

AGENDA

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, January 14, 2019

6:00 P.M. Workshop

7:00 P.M. Call to Order

6:00 P.M. WORKSHOP re: Police Department Overview

I. CALL TO ORDER

II. APPROVAL OF MINUTES

December 10, 2018

III. MANAGER'S REPORT

Swearing in of Deputy Fire Chief, Mark Stewart

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

- 19 – 001** To hold a Public Hearing to consider and act on amendments to Chapter 92 (Firearms) of the Cumberland Code, as recommended by the Ordinance Committee.
- 19 – 002** To hold a Public Hearing to consider and act on amendments to Chapter 84 (Fees and Fines) of the Cumberland Code, as recommended by the Ordinance Committee.
- 19 – 003** To authorize the Town Manager to execute a 1-year contract with the Animal Emergency Clinic.
- 19 – 004** To hold a Public Hearing to consider and act amendments Chapter 315 (Zoning), Section 28.4B (Senior Housing Community (SHC) Overlay District) to add the lot located at 228 Greely Road (Tax Map R04/Lot 34A) and a portion of 60 Val Halla Road (Tax Map R04/Lot 41), as recommended by the Planning Board.
- 19 – 005** To hold a Public Hearing to consider and act on an amendment the Official Overlay Zoning Map to add the lot located at 228 Greely Road (Tax Map R04/Lot 34A) and a portion of 60 Val Halla Road (Tax Map R04/Lot 41) to the Senior Housing Overlay (SHC), as recommended by the Planning Board.
- 19 – 006** To hear an update on the reconsideration of relocating the Public Works facility to Skillin Road.

- 19 – 007** To hold a Public Hearing on the Town Council endorsement of the relocation of the M.S.A.D. 51 school buses and maintenance garage to the North Yarmouth Public Works facility.
- 19 – 008** To hear a report from the Town Manager re: additional vents to be installed at the demolition landfill and future of the Town Garage site.
- 19 – 009** To appoint members to Boards & Committees.
- 19 – 010** To set a Public Hearing date of January 28th to consider and act on amendments to Chapter 250 (Subdivision of Land).
- 19 – 011** To appoint Craig Jones and Justin Brown as Deputy Code Enforcement Officers.

VI. NEW BUSINESS

VII. BUDGET REPORT

VIII. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, December 10, 2018

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Turner, to accept the November 26, 2018 meeting minutes as presented.

VOTE: 5-0-2 (Edes & Stiles abstained) MOTION PASSES

II. MANAGER'S REPORT

Town Manager Shane said he would hold his report until New Business.

III. PUBLIC DISCUSSION

Dennis Marrotte of Westbrook is here this evening representing the Greater Portland Archangel Sister City Exchange. There is a photo exhibit called "Bridges of Friendship" currently going on at the Yarmouth Historical Society. As a thank you for the donation that the Town gave the organization, Mr. Marrotte presented the Council with a certificate and a commemorative plate.

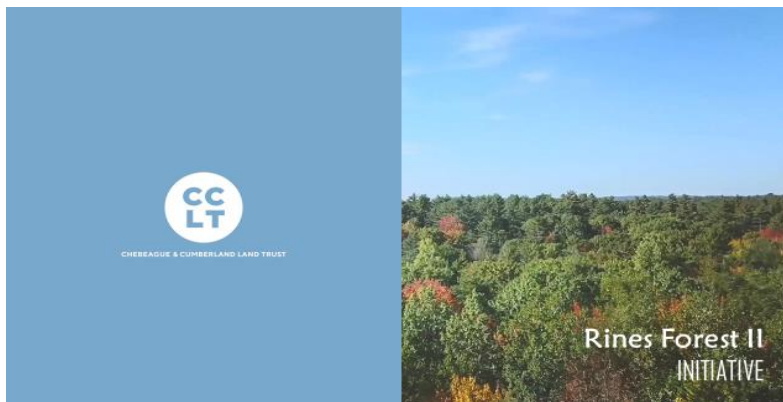
Brad Hilton of Blanchard Road said that he is glad to see the progress that has gone on over the last few years on the Greely Woods trails. He suggested a trail map be made available, a kiosk at the entrance to the trails, the parking area plowed and make sure that the Police and Fire departments are made aware of the trails. There are a lot of people using them.

IV. LEGISLATION AND POLICY

18 – 154 To hold a Public Hearing 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 opened the Public Hearing.

Penny Asherman, President of the Board of the Chebeague and Cumberland Land Trust presented the following:





Recent CCLT Efforts

- Opened new office in Cumberland
- Hired two part-time staff from Cumberland
- Launched a new look and video last week
- Actively stewarding properties
- Working on trail connectivity projects
- Hosting monthly outdoor events
- Gathering community support for Rines Project



Property Overview

- CCLT & Town Partnership
- 52 acres, abutting 251 acres
- Priority Conservation Area Presumpscot River Watershed
- Largest remaining forest block in Cumberland
- Sustainable working forest
- Critical habitat & water quality protection
- Recreation & outdoor education opportunities
- Preserves rural character



History

- Rines Family stewardship
- Original Purchase, Option, Conservation Easement, Use Management Plans
- Vision
- Existing tools for oversight and management
- History of cooperation

Connectivity & Regional Greenway

- Wildlife corridor
- Waterway Knight's Pond to Rines Forest
- Recreation Corridor
 - Cross-town trail network vision
 - Connects local snowmobile trails
 - Connects mountain biking trail
 - Critical link to Falmouth trail system



Habitat Protection

- Priority Regional Conservation Area
- Wildlife Variety
- Diverse Forest & Plants
- Water Quality & Wild Brook Trout
- Forestry Management to Enhance Wildlife & Woods
- Carbon Footprint



Recreational Benefits

- Hiking, running, biking, dog walking, horseback riding
- Skiing, snowshoeing, snowmobiling
- Hunting, fishing, trapping
- Nature observation
- Exercise close to home



Outdoor Education

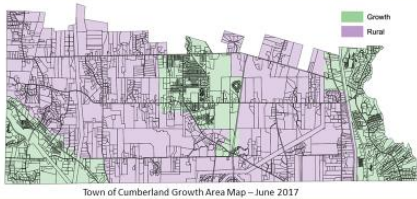
- Frog Night – 450 RSVPs last year
- Rines Forest snowshoe hikes
- Wildlife and Plant Walks
Get Out! Nature Walks
Rines Forest Dec. 19, 1:30-3pm
- Boy Scout Projects/MSAD 51 Community Service Projects
- Forestry Stewardship Model



Infrastructure

- Excellent existing trail network
- Woods road access
- Bridges
- Trailhead, maps, signage
- Off-street parking area
- Stormwater protection





Town Planning

- Property is in the rural, not growth part the town
- Meets Goals of Town's Comprehensive & Open Space Plans
- Preserves scenic and rural character on this section of Range Road



Project Budget

- Property acquisition
- Survey update
- Legal review/ closing costs
- Parking area
- Mapping and signage

Funding

- Owner financing over 3 years
- Town Land Acquisition Reserve Account
- CCLT Fundraising
- No new tax revenue needed
- Little revenue lost from current tree growth use status



Next Steps

- Purchase and Sale agreement
- All funds raised by June 2019
- Due diligence
- Closing by July 1, 2019
- Opening event/New signage & maps
- Amend Conservation Easement to include new acreage
- Update Use and Forestry Management Plans

Sally Stockwell, Chair of the Forestry Subcommittee of the Lands & Conservation Commission, read the following:

I am here tonight speaking on behalf of the Cumberland Lands & Conservation Commission in favor of the Town purchasing the final 52 acres of the Rines forest property.

Sixteen years ago the Town Council took a bold step when it entered into a purchase and sale agreement with Dale Rines and family to purchase 216 acres of forestland in the heart of Cumberland that had been in Dale's family for three generations. Early on the family used the property both as a woodlot and for grazing cattle that they drove over from Gorham to Cumberland every summer. In the 1940s Dale's grandfather planted hundreds of red pine in the pastureland - as did many others at that time - to provide wood for telephone poles and other uses far in the future. As professionally trained foresters, Dale's father and Dale tended the forest, occasionally thinning the red pine and removing other small trees to encourage better growth of the remaining trees, and harvesting a few high value lumber and pulp trees. They used sustainable forestry principles and low impact harvesting techniques even before those names became popular, and kept the forest open to the public for hunting, fishing, and other recreational activities including hiking, biking, birding, and snowmobiling. We owe a lot to the Rines family for taking such good care of this property for so long and a lot to an earlier Town Council for having the foresight to protect this land from development for the benefit of all residents and visitors to Cumberland. I spend a lot of time in the Rines Forest and since the Town purchased the original 216 acres, I have seen public visitation and enjoyment of the forest increase each year. Early on, I rarely saw another person on my daily tour, but now I almost always see somebody, or at least see the signs – birders with binoculars in the spring; boot prints and fat tire tracks in the summer; orange vested and hatted hunters in the fall; and snowshoe, xc ski, and snowmobile tracks in the winter.

This place is a treasure. And not just for people. For wildlife and water quality as well. Many of our declining songbirds breed in the Rines Forest, where there is enough structural complexity and tree and shrub diversity to support many different individuals of many different species, each using a different part of the forest or forest feature to nest, hide, and raise their young. Some, like the brilliant red scarlet tanager, prefer tall oaks trees for nesting and feeding; the black-throated green warbler likes the hemlock trees tucked in along the hills and ravines surrounding the fast-flowing streams; the ovenbird uses fallen dead leaves to build an oven-shaped nest on the forest floor; and the barred owl nests in the tops of tall pines and glides silently in between the trees in search of a meal.

Many of these species are only found in larger blocks of forest – at least 250 acres – and do best when that block is surrounded by other forestland. Foxes, fisher, coyotes, porcupines, skunk, otter and deer all make the Rines Forest their home as well, but because they have very large home ranges, often travel along the streams and other pathways to other forestland adjacent to or connected to the Rines Forest, including Knight's Pond and surrounding forestland.

And many feed on the abundant amphibians that live in the streams, under rotted leaves and logs on the forest floor, or in tunnels underground. Several of these – including the familiar spring peeper and the lesser known wood frog and spotted salamander – emerge from their icy winter homes in early spring to travel across Range Road to breed in Frog Pond and Salamander Swamp near the entrance to the Idlewood subdivision.

Several wetlands and streams occur in or run through the Rines Forest, the most significant one being Mill Creek, which begins at Knight's Pond, runs through the Rines Forest to the Piscataquis River, then into the Presumpscot, and on into Casco Bay. Several smaller streams run through the Rines Forest and feed into Mill Creek as well. What happens along those waterways really matters for water quality not only of those streams, but Casco Bay. Casco Bay has been seeing an increase in pollutants coming from runoff of upland streams and waterways. Forestland adjacent to streams keeps that water healthy by filtering pollutants, reducing runoff and erosion, and providing the shade and cool temperatures that our wild brook trout and stream salamanders need to thrive, both of which are still found in Mill Creek.

The parcel under consideration before you is an integral part of the Rines Forest ecosystem and recreational lands.

- It holds the upper reaches of several of the Mill Creek tributaries, ensuring the water quality of Mill Creek remains high.*
- Without it we would likely lose the annual spring migration of frogs and salamanders across Range Road – and if you could see the smiling faces of the children and adults (including the police officers!) that each year now help these small creatures safely cross the road, you would NOT want to take that experience away from them!*
- Parts of the property include remnants of the red pine plantation but most of it is a mixed hardwood-softwood forest, with great habitat diversity and opportunities for future harvesting if the Town chooses to do so.*
- The forest already plays an important role storing carbon, and as trees continue to grow at this site they will store even more, helping reduce carbon pollution.*
- A major community snowmobile trail runs through this section that directly connects with trails in Falmouth, Gray, North Yarmouth and beyond. It would be extremely difficult to move the trail somewhere else and still retain this connection.*
- The new Cross-Cumberland Trail now runs through this parcel, connecting the Hadlock Forest in Falmouth with the Rines Forest, out through the gifted Godsoe property to Blanchard Road, and across the road to Knight's Pond.*

- *Adding this parcel would ensure that we have at least one large block of forest over 250 acres that will support a wide variety of wildlife species.*

This parcel has always been part of the larger forest - one land - in the mind of the Rines Family, and was going to be part of the original deal between the Rines Family and the Town of Cumberland until the Rines Family decided to hold onto the 53-acre parcel in case their children might like to build on the property sometime in the future. Since that is no longer the case, the Rines Family would like to move forward with this final sale to keep the property whole as one connected forest rather than have it developed. They love this land, they have taken great care of this land, and for generations they have let Cumberland residents and visitors use this land for free. I hope we can honor the family's wishes, move forward with this final purchase, and seal the family's legacy to benefit the water, wildlife and people of this town for many, many years to come.

Thank you for your consideration. The CLCC believes this is exactly the kind of purchase that was envisioned when the Town established the Land Acquisition Fund, and we urge you to move forward with authorizing the Town Manager to enter into a Purchase and Sale Agreement with the Rines Family so we don't lose this one-time opportunity. The forest is in the rural residential part of town, is a key component of maintaining the rural character of the town, and there will be very little tax consequence since the land is currently in the Tree Growth Tax Program. Most of the money needed is already in the Acquisition Fund, and the Chebeague and Cumberland Land Trust is committed to raising additional funds to secure the parcel. Doing so not only honors the Rines Family legacy but the Town Council's legacy as well. Current and future residents and visitors of Cumberland will thank you. Over and over again, in multiple surveys and town meetings, residents of this town have said they value the rural character and open space of this community. This is a perfect time and place to show them you are listening.

We stand ready to help bring this to reality, and look forward to expanding our management plan for the Rines Forest to include this parcel and also the adjacent parcels donated by the Godsoe and Milliken families.

Steve Moriarty of 12 Oak Street said that he was on the Council in 2003 and it was important at that time that the Town had the right of first refusal on this parcel, if and when the Rines family decided to sell it. Now we are here 15 years later and the time has come to purchase it, and we have a partner in the Land Trust to obtain it. He urged the Council to finish the process that we started 15 years ago, and purchase the remaining 51 acres.

Shawn McBrierty of 1 Willow Lane and President of the Cumberland/North Yarmouth Moonlite Snow Skimmers Snowmobile Club, said that this is a vital link for the club and connecting existing trails. He urged the Council to strongly consider this purchase.

John Paynter of Greely Road Extension said that a chance like this does not come along very often, and it won't come along again. He urged the Council to approve this purchase.

Matt Warner of Range Road and a board member of the Greater Portland Chapter of the New England Mountain Bike Association, said that this parcel connects Portland to Knight's Pond and is a very popular destination with an awesome trail system. A lot of people will drive to the Rines Forest trails to start and end their ride there.

Erin McAllister and her son Owen of Ranger's Way said that their family has given their time and energy and have dug into their pockets to support this initiative and urged the Council to support it. Owen spoke about why he loves the Rines Forest.

Brad Hilton of Blanchard Road said that he has not heard the entire financial aspect of this purchase. This will cost us money. The land acquisition fund is money that is put aside every year that increases the tax base. It's not tax free and there is a limit to what we can afford. He would rather see the land reserve funds used to find land for the Public Works garage or return those funds to the taxpayers to reduce taxes.

Jane Moriarty of Range Road said that she uses the trails for many recreational activities and she cannot believe that this amazing property is right across the street from her home. If this parcel was developed, it would cost the Town more money with plowing and paving, not to mention the increased traffic on Range Road.

Andrew Black of Idlewood Drive said that a lot of people use the Rines Forest and this parcel would allow for accessibility for people who do not live in the immediate area. Because of the limited parking spaces, it is not used as much as it could be. This is not only about adding 50 more acres, it is about enhancing the existing property and making sure it is accessible to everybody.

Rich Campbell of Range Road said that new residents who move to Cumberland are not coming here for the location of the Town garage, they come for the trail system. He agreed with Mr. Black that parking is a problem that will have to be addressed.

Jessie Lamar Vincent of Range Road said that his family chose their home because of the Rines Forest. They use the property every month of the year and it is incredible. This is a great opportunity to enhance the best part of Cumberland and bring young families here.

Judy Donnelly of Blackberry Lane said that she meets people from all over Town in the Rines Forest. This past fall she ran into a couple of kids on a weekday before school that were riding their bikes to school through the forest to Blanchard Road. This is a great corridor for our youth to travel to the center of Town, which is safer for them.

Susan Gallo of Main Street said that by not developing this parcel and providing all the services that would be required by developing it, is an economically smart move for us. We also need to recognize the asset that the Land Trust will bring to this project.

Matt LeClair of Gray Road said that adding this parcel will be the best thing for the Town. If money is the issue, he suggested going public and raising the money.

Chris Franklin of Main Street said that the key elements for him are the salamander event that happens every year and the excellent trail system. As a taxpayer, he feels that people want more conservation land, not more houses. The land acquisition fund is money set aside for opportunities like this and this is a once in a lifetime opportunity.

Chairman Copp closed the Public Hearing.

Councilor Bingham said that in order to be fair to Mr. Hilton's comments, whether the Town garage stays where it is or moves to another location, we are going to have to allocate money to that as well as allocate money to repairing some roads. Over the past 5 years, we have allocated nearly \$5 million between Knight's Pond and Broad Cove Reserve. Given the fact that the Land Trust will likely raise about half of the funds and the parcel has little development potential, he thinks it makes sense to purchase it. Over the last 10 years, there have been 2 individuals in this community who "should be prayed to as saints". They are Bill Shane and Penny Asherman for the hundreds of hours spent before these types of opportunities even get to the Town Council to consider.

Councilor Turner thanked everybody for their testimony. The biggest argument that he heard tonight that was the most persuasive to him was that this 50 acres that would allow for more parking, allowing more people to access the property. This is a beautiful piece of property and it should be utilized by more people of the Town. This is reason in itself to purchase it.

Councilor Storey-King said that the Council has always known that they would have the right of first refusal on this parcel and she will support this. It makes good sense for the Town.

Councilor Edes said that his initial reaction to this purchase was no more Town owned land. Mr. Hilton is correct that this will have a financial impact. The tax assessment on this property is almost \$23,000 that will be lost and the potential development taxes would be approximately \$60,000. However, these once in a lifetime opportunities come up and this property is key to the entire property. He will support it.

Chairman Copp said that he has lived in this Town for 56 years and has used the Rines Forest land like he owns it. He owes the Rines family something for that opportunity. He feels that this purchase is the right thing to do and he wants his grandchildren to be able to enjoy and use that property too.

Councilor Gruber initially felt that we did not need this parcel. He does not feel that way now. He will support this.

Councilor Stiles said that he has always been supportive of buying this parcel. It is a wonderful piece of property and it makes sense to purchase it with the help of the Land Trust.

Motion by Councilor Stiles, seconded by Councilor Bingham, to authorize the Town Manager to purchase 51.5 acres of land on Range Road, adjacent to the Rines Forest and owned by Elizabeth Rines, for up to \$414,000.

The Town Council further authorizes the Town Manager to reduce the impact to the residents through grants and fundraising by the Chebeague & Cumberland Land Trust.

The Town Council authorizes the Town Manager to finance this purchase over three years with a promissory note from Elizabeth Rines.

Councilor Gruber said that he feels that the motion should reflect a cap on the amount that the Town will pay toward the parcel.

Town Manager Shane said that the US Forestry Service did a site walk of the Rines Forest recently and he is fairly confident that we will receive some funding from them in addition to the money raised from the Land Trust. If the Council likes, the Manager said that he could come back to the Council if the amount exceeds \$300,000 for the Town's portion.

Councilor Gruber moved that if the amount of appropriations exceed \$300,000, the Town Manager will come back to the Town Council for a vote. Councilor Turner seconded.

VOTE: 2-5 (Bingham, Storey-King, Edes, Stiles, Copp opposed) MOTION FAILS

Vote for Councilor Stiles original motion: 7-0 UNANIMOUS

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

Motion by Councilor Stiles, seconded by Councilor Turner, to table.

VOTE: 7-0 UNANIMOUS

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).

Town Manager Shane explained that this is only to amend the zoning map. The ordinance was amended at the last meeting, but due to advertising requirements on zoning map changes, this item had to wait until this evening.

Chairman Copp opened the Public Hearing.

Public discussion: Sarah Verrier of Tuttle Road asked what the function of these districts are.

Town Manager Shane explained that these are the three commercial districts in Town. Because the medical marijuana caregiver laws have a retail component, we are required to designate areas of Town where this would be allowed. We did not want these zones designated in residential areas.

Chairman Copp closed the Public Hearing.

Motion by Councilor Turner, seconded by Councilor Stiles, to amend 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: 7-0 UNANIMOUS

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.

Town Manager Shane said that staff is recommending approval.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Bingham, to approve the Class 1 Liquor License application for Cumberland House of Pizza, for the period of January 17, 2019 – January 17, 2020.

VOTE: 7-0 UNANIMOUS

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.

Town Manager Shane said that staff is recommending approval.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Gruber, to approve the 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.

VOTE: 7-0 UNANIMOUS

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.

Town Manager Shane said that staff is recommending approval.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Turner, seconded by Councilor Storey-King, to approve the Class 1 Liquor License application for Louie’s Grille, for the period of January 8, 2019 – January 8, 2020.

VOTE: 7-0 UNANIMOUS

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

Chairman Copp asked for any public comment.

Councilor Storey-King said that Tammy does an outstanding job as our Town Clerk.

Motion by Councilor Bingham, seconded by Councilor Gruber, to appoint Tamara O’Donnell as Registrar of Voters for the term of January 1, 2019 through December 31, 2020.

VOTE: 7-0 UNANIMOUS

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

Chairman Copp asked if there is any public comment

No public comment.

Motion by Councilor Bingham, seconded by Councilor Gruber, to appoint Jason Record to the Planning Board.

VOTE: 7-0 UNANIMOUS

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

Chairman Copp asked if there is any public comment

No public comment.

Motion by Councilor Bingham, seconded by Councilor Stiles, to cancel the December 24th Town Council meeting.

VOTE: 7-0 UNANIMOUS

V. **NEW BUSINESS**
Councilor Bingham – None

Councilor Gruber – He thanked everybody who was involved in the Fill a Bus, Fill a Belly campaign for the Food Pantry.

He is involved with the Veterans to Veterans Program. The tie that he is wearing this evening was made for him by the wife of Roger Young, the veteran that he sees on a regular basis. Thank you Madeline.

He thanked Jeff Davis for his time on the Planning Board.

The Fire Department is selling Christmas trees, for anybody who still needs to purchase a tree.

He wished everyone a Happy Holiday Season.

Councilor Edes – He would like the Ordinance Committee to look at the Firearms Ordinance. It appears to have been written back in the 80's before muzzle loaders were around. Muzzle loaders would be allowed for hunting because they are not considered a rifle. He recommended that this be sent to the Ordinance Committee. He feels that muzzle loaders fall under the safety guidelines that we try to maintain in our ordinance.

Motion by Councilor Edes, seconded by Councilor Gruber, to send the Firearms Ordinance to the Ordinance Committee for their review.

VOTE: 7-0 UNANIMOUS

His son has decided to join the Air Force. He and his wife are very proud of him. They had a long talk about this and he told his son how much he respects his fellow Council members and especially the 4 veterans that serve on the Town Council.

Merry Christmas to everybody.

Councilor Storey-King – She encouraged everybody to shop local for the holidays.

The Parks and Recreation Committee met recently. One of the concerns raised at the meeting was lack of space for programs. This is one of the items that she will bring up when she and Chairman Copp meet with the School Board Chair and Vice Chair as well as our joint meeting with North Yarmouth.

Her Social Studies classes had a food drive competition which brought in over 350 pounds of food and \$560.00 for our Food Pantry.

Merry Christmas to everyone.

Chairman Copp – In regard to MDOT denying our request for a traffic light at the intersection of Route 100 and Skillin Road, they seem to have picked a day to survey the traffic counts that typically has very little traffic. He lives and works at this intersection. To attempt to get through that intersection at 5:00 p.m., you are taking your life in your hands.

Councilor Stiles – He reminded the public that if they have money to donate and need the tax deduction, the 4-H auction fund that benefits the Food Pantry is an excellent cause to donate to.

He wished everyone a very Merry Christmas.

Councilor Turner – Merry Christmas to all.

Town Manager Shane – Town Hall will be closing at noon on December 20th for our annual employee appreciation luncheon at Val Halla. Town Hall will also be closing at noon on Christmas Eve.

There will be a meeting at Town Hall on January 22nd with the Raven Farm area residents and Middle Road residents. He is not think that CMP will have much information that is new, but residents will have an opportunity to ask questions.

Long time Town employee, Dale Lawless lost his wife to cancer today. We all send our deepest sympathies to the Lawless family.

- VI. EXECUTIVE SESSION** pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
Motion by Councilor Bingham, seconded by Councilor Gruber, to recess to Executive Session pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.
VOTE: 7-0 UNANIMOUS
TIME: 9:19 P.M.

Reconvene to regular session at 9:38 P.M.

- VII. ADJOURNMENT**
Motion by Councilor Gruber, seconded by Councilor Stiles, to adjourn.
VOTE: 7-0 UNANIMOUS
TIME: 9:38 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM 19-001

To hold a Public Hearing to consider and act on amendments to Chapter
92 (Firearms) of the Cumberland Code, as recommended by the
Ordinance Committee

Chapter 92

FIREARMS

[HISTORY: Adopted by the Town of Cumberland 11-22-1979, as amended through 12-12-1990. Subsequent amendments noted where applicable.]

§ 92-1. Definitions.

FIREARMS-

A. Any instrument used in the propulsion of pellets, shot, shells or bullets by action of gunpowder, compressed air or gas exploded or released within it, and includes any weapon commonly referred to as a "pistol", "revolver", "rifle", "gun", "machine gun", or "shotgun". Any weapon that can be made into a firearm by the insertion of a firing pin, or other similar thing, or by repair, is a firearm.

§ 92-42. Prohibited Acts.

- A. It shall be unlawful for any person to discharge or hunt with a rifle any firearm other than a shotgun or, muzzleloader, or pistol within the limits of the Town of Cumberland.
- B. It shall be unlawful for any person to discharge any other type of firearm within 300 feet of any dwelling other than his or her own, or any commercial, industrial, governmental or institutional building to include schools.
- C. It shall be unlawful to discharge any firearm on the following municipal properties: Town Forest, Twin Brook Recreational Facility, Broad Cove Reserve (except for otherwise legal firearms discharge in the course of waterfowl hunting), West Cumberland Athletic Complex, and Val Halla golf course.

§ 92-23. Applicability.

This chapter shall not apply to the islands within the limits of the Town, to indoor or outdoor shooting ranges conducted by an organization affiliated with the National Rifle Association, or to any law enforcement officials in the performance of their duties, or to any person utilizing a firearm in the otherwise legal defense of a person or property. ~~; provided, however, that this chapter shall apply to Chebeague Island during the period of the established deer hunting season in southern Maine.~~

This chapter shall not apply to a person discharging firearms at any deer, raccoons, skunks, woodchucks or other wild animals doing damage to any orchard or growing crops, provided that such person is acting in accordance with applicable state statutes. Such person shall seek permission from the Chief of Police or his/her designee prior to commencing such activity. Immediately prior to commencing such activity, such person shall notify the

Police Department of the time and location where such activity is proposed and shall also notify the Police Department immediately upon the completion of such activity, unless other arrangements are made with the Police Chief. Such person shall exhibit to the Police Chief or his/her designee, once during its effective period, any written permission required by state statute, regulation, or Inland Fisheries and Wildlife for such activity. The Police Department may impose such reasonable restrictions upon the time or location of such activities, and the type of firearms to be used, as may be necessary to protect the public health and safety; it shall not prevent any such activity unless it has evidence that the person proposing the same is not competent to do so safely or that the conditions required for safe undertaking of such activity cannot be met, and it shall not require any police officer to observe or take part in such activities.

This chapter shall not apply to the discharge of rimfire firearms, when discharged for the purposes of night hunting of raccoons as authorized by M.R.S.A. Title 12, Section 11901, provided all other provisions of ordinance and law are followed.

§ 92-34. Violations and penalties¹

Any person violating any provision of this chapter shall be subject to a fine of ~~\$100 for a first offense, \$150 for a second offense and \$250 for each subsequent offense~~ pursuant to Chapter 84 – Fees and Fines, Article II, §84-37 Firearms-Violations and Penalties.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ITEM 19-002

To hold a Public Hearing to consider and act on amendments to Chapter
84 (Fees and Fines) of the Cumberland Code, as recommended by the
Ordinance Committee

Chapter 84 – Fees and Fines

Article II – Fines

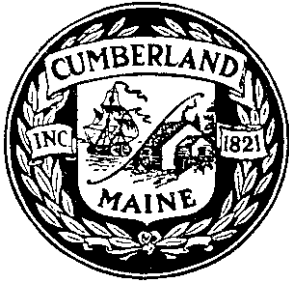
§ 84-37 Firearms-

A. Fines for violating any provision of Chapter 92 shall be subject to a fine of:

1. First violation - \$100.00
2. Second violation- \$150.00
3. Each subsequent offense -\$250.00

ITEM 19-003

To authorize the Town Manager to execute a 1-year contract with the
Animal Emergency Clinic



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: 19-003 Contract for Services – Animal Emergency Clinic
Date: January 9, 2019

The Animal Emergency Clinic will provide the Town medical services at a discounted rate with this contract. It has been in place for close to two decades. I don't remember ever seeing this on an agenda and with the annual automatic renewal you would not regularly see this contract.

It is in place to deal with wounded animals where the owner is not easily identified and emergency services need to be performed to save an injured pet.

I'm requesting your authorization to execute this agreement and maintain the present level of services with this Clinic and our Animal Control Officer.

739 Warren Avenue
Portland, ME 04103
207-878-3121
207-878-0829
www.animalemergencyspecialtycare.com

Animal Emergency & Specialty Care

Fax

To:	Tammy O'Donnell	From:	Kate
Fax:	207-829-2214	Pages:	5
Phone:	207-829-5559	Date:	10/10/2018
Re:	Services Agreement	cc:	Bobby Silcott

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

To Town of Cumberland:

We are updating our municipality contracts. We will be honoring the current contracts, along with pricing, until 12/31/2018. As of January 1, 2019, we will need a new signed contract.

Our proposal is to provide basic care to assure that the animal is stable until either the owner is found, the municipality decides on further treatment, or transferring the animal to a shelter. We will provide a physical exam, pain management if it is warranted, basic initial stabilization and hospitalization for up to 24 hours for a fee of \$145.00. After the first 24 hours, a decision will need to be made if the animal is to be transferred to a shelter, or to remain in our care for additional medical care. We are offering the additional services, if approved by the municipality, at a discounted rate of 40%.

If, after the initial exam, the doctor and the town feel that euthanasia is the best option, we will perform that service at a discounted rate of \$85.00. The town will be responsible for the disposal of the remains. If the town wishes to have the pet cremated, there will be an additional charge.

In order for this service to work, we must have contact information (names and phone numbers) of people who can make these decisions. Please review the attached contract and let us know if we can be of any help to you. Don't hesitate to contact us to discuss any questions you may have.

Thank you for considering letting us help you care for your strays.

Kate Murdock

Animal Emergency Clinic
739 Warren Avenue Portland, Maine 04103 (207) 878-3121

Services Agreement

AGREEMENT, by and between Cumberland (the "Municipality") and Animal Emergency and Specialty Care, is entered into as of 1/1/2019.

WHEREAS, the Municipality wishes to ensure that any injured animal at large or in a public way is given proper medical attention;

WHEREAS, the Animal Emergency Clinic wishes to provide emergency medical services to stray and abandoned animals delivered to the Animal Emergency Clinic by the Municipality.

NOW THEREFORE, in consideration of the foregoing premises and the mutual covenants hereinafter set forth and other valuable considerations, the parties hereto agree as follows:

Section 1. Services Provided.

- (a) General. The Animal Emergency Clinic will provide emergency veterinary care 24 hours a day, 7 days a week, to stray and abandoned animals delivered to the Animal Emergency Clinic by animal control and police officers, and the general public, on behalf of the Municipality.
- (b) Diagnosis and Treatment. Upon arrival of a sick or injured animal from the Municipality, the Animal Emergency Clinic will perform an examination and attempt to make contact with the animal control officer or other available representative of the Municipality to seek approval for testing, treatment, monitoring or possible euthanasia for severely sick or injured animals. If, in the opinion of the veterinarian on duty, the patient's condition warrants such treatment, the Animal Emergency Clinic is authorized upon arrival of the animal to treat for shock with IV fluids, provide pain management, and provide minimal lifesaving treatments. The Animal Emergency Clinic will provide basic in-house laboratory monitoring, including packed red cell volume and total solids, which will be used to establish or rule out a diagnosis, to monitor a patient's response to therapy, and to establish a prognosis.
- (c) Animal Identification. As soon as practicable after the delivery of an animal to the Animal Emergency Clinic, the Animal Emergency Clinic will check the animal for forms of identification, including a rabies ID or tag, tattoo, and a microchip, in order to assist in locating the animal's owner. During normal business hours, the Animal Emergency Clinic will check with shelter lost files for possible matches and make contact with the Municipality's animal control officer in an attempt to locate the animal's owner.
- (d) Euthanization. If the animal is severely injured or extremely vicious, and the Animal Emergency Clinic decides to authorize euthanasia of the animal, the Animal Emergency Clinic will attempt to contact the Municipality's animal control officer or other

Animal Emergency Clinic
739 Warren Avenue Portland, Maine 04103 (207) 878-3121

representative prior to said authorization. In accordance with 7 MRSA §3913 and §3919-A, the treating veterinarian may authorize immediate euthanasia if, in the veterinarian's judgement, there is no possibility of recovery for a severely injured or sick dog or cat.

Section 2. Consideration.

- (a) Unclaimed Animals. The Municipality agrees to reimburse the Animal Emergency Clinic for costs and expenses incurred in connection with the services described in Section 1; provided, that the Animal Emergency Clinic will apply a 40% discount to the aggregate amount of such costs and expenses.
- (b) Animals Reclaimed by Owner. In the event that an animal's owner reclaims the animal from the Animal Emergency Clinic, the Animal Emergency Clinic will attempt at the time of the animal's discharge to collect payment from the owner for services rendered, without applying any discount. In the event that the Animal Emergency Clinic does not receive payment in full from the owner for services rendered to such a reclaimed animal, the Municipality will guarantee payment for the services authorized under this Agreement. The Animal Emergency Clinic will be responsible for collection of any fees for services authorized by the owner beyond those approved by the Municipality or otherwise authorized pursuant to Section 1 of this Agreement.

2b. The Animal Emergency Clinic will not release any animal to its owner without first receiving permission from the Municipality or payment in full from the owner.

- (c) Immunity. To the extent that the Municipality is immune from liability based on third-party claims against the Municipality arising in connection with the subject matter of this Agreement, the Animal Emergency Clinic shall also be immune from such third-party claims.

Section 3. Term and Termination. The term of this Agreement shall begin on the date hereof, and shall continue until the one-year anniversary of such date, and shall be renewed automatically for successive one-year periods, until terminated. This Agreement may be terminated by either party upon 30 days' written notice to the other party.

Section 4. Miscellaneous.

- (a) Entire Agreement. This Agreement sets forth the entire understanding of the parties and supersedes any prior agreements, representations, or understandings relating to the subject matter of this Agreement. It shall be changed or terminated only by an instrument executed by both parties hereto in writing.
- (b) Binding on Successors: Assignment. All the terms and provisions of this Agreement shall be binding upon and inure to the benefit of and be enforceable by the respective successors and assigns of the parties hereto. This Agreement and the rights and obligations hereunder shall not be assignable by either party without the prior written consent of the other.

Animal Emergency Clinic
739 Warren Avenue Portland, Maine 04103 (207) 878-3121

- (c) Governing Law. This Agreement shall be construed and enforced in accordance with the internal laws of the State of Maine, without giving effect to choice of law rules to the extent that such rules would cause the laws of another jurisdiction to apply.
- (d) Jurisdiction. Any action or proceeding seeking to enforce any provision of, or based on any right arising out of, this Agreement shall be brought exclusively in the Cumberland County, Maine, Superior Court or the United States District Court for the District of Maine, and each of the parties hereby irrevocably consents to the jurisdiction of such courts (and of the appropriate appellate courts) in any such action or proceeding and waives any objection to venue laid therein.
- (e) Headings. The section headings are included solely for convenience and shall in no event affect, or be used in connection with, the interpretation of this Agreement.
- (f) Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original, but all of which together shall constitute one and the same agreement. Transmission of facsimile copies of signed original signature pages of this Agreement shall have the same effect as delivery of the signed originals.
- (g) No Waiver. No course of dealing among the parties shall operate as a waiver of any of the parties' rights under this Agreement. No delay or omission on the part of any party in exercising a right under this Agreement shall operate as a waiver of such right or any other right hereunder. No waiver shall be binding unless it is in writing and signed by a person authorized to execute such waiver on behalf of the waiving party.
- (h) Notice. All notices, demands, payments, reports, and correspondence under this Agreement shall be addressed to any party hereto at the address for such party set forth on the signature page to this Agreement, or at such other address as may from time to time be designated in writing by the given party. All notices, demands and other communications to be given or delivered under or by reason of the provisions of this Agreement shall be in writing and shall be delivered by hand, facsimile, or electronic mail, or sent, postage prepaid, by registered, certified or express mail, or reputable overnight courier service, and shall be deemed given when so delivered by hand, faxed, or electronically mailed or, if mailed, upon receipt (provided that any such notice shall be deemed to have been received two business days after mailing in the case of express mail or overnight courier service).
- (i) Severability. If, at any time, any provision of this Agreement shall be deemed for any reason to be invalid or unenforceable or prohibited by the laws of the state or place where the activities are to be performed, then such provision shall be considered divisible and shall become and be immediately amended to the extent necessary to make it valid and enforceable by the court or other body having jurisdiction over this Agreement. The invalidity or lack of enforceability of any provision of this Agreement shall not affect the validity and continuing effectiveness of any provision of this Agreement.

Animal Emergency Clinic
739 Warren Avenue Portland, Maine 04103 (207) 878-3121

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date first set forth above.

ANIMAL EMERGENCY & SPECIALTY CARE:

MUNICIPALITY:

BY: _____

BY: _____

Name: _____

Name: _____

Title: _____

Title: _____

Address: 739 Warren Avenue
Portland, Maine 04103

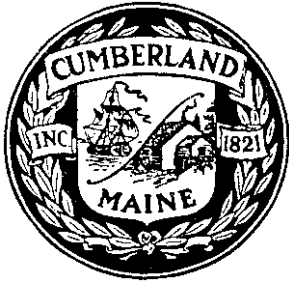
Address: _____

Contact Person: Kate Murdock
Telephone: 207-878-3121

Contact Person: _____
Telephone: _____

ITEM 19-004

To hold a Public Hearing to consider and act amendments Chapter 315 (Zoning), Section 28.4B (Senior Housing Community (SHC) Overlay District) to add the lot located at 228 Greely Road (Tax Map R04/Lot 34A) and a portion of 60 Val Halla Road (Tax Map R04/Lot 41), as recommended by the Planning Board



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: 19-004 Senior Housing Overlay
Date: January 9, 2019

During our deliberations with the Planning Board regarding the Godsoe property and the Senior Housing Overlay District, an abutter, Dr. Netland, approached staff to inquire about the inclusion of his property into the new district. While he had no immediate plans for any development, he wanted to keep future options open. The Planning Board did not feel comfortable including his property in the recommendations as it was not advertised as part of the Public Hearing.

Also during the Public Hearing, Rick Doane testified that any road connecting the Godsoe to the former Doane property would violate deed restrictions. Here is my testimony at the Planning Board meeting related to the legal implications of the Deed restriction:

"In discussion with the Town Attorney today, I do not believe the deed restrictions that apply to the former Doane property also apply to the Godsoe property. In addition, this Board does not have the authority to intervene in title disputes, such as those involving deed restrictions. The Board is being asked this evening to make a recommendation to the Town Council regarding the extension of the Senior Housing Community Overlay District. Although the extension of this District may result in additional development, there is no plan for such development before you at this time. If and when such a plan is submitted, this Board's role is to determine whether the applicant has made a sufficient showing of administrative standing through some evidence of right, title or interest in the property. Beyond that, the Board's review should not include a discussion of whether these deed restrictions do or do not allow the proposed development."

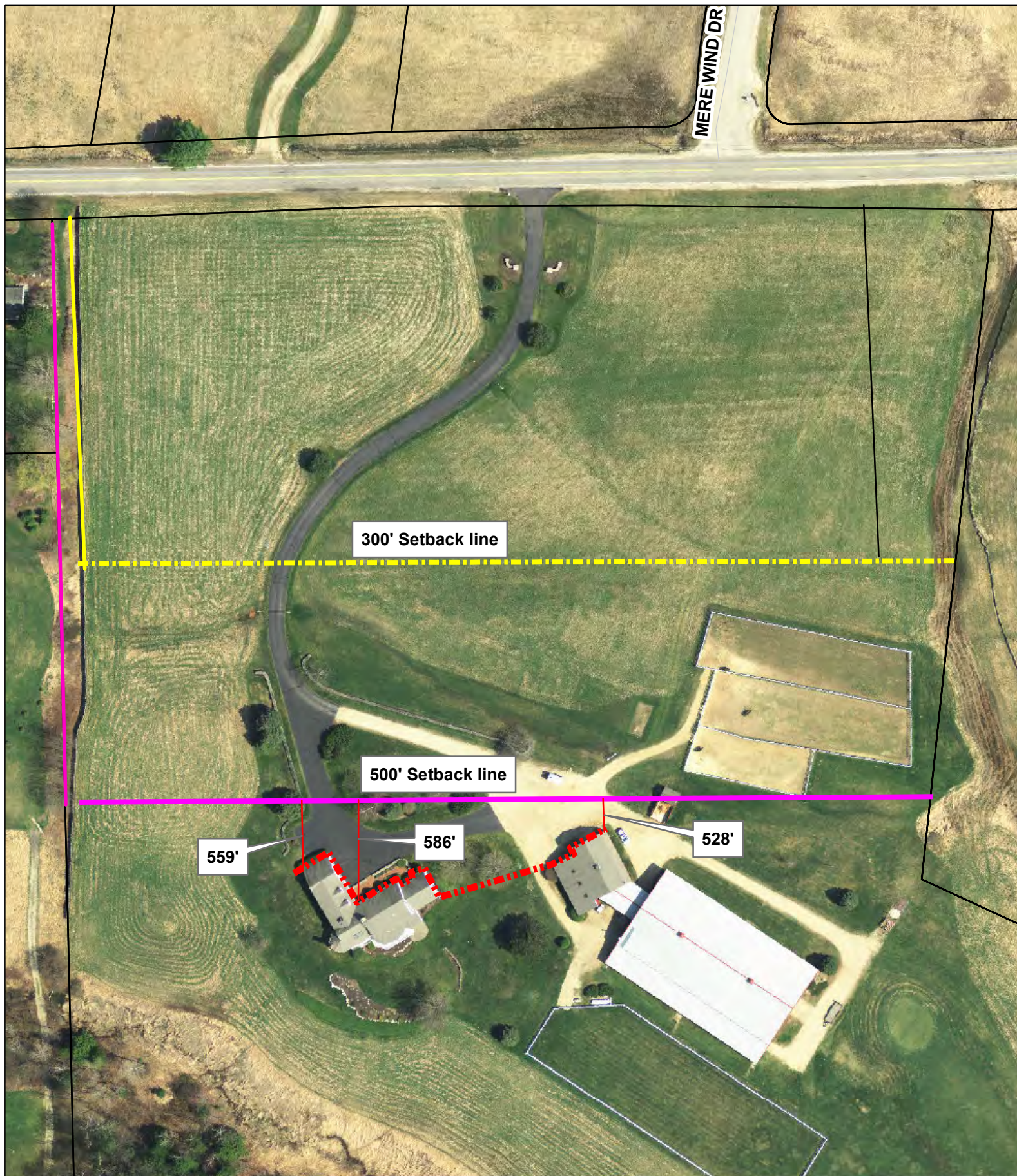
I believe this is a civil matter. I have shared the testimony with both parties (Oceanview & Doane).

The final item is the request by the **Planning Board to move the 300' setback to 500'**. The following language is in the proposed Ordinance for this conservation area (highlighted in yellow are the major points of this restriction):

F. Special Standards Related to Map R04, Lot 34A.

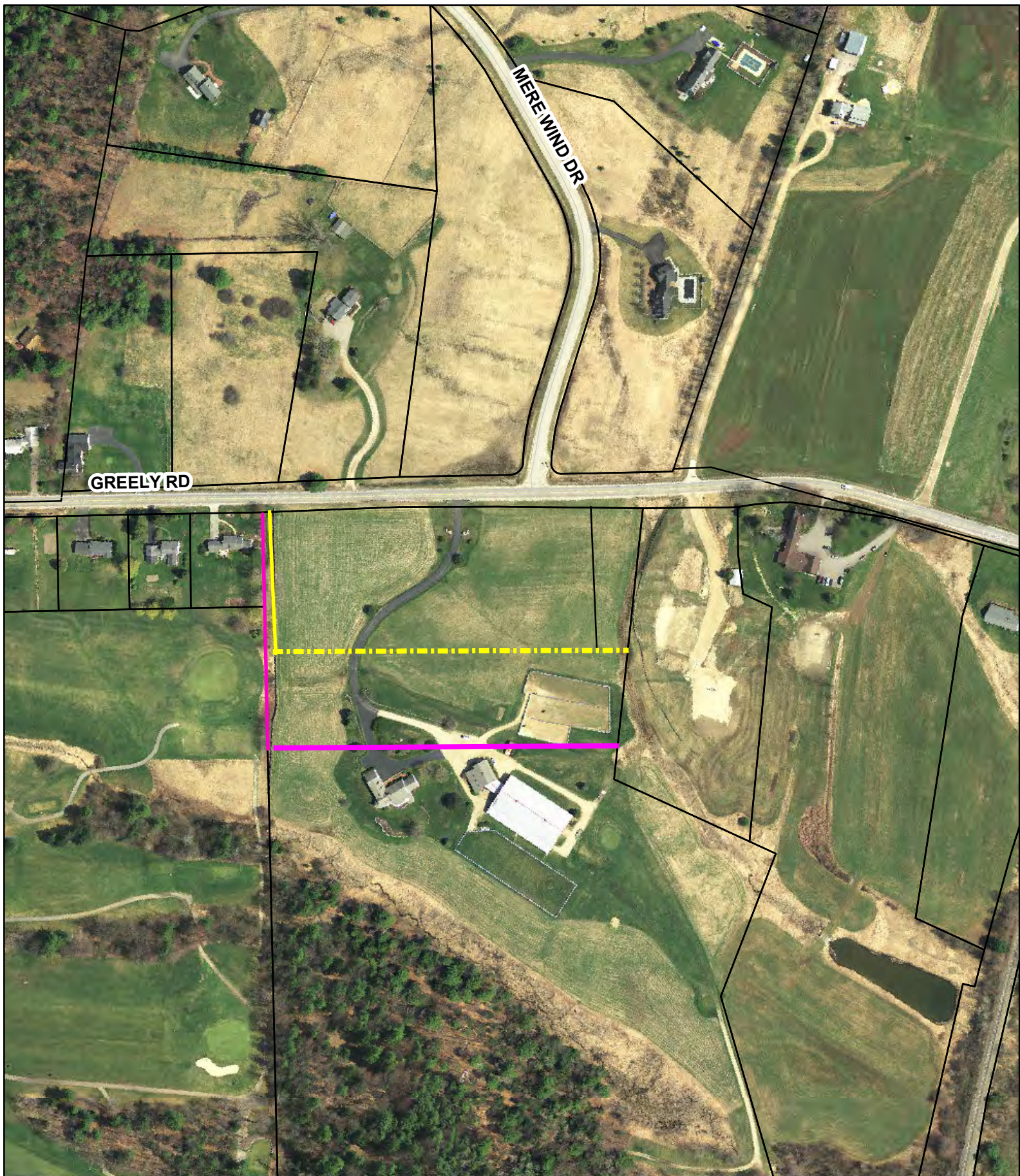
Notwithstanding any other provision of this Section 315-28.4 or any other applicable provisions of this Chapter 315, the portion of Map R04, Lot 34A (GODSOE PROPERTY) that abuts the southeasterly side of Greely Road and consists of approximately 5 acres as identified in Appendix A to this Section as the "Preservation Area," shall be maintained in its existing state as of the original adoption of this Section [INSERT DATE]. Specifically, the undeveloped property within 300' (the façade of the buildings was recommended by the Board - the 500' line would be easier to manage and enforce) recommended by Board feet of Greely Road, as it runs the full length of the northeasterly boundary of Lot 34A, shall remain undeveloped in its present natural state, except that paddock areas for the grazing of animals may be expanded or installed and underground utilities may be installed. Within the Preservation Area discreet wayfinding or similar signage and a pedestrian access to Greely Road may be permitted as long as such activities do not adversely impact the general character of the view shed. The undeveloped property within 300 feet of Greely Road shall be mowed at least once per year and no additional trees shall be planted to block the existing view shed. Landscaping is permitted along the access drive to the extent that it does not adversely affect the character of the Preservation Area. Additionally, the view of the homestead on Lot 34A from Greely Road and the overall appearance, architecture and character of the homestead as of December 1, 2018, shall remain substantially the same as it existed as of that date, as depicted in Appendix B to this Section. For purposes of this section, the homestead shall include the house, barn, landscaping, paddock areas and driveway and parking areas as depicted on Appendix A and Appendix B to this Section. The existing structures may be redeveloped for the uses permitted under this Section 315-28.4, but the footprint of the existing structures shall not be increased or decreased towards Greely Road, and the structures shall not be reconstructed or replaced, except as may be required due to structural damage that renders the structure uninhabitable or unusable or to provide access under the American with Disabilities Act or for the preservation and/or maintenance of the general character of the structures, including without limitation, replacement or alteration of the façade siding or replacement or maintenance of building landscaping. No additional parking shall be permitted between Greely Road and the existing structures, provided however, that nothing contained herein shall prevent the parking of vehicles in existing gravel or paved parking areas. The existing structures and parking or other permitted activities may only be expanded in a direction that is not generally visible from Greely Road and does not affect the overall character of the homestead as generally shown in Appendix A and Appendix B, and any such expansions shall be subject to the requirements of Chapter 229 of this Code.

The Town Council will need to decide to accept the proposed changes as submitted to the Planning Board or as recommended by the Planning Board. I do not believe the developer has much heartburn over the request, but again for enforcement purposes the 500' is easier for Town Staff.



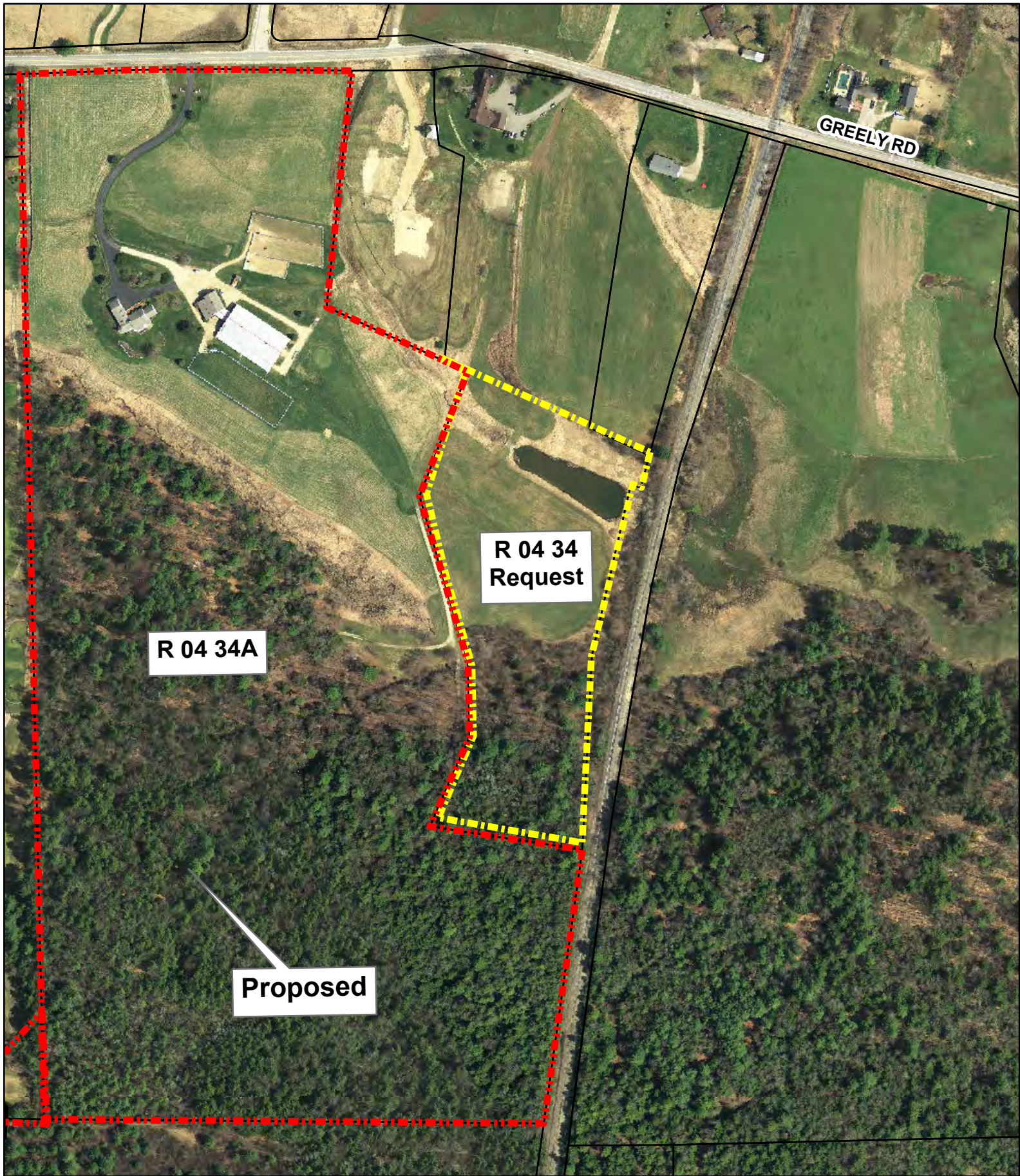
Set Back Lines
Yellow- 300'
Pink - 500' PB Recommended

Jan. 2019



Set Back Lines
Yellow- 300'
Pink - 500' PB Recommended

Jan. 2019



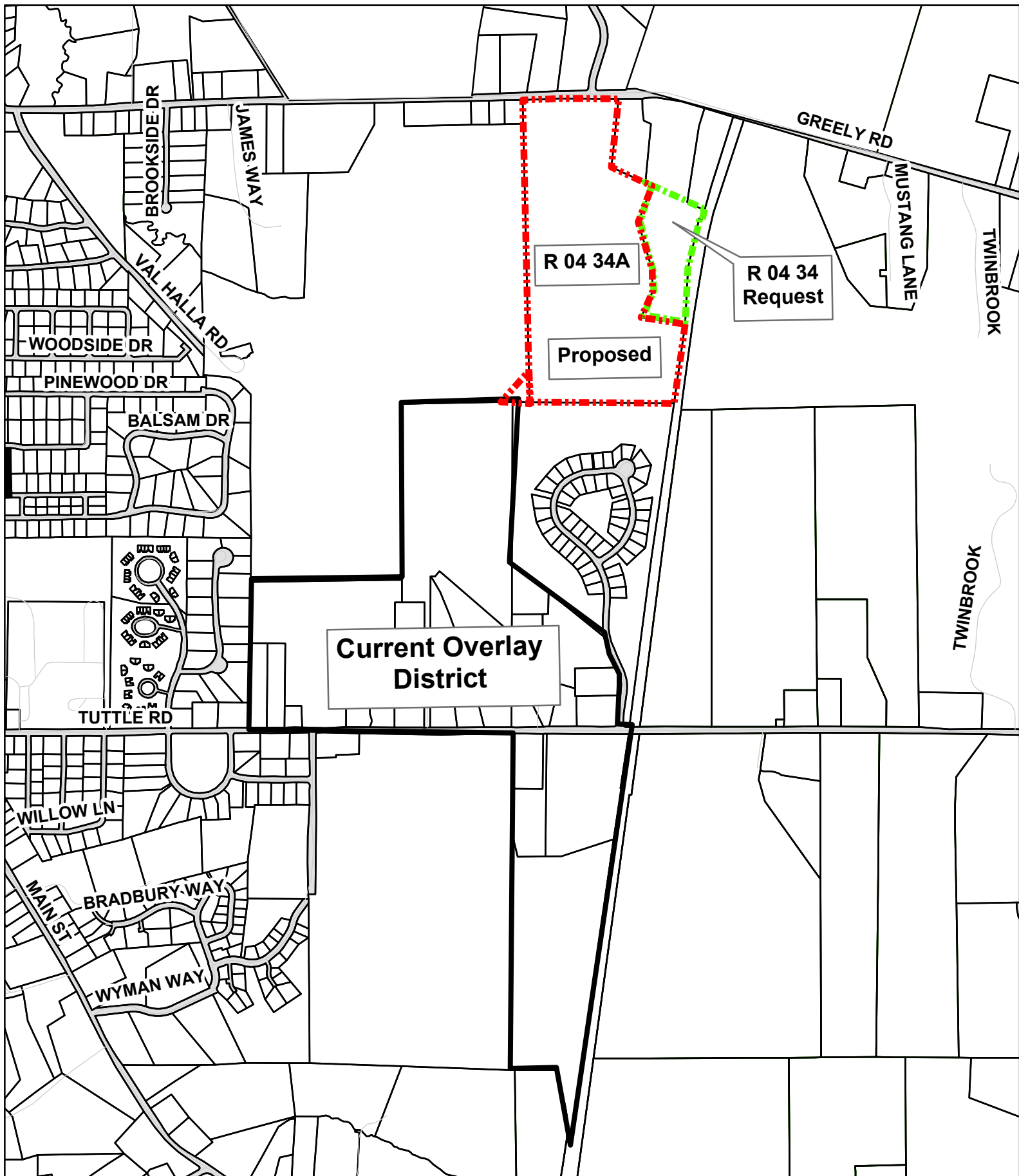
**Proposed Addition to the
Senior Housing Community Overlay District
Netland SHO (YELLOW 8.9 A)**





Current Overlay



Proposed Addition



**Proposed Addition to the
Senior Housing Community Overlay District
Netland SHO (Green Outline 8.9 A)**

-  Current Overlay
-  Proposed Addition

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 315-28.4 Senior Housing Community (SHC) Overlay District.
[Added 7-24-2017; amended 11-22-2017]

A. Purpose. The purpose of the Senior Housing Community (SHC) Overlay District is to permit the development of senior housing communities in designated areas of the Town that consist of varied living arrangements for senior residents. These regulations are intended to provide flexibility and creativity in the design and development of senior housing communities, while ensuring that senior housing communities are designed and developed to maintain a high degree of quality and integrate well into existing neighborhoods. The designation of the Senior Housing Community Overlay District is intended to recognize that a planned senior housing community has special considerations that do not apply to other uses and to allow for additional flexibility in the permitting of these uses within the Senior Housing Community Overlay District, in return for an increased level of municipal oversight.

B. District.

(1) The Senior Housing Community Overlay District is hereby designated as an overlay district for the purposes set forth above within the certain portions of the MDR and RR1 Districts, specifically the lots as delineated on the official Town of Cumberland Tax Assessor's Map as:

Map R03, Lot 50

Map R04, Lot 4C

Map R03, Lot 50A

Map R04, Lot 4D

Map R03, Lot 50B

Map R04, Lot 4E

Map R03, Lot 53

Map R04, Lot 5

Map R04, Lot 1

Map R04, Lot 34A

Map R04, Lot 1A

Map R04B, Lot 1

Map R04, Lot 2

Map R04B, Lot 2

Map R04, Lot 2A

Map R04B, Lot 3

Map R04; Lot 3

Map R04B, Lot 4

Map R04, Lot 3A

Map R04B, Lot 5

Map R04; Lot 4

Map R04B, Lot 5A

Map R04, Lot 4A

Map R04B, Lot 5B

Map R04, Lot 4B

Map R04B, Lot 6

Portion of Map R04, Lot 4I (** Editorial note this is the triangle hole 5 golf course easement.)

(2) The requirements of the underlying zoning districts shall continue to apply to all properties within

the Senior Housing Community Overlay District except as specifically modified by the provisions of this section.

C. Permitted uses. In addition to the uses allowed in the underlying zoning districts as identified above, and notwithstanding anything to the contrary in the regulations for the underlying zoning districts, the following uses shall be permitted uses in the Senior Housing Community Overlay District:

- (1) Senior housing community, subject to review under § 315.60.1.
- (2) Accessory buildings or uses as are permitted in the underlying zoning district that are located on the same lot and incidental and subordinate to senior housing.
- (3) Private clubs that are associated with and available exclusively to the senior housing community.
- (4) Commercial health and recreation centers [and swimming pools](#) that are associated with and available exclusively to the senior housing community.
- (5) Health and fitness studios that are associated with and available exclusively to the senior housing community.
- (6) Small-scale storage facilities that are associated with and available exclusively to residents of the senior housing community.
- (7) Community center that is associated with and available exclusively to residents of the senior housing community.
- (8) Sales office used exclusively for promotion and sale of dwelling units within the senior housing community.

D. Lot standards. Notwithstanding anything to the contrary in the regulations for the underlying zoning districts, the following lot standards shall apply to all permitted uses within the Senior Housing Community Overlay District:

- (1) Setbacks. No structure shall be located within 25 feet from the paved edge of any road, nor within 20 feet from the closest point of any other structure or 30 feet from any Senior Housing Community or District boundary line. In the event of a conflict between the setback requirements of this subsection and the buffering requirements of Subsection **D(6)** below, the more restrictive provision shall apply.
- (2) Minimum lot size: 5 acres for a Senior Housing Community.
- (3) Maximum density. The minimum allowable land area for each permitted use shall be:
 - (a) Ten thousand square feet per dwelling unit in a single-family or duplex
 - (b) Five thousand square feet per dwelling unit within a multiplex.
 - (c) Two thousand five hundred square feet per bed in a residential care facility.
 - (d) Ten thousand square feet per accessory use and all other permitted uses listed in § **315-28.4C**.
- (4) Net residential acreage. Net residential acreage calculations are not required for senior housing communities within the Senior Housing Community Overlay District.
- (5) Open space. At least 20% of the total area of the tract or parcel of land being developed for a senior housing community must be maintained as open space as defined in § **315-4**.

- (6) Buffering. A plan to buffer and screen the proposed senior housing community development from adjacent residential properties shall be required. A minimum fifty-foot buffer shall be required along the entire perimeter of a Senior Housing Community. No cutting or clearing shall be permitted within the fifty-foot buffer area, except as required for purposes of installing or connecting utilities, roads and trails. Roads, trails and utilities may be located within the 50 foot buffer area as required by this subsection when necessary due to the physical limitations of the property, provided that such location is not intended to circumvent the provisions of this section and that the buffer shall be maintained to the greatest extent practicable. Additional plantings or other buffering implements may be required within the buffer area to create sufficient buffer. The Planning Board shall approve the selection of the proper type and size of buffering techniques based on existing site conditions, distances to property lines, and the intensity of the land use. Buffering may consist of plantings, earth berms, stone walls, grade changes, fencing, or a combination of some or all of these techniques. Buffering may also be accomplished on an adjacent property by easement or deed restriction.

E. Building standards.

- (1) Maximum building height. No building shall exceed 40 feet in height or four stories, whichever is less, as measured in accordance with § 315-52.
- (2) Minimum building separation. All buildings and structures shall be separated by a minimum of 20 feet, as measured from the nearest part of each structure to the other.
- (3) Minimum dwelling size. No dwelling unit (other than a dwelling unit within a congregate housing, residential care facility, nursing home, continuing care retirement community or community living arrangement) shall have less than 600 square feet of floor area.

F. Special Standards Related to Map R04, Lot 34A.

Notwithstanding any other provision of this Section 315-28.4 or any other applicable provisions of

this Chapter 315, the portion of Map R04, Lot 34A that abuts the southeasterly side of Greely Road and consists of approximately 8.953 acres as identified in Appendix A to this Section as the "Preservation Area," shall be maintained in its existing state as of the original adoption of this Section [January 14, 2019 INSERT DATE]. Specifically, the undeveloped portion of the property within 500 feet of Greely Road, as it runs the full length of the northeasterly boundary of Lot 34A, shall remain undeveloped in its present natural state, except that paddock areas for the grazing of animals may be expanded or installed and underground utilities may be installed or modified. Within the Preservation Area -discreet wayfinding or similar signage and a pedestrian access to Greely Road may be permitted as long as such activities do not adversely impact the general character of the viewshed. -The undeveloped property within 500 feet of Greely Road shall be mowed at least once per year and no additional trees shall be planted to block the existing viewshed. Landscaping is permitted along the access drive and adjacent to the existing structures to the extent that it does not adversely affect the character of the Preservation Area. Additionally, the view of the homestead on Lot 34A from Greely Road and the overall appearance, architecture and character of the homestead as of _____ shall remain substantially the same as it existed as of that date, as depicted in Appendix B to this Section. For purposes of this section, the homestead shall include the house, barn, landscaping, paddock areas and driveway and parking areas as depicted on Appendix A and Appendix B to this Section. The existing structures may be redeveloped for the uses permitted under this Section 315-28.4, but the footprint of the existing structures shall not be increased or decreased towards Greely Road, and the structures shall not be reconstructed or replaced, except as may be required due to structural damage that renders the structure uninhabitable or unusable or to provide access under the American with Disabilities Act, or for the preservation and/or maintenance of the general character of the structures, including without limitation, replacement or alteration of the façade siding or replacement or maintenance of building landscaping. - No additional parking shall be permitted within the Preservation Area, provided

however, that nothing contained herein shall prevent the parking of vehicles in existing gravel or paved parking areas or the reconfiguration or modification of existing accessway and parking areas so long as such activities do not adversely impact the general character of the viewshed and so long as the reconfiguration or modification of the existing accessway or parking areas is not larger in square footage than its current configuration and is located substantially in the same area. Expansions or relocation of the existing access way or parking areas shall be subject to Planning Board approval. - The existing structures and parking or other permitted activities may only be expanded in a direction that is not generally visible from Greely Road and does not affect the overall character of the home farmstead as generally shown in Appendix A and Appendix B, and any such expansions shall be subject to the requirements of Chapter 229 of this Code. Notwithstanding the limitations on development within the Preservation Area established in this Section, the acreage of the Preservation Area may be included for purposes of calculating the Net Residential Acreage of Map R04, Lot 34A.

- F. **Parking.** Parking shall be required per dwelling unit based on the type of housing provided, but in no event shall there be less than one parking space per dwelling unit.
 - (1) Dwelling units that are not part of a residential care facility (i.e., detached, duplex or multiplex dwellings designed for independent living arrangements) shall provide a minimum of two spaces per dwelling unit;
 - (2) Dwelling units that are part of a residential care facility shall provide a minimum of one space per dwelling unit;
 - (3) For all other permitted uses, refer to § 315-57 for minimum parking requirements.
- G. **Public utilities.** All dwelling units within a senior housing community shall be connected to the public water and public sewer systems.
- H. **Residential care facilities.** The provisions of § 315-71 (Residential care facilities) shall not apply to senior housing communities in the Senior Housing Community Overlay District.
- I. **Road standards.**
 - (1) All roads within the Senior Housing Community Overlay District shall be designed in accordance with the residential subcollector roadway standards as contained in Article VI and Table 2 of Chapter 250, Subdivision of Land, of the Cumberland Code.
 - (2) The following roadway standards shall apply to all other roads within the Senior Housing Community Overlay District:

Roadway Standards

Dimensional Description	Specification
Right-of-way width	
Minimum	30 feet
Maximum	50 feet
Roadway pavement width	

Roadway Standards

Dimensional Description	Specification
Serving less than 10 homes	18 feet
Serving 10 or more homes	20 feet without curb 22 feet with curb
Curbing	Per Chapter 250 Attachment 1:2
Paved sidewalk (applies only to primary access roads connecting from Tuttle Road)	5 feet (one side only)
Minimum roadway center line grade	
Curbed and noncurbed	1.0%
Maximum roadway center line grade	10%
Minimum center line radius	100 feet
Minimum tangent length between curves of reverse alignment	0 feet
Minimum angle of street intersections	75° (90° preferred)
Minimum distance between street intersections on same side and on opposite side	100 feet
Minimum pavement radii at intersections	10 feet
Minimum pavement crown	1/4 inch per foot (2%)
Minimum slope of gravel shoulder	1/2 inch per foot (4%)
Minimum K Factor, crest vertical curve	15
Minimum K Factor, sag vertical curve	20
MPH design speed	25
Maximum grade approaching intersection	
50 or fewer vpd (within 25 feet)	3%
Greater than 50 vpd (within 50 feet)	3%
Primary access roads (within 75 feet)	3%

Roadway Standards

Dimensional Description	Specification
Minimum property line radius at intersection	0 feet
Dead-end turn around	Per Chapter 250 Attachment 1:6



Appendix A
Town of Cumberland Zoning Ordinance Chapter 315-28.4
Senior Housing Overlay District (SHC)

JOB# 89076

DATE: November 26, 2018

NOT TO SCALE

DWG: Appendix A



Titcomb Associates

133 Gray Road, Falmouth, Maine 04105
(207)797-9199 www.titcombsurvey.com



Town of Cumberland Zoning Ordinance
Chapter 315-28.4 Senior Housing Community (SHC) Overlay District
Appendix B –Viewshed to Map R04-Parcel 34A from Greely Road

Brenda Moore bmoore@cumberlandmaine.com, and Christina Silberman
csilberman@cumberlandmaine.com, for

Town Council and Planning Board

Re: Input Regarding Change of Zoning for 228 Greely Road Parcel / Ocean View

Dear Sirs/Madams,

I write as a homeowner/resident since 2010 of 46 Mere Wind Drive, to express concern regarding the changes of zoning/overlay, which allow the expansion of the planned Ocean View development farther in the direction of Greely Road.

I greatly appreciate the ongoing good work of both the council and the planning board, and particularly the restrictions proposed to preserve the look and feel of the Greely road area. And I would like to go on record as a neighborhood resident stating that I favor those restrictions (i.e. prohibiting changes within 300 feet of Greely, or to visible existing structures, prohibiting of a through road to Tuttle, etc.). Moreover, I am uncomfortable with the vague nature of discussion regarding further expansion of Ocean View (the website has "Phase 2 Coming Soon!" in bright blue lettering on its Site Plan, see CumberlandCrossingrc.com) and any actual future development. I hereby request that the councils continue a slow and conservative pace regarding approval of changes to zoning/overlays and additional development, and of course continue the outreach to town residents regarding such matters.

Minor points supporting my above remarks:

- My experience in corporations over the years leads me to believe that they have longer memories and timelines than citizens and planning councils, hence even a modest, restricted current approval in a sense is allowing the elephant's nose under the tent.
- My choice of Cumberland to live in 2010 after a search from Scarborough to Freeport in part came precisely from the appeal of the semi-rural zoning. My hope is that it will help attract my adult daughters to return to live and work here. (I am Maine-born (Portland, Vaughn Street) and raised (Cape Elizabeth) and chose this town after some decades away because of the agricultural openness, and the lower crowding and development, relatively light traffic etc.)
- The 2009 Comprehensive Plan literally begins, in its Vision Statement, with "The Town of Cumberland's vision for the next ten years is to preserve the community's rich agricultural heritage" and I am confident from the council's discussions that this remains true. It seems to me the Land Use Survey of 2014 shows a similar endorsement in the 48% preference to retain the existing RR1 and RR2 zones.
- Last, I should note my own worry that a sub-optimal newbuilding example in our neighborhood may already exist, across the narrow strip of woods that separates Mere Wind from North Yarmouth and Honeycomb Lane, where there has lately been a dense new site of about 8 homes that seems unlikely to increase the quality of the area (a sinking tide lowers all boats, and the density and traffic and noise may well lower the quality of life for all, in this instance.)

Thank you for your ongoing excellent work.

Sincerely,

Robert (Bob) Poole

46 Mere Wind Drive

Cumberland, ME 04021

ITEM 19-005

To hold a Public Hearing to consider and act on an amendment the Official Overlay Zoning Map to add the lot located at 228 Greely Road (Tax Map R04/Lot 34A) and a portion of 60 Val Halla Road (Tax Map R04/Lot 41) to the Senior Housing Overlay (SHC), as recommended by the Planning Board

Notice of Decision

Date: December 19, 2018

To: William Shane, Town Manager

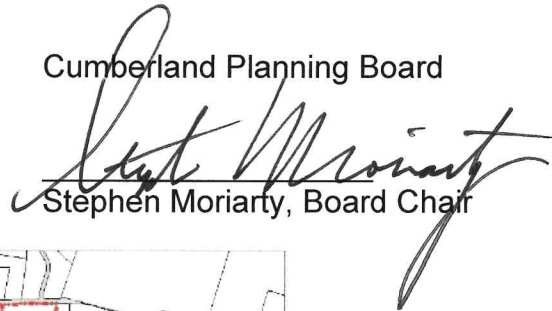
From: Carla Nixon, Town Planner

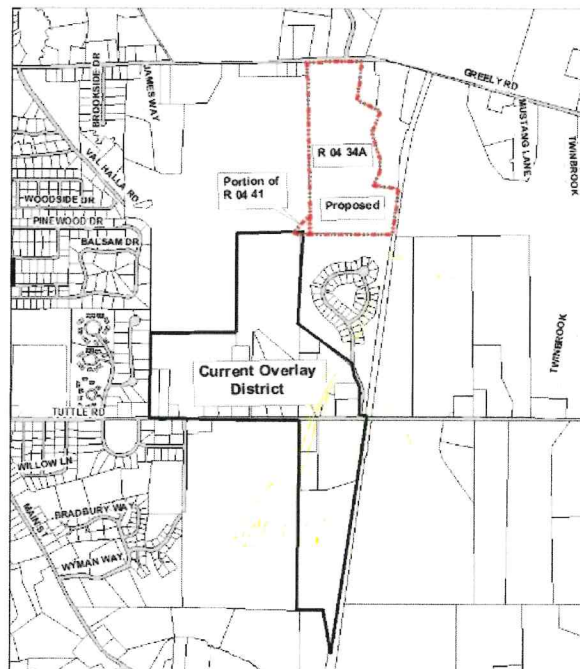
Re: Public Hearing: Recommendation to the Town Council to amend the Official Overlay Zoning Map to add the lot located at 228 Greely Road, Tax Map R04, Lot 34A, to the Senior Housing Overlay (SHC).

This is to advise you that on December 18, 2018, the Planning Board conducted a Public Hearing on a recommendation to the Town Council to amend the Official Overlay Zoning Map to add the lot located at 228 Greely Road, Tax Map R04, Lot 34A, to the Senior Housing Overlay (SHC). Mr. Shane requested that the Board also consider the addition of a portion of the lot at 60 Val Halla Rd., Tax Map R04, Lot 41 and the lot at 212 Greely Rd., Tax Map R04, Lot 34.

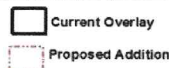
The Board voted to recommend to the Town Council to amend the Official Overlay Zoning Map to add the lot located at 228 Greely Road, Tax Map R04, Lot 34A as well as a portion of Map R04, Lot 41, as depicted on the maps this evening to the Senior Housing Overlay (SHC).

Cumberland Planning Board


Stephen Moriarty, Board Chair

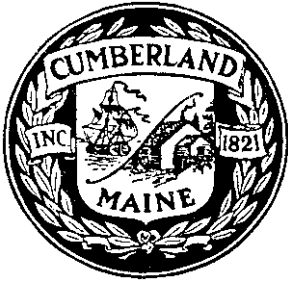


Proposed Addition to the
Senior Housing Community Overlay District



ITEM 19-006

To hear an update on the reconsideration of relocating the Public Works
facility to Skillin Road



M E M O R A N D U M

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
Date: January 9, 2019
Re: 19-006 Riding Club - Town Garage on Skillin Road

I have not done any additional work on a Town Garage site on Skillin Road since our public hearing last fall. I believe it would be worthwhile, at this point, to begin considering other options for a future Public Works facility including:

1. Endorsing the MSAD 51 bus operations be moved to North Yarmouth
2. Find a new location for the brush and compost area or close the operation down entirely.
3. Consider keeping Public Works at Drowne Road and shrinking the operations to a maintenance only.
4. Continuing working with MSAD 51 and the Town of North Yarmouth to share a Wash Bay facility and a Fuel Island in the future to lessen costs to all entities.

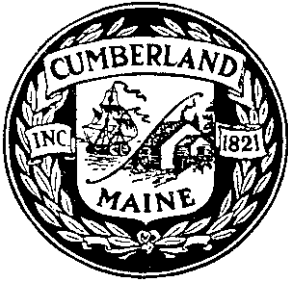
With the recent onsite issues of methane gases on the present site, it has become clear that future development would be limited to a very small foot print and would require extensive monitoring and testing that would negate any benefit from future tax revenues.

In light of the above statement, I believe staying “in place” at Drowne Road, moving the Compost operations elsewhere and removing the Bus Operations is the most fiscally responsible decision.

To eliminate uneasiness throughout the community of a potential Town Garage relocation, I would request a motion to suspend further investigation of alternative sites for the Town Garage and to continuing work with the MSAD and the Town of North Yarmouth for potential savings in other aspects common to all entities (such as fuel islands, wash bays, etc.).

ITEM 19-007

To hold a Public Hearing on the Town Council endorsement of the relocation of the M.S.A.D. 51 school buses and maintenance garage to the North Yarmouth Public Works facility



M E M O R A N D U M

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

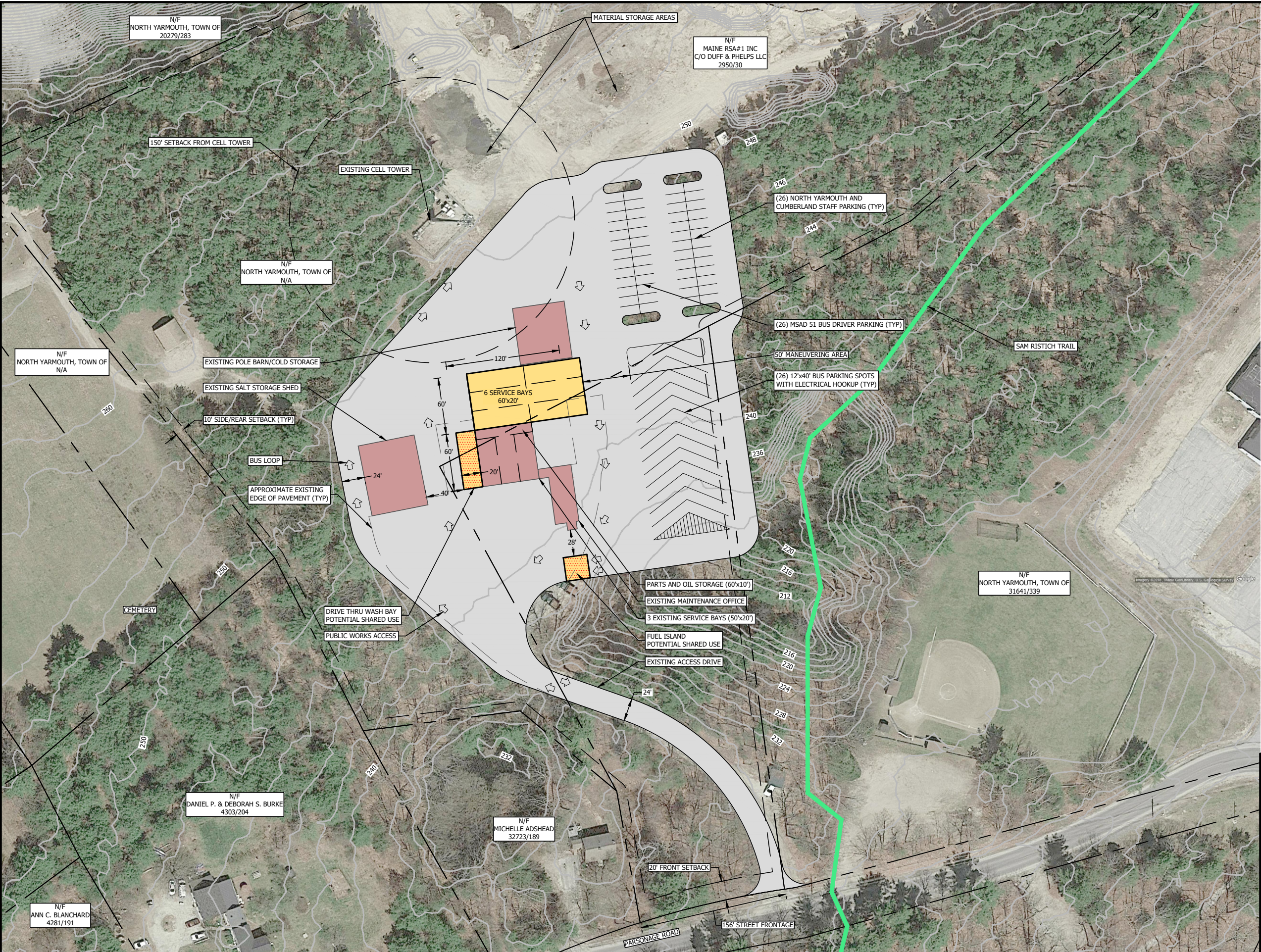
To: Town Council
From: William R. Shane, Town Manager
Date: January 9, 2019
Re: 19-007 North Yarmouth – MSAD 51 Bus & PW Facility

The attached photos were reviewed at or meeting with the North Yarmouth Select board and Mike Brown the Vice Chairman of MSAD 51 to allow for the review of a combined facility for all three operations or perhaps a North Yarmouth & MSAD combination.

As I do not believe we would be successful in obtaining any construction monies for this project, it would be cost effective for the MSAD to be in line with expansion plans that North Yarmouth may have.

These preliminary estimates already require modification as discussion of a shared fueling facility and wash bay seem to make a lot of sense. The savings to each entity is estimated at over \$500,000.

I believe it would be helpful to both the MSAD and North Yarmouth for the Town Council to support plans for a joint MSAD 51 & North Yarmouth maintenance facility.



COST SUMMARY	
GENERAL/EARTHWORK	\$700,000
UTILITIES	\$130,000
BUILDINGS	\$1,940,000
STORMWATER/SEPTIC	\$110,000
DESIGN/CONTINGENCY	\$1,010,000
TOTAL	\$3,890,000



CONCEPTUAL SITE PLAN
OPTION C1
MSAD 57 SCHOOL BUS RELOCATION
NORTH YARMOUTH PUBLIC WORKS
NORTH YARMOUTH, MAINE



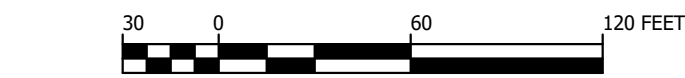
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ITEM 19-008

To hear a report from the Town Manager re: additional vents to be installed at the demolition landfill and future of the Town Garage site



- NOTES:
1. PROPERTY BOUNDARIES FROM TOWN OF CUMBERLAND GIS DATA.
 2. LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE NOT SHOWN ON THIS PLAN AND CONTRACTOR SHALL FIELD VERIFY THE UTILITIES EXISTING CONDITIONS PRIOR TO CONSTRUCTION.
 3. EXISTING TOPOGRAPHY SHOWN AT 2-FOOT INTERVALS. EXISTING TOPOGRAPHY OUTSIDE THE PROJECT AREA (SOLID CONTOURS) BY BOUNDARY POINTS PROFESSIONAL LAND SURVEYING, LLC, DATED JUNE 2014. EXISTING TOPOGRAPHY OUTSIDE OF PROJECT AREA (DASHED CONTOURS) TAKEN FROM MAINE GIS DATA CATALOG DATED 2012. EXISTING TOPOGRAPHY WITHIN THE PROJECT AREA FROM SME AERIAL SURVEY, DATED AUGUST 22, 2017.
 4. APPROXIMATE WASTE LIMITS BASED ON TEST PITTING BY SME IN 2014.
 5. AERIAL IMAGE FROM GOOGLE EARTH PRO, DATED 5/4/2018.



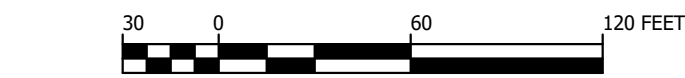
SITE PLAN
WOODWASTE/CDD LANDFILL AREA
TOWN OF CUMBERLAND
CUMBERLAND, MAINE



ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com



- NOTES:
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SITE PLAN
WOODWASTE/CDD LANDFILL AREA
TOWN OF CUMBERLAND
CUMBERLAND, MAINE



ENVIRONMENTAL • CIVIL • GEOTECHNICAL • WATER • COMPLIANCE
4 Blanchard Road, PO Box 85A, Cumberland, Maine 04021
Phone 207.829.5016 • Fax 207.829.5692 • smemaine.com

BUDGET REPORT

REVENUES

01/10/2019
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TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
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FOR PERIOD 07 OF 2019

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
0011 Other Tax Revenues					
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0011 0303 Motor Vehicle Excise Tax	-1,047,987.09	-1,129,406.85	-1,235,265.62	-1,159,674.09	-1,950,000.00
0011 0304 Boat Excise Tax	-2,743.70	-2,258.40	-3,370.74	-2,590.60	-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	-1,085,479.42	-1,182,373.63	-1,275,867.39	-1,200,244.19	-2,037,000.00
0012 License & Permit Revenues					
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0012 0311 Hunting/Fishing Lic Agent Fees	-247.00	-270.75	-246.50	-245.25	-541.00
0012 0312 Marriage Lic & Vital Records	-1,413.00	-1,467.86	-1,368.60	-1,637.00	-2,436.00
0012 0313 Birth Certificates	-686.20	-976.60	-1,005.20	-755.00	-1,361.00
0012 0314 Death Certificates	-808.20	-938.13	-1,167.40	-1,207.40	-1,713.00
0012 0315 Clerk Licenses	-1,955.00	-1,170.00	-1,785.00	-2,260.00	-4,608.00
0012 0316 Shellfish Licenses	-378.51	-477.35	-313.77	-379.72	.00
0012 0317 Conservation Fees	-56.49	-82.65	-46.23	-80.28	.00
0012 0334 Snowmobile Reg. Agent Fees	-141.00	-201.00	-167.00	-123.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-11,691.00	-11,578.00	-12,296.00	-11,276.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-155.00	-136.00	-127.00	-142.00	-1,098.00
0012 0366 Building Permits	-47,810.42	-87,848.83	-39,351.94	-44,453.88	-75,000.00
0012 0367 Electrical Permits	-11,512.55	-14,714.53	-17,211.50	-11,177.25	-21,634.00
0012 0368 Plumbing Permits	-8,474.98	-11,475.00	-12,342.50	-8,202.50	-18,789.00
0012 0369 Other Permits	-650.00	-1,177.00	-377.00	-670.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-6.00	.00	-42.00	-64.00	-37.00
0012 0398 Application Fee	-655.56	-200.00	-1,350.00	-1,000.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-766.00	-803.00	-843.00	-673.00	-2,800.00
0012 0404 Commercial Haulers License	-200.00	-100.00	.00	.00	-500.00
TOTAL License & Permit Revenue	-87,606.91	-133,616.70	-90,040.64	-84,346.28	-154,974.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0331 State Revenue Sharing	-219,288.92	-239,418.26	-262,567.42	-231,569.24	-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

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**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**

**PAGE 2
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FOR PERIOD 07 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	-21,851.00	-16,688.00	-9,460.00	-35,000.00
0013 0342 North Yarmouth Library Share	-72,976.00	-72,183.00	-77,712.00	-80,036.00	-160,000.00
0013 0347 North Yarmouth Channel 2	-1,274.00	-1,370.00	-1,474.00	.00	.00
0013 0348 ACO Sharing Payments	-3,161.00	.00	.00	.00	.00
TOTAL Intergovernmental Revenue	-363,575.92	-402,834.26	-427,577.42	-389,709.24	-727,398.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-16,349.83	-9,508.73	-9,615.92	-10,149.24	-30,000.00
0015 0306 Over/Short	-47.50	-351.25	648.75	374.36	-100.00
0015 0364 Growth Permits	-2,600.00	-12,700.00	-2,000.00	-1,900.00	-2,000.00
0015 0365 Board of Appeals	-400.00	.00	-200.00	-100.00	.00
0015 0379 Investment Earnings	785.33	-275.52	.00	.00	.00
0015 0382 Sale of Assets	-7,599.00	.00	.00	.00	.00
0015 0390 Misc. Revenue	-34,860.08	-36,637.61	-34,492.28	-31,087.95	-25,000.00
0015 0399 Staff Review Fee	-2,069.44	-5,500.00	-17,600.00	-8,250.00	-14,117.00
0015 0403 Mooring Fees	-235.00	-500.00	-1,400.00	-206.02	-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	-77,312.30	-157,318.00	-30,823.80	-47,807.90	-60,000.00
TOTAL Other Revenues	-152,291.19	-236,549.93	-95,683.25	-99,726.75	-133,117.00
0021 Police Related Revenues					
0021 0351 Police Issued Permits	-290.00	-1,127.00	-832.00	-1,305.00	-2,000.00
0021 0353 Police Insurance Reports	-327.00	-264.00	-310.00	-288.00	-500.00
0021 0390 Miscellaneous Police Revenue	-515.00	-66.00	-300.15	-723.00	-648.00
0021 0427 Parking Tickets	.00	.00	-565.00	-25.00	-100.00
0021 0431 Outside Detail	-22,827.16	-27,582.89	-22,150.30	.00	.00
0021 0536 Dog Licenses ACO Revenue	-1,464.00	-1,393.00	-1,899.00	-1,369.00	-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	-953.72	-300.00	671.00	-2,200.00
0021 0620 Federal Grant revenue	-25,000.00	.00	.00	.00	.00
TOTAL Police Related Revenues	-50,573.16	-31,386.61	-50,356.45	-27,539.00	-56,248.00
0022 Fire Related Revenues					
0022 0390 Misc. Revenue	-5.00	-2.50	-300.00	.00	-100.00

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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 3
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FOR PERIOD 07 OF 2019

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0022 0431 Outside Details	-17,083.59	-19,726.54	-19,698.25	.00	.00
0022 0504 Rescue Billing	-82,094.19	-96,541.10	-93,303.75	-75,658.83	-160,000.00
0022 0505 Non Emergency Transports	-47,401.59	-50,281.83	-6,765.06	.00	-12,000.00
0022 0507 Paramedic Intercepts	-600.00	-300.00	-300.00	.00	-600.00
TOTAL Fire Related Revenues	-147,184.37	-166,851.97	-120,367.06	-75,658.83	-172,700.00
0031 Public Services Revenues					
0031 0390 Misc. Revenue	-273.00	-78.00	-234.00	-3,125.00	-500.00
0031 0391 Field Usage Fees	-8,500.56	-5,274.00	-5,281.20	-5,113.20	-10,000.00
0031 0431 Outside Details	-1,113.10	-1,043.80	-1,407.02	-1,234.03	.00
0031 0517 Bags/Universal Waste	-93,580.00	-131,496.00	-184,550.00	-134,285.00	-286,015.00
0031 0539 Brush Passes	-1,365.00	-2,250.00	-1,681.00	-1,519.00	-8,277.00
0031 0617 Twin Brooks Donations	.00	-23.00	-118.00	.00	-92.00
TOTAL Public Services Revenues	-104,831.66	-140,164.80	-193,271.22	-145,276.23	-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	-2,039.60	-2,500.00
0035 0560 Rental Income	-10,863.18	-16,029.39	-13,227.66	-10,276.25	-14,000.00
0035 0565 Cell Tower Land Lease	.00	-12,600.00	-12,600.00	-12,600.00	-24,000.00
TOTAL VH Other Revenues	-12,569.05	-30,354.33	-27,472.16	-24,915.85	-48,500.00
0037 VH Golf Revenues					
0037 0306 Over/Short	-9.68	-11.20	.98	-7.24	.00
0037 0357 Golf Memberships	-111,309.35	-106,430.88	-96,858.00	-117,824.40	-230,000.00
0037 0358 Greens Fees	-81,238.95	-73,726.70	-87,265.95	-99,893.75	-120,000.00
0037 0359 Golf Cart Rentals	-47,776.08	-55,022.77	-67,304.21	-56,108.29	-88,000.00
0037 0416 Practice Range	-7,009.00	-5,451.75	-7,191.50	-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	3,325.00	-800.00	-5,681.50	-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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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 4
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FOR PERIOD 07 OF 2019

ACCOUNTS FOR:		PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001	General Fund					
<hr/>						
	TOTAL VH Golf Revenues	-329,899.14	-313,364.73	-323,935.20	-372,771.06	-572,921.00
<hr/>						
0041	Recreation Related Revenues					
<hr/>						
0041	0371 41000 Fall Recreation Revenue	-44,877.45	.00	.00	.00	.00
0041	0372 41000 Winter Recreation Revenue	-89,671.00	.00	.00	.00	.00
0041	0373 41000 Spring Recreation Revenue	-5,809.00	.00	.00	.00	.00
0041	0374 41000 Summer Recreation Revenue	-21,743.50	.00	.00	.00	.00
0041	0440 41100 After School Programs	-103,240.05	-149,670.00	-169,909.50	-155,419.09	-214,836.00
0041	0441 41110 Youth Enrichment Programs	.00	-52,276.68	-73,583.60	-92,807.60	-108,607.00
0041	0442 41120 Youth Sports Programs	.00	-50,595.00	-52,666.00	-54,342.25	-93,052.00
0041	0443 41130 Skiing Programs	.00	-47,545.00	-50,715.00	-52,437.00	-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	-16,687.00	-16,851.00	-18,512.29	-54,052.00
0041	0446 41160 Adult Enrichment Revenue	-21,304.90	-27,195.50	-24,459.94	-20,842.95	-39,515.00
0041	0447 41170 Adult Fitness Revenue	-36,129.68	-45,406.10	-43,405.34	-39,346.13	-37,743.00
0041	0448 41190 Special Events/Trips Reven	-220.00	-1,586.00	-1,900.00	-1,481.00	-2,243.00
0041	0449 41190 Recreation Programs	-4,484.00	-3,325.55	-2,714.00	-996.00	-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	-615.00	-1,575.00	-649.00	-15,672.00
0041	0606 41190 CPR/First Aid Revenues	1,551.20	-660.00	.00	-1,155.00	.00
	TOTAL Recreation Related Reven	-332,743.38	-452,123.88	-487,669.56	-485,263.96	-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	-2,819.82	-2,046.59	-1,899.43	-1,384.30	-3,500.00
0045	0394 Misc. Library Revenue	-736.00	-1,081.36	-672.50	-595.80	-1,000.00
	TOTAL Library Related Revenues	-3,716.46	-3,127.95	-2,571.93	-1,980.10	-4,500.00
	TOTAL General Fund	-2,670,470.66	-3,092,748.79	-3,094,812.28	-2,907,431.49	-5,030,358.00
	TOTAL REVENUES	-2,670,470.66	-3,092,748.79	-3,094,812.28	-2,907,431.49	-5,030,358.00
	GRAND TOTAL	-2,670,470.66	-3,092,748.79	-3,094,812.28	-2,907,431.49	-5,030,358.00

EXPENSES

01/10/2019
11:12:01

TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
glactrpt

FOR PERIOD 07 OF 2019

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	351,804.84	369,807.34	364,293.30	342,412.33	588,736.00
140 Assessor	52,336.94	47,708.57	44,139.31	58,251.04	96,036.00
150 Town Clerk	129,031.94	122,521.46	118,305.60	130,668.69	247,295.00
160 Technology	107,500.12	130,250.67	135,430.16	119,286.68	202,151.00
165 Elections	2,784.99	7,630.77	2,938.75	5,490.53	16,026.00
170 Planning	37,234.99	36,796.62	37,399.76	34,630.57	71,630.00
190 Legal	25,457.08	30,214.06	35,599.91	22,143.57	47,500.00
TOTAL General Government	706,150.90	744,929.49	738,106.79	712,883.41	1,269,374.00
20 Public Safety					
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210 Police	791,745.21	816,396.63	790,099.35	690,679.66	1,378,565.00
220 Fire	530,481.49	572,533.38	533,166.29	493,342.93	968,342.00
240 Code Enforcement	63,347.21	51,622.98	80,220.85	71,999.45	132,952.00
250 Harbor Master	.00	.00	5,079.13	3,511.64	11,650.00
260 Animal Control	21,574.71	20,552.14	21,842.29	19,425.72	31,108.00
TOTAL Public Safety	1,407,148.62	1,461,105.13	1,430,407.91	1,278,959.40	2,522,617.00
30 Public Services					
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310 Public Works	578,166.79	688,733.01	724,926.57	550,285.31	1,166,478.00
320 Waste Disposal	252,345.28	304,754.44	282,678.91	282,053.40	512,350.00
430 Parks	153,988.54	149,585.23	190,374.82	198,735.20	292,754.00
440 West Cumberland Rec	985.90	3,377.33	3,324.83	1,995.38	7,202.00
470 Historical Society Building	815.83	1,928.85	2,771.62	3,573.81	4,958.00
TOTAL Public Services	986,302.34	1,148,378.86	1,204,076.75	1,036,643.10	1,983,742.00
37 Val Halla Golf Club					
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350 Valhalla-Club	21,260.76	24,143.90	22,921.07	15,763.47	26,485.00
360 Valhalla-Course	345,932.40	302,131.96	301,299.66	325,521.95	489,882.00

01/10/2019
11:12:02

**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**

**PAGE 2
glactrpt**

FOR PERIOD 07 OF 2019

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
370 Valhalla-Pro Shop	161,049.17	168,473.10	165,548.69	185,713.46	243,415.00
TOTAL Val Halla Golf Club	528,242.33	494,748.96	489,769.42	526,998.88	759,782.00
40 Recreation					
410 Recreation	509,875.99	558,114.65	567,532.02	580,162.80	993,045.00
420 Aging in Place	.00	.00	.00	14,265.64	37,453.00
TOTAL Recreation	509,875.99	558,114.65	567,532.02	594,428.44	1,030,498.00
45 Library					
450 Library	236,817.35	243,084.54	246,188.05	253,306.15	494,236.00
TOTAL Library	236,817.35	243,084.54	246,188.05	253,306.15	494,236.00
90 Other					
580 General Assistance	22,470.49	22,614.43	17,704.72	18,060.87	35,000.00
590 Health Services	11,884.80	12,235.75	12,235.75	12,086.70	13,875.00
620 Cemetery Association	35,700.00	27,925.00	26,700.00	28,450.00	26,700.00
630 Conservation	5,961.36	2,750.00	2,762.04	5,542.45	5,000.00
800 Fire Hydrants	31,038.74	32,052.92	38,006.90	39,018.23	75,624.00
810 Street Lighting	22,016.89	22,306.16	21,895.60	17,091.92	45,000.00
830 Contingent	2,958.70	12,579.41	.00	2,907.19	10,000.00
840 Municipal Building	37,934.37	46,351.73	45,461.67	50,071.81	90,847.00
850 Abatements	33,872.31	40,894.65	22,336.23	4,969.70	20,000.00
TOTAL Other	203,837.66	219,710.05	187,102.91	178,198.87	322,046.00
96 Fixed Expenses					
650 Debt Service	578,751.72	565,020.80	692,833.99	528,987.24	970,000.00
750 Insurance	177,856.03	175,023.41	181,549.75	228,811.29	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	1,938,107.75	1,778,642.21	1,567,383.74	1,457,098.53	1,955,854.00

01/10/2019
11:12:02

**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**
PAGE 3
glactrpt
FOR PERIOD 07 OF 2019

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	9,074,946.37	9,368,609.88	10,038,062.58	9,345,135.42	18,690,270.84
890	County Tax	747,431.00	775,374.00	813,904.00	878,954.00	878,954.00
	TOTAL Assessments	9,822,377.37	10,143,983.88	10,851,966.58	10,224,089.42	19,569,224.84
	TOTAL General Fund	16,338,860.31	16,792,697.77	17,282,534.17	16,262,606.20	29,907,373.84
	TOTAL EXPENSES	16,338,860.31	16,792,697.77	17,282,534.17	16,262,606.20	29,907,373.84
	GRAND TOTAL	16,338,860.31	16,792,697.77	17,282,534.17	16,262,606.20	29,907,373.84