land and replace improvements having similar utility. When applied to rural land parcels, it can be useful

if there are several distinct economic units that can be valued separately. The subject property consists of vacant land. Establishing a value for the bare land would involve a sales comparison approach and therefore the costs approach would produce a redundant result.

A difficulty with the cost approach is that it violates the “unit” rule by assuming that the property is purchased piecemeal instead of as a package of assets. The cost approach extracts the value of separate economic units from different sales transactions and then “assembles” the value components into an indication of total property value. The cost approach is typically not applied for vacant land properties the size of the subject in the Northeast. Therefore, we do not apply the cost approach in this appraisal.

The **income capitalization approach** is based on the principle of anticipation, which states that value is derived from the anticipation of future benefits. It is most appropriate for properties that are regularly bought and sold based on their ability to generate a net operating income stream. Residential development properties the size of the subject are typically acquired based on the going per acre rate for similar vacant land properties. Intensive development analyses are most frequently applied to properties with more intensive development potential, including waterfront, condo, or cluster development. The subject property has tangible, yet modest development potential due to its RR1 zoning. At most the subject property could support 10-12 residential lots. Therefore, the income approach is not used to value the subject property.

5. SALES COMPARISON APPROACH

The Sales Comparison Approach produces an estimate of value by comparing the subject with similar, recently sold properties in the same or similar competing areas. Analyzing the degree of comparability between properties involves judgments as to their similarity with respect to such factors as location, zoning, and size. The sale prices of the most comparable properties tend to set the value range in which the subject will fall. Further analysis of the comparable data entails an adjustment process which effectively “normalizes” by accounting for specific differences between each sale and the subject. Each sale provides an independent indication of what the buyer of that sale would pay for the subject property. These estimates are then reconciled into a value conclusion. Tables 5.1-5.4 illustrate the sales comparison analyses for the subject property.

Sales Summary

The subject property is a vacant, mostly forested parcel located in a rural residential area. If openly marketed the property would likely be acquired by a developer planning on a multi-lot residential subdivision. Appendix C includes MLS sale sheets and maps for the comparable sales. Due to the highly localized nature of real estate markets in southern and coastal Maine the search for comparable sales focused on recent sales of vacant land parcels in Cumberland. Six sales, all of which are located in Cumberland, were chosen for the analysis. The sales transacted since mid-2015; range in size from 20 to 41 acres; are located within 3 miles of the subject property; and all have highest and best uses of limited residential development. Table 5.1 illustrates a summary of the sales selected for analysis.

Table 5.1. Comparable Sales Summary

Sale	Parties	Date	Acres	Sale \$/ac.	Location	Comments
C2	Virginia H. Ward/ TZ Properties, LLC	07/28/17	25.8	\$10,457	South Orchard Road, Cumberland	Acquired by developer planning a 9-lot subdivision. Subdivision approved before closing.
C3	Lewis E. Snow/ Taylor D. Canaday	05/19/17	22.4	\$8,945	113 Orchard Road, Cumberland	Acquired to build single-family home and sell one lot to a relative. No additional development planned.
C4	Estate of Anna A. Stratton/ Stephen Crotty Construction	01/10/17	20.3	\$6,900	50 Stratton Woods Lane, Cumberland	Acquired to be developed into 3-4 lots. Buyer intends to build for himself, daughter, and 2 additional lots.
C6	Mark M. Fuller/ Walnut Hill Investments LLC	10/20/16	26.0	\$11,538	29 Blackstrap Road, Cumberland	Acquired with residence in disrepair. Buyer intends to develop, no value allocated to the residence.
C1	Richard W. Sweetser/ Michael D. Bunker	05/19/16	30.0	\$8,300	Tuttle Road, Cumberland	Developer plans for 3 large houselots. Property was enrolled in TGT at time of sale.
C5	Laurie Griswold/ Brett W., Erin M. Austin	07/30/15	41.0	\$7,317	215 Tuttle Road, Cumberland	Acquired as part of an acquisition of abutting residence. Acquired to keep property intact.

Of note is a sale that was not utilized in the analysis. The sale occurred on May 31, 2018, is located in Cumberland, and included 35.27 acres. The property sold for \$750,000. The property abuts Val Halla Golf Course and has excellent value due to its abutment to the golf course and a high-intensity residential subdivision. This property, on a per acre basis, has substantially more value than the subject property and is therefore not utilized as a comparable sale in the analysis. Of note is also the pending sale of 48 acres located off of Tuttle Road. The property was recently utilized as a Christmas tree farm. The property was listed at \$650,000. This sale has better exposure than the subject property and the buyer intentions are uncertain. Once this sale closes it could be a suitable comparable sale for the subject property.

Units of Comparison

Comparative analysis requires selecting an appropriate unit of comparison. Large vacant land properties are typically valued based on a going rate per acre. Buyers would be interested in the subject property for its larger size and would therefore place emphasis on the selling price per acre metric. The sale price per lot metric is best suited for smaller, "typical" sized residential lots. Ultimately, the selling price per acre metric is deemed the most appropriate unit of comparison for which to compare the subject and sales.

Sale Adjustments

Each of the sales utilized in the analysis are adjusted based on sale specifics and physical comparisons of each sale with the subject property. The first part of the adjustment process incorporates quantitative adjustments specific to the sale based on interest conveyed, sales conditions, financing, market conditions, and improvements.

- 1) Interest Conveyed: Interest conveyed refers to the property interest conveyed and can refer to fee simple properties, partial ownerships, or other less than fee simple ownership. The subject property consists of a fee simple ownership. All of the sales consist of fee simple ownerships and therefore warrant no adjustments.
- 2) Sale Conditions & Financing: Sales conditions and financing accounts for any conditions of the sale that would make it a less than market value transaction. Highly motivated buyers or sellers under financial duress are common sale conditions that can affect market value. Sale C4 sold as part of an estate sale. The property was on the market for 45 days and in the opinion of the appraiser sold below market value. This sale is therefore given a positive 10% adjustment. Sale C5 sold along with a neighboring residential property. The property was acquired by the buyer to keep the entire estate intact and therefore was likely sold above market value if it were to sell as a stand-alone property. This sale warrants a negative 10% adjustment. The remaining sales transacted under normal sale conditions as cash transactions with market financing and therefore warrant no adjustments.
- 3) Market Conditions: Market conditions directly relate to the changes in land markets since the date of sale. The market conditions adjustment is intended to adjust sales to the current market as of

the effective date of appraisal. Real estate markets in southern Maine increased substantially in the 2013-2016 time period and appear to be on the increase so far through May 2018. Although, until markets are in full swing in late spring through summer 2018 it is prudent to assume the 2018 market is similar to the 2017 market. The market for residential development properties picked up substantially in the 2014-2016 time period and has since continued to creep upwards at pricing at or above that experienced since the mid-2000s. The sales transacted in mid-2015 through mid-2017 and therefore warrant positive adjustments ranging from 1.0% (Sale C2, July 2017) to 10.0% (Sale C5, July 2015). Figure 5.1 illustrates vacant land sales volumes in Cumberland County since 2015. The data indicate an early 2018 market that is trending upwards versus the 2016-2017 market. Table 5.2 illustrates real estate metrics for the Town of Cumberland since 2013. The data indicates year-to-year price appreciation for both land and single-family residential properties since 2013. Sales volumes in Cumberland appear have flattened out to slightly decreased since 2016, due primarily to reduced inventory for both vacant land and single-family residential properties.

Figure 5.1. Vacant Land Sales Volume – Cumberland County (2015-2018)

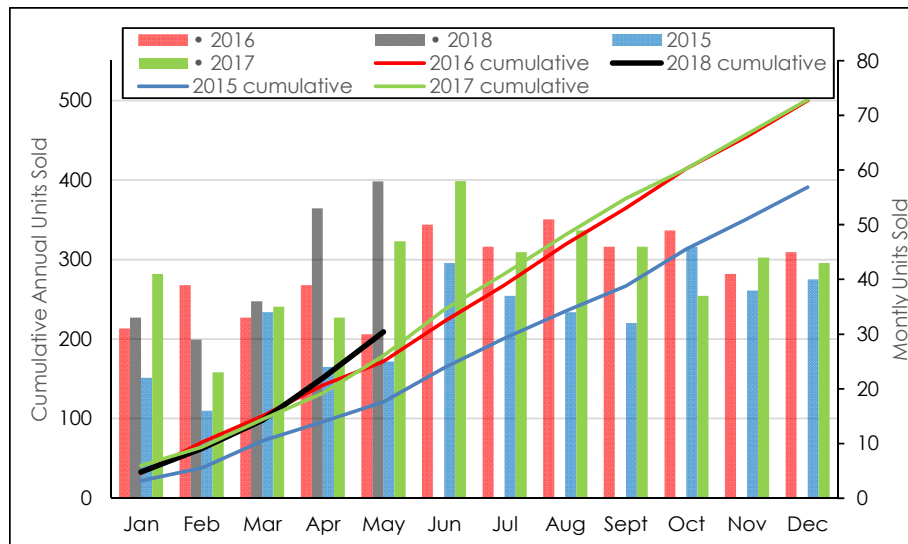


Table 5.2. Real Estate Metrics – Cumberland

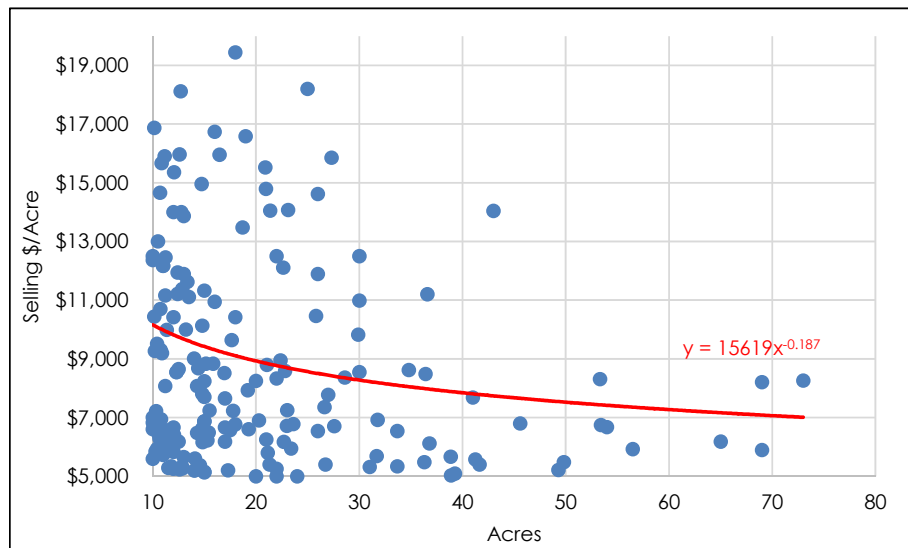
Year	Land		Residential	
	# of Sales	Median Sale \$	# of Sales	Median Sale \$
2013	17	\$107,100	160	\$358,250
2014	20	\$100,000	167	\$340,500
2015	24	\$124,000	151	\$364,900
2016	24	\$122,000	188	\$360,219
2017	16	\$124,000	163	\$410,791
2018	7	\$128,500	57	\$410,000

* Through May 31, 2018.

Physical Adjustments. Physical adjustments include physical attributes of sales that have measureable effects on sale prices. For rural land parcels with residential development potential common attributes that are accounted for in prices paid include size, access, utilities, development potential, zoning, and tax status. Where quantitative adjustments are supportable with solid data they are incorporated into the analysis. All other adjustments that are qualitative are based on the appraisers' opinion and general knowledge of factors that may or may not affect fair market value. According to the Dictionary of Real Estate Sixth Edition, as published by The Appraisal Institute, Chicago, Illinois, 2015, Qualitative Analysis is defined as *"The process of accounting for differences (such as between comparable properties and the subject property) that are not quantified; may be combined with quantitative analysis."* Under the USPAP scope of Work Rule the scope of work is acceptable when it *"meets or exceeds what an appraiser's peers' actions would be."* Due to the lack of sufficient sales in the market area qualitative adjustments are sometimes utilized. In the subject area adjustments for size, location, and taxation status are quantifiable. A gross adjustment for taxation status is applied at the end of the analysis.

- 4) **Size:** The size of a specific property effects the potentials pool of buyers and its highest and best use. This holds true for both fee simple and easement-encumbered properties. Generally, smaller properties attract a larger pool of potential buyers and therefore typically command higher per unit pricing. A size adjustment was derived for the subject property through analysis of vacant land sales in Cumberland and York Counties between 2015 and early 2018. Cumberland and York Counties are both southern Maine coastal counties with very similar real estate markets. The data includes sales 10-80 acres in size and time adjusted sales prices greater than \$5,000 per acre and less than \$20,000 per acre. Each sale utilized in Figure 5.2 was chosen due to its similarity in highest and best use as compared to the subject. Properties located in dissimilar locations were not included in the analysis. Properties with highly dissimilar physical attributes as compared to the subject were also not included in the analysis. For the size adjustment illustrated in Table 5.3 we utilize the logarithmic function as illustrated by Figure 5.2. Figure 5.2 illustrates the size to selling price per acre correlation. The size adjustment in Table 5.3 is calculated using the regression analysis illustrated in Figure 5.2. Using Sale NY2 as an example the adjustment is calculated as:

$$\begin{aligned}
 & \{(\text{Expected selling price of subject} - \text{Expected selling price of Sale C2}) / \text{Expected selling price of Sale NY2}\} \\
 &= \{[(15,619 * (51.5 \text{ acres}^{-0.187}) - (15,619 * (28.82 \text{ acres}^{-0.187})) / (15,619 * (51.5 \text{ acres}^{-0.187}))] \\
 &= \{(\$7,474 - \$8,504) / \$7,474\} \\
 &= -12.1\% \text{ adjustment to sale price}
 \end{aligned}$$

Figure 5.2. Vacant Land Sales Volume – Cumberland and York Counties (2015-2018)

- 5) Location: The location of sales in relation to populous centers, main access routes (highways), and amenities (parks, water bodies, etc.) directly effects the prices paid for comparable properties and frequently determines a particular property's highest and best use. The sales are all located within 3 miles of the subject property in Cumberland. Highly localized factors are accounted for in the adjustment for amenity values. Figure 5.3 illustrates the locations of the comparable sales utilized in the analysis.

In the subject area, due to the relatively low volume of sales comparable to the subject, the appraiser's opinion is that qualitative adjustments for most attributes are more accurate than quantitative adjustments based on small sampling sizes. The subject property is not located in an urban area where there are a wealth of paired similar sales for which to conclude quantitative adjustments for most physical attributes. In summary, comments from the parties involved, combined with local market intelligence of the appraiser, are utilized to implement the qualitative adjustments for development potential, amenity values, zoning, access, and utilities.

- 6) Development Potential: Development potential directly relates to quantitative and qualitative attributes of a particular property that add to its desirability for development purposes. Importantly, this adjustment includes the potential development proportion of a property and other intangibles that add to the desirability of a particular property, including topography and abutment and proximity to existing developments. The subject property has good potential to be developed into a 10-12 lot residential subdivision. Sale C6 has superior development potential due to its well-drained topography and potential to be developed into a 16-18 lot residential subdivision. Sales C1 and C5 have inferior development potential due to lower-lying topography which limits development intensity.
- 7) Amenity Values: For lots with limited development potential amenity values such as water frontage, abutment to conserved lands, and views can strongly affect market value. The subject

property has minimal amenity values other than its abutment to conserved land owned by the Town of Cumberland. Sales C2, C3, and C4 have inferior amenity values. Sale C6 includes a knoll that may afford a house site with views, and is therefore similar to the subject. Sale C1 is close to a golf course and is therefore similar to the subject. Sale C5 abuts town owned land and is therefore similar to the subject.

Table 5.3. SCA – Adjustment Grid

Rines II Property - Cumberland, ME - June 6, 2018								
ITEM	Subject	C2	C3	C4	C6	C1	C5	
location	Cumberland	Cumberland	Cumberland	Cumberland	Cumberland	Cumberland	Cumberland	
grantor	Rines	Ward	Snow	Stratton Estate	Fuller	Sweetser	Griswold	
grantee		TZ Properties	Canaday	Crotty Constr.	Walnut Hill Inv.	Bunker	Austin	
date	June 6, 2018	Jul-17	May-17	Jan-17	Oct-16	May-16	Jul-15	
total price		\$270,000	\$200,000	\$140,000	\$300,000	\$249,000	\$300,000	
acres	51.50	25.82	22.36	20.29	26.00	30.00	41.00	
highest and best use	Res. Dev.	Res. Dev.	Res. Dev.	Res. Dev.	Res. Dev.	Res. Dev.	Res. Dev.	
PRICE/ACRE		\$10,457	\$8,945	\$6,900	\$11,538	\$8,300	\$7,317	\$8,910
Interest conveyed	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple	
Adjustment		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Sales conditions & financing	Normal	Normal	Abutter	Estate sale	Normal	Normal	Abutter	
Adjustment		0%	0%	10%	0%	0%	-10%	
Market Conditions	Current	10 months	13 months	17 months	20 months	25 months	34 months	
Adjustment	0.0%	1.0%	2.0%	3.0%	4.0%	5.0%	10.0%	
Improvements	None	None	None	None	No value	None	None	
Adjustment		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
Adjusted \$/acre		\$10,562	\$9,123	\$7,818	\$12,000	\$8,715	\$7,244	\$9,244
Size		Smaller	Smaller	Smaller	Smaller	Smaller	Similar	
Baseline expectation	\$7,474	\$8,504	\$8,736	\$8,896	\$8,493	\$8,269	\$7,799	
Adjustment		-12.1%	-14.4%	-16.0%	-12.0%	-9.6%	-4.2%	
Location	Cumberland	Cumberland	Cumberland	Cumberland	Cumberland	Cumberland	Cumberland	
Adjustment	Rural area	3 mi. n. of subj.	3 mi. n. of subj.	2 mi. nw. of subj.	2 mi. w. of subj.	2 mi. e. of subj.	2.5 mi. e. of subj.	
		0%	0%	0%	0%	0%	0%	
Adjusted \$/acre		\$9,282	\$7,806	\$6,568	\$10,560	\$7,877	\$6,942	\$8,172
Development potential	10-12 res. Lots	8-10 lots	8-10 lots	6-8 lots	16-18 lots	2-4 lots	Limited	
Adjustment	Good soils	Similar	Similar	sloping	flat	wetland	dev. Potential	
	Moderate topo.			Similar	Superior(-)	Inferior(+)	Inferior(+)	
Amenity values	Abuts	Minimal	Minimal	Minimal	Rural area	Close to	Minimal	
Adjustment	cons. Land	Dev. Land	Dev. Land	Dev. Land	Minimal	golf course	Town fields	
		Inferior(+)	Inferior(+)	Inferior(+)	Similar	Similar	Similar	
Zoning	RR1 - 4 acres	RR2 - 2 acres	RR2 - 2 acres	RR2 - 2 acres	RR2 - 2 acres	RR1 - 4 acres	RR1 - 4 acres	
Adjustment	Conducive	Superior(-)	Superior(-)	Superior(-)	Superior(-)	Similar	Shoreland	
	for Res. Subdiv.						Similar	
Access/utilities	1,350 paved RFF	394' paved RFF	Deeded ROW	Established ROW	600' RFF	590' RFF	Limited internal	
Adjustment	Electric, public	Electric	Electric	Electric	Electric	Electric	Electric	
	water	Inferior(+)	Inferior(+)	Inferior(+)	Inferior(+)	Water/sewer	Water/sewer	
						Superior(-)	Inferior(+)	
Taxes	In TGT	Not in TGT	Not in TGT	Not in TGT	Not in TGT	In TGT	Not in TGT	
Adjustment		-\$874	-\$874	-\$874	-\$874	\$0	-\$874	
Unit Acre Basis:		Similar	Similar	Similar	Superior(-)	Similar	Inferior(+)	
Total qualitative adjustment		0.0%	0.0%	0.0%	-10.0%	0.0%	20.0%	2%
Net Adjustments:		-20%	-13%	-17%	-25%	-5%	2%	-13%
Indicated \$/acre		\$8,409	\$7,766	\$5,694	\$8,630	\$7,877	\$7,456	\$7,639
Indicated Value		\$433,040	\$399,972	\$293,249	\$444,467	\$405,684	\$383,987	\$393,400
		<div> <div>Low</div> <div>Best Est.</div> <div>High</div> </div>						
		<div> <div>Total Indicated:</div> <div>\$293,000</div> <div>\$414,000</div> <div>\$444,000</div> </div>						
		<div> <div>Per acre:</div> <div>\$5,689</div> <div>\$8,039</div> <div>\$8,621</div> </div>						

- 8) Zoning: Zoning refers to the land use regulations that control and limit the potential uses of a property. Sales zoned commercial or industrial typically command the highest pricing with high density residential and low density residential commanding strong, but lower pricing. Properties

that have restrictive zoning such as resource protection, agriculture, or rural farm and forestry are more difficult to intensively develop and therefore typically command pricing below properties zoned for more intensive and commercial uses. The subject property is located within a RR1 zone which requires a minimum lot size of 4 acres. Sales C2, C3, C4, and C6 are subject to RR2 zoning which requires a minimum lot size of 2 acres. The potential development intensity of Sales C2, C3, C4, and C6 is twice that of the subject property, and therefore these sales are viewed as superior to the subject.

- 9) Access & Utilities: Physical access and access to utilities directly effects the highest and best use of a specific property. Physical access may prevent development activities if a right-of-way is not to zoning standards. Access to utilities directly effects the highest and best use and potential development intensity of a specific property. Lots with private water and sewer are required, under Maine DEP guidelines, to have a minimum lot size of 20,000 square feet. If public water and sewer is available to a site the minimum lot size can be decreased and the overall development intensity increased. The subject property has access to electricity and public water along its road frontage. Public sewer is not available to the subject property along the Range Road frontage. The subject property includes approximately 1,350 feet of paved road frontage on Range Road. The frontage is flat to gently sloping and provides numerous suitable access points to the property. Sale C2 has access by way of 394 feet of paved road frontage and does not have access to public water or sewer, and is therefore inferior as compared to the subject. Sales C3 and C4 have access by deeded right-of-ways and do not have close access to public water or sewer, and are therefore inferior as compared to the subject. Sale C6 includes 600 feet of paved road frontage and does not have close access to public water or sewer, and is therefore inferior as compared to the subject. Sale C5 includes paved road frontage and access to public water and sewer along its road frontage, yet has limited internal access due to wetlands and a meandering stream. Sale C5 is considered inferior as compared to the subject. Sale C1 includes 590 feet of paved road frontage and has access to public water and sewer along that road frontage, and is therefore considered superior as compared to the subject.
- 10) Taxes: The taxation status of a particular property also effects its marketability and consequential selling price. Properties enrolled in current use programs (Maine Tree Growth Tax, Open Space) incur high withdrawal penalties if they are removed from these programs, which adds to their development costs and in turn negatively effects their value. The subject property is enrolled in the Tree Growth Taxation program (TGT). Properties enrolled in TGT benefit from reduced assessments based on the timber producing capability of the property. To develop a property enrolled in TGT the property is required to be withdrawn from TGT with a penalty based on the difference between the ad valorem tax assessment and the TGT tax assessment. The penalty is 30% of the difference for properties enrolled under 10 years and reduces to 20% of the difference for properties enrolled 20+ years. For the subject property a potential TGT penalty was provided by the town tax assessor. The penalty is based on the fact that the property was enrolled in TGT in 1977 and is therefore subject to a 20% withdrawal penalty. To withdraw the entire subject property from TGT the penalty is calculated as approximately \$60,000. Considering a feasible development plan for the subject property would require at least a 25% open space allocation it is prudent to assume a developer would not withdraw the entire property from TGT. We assume the

penalty, considering a tangible development of the subject property, at 75% of the total calculated withdrawal penalty, resulting in a \$45,000 adjustment. The adjustment per acre for the subject property is \$874 ($-\$45,000/51.5$). For sales not enrolled in TGT the adjustment is $-\$874$ per acre. Sale C1 was enrolled in TGT on its sale date, and therefore warrants no adjustment. The TGT adjustment is a gross per acre adjustment applied at the end of the adjustment process.

Weighting of Sales and Final Reconciliation

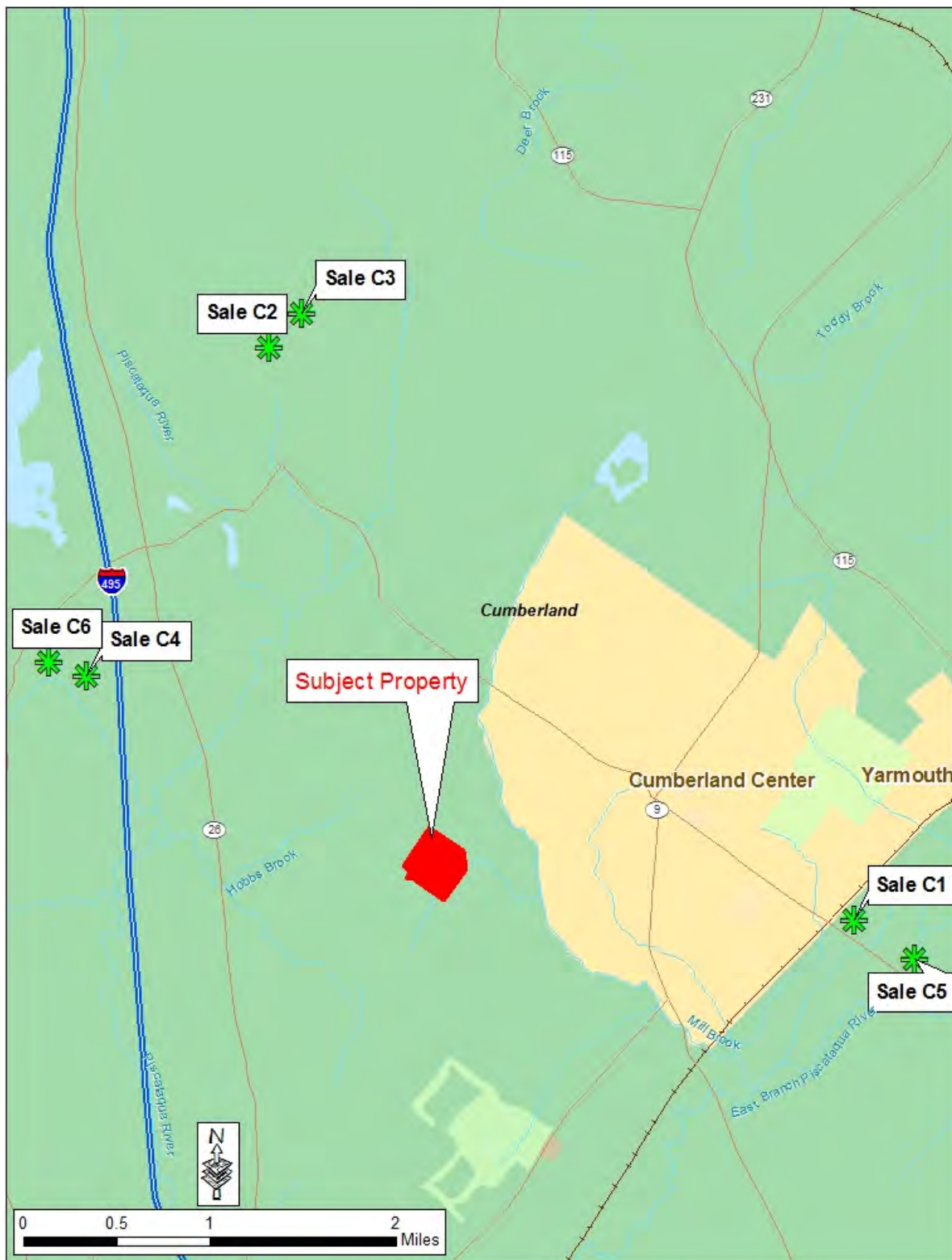
Table 5.4 gives weighting to the comparable sales based on their overall comparability to the subject property. Sales C2 and C1 are considered the “Key Sales” and are therefore given the most weight (25% each) in the analysis. Sale C2 is the most recent sale and includes similar development potential as the subject. Sale C1 is a larger sale and includes a notable amenity value, similar zoning as the subject, and was enrolled in TGT on its sale date. Sale C4 receives the least weight (5%) in the analysis due to it being an estate sale and that its value indication is an outlier in the analysis. The remaining sales are similar in comparability as compared to the subject and therefore receive weightings of 15%.

The indicated value for the subject property is **\$414,000**, or \$8,039 per acre. The range indicated from the sales is \$5,694 to \$8,630 per acre.

Table 5.4. Sales Comparison Reconciliation

Rines II Property - Cumberland, ME - June 6, 2018			
Sale	Indicated Value/Acre	Weight	Indicated Value 6/6/2018
C2	\$8,409	25%	\$433,040
C3	\$7,766	15%	\$399,972
C4	\$5,694	5%	\$293,249
C6	\$8,630	15%	\$444,467
C1	\$7,877	25%	\$405,684
C5	\$7,456	15%	\$383,987
100%			
Weighted Average:	\$7,934		\$408,607
Average, Key Sales:	\$8,143		\$419,362
Final Reconciled Value:	\$8,039		\$414,000
Mean:	\$7,639		\$393,400
Standard Deviation:	\$954		\$53,837

Figure 5.3. Comparable Sales Location Map



6. RECONCILIATION & FINAL ESTIMATE OF VALUE

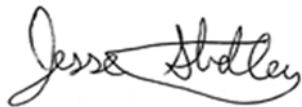
The sales comparison approach was utilized to value the subject property. The cost and income approaches were not used to value the subject property. The market value per acre as indicated by the sales comparison approach is lower than the unadjusted indications of 4 of the sales and higher than the unadjusted indications of 2 of the sales. The enrollment in TGT depresses the value of the subject property due to the penalty that would be incurred by a buyer planning on developing the subject property with a residential subdivision. The final indicated value for the subject property is **\$414,000** and reflects the highest and best use of the subject property, that being residential development.

Appendix A: Certification and Qualifications

CERTIFICATION OF VALUE

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- No one provided significant real property appraisal assistance to the person signing this certification.
- I (Jesse Studley) have made a personal inspection of the appraised property which is the subject of this report and all comparable sales used in developing the opinion of value. The date of inspection was June 6 and 20, 2018, and the method of inspection was by foot and vehicle.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice* (USPAP) and the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice.
- The appraiser has not provided appraisal services or any other services regarding the subject property in the three years prior to accepting this assignment.
- In my opinion, as of June 6, 2018, the market value of the subject property is **\$414,000**.



Jesse Studley
ME CGA #2851

June 22, 2018

Date

APPRAISAL QUALIFICATIONS

JESSE STUDLEY

CERTIFIED GENERAL APPRAISER

Jesse Studley has joined Legacy Appraisal Services as a Certified General Appraiser. Throughout the past 12+ years, he has performed valuations on large, complex timberland ownerships throughout North, Central, and South America. These ownerships range from small tracts with development highest and best uses to natural tropical forests in South America. His project work has also included wood supply studies, client information marketing reports, timber pricing analyses, and complex conservation assignments, including lakefront, farmland, right-of-way, and timberland easement valuations. Along with experience in forestry, agriculture and natural resources, Jesse has a solid background in communications, research, problem solving and analysis. He is currently pursuing his MAI designation.

B.S., Forest Ecosystem Science, University of Maine

Appraisal Institute Courses: *Basic Appraisal Principles*, 2006, 30 hrs; *Basic Appraisal Procedures*, 2006, 30 hrs; *15-Hour USPAP*, 2006, 15 hrs; *Basic Income Capitalization*, 2007, 39 hrs; *Advanced Income Capitalization*, 2007, 40 hrs; *General Appraiser Sales Comparison Approach*, 2007, 30 hrs; *Eminent Domain and Condemnation*, 7 hrs, 2010; *An Introduction to Valuing Commercial Green Buildings*, 7 hrs, 2010; *Feasibility, Market Value, Investment Timing; Option Value*, 7 hrs, 2010; *Business Practices and Ethics*, 7 hrs, 2013; *Appraisal of Conservation Easements*, 33hrs, 2013; *Uniform Appraisal Standards for Federal Land Acquisitions*, 16 hrs, 2014.

PROFESSIONAL AFFILIATIONS & LICENSES

State-Certified General Real Estate Appraiser: Maine (CG2851), New York (4600050210), Pennsylvania (GA003908), Kentucky (004583), Florida (RZ3486), MI (1201075158)

Appraisal Institute, Associate Member

Licensed Associate Real Estate Broker (Maine)

RELEVANT EXPERIENCE

2013 – Present, Legacy Appraisal Services

Certified General Appraiser: Perform valuation and due diligence services on timberland properties for investment, conservation, recreation, development, and lending purposes across North, Central, and South America, with a concentration in the Northeast through Appalachia.

2006 – 2013, James W. Sewall Company

Timberland Appraiser: Fee appraisal and consulting assignments, focusing on timberland properties. Experience includes substantial assignments on large investment grade timberland properties throughout North, Central, and South America, including pine, eucalyptus, hybrid poplar, and teak plantations, and natural forests throughout North and South America. He also has extensive experience appraising both

fee and easement conservation properties, including assignments subject to Yellow Book, NAWCA and other federal and state regulatory programs. In addition to timberland and conservation properties he has worked closely with local and regional land trusts on projects ranging from single residential lots to large residential and commercial subdivisions.

2006, Hull Forest Products, Connecticut

Procurement Forester: Performed hardwood procurement services for a large southern New England hardwood sawmill. Responsibilities included searching out potential timber sales from primarily small private woodlot owners, bidding on and buying stumpage sales, providing timber management and inventory services, and managing logging crews.

2002 – 2004, James W. Sewall Company

GIS Technician: GIS technician support including work on forest coverytyping, ice storm damage mapping, watershed mapping, timber inventory auditing, and assistance on various surveying projects.

Appendix B: Inspection Documentation



Westerly view along Range Road. View is towards the high point of the road frontage.



Easterly view along Range Road, frontage is flat and highly accessible.



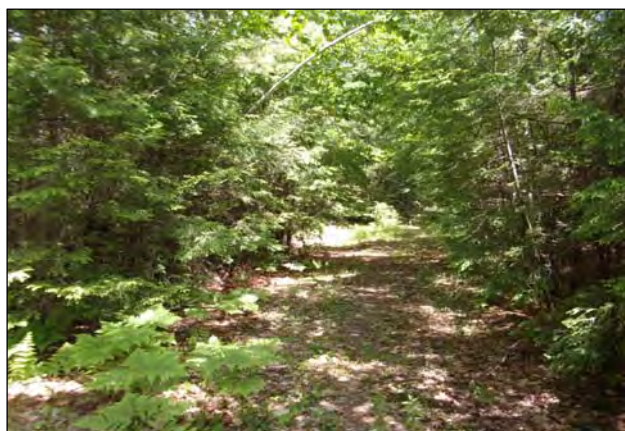
Entrance to the recreational trails.



Well-stocked timber resource, a mix of oak, pine, and hemlock.



Forested wetland area located in the southeastern portion of the property. Area is associated with the seasonal brook that runs north-south through the property.



Walking trail on the property.



Heavily stocked nature of the southern 1/2 of the property.



Area that was recently thinned, minimal disturbance and good quality residual timber.

Appendix C: Comparable Sales



Sale C1

Jesse Studley (014105)

Contact Us

Sign Out

Member Portal

Land - Agent Synopsis



Photo 3 of 3

Sold

Lot 9 Tuttle Road

Cumberland, ME 04021

Kickout: No**Sold Price:** \$249,000**Sold Date:** 05/19/2016

Outstanding development opportunity to create 2 large lots with shared driveway. Other possibilities subject to town approval as well. A rare offering. Currently in tree growth status.

Directions: From Route 9 or Middle Road to Tuttle Road. Immediately south of railroad tracks near the municipal building.

MLS#: 1159051

Contact

Property Listed By



003304

Richard H Garrett

p:(207) 553-732

richie@homesinmaine.com

RE/MAX Shoreline

Office 2951

p:(207) 553-7500

Land Features

Leased Land:
Lot Size(Acr) ±: 30.0000**Zoning:** RR1**Surveyed:** No**Seasonal:** No**Island:** No**WtrFrt:** No**Water Views:** No
Site:

Pasture/Field, Rolling/Sloping, Wooded

Location:

Rural

Zoning Overlay:

No

Roads:

Paved, Public

Waste Water
Disposal:

Public

Water:

Public

Electric:

No Electric

Gas:

No Gas

Driveway:

No Driveway

Parking:

On Site

Restrictions:

No Restrictions

Full Tax Amount/Yr: \$146.00 (14-15)

Additional Information

Showing Instructions: Call Listing Broker, Sign On Property**BAFP:** 3.0000% **TBFP:** 3.0000%**List \$:** \$249,000**List Date:** 10/28/2014**Pending Date:** 03/29/2016

List Office: RE/MAX Shoreline - 2951
(207) 553-7500

List Agent: Richard H Garrett-003304
(207) 553-7327
RICHEL@HOMESINMAINE.COM

Appraiser: Beacon Appraisal Co - 999999**Sold \$:** \$249,000**Sold Date:** 05/19/2016**Sold Terms:** Conventional

Sell Office: Keller Williams Realty - 2957
(207) 553-2605

Sell Agent: Jeffrey T Mateja-011741
(207) 553-2605
upi@universalpropertiesmaine.com

Days On Market: 518

The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. ©2018 Maine Real Estate Information System, Inc. All Rights Reserved.



Sale C1

**Property Information**

Property ID OR04 0009 0000
Location TUTTLE ROAD
Owner BUNKER, MICHAEL D

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Cumberland, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 1/1/2017
Properties updated monthly (see property record card)



Sale C2

Jesse Studley (014105)

[Contact Us](#)
[Sign Out](#)
[Member Portal](#)

Land - Agent Synopsis



Photo 1 of 27

Sold

S/S South Orchard Road
Cumberland, ME 04021

Kickout: No

Sold Price: \$270,000

Sold Date: 07/28/2017

Prime real estate in excellent Cumberland Location. 25+ Acre parcel perfect for subdivision or dream home. Level to slight sloping topography, rock walls, tote roads and narrow stream. Simply, pretty land with history of farming use. See new survey.

Directions: From Brunswick S on I-295 to Freeport/Portland, take exit 17 toward Yarmouth, merge onto Rte. 1/US-1 S, take ramp toward Yarmouth/Gray/Pineland Center, slight L at School St. to R at ME-115 to L at Gray Rd, to L on Haskell Rd, which becomes Orchard.

MLS#: 1217159

Contact

Property Listed By



011903
Shirley A Wedell
p:(207) 729-333
shirleyannwedell@aol.com

CENTURY 21 Baribeau Agency

Office 1084

p:(207) 729-3333

Land Features

Leased Land:
Lot Size(Acr) ±: 25.8200

Zoning: Residential

Surveyed: Unknown

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:

Level, Wooded

Location:

Near Town, Near
Turnpike/Interstate,
Neighborhood, Rural

Zoning Overlay:

No

Roads:

Paved

Road Frontage ±:

394

Transportation:

Major Road Access, Near
Airport

Driveway:

No Driveway

Parking:

No Parking

Restrictions:

No Restrictions

Full Tax Amount/Yr: \$4,309.00 (2017)

Waste Water Disposal:

Septic Needed On Site

Water:

Well Needed On Site

Electric:

No Electric

Gas:

No Gas

Additional Information

Showing Remarks: Call listing broker

Showing Instructions: Call Listing Broker, Show Without Notice, Sign On Property

SAFP: .0000% **BAFP:** 3.0000% **TBFP:** 3.0000%

List \$: \$279,900

List Date: 05/11/2015

Pending Date: 04/13/2017

List Office: CENTURY 21 Baribeau Agency - 1084
(207) 729-3333

List Agent: Shirley A Wedell-011903
(207) 729-3333
shirleyannwedell@aol.com

Appraiser: No Appraisal - 888888

Sold \$: \$270,000

Sold Date: 07/28/2017

Sold Terms: Cash

Sell Office: The Maine Real Estate Network - 2699
(207) 894-5722

Sell Agent: William A Plummer-003157
(207) 894-5722
w.plummer@me.com

Days On Market: 703


The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. ©2018 Maine Real Estate Information System, Inc. All Rights Reserved.



Sale C2

**Property Information**

Property ID OR08 0059 0000
Location ORCHARD RD
Owner WARD, FRANCES JUNE

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Cumberland, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 1/1/2017
Properties updated monthly (see property record card)



Sale C3

Jesse Studley (014105)

Contact Us

Sign Out

Member Portal

Land - Agent Synopsis



Photo 1 of 12

Sold

113 Orchard Road
Cumberland, ME 04021

Kickout: No

Sold Price: \$200,000

Sold Date: 05/19/2017

Here it is, this is your opportunity for owning a large parcel in land in Cumberland Center. There is a possibility for a smaller subdivision, but please speak with the town regarding specific requirements.

Directions: From Route 100 in Cumberland turn onto Blanchard Road then onto Orchard Road.

MLS#: 1299110

Contact

Property Listed By



016705

Jeffrey W Clark

p:(207) 595-0260

jwc.mren@gmail.com

The Maine Real Estate Network

Office 2741

p:(207) 781-3400

Land Features

Leased Land:
Lot Size(Acr) ±: 22.3600

Zoning: Rural Residential 2

Surveyed: Yes

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:

Wooded

Location:

Rural

Zoning Overlay:

No

Roads:

Other Road, Public, Right Of Way

Waste Water
Disposal:

Septic Needed On Site

Water:

Well Needed On Site

Electric:

No Electric

Gas:

No Gas

Driveway:

No Driveway

Full Tax Amount/Yr: \$3,905.00 (2016)

Additional Information

Showing Instructions: Call Listing Broker, Email Listing Broker, Text Listing Agent

SAFP: .0000% **BAFP:** 3.0000% **TBFP:** 3.0000%

List \$: \$220,000

List Date: 03/17/2017

Pending Date: 03/29/2017

List Office: The Maine Real Estate Network - 2741
(207) 781-3400

List Agent: Jeffrey W Clark-016705
(207) 595-0260
jwc.mren@gmail.com

Appraiser: No Appraisal - 888888

Sold \$: \$200,000

Sold Date: 05/19/2017

Sold Terms: Cash

Sell Office: Better Homes & Gardens Real Estate/The Masiello Group
- 1390
(207) 892-8100

Sell Agent: Brian Shedlarski Jessica Niles-017386
(207) 751-7321
nilesshedlarskiandco@gmail.com

Days On Market: 12


The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. ©2018 Maine Real Estate Information System, Inc. All Rights Reserved.



Sale C3

**Property Information**

Property ID 0R08 0054 0000
Location 0 ORCHARD RD
Owner SNOW LEWIS E

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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Parcels updated 1/1/2017
Properties updated monthly (see property record card)



Sale C4

Jesse Studley (014105)

Contact Us

Sign Out

Member Portal

Land - Agent Synopsis



Photo 1 of 1

Sold

50 Stratton Woods Lane
Cumberland, ME 04021

Kickout: No**Sold Price:** \$140,000**Sold Date:** 01/10/2017

Over 20 acres in Cumberland with development potential. Its secluded, yet it's easy access to surrounding areas.

Directions: Blackstrap Rd to Upper Methodist Rd. Right on Stratton Woods Ln. Property spans both sides of Stratton Woods Lane all the way to Tinker Ln.

MLS#: 1286996

Contact

Property Listed By

015124

Joseph A Butkovic

p:(207) 730-3550

joseph.butkovic@gmail.com



**Coldwell Banker Residential
Brokerage**

Office 1039

p:(207) 282-5988

Land Features

Leased Land:
Lot Size(Acr) ±: 20.2900**Zoning:** RR2**Surveyed:** Yes**Seasonal:** No**Island:** No**WtrFrt:** No**Water Views:** No
Site:

Right of Way, Wooded

Location:

Near Turnpike/Interstate, Rural

Zoning Overlay:

No

Roads:

Association, Gravel/Dirt Road, Right Of Way

Waste Water
Disposal:

Septic Needed On Site

Water:

Well Needed On Site

Electric:

Other Electric

Gas:

No Gas

Driveway:

Other

Full Tax Amount/Yr: \$1,993.00 (2016)

Additional Information

Showing Instructions: Call Listing Broker**SAFP:** .0000% **BAFP:** 3.0000% **TBFP:** 3.0000%**List \$:** \$150,000**List Date:** 10/16/2016**Pending Date:** 11/30/2016

List Office: Coldwell Banker Residential Brokerage - 1039
(207) 282-5988

List Agent: Joseph A Butkovic-015124
(207) 730-3550
joseph.butkovic@gmail.com

Appraiser: No Appraisal - 888888**Sold \$:** \$140,000**Sold Date:** 01/10/2017**Sold Terms:** Cash

Sell Office: Keller Williams Realty - 1898
(207) 879-9800

Sell Agent: Corki K Gray-008482
(207) 553-2638
cgray@kw.com

Days On Market: 45

The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. ©2018 Maine Real Estate Information System, Inc. All Rights Reserved.



Sale C4

**Property Information**

Property ID OR07 0055 0000
Location 50 STRATTON WOODS LANE
Owner STEPHEN CROTTY CONSTRUCTION

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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Parcels updated 1/1/2017
Properties updated monthly (see property record card)



Sale C5

Jesse Studley (014105)

Contact Us

Sign Out

Member Portal

Land - Agent Synopsis


Sold

215-A Tuttle
Cumberland, ME 04021

Kickout: No

Sold Price: \$300,000

Sold Date: 07/30/2015

MLS#: 1223832

Photo 1 of 1

Contact

Property Listed By



006052

*Christie B
Harriman*

p:(207) 831-1113
christieharrima
n@gmail.com

F.O. Bailey Real Estate

Office 2872

p:(207) 781-1111

Land Features

Leased Land:
Lot Size(Acr) ±: 41.0000

Zoning: RR1

Surveyed: Yes

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:

Agriculture

Location:

 Abuts Conservation, Near Golf
Course

Zoning Overlay:

No

Roads:

 Dead End, Gravel/Dirt Road,
Private

Driveway:

Gravel

Full Tax Amount/Yr: \$4,493.00 (2015)

Waste Water

None

Disposal:

Other

Electric:

No Electric

Gas:

Natural-At Street

Additional Information

Showing Instructions: Call Listing Broker

SAFP: .0000% **BAFP:** 2.5000% **TBFP:** .0000%

List \$: \$300,000

List Date: 06/12/2015

Pending Date: 06/17/2015

List Office: F.O. Bailey Real Estate - 2872
(207) 781-1111

List Agent: Christie B Harriman-006052
(207) 831-1135
christieharriman@gmail.com

Appraiser: Derrell B Smith - 008770

Sold \$: \$300,000

Sold Date: 07/30/2015

Sold Terms: Conventional

Sell Office: Portside Real Estate Group - 2799
(207) 619-7571

Sell Agent: Dava M Davin-014152
(207) 619-7571
dava@portsidereg.com

Days On Market: 5


The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. ©2018 Maine Real Estate Information System, Inc. All Rights Reserved.



Sale C5

**Property Information**

Property ID 0R04 0011B0000
Location 215 TUTTLE RD
Owner AUSTIN BRETT W

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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Parcels updated 1/1/2017
Properties updated monthly (see property record card)



Sale C6

Jesse Studley (014105)

[Contact Us](#)
[Sign Out](#)
[Member Portal](#)

Land - Agent Synopsis



Photo 1 of 27

Sold

29 Blackstrap Road
Cumberland, ME 04021

Kickout: No

Sold Price: \$300,000

Sold Date: 10/20/2016

Investors and Developers Take Notices!!! Come update this cozy Cape on 26 acres and 600 feet of Road frontage with potential of an 18+/- lot subdivision. Very convenient Cumberland location, close to I95 at Falmouth Crossing, and Downtown Portland.

MLS#: 1277851

Contact

Property Listed By



008201

Maryea L. Curtis

p:(207) 650-543

maryea@maryea.com

The Flaherty Group

Office 2927

p:(207) 221-8585

Land Features

Leased Land:
Lot Size(Acr) ±: 26.0000

Zoning: RR2

Surveyed: No

Seasonal: No

Island: No

WtrFrft: No

Water Views: No

Site:

 Agriculture, Pasture/Field,
Wooded

Location:

 Near Golf Course, Near
Shopping, Near
Turnpike/Interstate

Zoning Overlay:

No

Roads:

Public

Road Frontage ±:

600

Driveway:

Gravel

Full Tax Amount/Yr: \$4,538.00 (2015)

Waste Water

 Septic Existing On Site, Septic
Needed On Site

Disposal:
Water:

 Private, Well Existing On Site,
Well Needed On Site

Electric:

Circuit Breakers

Gas:

Bottled

Additional Information

Showing Instructions: Call Listing Broker, Call Listing Office, Key at Listing Office, Show Without Notice, Sign On Property

SAFP: .0000% **BAFP:** 3.0000% **TBFP:** 3.0000%

List \$: \$399,900

List Date: 08/02/2016

Pending Date: 08/09/2016

List Office: The Flaherty Group - 2927
(207) 221-8585

List Agent: Maryea L. Curtis-008201
(207) 650-5434
Maryea@Maryea.com

Appraiser: No Appraisal - 888888

Sold \$: \$300,000

Sold Date: 10/20/2016

Sold Terms: Cash

Sell Office: RE/MAX Shoreline - 2951
(207) 553-7500

Sell Agent: Scott S. Kerr-002065
(207) 553-7500
ScottKerr@homesinmaine.com

Days On Market: 7


The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. ©2018 Maine Real Estate Information System, Inc. All Rights Reserved.



Sale C6

**Property Information**

Property ID 0R07A0001A0000
Location 29 BLACKSTRAP ROAD
Owner WALNUT HILL INVESTMENTS LLC

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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Parcels updated 1/1/2017
Properties updated monthly (see property record card)



















Appendix D: Zoning Map and Ordinance

Official Zoning Map Cumberland, Maine

I certify this to be a true copy of the Official Zoning Map as amended by vote of the Town Council.

Deborah P. O'Donnell
Town Clerk

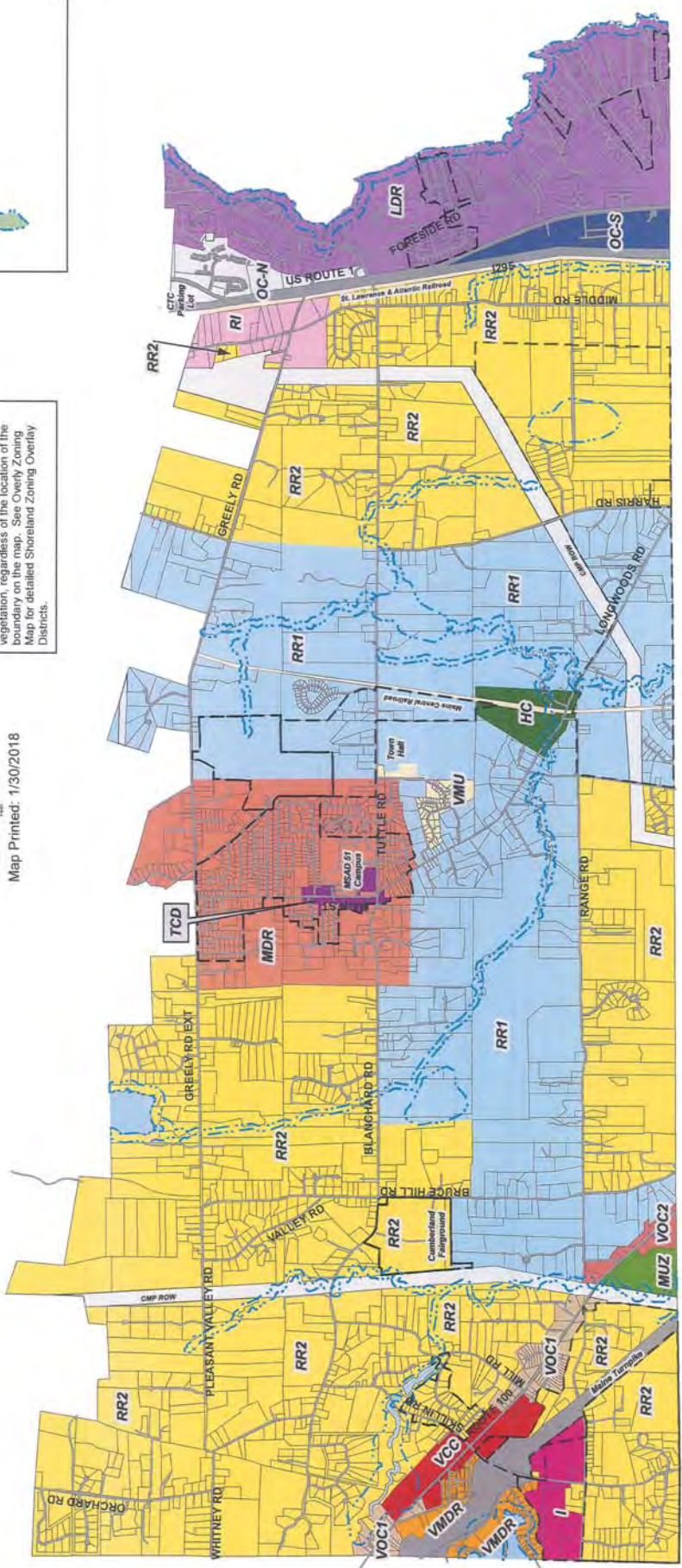
Adopted: 01/25/1999
Amended: 04/20/2008
Amended: 02/23/2009
Amended: 09/17/2015
Amended: 12/12/2016
Amended: 05/08/2017
Amended: 10/08/2012
Amended: 02/25/2013
Amended: 07/23/2013

- | | | |
|--|--|---|
|  Town Center District (TCD) |  Village Center Commercial (VCC) |  Rural Residential 2 (RR2) |
|  Industrial (I) |  Village Office Commercial 1 (VOC1) |  Medium Density Residential (MDR) |
|  Rural Industrial (RI) |  Village Office Commercial 2 (VOC2) |  Village Medium Density Residential (VMDR) |
|  Highway Commercial (HC) |  Village Mixed Use (VMU) |  Low Density Residential (LDR) |
|  Office Commercial-North (OC-N) |  Mixed Use (MU) |  Island Residential (IR) |
|  Office Commercial-South (OC-S) |  Rural Residential 1 (RR1) |  Overlay Zones |

The depiction of the Shoreland Overlay districts on the Official Zoning Map for the Town of Cumberland is merely illustrative of their general location. The boundaries of these districts shall be determined by measurement of the distance indicated on the map from the normal high water mark of the water body or the upland edge of wetland vegetation, regardless of the location of the boundary on the map. See Overlay Zoning Map for detailed Shoreland Overlay Districts.



Map Printed: 1/30/2018



Town of Cumberland, ME
Tuesday, June 19, 2018

Chapter 315. Zoning

Article II. Zoning Districts

§ 315-6. Rural Residential Districts (RR1 and RR2).

The RR Districts primarily allow agriculture, low-density residential and other low-density uses with the intent of maintaining significant amounts of open space and a generally rural character.

A. Rural Residential District 1 (RR1). The RR1 District requires larger minimum lot sizes than does the RR2 District on the basis of the results of the Community Groundwater Study, Cumberland, Maine, March 1989.

(1) The following uses are permitted in the RR1 District:

(a) Single-family detached dwellings.

(b) Duplex dwellings.

(c) Multiplex dwellings, subject to the provisions of § 315-44.

(d) An accessory dwelling unit as permitted in § 315-45A.

[Added 11-26-2012^[1]]

[1] *Editor's Note: This ordinance also redesignated former Subsection A(1)(d) through (y), (z), and (aa) through (cc) as Subsection A(1)(e) through (z), (aa), and (bb) through (dd), respectively.*

(e) Agriculture.

(f) Animal husbandry on a site greater than three acres.

(g) Timber harvesting, subject to the provisions of § 315-68.

(h) Manufactured housing and mobile homes in the Mobile Home Park Overlay Zones as delineated on the Official Town Zoning Map.

[Amended 9-10-2012]

(i) Private airport, personal use, subject to site plan review and to the provisions of § 315-58.

(j) Private heliport, personal use, subject to site plan review and to the provisions of § 315-58.

(k) Sewer pumping stations, subject to the provisions of § 315-59D.

(l) Antennas as defined in § 315-4, subject to site plan review and § 315-72.

(m) Animal husbandry on a site of three acres or less.

(n) Cemeteries, subject to site plan review.

(o) Religious institutions, subject to site plan review.

(p) Private schools, subject to site plan review.

(q) Residential care facilities (see § 315-71).

(r)

Day-care centers and nursery schools for no more than 20 children, subject to the provisions of § **315-47** and site plan review.

- (s) Day-care center, adult, for no more than 20 persons, subject to site plan review or special exception as required.
 - (t) Boarding kennels, subject to site plan review.
 - (u) Private kennels.
 - (v) Riding stables and schools, subject to site plan review.
 - (w) Extraction and/or bulk storage of groundwater or springwater for municipal or quasi-municipal purposes, subject to the provisions of § **315-69**.
 - (x) Outdoor recreational facility, subject to site plan review.
 - (y) Aboveground utility lines not located within public ways.
 - (z) Municipal uses and buildings, subject to site plan review.
 - (aa) Accessory structures of public utilities, subject to site plan review.
 - (bb) Veterinary office.
 - (cc) Farm-based retail.
 - (dd) Uses and buildings accessory to those above.
 - (ee) Farm-based specialty events, subject to the provisions of § **315-49.1**.
[Added 11-13-2017]
- (2) The following uses are allowed as special exceptions in the RR1 District, requiring the approval of the Board of Adjustment and Appeals:
- (a) Home occupations.
 - (b) Home-based occupations.
 - (c) Temporary sawmills, subject to the provisions of § **315-66**.
 - (d) Uses and buildings accessory to those above.
- (3) The following lot standards apply in the RR1 District:
- (a) Minimum lot size of four acres, except that the minimum lot size shall be two acres for a lot served by sewer.
 - (b) In the case of duplex or multiplex development, there shall be no less than 2.5 acres of lot area per dwelling unit, except that the minimum lot area per dwelling unit for a lot served by sewer shall be one acre.
 - (c) There shall be no less than 200 feet of lot frontage.
- (4) The following minimum setbacks are required in the RR1 District, except that sheds and driveways are permitted to a minimum setback of 15 feet from the side and rear lot lines:
- (a) Front: 50 feet.
 - (b) Rear: 75 feet.
 - (c) Side: 30 feet; combined width at least 75 feet.
- (5) Notwithstanding the provisions of Subsection **A(3)**, the owners of large parcels located in the RR1 District may create development lots that do not meet the minimum lot size requirement set forth in Subsection **A(3)**, provided that all of the following standards are met:

- (a) The parcel from which the new development lot will be created shall have no less than 25 contiguous acres in the same ownership as of April 12, 1999. Parcels on the opposite sides of a Town road or way shall not be considered contiguous for purposes of this subsection.
- (b) The creation of the new development lot does not result in the creation of a subdivision as defined in 30-A M.R.S.A. § 4401 and does not require an amendment to an existing subdivision plan recorded in the Cumberland County Registry of Deeds.
- (c) A development lot shall be at least two acres in size, unless served by public sewer, in which case the development lot shall be at least one acre in size.
- (d) The creator of the development lot must create an easement parcel somewhere on the large contiguous parcel to create the development lot. The easement parcel shall be no smaller than the minimum amount of land necessary to meet the minimum lot size required by Subsection A(3) when added to the land area of the development lot.
- (e) An easement parcel must meet one or more of the following standards:
 - [1] The parcel is active farmland; for purposes of this subsection only, "active farmland" is defined as hay fields, pasture, row crops, and orchards.
 - [2] The parcel preserves an area with an active trail that can be used by the general public (as shown on the Greenbelt Plan or is an obvious well-used trail).
 - [3] The parcel provides a connection to an existing trail system that can be used by the general public.
 - [4] The parcel preserves a high-value wetland, wildlife habitat, or stream, all as determined by the Maine Department of Inland Fisheries and Wildlife.
 - [5] The parcel provides access to a water body.
 - [6] The parcel includes land included in the Resource Protection District or the Stream Protection District.
 - [7] The parcel buffers a piece of land owned by the Town.
 - [8] There are no existing structures on the proposed easement parcel, except for nonresidential structures that are necessary to an agricultural or forestry use.
- (f) The creator of the easement parcel shall restrict the easement parcel so that it cannot be used for development or construction of any type other than nonresidential structures that are accessory to agricultural or forestry use. In addition, the easement parcel may not be used for density calculations for or any development purpose other than those provided herein for the development lot. Any paving of the easement parcel shall be restricted either to that necessary for support of agricultural or forestry uses or to trails. The deed creating the easement parcel shall state that it is perpetual and it is created to benefit the development lot and shall include both the purposes to which the parcel is limited and the development restrictions required by this chapter. The deed creating the easement parcel shall explicitly reference the deed for the development lot, and the deed creating the development lot shall explicitly reference the easement parcel. The creator of the easement parcel may hold the easement, or the creator may transfer the easement to the Town, to a qualified land trust, or to some other person or legal entity that will operate the easement parcel for agricultural or forestry purposes. The creator of the easement parcel may retain ownership of the fee interest in the easement parcel or may transfer it subject to the provisions of the easement. The owner of the development parcel does not have to own the easement parcel or be the holder of the easement. The creator of the easement parcel will provide copies of the proposed deeds to the easement parcel and the development lot to the Town for approval by the Town Manager and the Town Attorney prior to the sale of the development lot and will also provide evidence that the proposed holder of the easement has agreed to accept the easement. In no event shall any building permit be issued for a development lot until the applicant can demonstrate compliance with these provisions through the provision of copies of deeds recorded in the Cumberland County Registry of Deeds.

- (g) Development lots shall not have frontage on the following roads: Tuttle Road, Blanchard Road, Greely Road, Greely Road Extension, Range Road, Longwoods Road and Orchard Road. New development lots shall be subject to the backlot provisions of § **315-40** of this chapter.

B. Rural Residential District 2 (RR2). The RR2 District requires a lesser minimum lot size than does the RR1 District on the basis of the results of the Community Groundwater Study, Cumberland, Maine, March 1989.

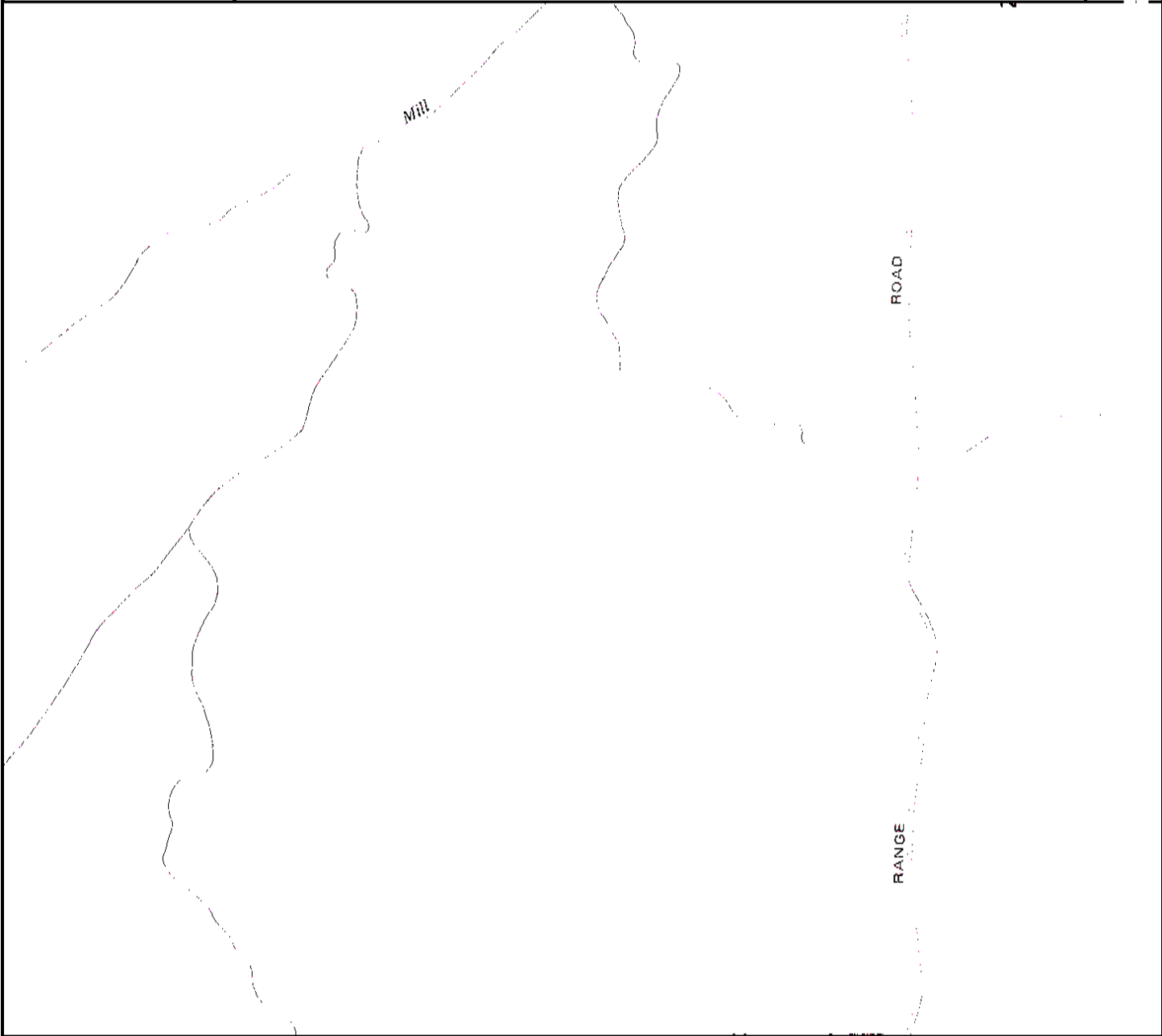
(1) The following uses are permitted in the RR2 District:

- (a) Single-family detached dwellings.
- (b) Duplex dwellings.
- (c) Multiplex dwellings, subject to the provisions of § **315-44**.
- (d) An accessory dwelling unit as permitted in § **315-45A**.
[Added 11-26-2012^[2]]
[2] *Editor's Note: This ordinance also redesignated former Subsection B(1)(d) through (y), (z), (aa) and (bb) as Subsection B(1)(e) through (z), (aa), (bb) and (cc), respectively.*
- (e) Agriculture.
- (f) Animal husbandry on a site greater than three acres.
- (g) Timber harvesting, subject to the provisions of § **315-68**.
- (h) Manufactured housing and mobile homes in Mobile Home Park Overlay Zones as delineated on the Official Town Zoning Map.
[Amended 9-10-2012]
- (i) Private airport, personal use, subject to site plan review and to the provisions of § **315-58**.
- (j) Private heliport, personal use, subject to site plan review and to the provisions of § **315-58**.
- (k) Sewer pumping stations, subject to the provisions of § **315-59D**.
- (l) Antennas as defined in § **315-4**, subject to site plan review and § **315-72**.
- (m) Extraction and/or bulk storage of groundwater or springwater for municipal or quasi-municipal purposes, subject to the provisions of § **315-69**.
- (n) Cemeteries, subject to site plan review.
- (o) Religious institutions, subject to site plan review.
- (p) Private schools, subject to site plan review.
- (q) Boarding kennels, subject to site plan review.
- (r) Private kennels.
- (s) Riding stables and schools, subject to site plan review.
- (t) Residential care facilities (see § **315-71**).
- (u) Day-care centers and nursery schools for no more than 20 children, subject to the provisions of § **315-47** and site plan review.
- (v) Day-care center, adult, for no more than 20 persons, subject to site plan review or special exception as required.
- (w) Outdoor recreational facilities, subject to site plan review.
- (x) Aboveground utility lines not located within public ways.
- (y) Accessory structures of public utilities, subject to site plan review.

Appendix E: FEMA Flood Plain Map



APPROXIMATE SCALE



EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood or certain areas subject to 100-year flooding with moderate to high risk of damage to life and property; contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity wave action; base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity wave action; base flood elevations and flood hazard factors determined.

NOTES TO USER

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.

For adjoining map panels, see separately printed Index To Map Panels.

INITIAL IDENTIFICATION:

AUGUST 1977

FLOOD HAZARD BOUNDARY MAP REVISIONS:

FLOOD INSURANCE RATE MAP EFFECTIVE:
MAY 19, 1981

This is an official copy of a portion of the above referenced flood map. It has been prepared using FEMA On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the map block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Appendix F: Tax Map and Assessment

**Property Information**

Property ID 0R05 0023A0000
Location RANGE ROAD
Owner RINES ELIZABETH B

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Cumberland, ME makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 1/1/2017
Properties updated monthly (see property record card)

RANGE ROAD

Location RANGE ROAD

Mblu R05/ 23/A / /

Acct# R0600R

Owner RINES ELIZABETH B

Assessment \$21,800

PID 100426

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$21,800	\$21,800

Owner of Record

Owner RINES ELIZABETH B

Sale Price \$0

Co-Owner

Certificate

Address 29 WALNUT CREST ROAD
GORHAM, ME 04038

Book & Page 26735/ 1

Sale Date 03/23/2009

Instrument 1A

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
RINES ELIZABETH B	\$0		26735/ 1	1A	03/23/2009
RINES DALE S	\$0		3914/ 96	1G	
	\$0				

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Replacement Cost: \$0

Building Percent

Good:

Replacement Cost

Less Depreciation: \$0

Building Photo

Building Attributes	
Field	Description
Style	Vacant Land

Model	
Grade:	
Stories:	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	



(<http://images.vgsi.com/photos/CumberlandMEPhotos//default.jp>)

Building Layout

Building Sub-Areas (sq ft)	<u>Legend</u>
No Data for Building Sub-Areas	

Extra Features

Extra Features	<u>Legend</u>
No Data for Extra Features	

Land

Land Use

Use Code 6102
Description TG/MIXED
Zone RR1
Neighborhood 120
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 51.5
Frontage
Depth
Assessed Value \$21,800

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2015	\$0	\$15,900	\$15,900
2014	\$0	\$16,500	\$16,500
2013	\$0	\$16,900	\$16,900

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Appendix G: Deed


WARRANTY DEED

I, Dale S. Rines, of Gorham, Cumberland County, Maine, for consideration paid, grant to Elizabeth B. Rines, whose mailing address is: 29 Walnut Crest Road, Gorham, ME 04038, with WARRANTY COVENANTS, the certain lot or parcel of land situated in the Town of Cumberland, Cumberland County, Maine, being bounded and described as follows:

See the attached Exhibit A.

WITNESS my hand and seal this ^{20th} day of March, 2009.

WITNESS



Dale S. Rines

STATE OF MAINE
CUMBERLAND, ss.

^{20th}
March, 2009

Personally appeared the above named Dale S. Rines who acknowledged that signing the foregoing instrument was his free act and deed.

Before me,



Ernest L. Manderson, Attorney at Law

Exhibit A

A certain lot or parcel of land situated on the northeasterly side of Range Road in the Town of Cumberland, County of Cumberland, State of Maine, being bounded and described as follows:

Beginning at a point marked by a capped 5/8-inch rebar marked PLS 1137, set on the northeasterly sideline of Range Road at the southerly corner of land recently conveyed by Dale S. Rines to Robert J. Crawford and Sarah S. Stockwell;

Then running in the following courses along land of Crawford and Stockwell:

North 52° 55' 02" East a distance of 229.47 feet to a capped 5/8-inch rebar,

North 07° 57' 43" East a distance of 116.43 feet to a capped 5/8-inch rebar,

North 37° 02' 17" West a distance of 220.00 feet to a 1-inch iron rod set in a stone wall at land now or formerly of Thomas A. and Lisa K. Judd as described in Book 18025, Page 116 at the Cumberland County Registry of Deeds.

Then turning and running North 52° 55' 02" East a distance of 1014.47 feet along Judd land and the stone wall to a point marked by a capped 5/8-inch rebar inscribed PLS 586 at land now or formerly of Andrew R. Berube as described in Book 18060, at Page 237.

Then continuing North 52° 55' 02" East a distance of 300 feet along Berube land and continuing along the stone wall to a point marked by a drill hole in an 8-inch by 16-inch stone standing 2 feet tall at the corner of the stone wall and at land recently conveyed by Dale S. Rines to the Town of Cumberland as described in Book 20109, Page 82.

Then turning and running along land of the Town of Cumberland:

South 37° 00' 00" East a distance of 999.88 feet to appoint marked by a drill hole in a 6-inch by 6-inch granite monument,

South 02° 34' 55" East a distance of 777.89 feet to appoint marked by a drill hole in a 6-inch by 6-inch granite monument,

South 53° 12' 39" West a distance of 1046.54 feet to a point marked in by as drill hole in a 6-inch by 6-inch granite monument set on the northeasterly sideline of Range Road,

Then turning and running northwesterly along the northeasterly sideline of Range Road approximately 1225 feet to the point of beginning.

This description was prepared for Dale S. Rines by Amos J. Gay, Professional Land Surveyor. See "Boundary Survey, Range Road, Cumberland, Maine, Cumberland County," by Amos J. Gay, *Plan Book 204, Page 232*.

Hereby conveying a portion of the premises as described in the deed of Bernard P. Rines to Dale S. Rines, dated September 27, 1976, and recorded in said Registry in Book 3914, Page 96.

The lot described above is subject to the terms set out in the Option To Purchase given by Dale S. Rines to the Town of Cumberland, dated August 29, 2003, and recorded in said Registry in Book 20109, Page 86.

Received
Recorded Register of Deeds
Mar 23, 2009 02:25:49P
Cumberland County
Pamela E. Lovley

OPTION TO PURCHASE

In consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Dale S. Rines, of Gorham, County of Cumberland and State of Maine (hereinafter called "Optionor") does hereby grant and assign to the Town of Cumberland, the right and option to purchase, for an amount to be negotiated at the time of exercise, certain real estate being ~~34~~³³ acres, more or less, located northeasterly of the Range Road, also known as Turkey Lane, in Cumberland, Cumberland County, State of Maine, as more particularly described in Exhibit A attached hereto, together with all improvements thereon, all rights, ways, and appurtenances thereunto belonging (hereinafter sometimes called the Property).

This Option is granted upon the following terms and conditions:

(1) Exercise of Option. This Option may be exercised only in the event Optionor wishes to sell said property and shall expire fifteen (15) years from the date hereof. The price for said property shall be negotiated within 60 days of notice to Optionee.

(2) Closing. If this Option is exercised, closing shall occur at the Cumberland Town Offices or such other place as mutually agreed upon by the parties hereto within sixty (60) days after the last to occur of (i) the date of exercise, or (ii) the date upon which all conditions to closing listed in Paragraph (3) have been satisfied. At closing the following shall occur:

(a) Optionor shall convey to Optionee good and marketable title in fee simple to the Property by good and sufficient warranty deed.

(b) Optionee shall pay the agreed upon purchase price to Optionor by cashier's or certified check or wire transfer of funds to an account designated by the Optionor, adjusted only as follows: (i) there shall be prorated to the date of the closing real estate taxes and assessments for the current period (and if such taxes are not ascertainable, such pro-rata shall be based on taxes for the last ascertainable year); (ii) there shall be credited against the purchase price any option moneys paid under this Option; and (iii) if there are any defects in title which can be cured by the payments of money, Optionee shall have the right to cure the same and any sums so expended shall be credited against the purchase price.

(3) Conditions of Closing. The following conditions shall be satisfied on or before the settlement or Optionee at its option may terminate this Option: (a) Title: Optionor shall have good and marketable title of this property and Optionee shall obtain from a title insurance company acceptable to Optionee a commitment for title insurance in the amount of the purchase price. If the commitment reveals defects in title that cannot be cured by payment of money credited against the purchase price, Optionor shall diligently cause such defects to be cured. In the event of the failure of any condition hereinabove contained, Optionee may terminate this Option, in which event all obligations of Optionee hereunder shall cease and all sums paid hereunder by Optionee shall be returned to Optionee within five days after such

declaration by Optionee. After such sums are returned to Optionee, all obligations of Optionor hereunder shall cease. (b) Financing: The Optionee's obligation to purchase following exercise of this option shall be subject to the final action of its Town Council and possible referendum action thereafter pursuant to its Charter.

(4) Miscellaneous.

- (a) All provisions of this Option shall inure to the benefit of and bind the parties hereto, their successors, personal representatives, heirs and assigns.
- (b) This option shall not be assignable hereunder.
- (c) All notices to Optionor hereunder shall be in writing sent to Optionor at the address specified herein.

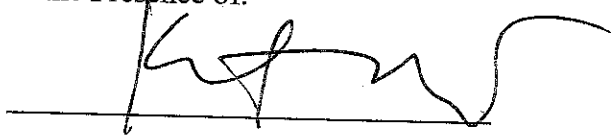
Dale S. Rines
29 Walnut Crest Road
Gorham, ME 04038

All notices to Optionee shall be in writing and sent to Optionee to the attention of:


Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

IN WITNESS WHEREOF, the parties have executed and delivered this Option to Purchase as of this 29th day of August, 2003.

Signed, Sealed
and Delivered
in the Presence of:

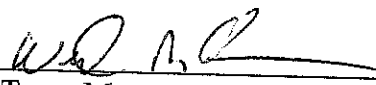


Optionor:


Dale S. Rines

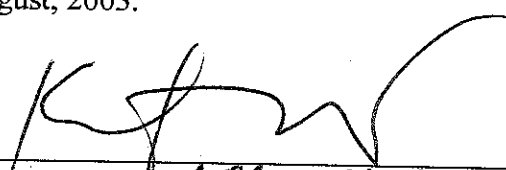
Optionee:

TOWN OF CUMBERLAND

By: 
Its Town Manager

STATE OF MAINE
Cumberland, ss.

Personally appeared the above named Dale S. Rines and acknowledged the foregoing instrument to be his free act and deed this 29th day of August, 2003.


Notary Public

Print Name:

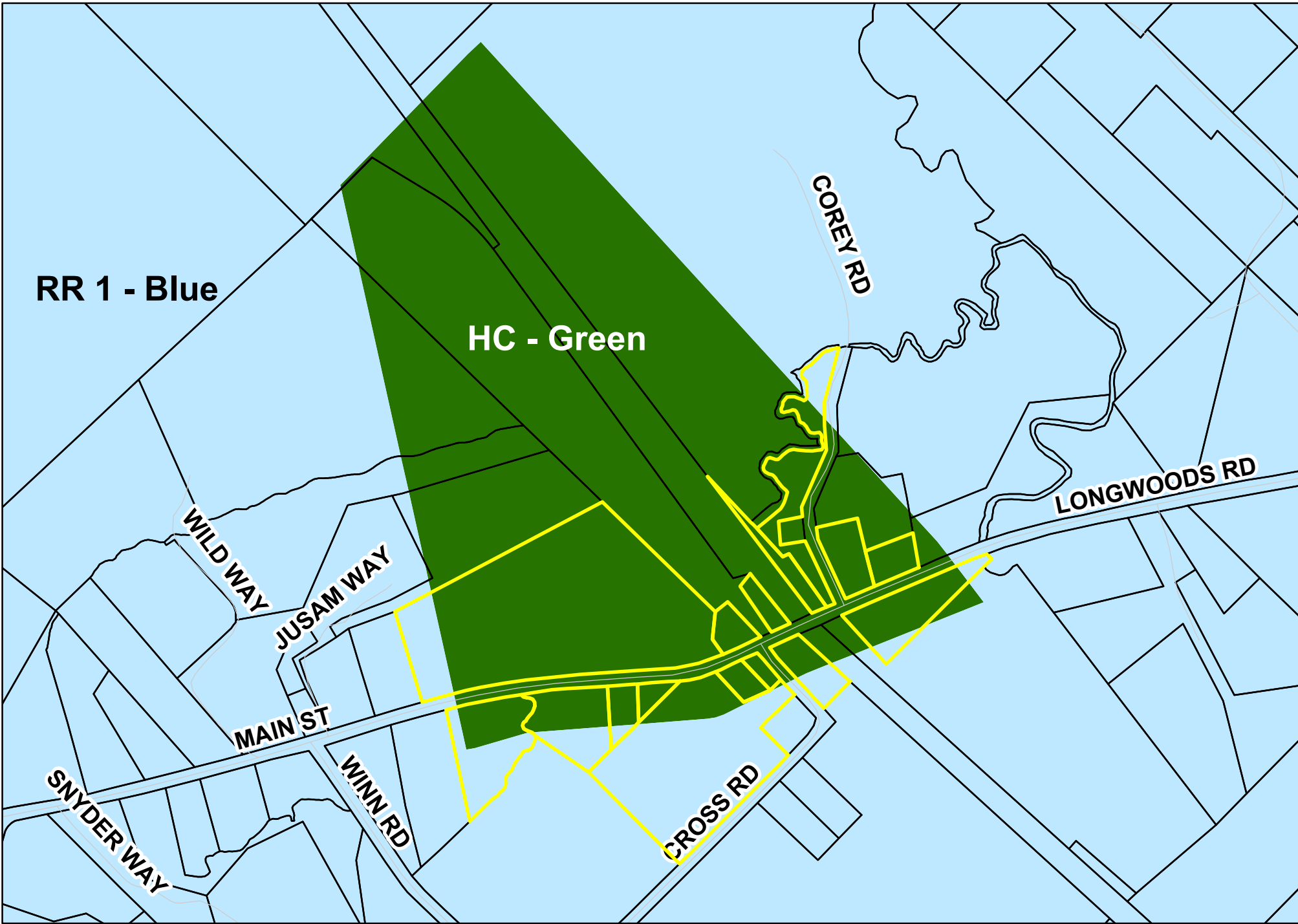
My Commission Expires:


Atty - At - Law
KENNETH M. COLE
MA

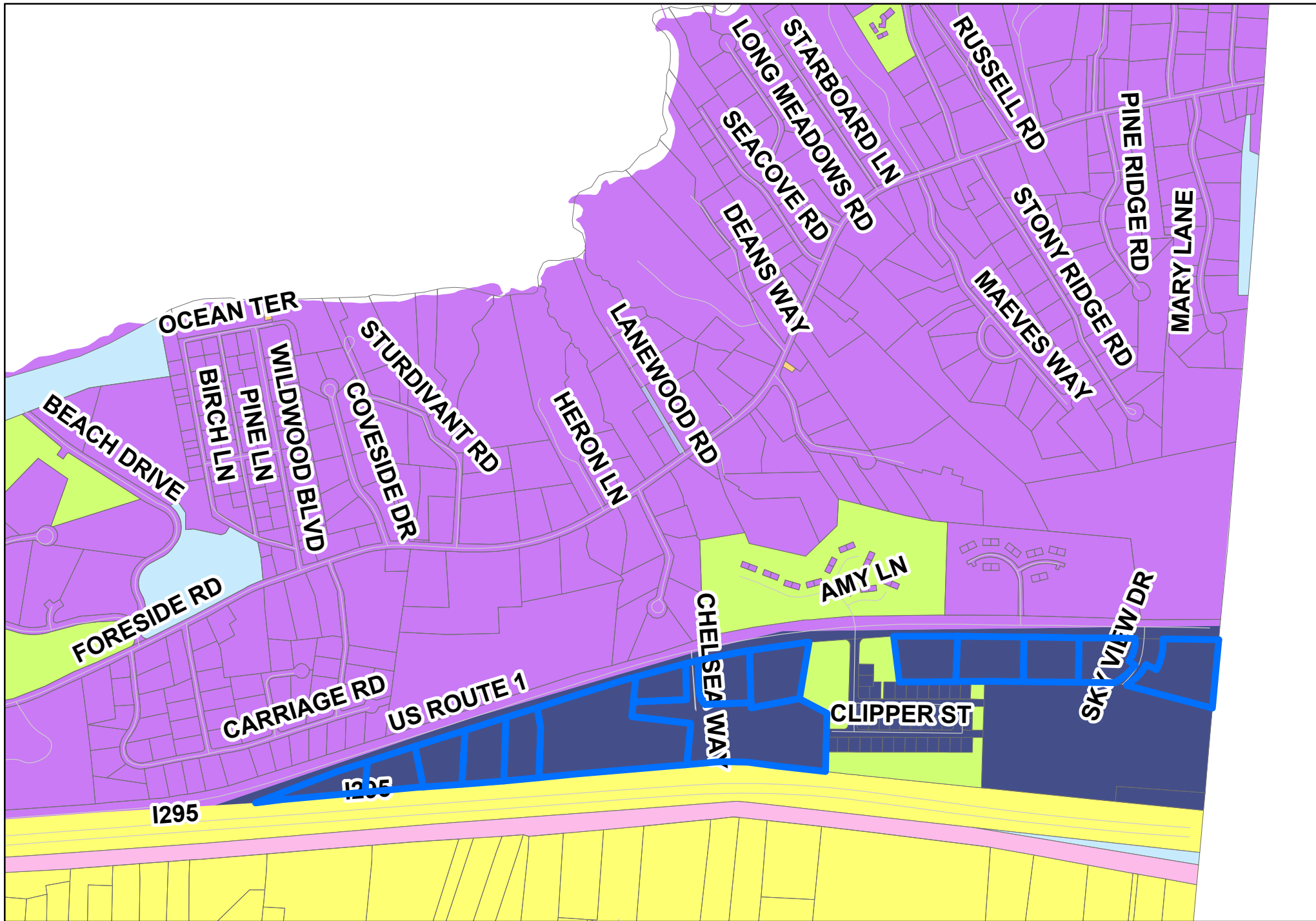
Received
Recorded Register of Deeds
Sep 03, 2003 10:35:20A
Cumberland County
John B. O'Brien

ITEM 18-156

To hold a Public Hearing to consider and act on amending the Official Cumberland Overlay Zoning Map to add a Medical Caregiver Overlay District in portions of the Highway Commercial (HC), Office Commercial–South (OC-S) and the Village Center Commercial (VCC)



HC Properties in Marijuana Overlay  500 250 0 500 Feet 1 inch = 500 feet



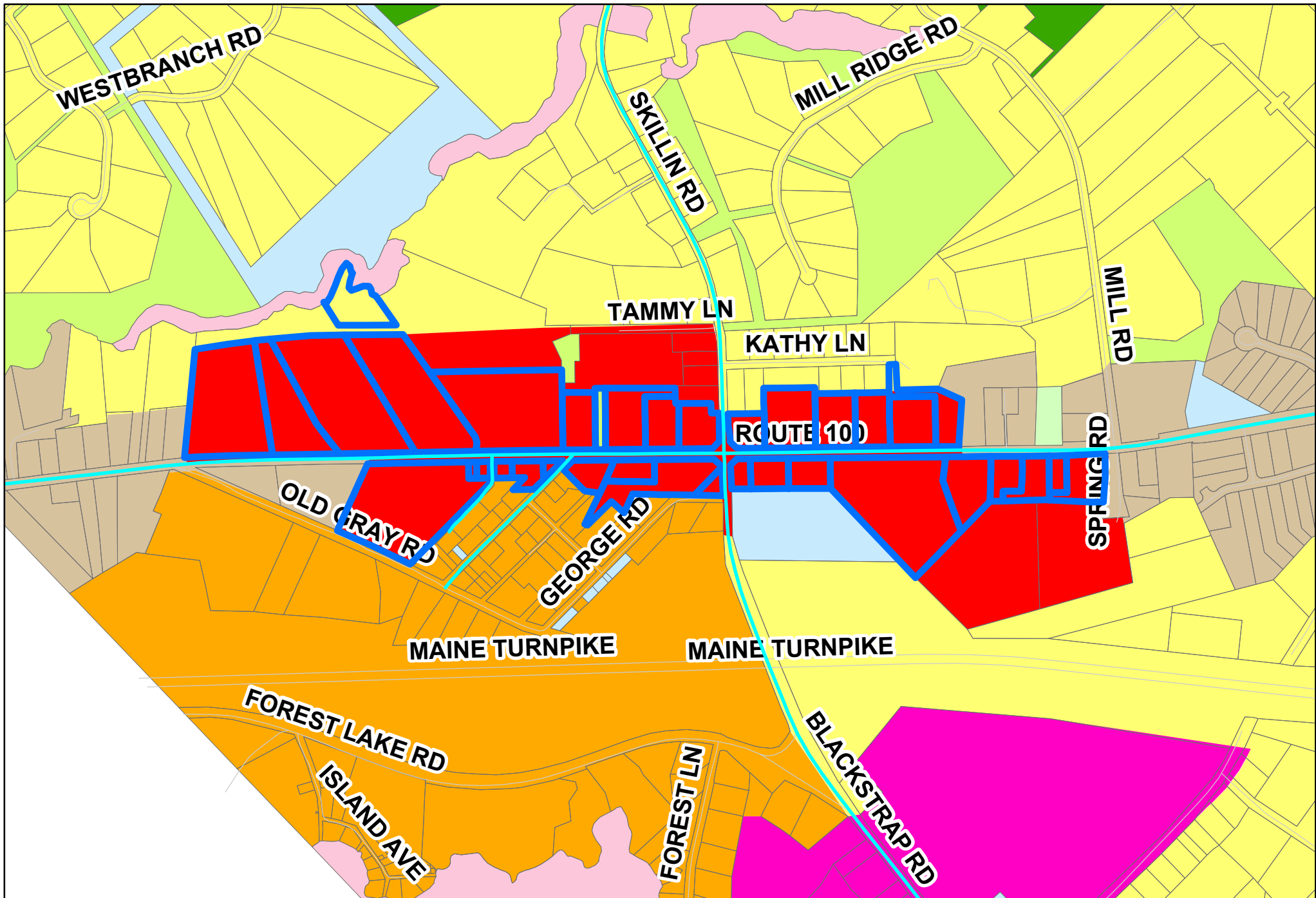
OCS Properties in Overlay



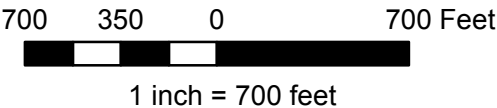
800 400 0 800 Feet



1 inch = 833 feet



VCC Properties in Marijuana Overlay



ITEM

18-157

To hold a Public Hearing to consider and act on a Class 1 Liquor License application for Cumberland House of Pizza, for the period of January 17, 2019 – January 17, 2020

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: _____ on _____, 20____
Town/City, State Date

Violeta Dobra
 Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Andrew Tucci
 Signature of Applicant or Corporate Officer(s)

VIOLETA DOBRA
 Print Name

ANDREW TUCCI
 Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

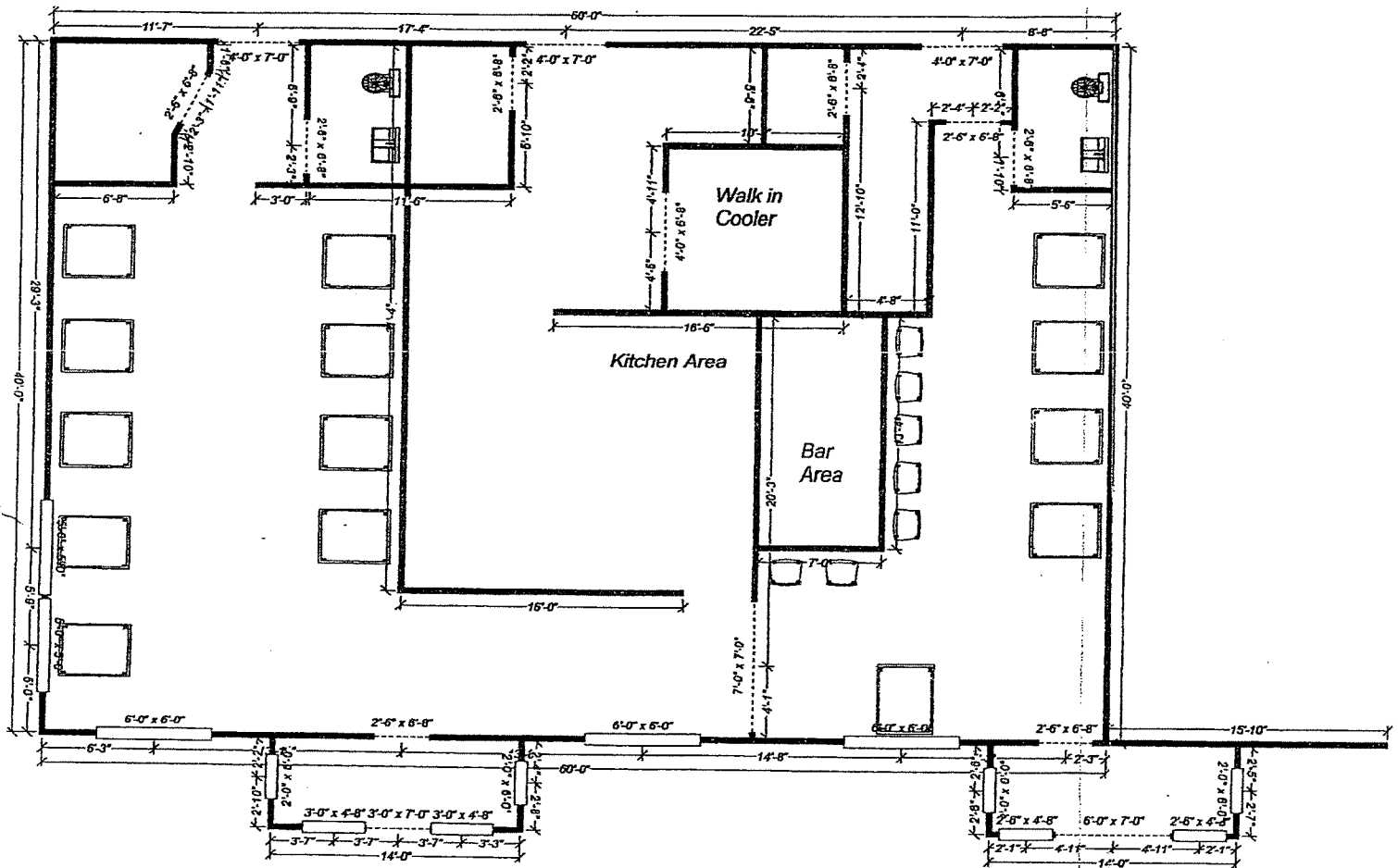


ON PREMISE DIAGRAM
(Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • **Entrances** • **Office area** • **Kitchen** • **Storage Areas** • **Dining Rooms** • **Lounges** • **Function Rooms** • **Restrooms** • **Decks** • **All Inside and Outside areas that you are requesting approval.**

see the attached !



- No Charges to Exits or Bathrooms, which met ADA, Life Safety 101 when built.

ITEM

18-158

To hold a Public Hearing to consider and act on a Class 1 Liquor License application for Flannel Shirt Food Company, LLC d/b/a Cumberland Food Company, for the period of January 1, 2019 – January 1, 2020

19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Cumberland, ME on 02 December, 20 18
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____,
Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD) .]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: **Flannel Shirt Food Company LLC**
2. Doing Business As, if any: **Cumberland Food Company**
3. Date of filing with Secretary of State: **11/28/2016** State in which you are formed: **ME**
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Bryan Dame			Owner	100

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

12/3/2018
Date

BRUN DAME
Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

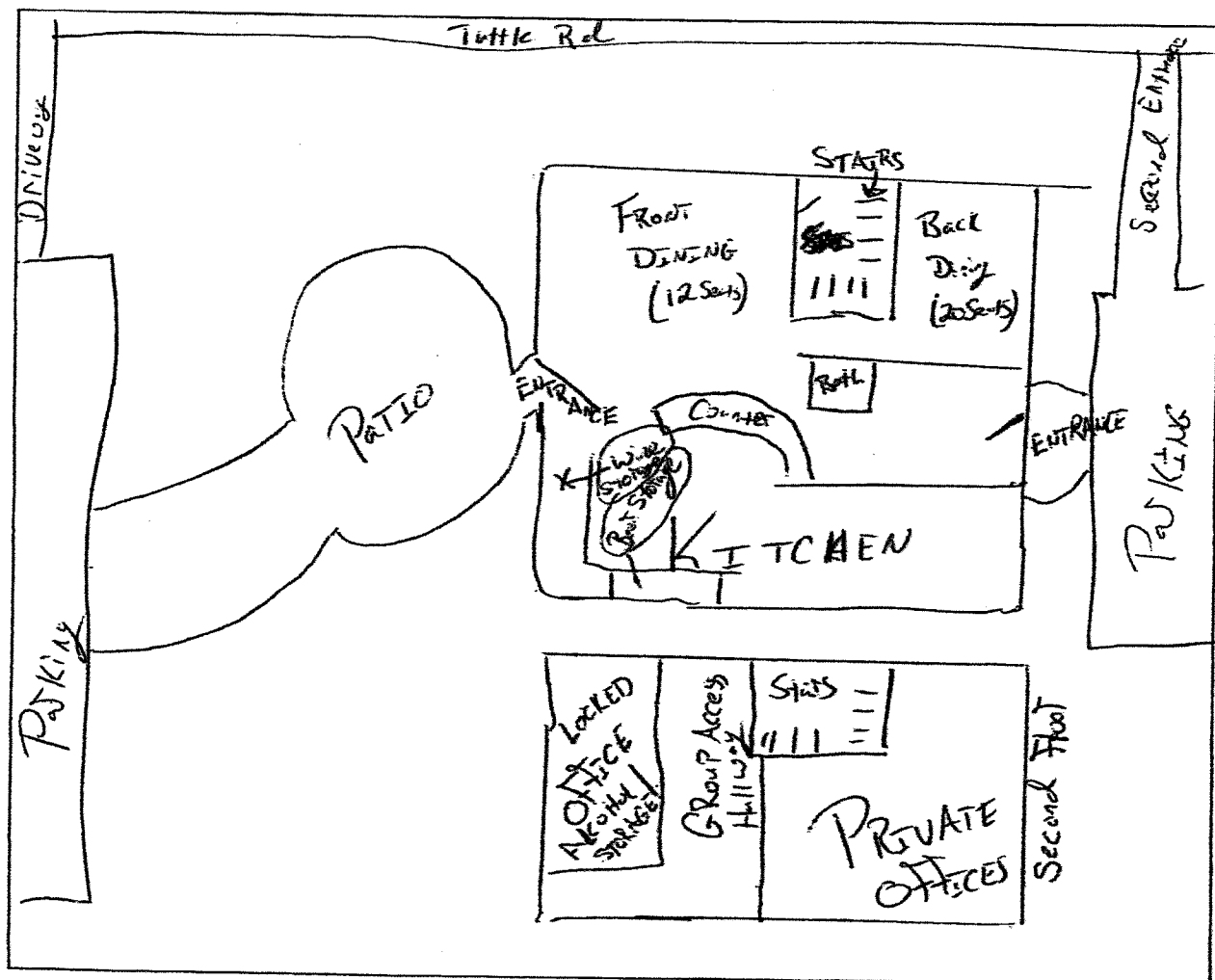
Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing & Enforcement
 8 State House Station, Augusta, ME 04333-0008
 10 Water Street, Hallowell, ME 04347
 Tel: (207) 624-7220 Fax: (207) 287-3434
 Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



ITEM

18-159

To hold a Public Hearing to consider and act on a Class 1 Liquor License
application for Louie's Grille, for the period of
January 8, 2019 – January 8, 2020

Which of the above is nearest? _____

19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Fam. Private Loan

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: _____ on _____, 20 _____
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications)	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns;	
Class III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

I. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD) .]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]

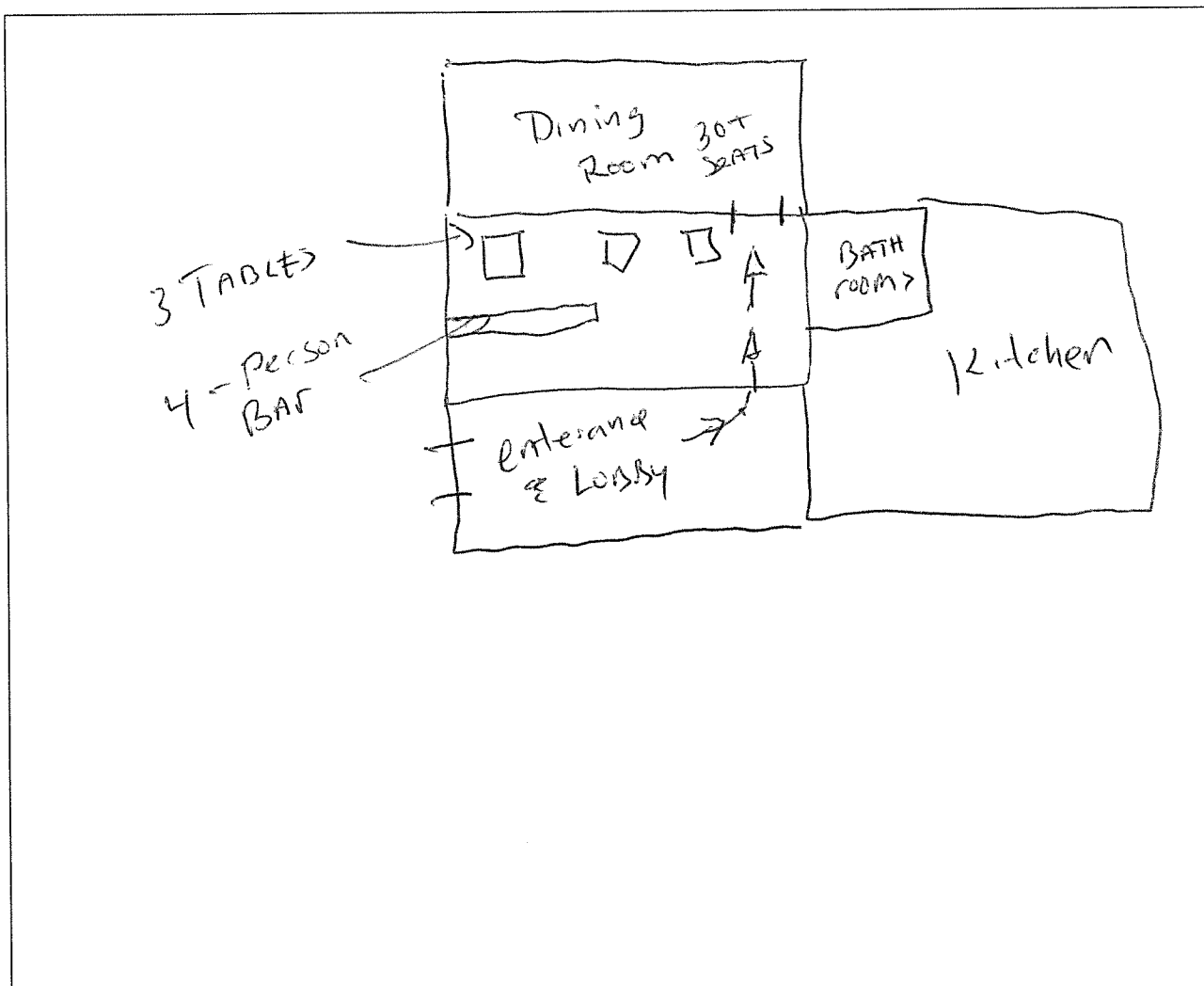
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov



ON PREMISE DIAGRAM (Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • **Entrances** • **Office area** • **Kitchen** • **Storage Areas** • **Dining Rooms** • **Lounges** • **Function Rooms** • **Restrooms** • **Decks** • **All Inside and Outside areas that you are requesting approval.**





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office

License #: _____

SOS Checked: _____

100% Yes ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: LOUIE'S GRILLE LLC
2. Doing Business As, if any: LOUIE'S GRILLE
3. Date of filing with Secretary of State: original 2013 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 11/14
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
James G. G. G.				100%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

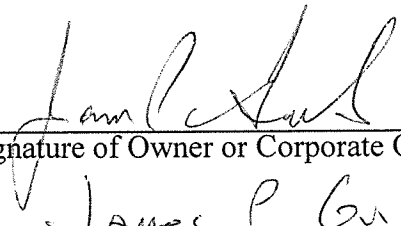
Date of Conviction: _____

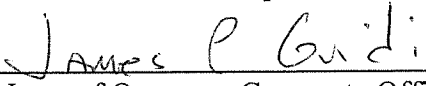
Offense: _____

Location of Conviction: _____

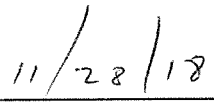
Disposition: _____

Signature:



Signature of Owner or Corporate Officer


Print Name of Owner or Corporate Officer



Date

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

BUDGET REPORT

REVENUES

12/06/2018
12:38:54

**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**

**PAGE 1
glactrpt**

FOR PERIOD 06 OF 2019

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
0011 Other Tax Revenues					
<hr/>					
0011 0303 Motor Vehicle Excise Tax	-929,731.46	-998,324.68	-1,095,918.55	-987,789.52	-1,950,000.00
0011 0304 Boat Excise Tax	-2,487.50	-1,963.60	-2,939.74	-2,319.20	-14,000.00
0011 0325 Supplemental Taxes	.00	-14,130.35	.00	.00	.00
0011 0328 Outer Islands Property Tax	-19,944.63	-21,676.03	-21,887.03	-22,020.50	-42,000.00
0011 0329 Payment in Lieu of Taxes	-14,804.00	-14,902.00	-15,344.00	-15,959.00	-31,000.00
TOTAL Other Tax Revenues	-966,967.59	-1,050,996.66	-1,136,089.32	-1,028,088.22	-2,037,000.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting/Fishing Lic Agent Fees	-205.75	-202.00	-216.50	-158.50	-541.00
0012 0312 Marriage Lic & Vital Records	-1,357.20	-1,467.86	-1,269.40	-1,588.00	-2,436.00
0012 0313 Birth Certificates	-531.80	-813.00	-891.80	-697.40	-1,361.00
0012 0314 Death Certificates	-594.80	-906.53	-1,074.20	-870.00	-1,713.00
0012 0315 Clerk Licenses	-1,405.00	-875.00	-960.00	-2,230.00	-4,608.00
0012 0316 Shellfish Licenses	-274.98	-258.36	-36.06	-35.70	.00
0012 0317 Conservation Fees	-30.02	-31.64	-13.94	-14.30	.00
0012 0334 Snowmobile Reg. Agent Fees	-78.00	-125.00	-121.00	-49.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-10,478.00	-10,195.00	-11,003.00	-9,653.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-144.00	-126.00	-116.00	-135.00	-1,098.00
0012 0366 Building Permits	-44,374.62	-82,579.88	-36,810.37	-36,787.20	-75,000.00
0012 0367 Electrical Permits	-10,545.60	-12,455.85	-15,518.45	-9,240.75	-21,634.00
0012 0368 Plumbing Permits	-7,619.98	-10,030.00	-11,825.00	-7,230.00	-18,789.00
0012 0369 Other Permits	-650.00	-1,163.00	-377.00	-628.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-2.00	.00	-39.00	-64.00	-37.00
0012 0398 Application Fee	-555.56	-200.00	-1,350.00	-750.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-580.00	-599.00	-652.00	-469.00	-2,800.00
0012 0404 Commercial Haulers License	-200.00	-100.00	.00	.00	-500.00
TOTAL License & Permit Revenue	-79,627.31	-122,128.12	-82,273.72	-70,599.85	-154,974.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0331 State Revenue Sharing	-219,288.92	-204,062.71	-224,269.97	-198,978.14	-453,207.00
0013 0332 Park Fee Sharing	.00	.00	.00	.00	-10,055.00
0013 0335 DOT Block Grant	-63,232.00	-68,012.00	-69,136.00	-68,644.00	-69,136.00

12/06/2018
12:38:55

**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**
**PAGE 2
glactrpt**
FOR PERIOD 06 OF 2019

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0013 0341 North Yarmouth Recreation Shar	-3,644.00	-21,868.00	-16,688.00	-4,730.00	-35,000.00
0013 0342 North Yarmouth Library Share	-72,976.00	-72,200.00	-77,712.00	-40,018.00	-160,000.00
0013 0347 North Yarmouth Channel 2	-1,274.00	-1,336.00	-1,474.00	.00	.00
TOTAL Intergovernmental Revenue	-360,414.92	-367,478.71	-389,279.97	-312,370.14	-727,398.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-15,606.05	-8,723.55	-8,973.16	-8,480.94	-30,000.00
0015 0306 Over/Short	-46.50	-269.06	645.78	400.09	-100.00
0015 0364 Growth Permits	-2,300.00	-12,400.00	-2,000.00	-1,300.00	-2,000.00
0015 0365 Board of Appeals	-300.00	.00	-200.00	-100.00	.00
0015 0379 Investment Earnings	1,039.72	-275.52	.00	.00	.00
0015 0382 Sale of Assets	-7,599.00	.00	.00	.00	.00
0015 0390 Misc. Revenue	-34,797.08	-36,627.11	-34,482.79	-31,057.95	-25,000.00
0015 0399 Staff Review Fee	-1,719.44	-5,500.00	-16,600.00	-7,000.00	-14,117.00
0015 0403 Mooring Fees	-135.00	-350.00	-1,400.00	-150.02	-1,500.00
0015 0410 Private Ways	-800.00	-200.00	-200.00	-600.00	-400.00
0015 0432 Workers Compensation Dividend	-10,803.37	-13,558.82	.00	.00	.00
0015 0508 Impact Fees	-57,853.60	-143,364.20	-30,823.80	-42,281.40	-60,000.00
TOTAL Other Revenues	-130,920.32	-221,268.26	-94,033.97	-90,570.22	-133,117.00
0021 Police Related Revenues					
0021 0351 Police Issued Permits	-275.00	-1,067.00	-757.00	-1,210.00	-2,000.00
0021 0353 Police Insurance Reports	-319.00	-224.00	-266.00	-210.00	-500.00
0021 0390 Miscellaneous Police Revenue	-515.00	-51.00	-291.15	-27.00	-648.00
0021 0427 Parking Tickets	.00	.00	-455.00	.00	-100.00
0021 0431 Outside Detail	-22,827.16	-26,329.99	-18,784.08	.00	.00
0021 0536 Dog Licenses ACO Revenue	-1,104.00	-1,007.00	-1,533.00	-983.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	.00	.00	-24,000.00	-24,500.00	-49,000.00
0021 0546 Court Reimbursements	-150.00	-250.00	-300.00	671.00	-2,200.00
0021 0620 Federal Grant revenue	-25,000.00	.00	.00	.00	.00
TOTAL Police Related Revenues	-50,190.16	-28,928.99	-46,386.23	-26,259.00	-56,248.00
0022 Fire Related Revenues					
0022 0390 Misc. Revenue	-5.00	-2.50	-300.00	.00	-100.00

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FOR PERIOD 06 OF 2019

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
0022 0431 Outside Details	-16,462.80	-19,243.54	-17,742.00	.00	.00
0022 0504 Rescue Billing	-66,865.03	-83,553.26	-73,566.89	-60,356.93	-160,000.00
0022 0505 Non Emergency Transports	-38,607.12	-45,605.42	-6,392.67	.00	-12,000.00
0022 0507 Paramedic Intercepts	.00	.00	-300.00	.00	-600.00
TOTAL Fire Related Revenues	-121,939.95	-148,404.72	-98,301.56	-60,356.93	-172,700.00
0031 Public Services Revenues					
0031 0390 Misc. Revenue	-273.00	-78.00	-234.00	-3,117.00	-500.00
0031 0391 Field Usage Fees	-5,427.16	-4,774.00	-1,440.00	-5,113.20	-10,000.00
0031 0431 Outside Details	.00	-549.10	720.00	-1,234.03	.00
0031 0517 Bags/Universal Waste	-93,465.00	-131,346.00	-166,755.00	-133,342.50	-286,015.00
0031 0539 Brush Passes	-1,013.00	-1,900.00	-1,556.00	-1,519.00	-8,277.00
0031 0617 Twin Brooks Donations	.00	.00	-18.00	.00	-92.00
TOTAL Public Services Revenues	-100,178.16	-138,647.10	-169,283.00	-144,325.73	-304,884.00
0035 VH Other Revenues					
0035 0329 Payment in Lieu of Taxes	.00	.00	.00	.00	-8,000.00
0035 0378 Soda Sales	-1,705.87	-1,724.94	-1,644.50	-2,016.60	-2,500.00
0035 0560 Rental Income	-8,842.04	-11,318.03	-13,227.66	-8,948.23	-14,000.00
0035 0565 Cell Tower Land Lease	.00	-10,800.00	-10,800.00	-10,800.00	-24,000.00
TOTAL VH Other Revenues	-10,547.91	-23,842.97	-25,672.16	-21,764.83	-48,500.00
0037 VH Golf Revenues					
0037 0306 Over/Short	-9.68	-11.20	1.40	-6.89	.00
0037 0357 Golf Memberships	-111,309.35	-112,430.88	-96,559.00	-116,270.40	-230,000.00
0037 0358 Greens Fees	-81,238.95	-73,726.70	-86,951.45	-87,624.14	-120,000.00
0037 0359 Golf Cart Rentals	-47,776.08	-55,167.07	-66,849.21	-46,983.36	-88,000.00
0037 0416 Practice Range	-7,009.00	-5,451.75	-7,051.50	-4,911.75	-10,000.00
0037 0417 VH Program Revenues	-12,954.00	-19,655.00	-27,491.52	-46,365.70	-56,529.00
0037 0419 Advertising Sales	.00	-450.00	-800.00	-5,600.00	-23,392.00
0037 0522 Outing Golf	-69,602.08	-56,391.43	-36,180.00	-41,978.43	-45,000.00
0037 0617 Donations Received	.00	.00	-845.00	.00	.00

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ACCOUNTS FOR:		PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001	General Fund					
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	TOTAL VH Golf Revenues	-329,899.14	-323,284.03	-322,726.28	-349,740.67	-572,921.00
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0041	Recreation Related Revenues					
<hr/>						
0041	0371 41000 Fall Recreation Revenue	-44,877.45	.00	.00	.00	.00
0041	0372 41000 Winter Recreation Revenue	-73,601.00	.00	.00	.00	.00
0041	0373 41000 Spring Recreation Revenue	-4,060.00	.00	.00	.00	.00
0041	0374 41000 Summer Recreation Revenue	-21,743.50	.00	.00	.00	.00
0041	0440 41100 After School Programs	-85,947.05	-119,205.25	-141,733.40	-116,762.09	-214,836.00
0041	0441 41110 Youth Enrichment Programs	.00	-43,840.68	-65,178.60	-47,246.60	-108,607.00
0041	0442 41120 Youth Sports Programs	.00	-44,170.00	-46,035.00	-44,989.25	-93,052.00
0041	0443 41130 Skiing Programs	.00	-44,990.00	-50,027.50	-50,209.00	-45,020.00
0041	0444 41140 Day Camps	.00	-44,802.05	-33,700.18	-29,100.65	-180,160.00
0041	0445 41150 Swimming Programs	.00	-14,502.00	-14,736.00	-8,787.29	-54,052.00
0041	0446 41160 Adult Enrichment Revenue	-14,480.40	-17,221.50	-21,153.44	-11,605.34	-39,515.00
0041	0447 41170 Adult Fitness Revenue	-28,276.68	-37,493.10	-33,793.34	-24,443.13	-37,743.00
0041	0448 41190 Special Events/Trips Reven	-220.00	-1,287.00	-1,748.00	-952.00	-2,243.00
0041	0449 41190 Recreation Programs	-3,932.00	-2,955.55	-2,565.00	-675.00	-6,971.00
0041	0570 41190 Rec Soccer Revenue	-6,815.00	-11,760.00	-16,190.00	-18,175.00	-20,245.00
0041	0571 41190 Rec Ultimate Frisbee Reven	.00	-295.00	.00	.00	-15,672.00
0041	0606 41190 CPR/First Aid Revenues	1,551.20	-400.00	2,215.60	-650.00	.00
	TOTAL Recreation Related Reven	-282,401.88	-382,922.13	-424,644.86	-353,595.35	-818,116.00
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0045	Library Related Revenues					
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0045	0379 Library Interest Income	-160.64	.00	.00	.00	.00
0045	0392 Library Fines	-2,595.17	-1,711.58	-1,679.60	-1,241.70	-3,500.00
0045	0394 Misc. Library Revenue	-703.30	-1,015.76	-537.50	-495.80	-1,000.00
	TOTAL Library Related Revenues	-3,459.11	-2,727.34	-2,217.10	-1,737.50	-4,500.00
	TOTAL General Fund	-2,436,546.45	-2,810,629.03	-2,790,908.17	-2,459,408.44	-5,030,358.00
	TOTAL REVENUES	-2,436,546.45	-2,810,629.03	-2,790,908.17	-2,459,408.44	-5,030,358.00
	GRAND TOTAL	-2,436,546.45	-2,810,629.03	-2,790,908.17	-2,459,408.44	-5,030,358.00

EXPENSES

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ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
10 General Government					
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130 Administration	314,765.25	326,373.90	326,170.27	264,595.66	588,736.00
140 Assessor	39,601.17	40,463.02	34,794.51	46,819.08	96,036.00
150 Town Clerk	112,294.76	106,426.84	101,944.39	102,540.33	247,295.00
160 Technology	94,555.48	115,978.84	117,549.79	99,459.50	202,151.00
165 Elections	2,784.99	9,900.23	2,938.75	5,490.53	16,026.00
170 Planning	31,816.62	32,243.92	32,757.51	25,713.60	71,630.00
190 Legal	22,205.92	24,690.17	30,444.96	13,265.40	47,500.00
TOTAL General Government	618,024.19	656,076.92	646,600.18	557,884.10	1,269,374.00
20 Public Safety					
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210 Police	678,144.33	705,992.22	683,591.94	542,197.58	1,378,565.00
220 Fire	448,319.51	495,438.21	458,071.55	386,097.34	968,342.00
240 Code Enforcement	54,917.59	44,047.56	70,869.78	56,433.71	132,952.00
250 Harbor Master	.00	.00	4,160.81	2,647.39	11,650.00
260 Animal Control	19,824.05	18,675.31	19,646.08	16,521.80	31,108.00
TOTAL Public Safety	1,201,205.48	1,264,153.30	1,236,340.16	1,003,897.82	2,522,617.00
30 Public Services					
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310 Public Works	435,768.45	493,733.72	483,051.88	383,594.67	1,166,478.00
320 Waste Disposal	211,337.61	230,161.69	205,734.35	202,463.16	512,350.00
430 Parks	146,614.39	140,445.66	176,307.69	174,573.58	292,754.00
440 West Cumberland Rec	229.60	1,642.28	2,570.75	1,438.01	7,202.00
470 Historical Society Building	435.82	1,392.18	1,863.59	2,937.01	4,958.00
TOTAL Public Services	794,385.87	867,375.53	869,528.26	765,006.43	1,983,742.00
37 Val Halla Golf Club					
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350 Valhalla-Club	19,424.80	20,518.96	19,568.27	14,864.72	26,485.00
360 Valhalla-Course	322,468.10	285,318.43	273,416.29	304,740.16	489,882.00

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ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
370 Valhalla-Pro Shop	158,081.95	163,029.49	161,940.97	180,425.44	243,415.00
TOTAL Val Halla Golf Club	499,974.85	468,866.88	454,925.53	500,030.32	759,782.00
40 Recreation					
410 Recreation	444,727.79	480,750.15	511,680.89	480,370.86	993,045.00
420 Aging in Place	.00	.00	.00	9,235.54	37,453.00
TOTAL Recreation	444,727.79	480,750.15	511,680.89	489,606.40	1,030,498.00
45 Library					
450 Library	202,785.62	208,100.68	210,131.02	200,235.30	494,236.00
TOTAL Library	202,785.62	208,100.68	210,131.02	200,235.30	494,236.00
90 Other					
580 General Assistance	30,015.84	20,735.81	21,826.99	9,877.55	35,000.00
590 Health Services	11,586.70	11,937.65	11,937.65	11,639.55	13,875.00
620 Cemetery Association	32,500.00	27,925.00	26,700.00	28,450.00	26,700.00
630 Conservation	5,961.36	2,750.00	2,387.04	5,542.45	5,000.00
800 Fire Hydrants	30,913.74	26,712.65	31,695.53	25,806.17	75,624.00
810 Street Lighting	18,149.47	18,413.87	17,888.76	9,881.99	45,000.00
830 Contingent	2,958.70	10,279.41	.00	2,907.19	10,000.00
840 Municipal Building	33,191.48	34,299.16	36,725.66	37,699.80	90,847.00
850 Abatements	23,345.35	33,514.34	22,336.23	4,969.70	20,000.00
TOTAL Other	188,622.64	186,567.89	171,497.86	136,774.40	322,046.00
96 Fixed Expenses					
650 Debt Service	571,794.72	565,020.80	692,833.99	528,987.24	970,000.00
750 Insurance	155,463.83	152,216.68	155,291.53	217,355.68	286,554.00
910 Capital Reserves	1,181,500.00	1,038,598.00	693,000.00	699,300.00	699,300.00
TOTAL Fixed Expenses	1,908,758.55	1,755,835.48	1,541,125.52	1,445,642.92	1,955,854.00

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ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
98 Assessments					
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860 MSAD #51	7,778,525.46	8,030,237.04	8,604,053.64	7,787,612.85	18,690,270.84
890 County Tax	747,431.00	775,374.00	813,904.00	878,954.00	878,954.00
TOTAL Assessments	8,525,956.46	8,805,611.04	9,417,957.64	8,666,566.85	19,569,224.84
TOTAL General Fund	14,384,441.45	14,693,337.87	15,059,787.06	13,765,644.54	29,907,373.84
TOTAL EXPENSES	14,384,441.45	14,693,337.87	15,059,787.06	13,765,644.54	29,907,373.84
GRAND TOTAL	14,384,441.45	14,693,337.87	15,059,787.06	13,765,644.54	29,907,373.84