

AGENDA
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, November 26, 2018
7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

November 12, 2018

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

- 18 – 145** To hold a Public Hearing to consider and act on Wharfing Out Permit for 59 Sanderson Road (Map U02/Lot 10C), as recommended by the Coastal Waters Commission.
- 18 – 146** To hold a Public Hearing to consider and act on amendments to Chapter 315 (Zoning), Section 4 (Word Usage and Definitions, Section 12 (Office Commercial North District (OC-N)), Section 28.5 (Registered Caregiver Overlay District) and Section 59.1 (Registered Dispensaries) of the Cumberland Code, as recommended by the Planning Board.
- 18 – 147** To authorize the Town Manager to advertise for members of the Bicentennial Committee.
- 18 – 148** To set a Public Hearing date of December 10th to consider and act on the purchase of 51.5 acres of land on Range Road adjacent to the Rines Forest, as recommended by the Lands and Conservation Commission.
- 18 – 149** To set a Public Hearing date of December 10th to consider and act on awarding the Tax Anticipate Note borrowing for up to \$2 million, as recommended by the Finance Committee.
- 18 – 150** To set a Public Hearing date of December 10th to consider and act on amending the Official Cumberland Overlay Zoning Map to add a Medical Caregiver Overlay District in portions of the Highway Commercial (HC), Office Commercial–South (OC-S) and the Village Center Commercial (VCC).

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

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

VI. NEW BUSINESS

VII. BUDGET REPORT

VIII. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting
Town Council Chambers
MONDAY, November 12, 2018

7:00 P.M. Call to Order

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

Excused: Councilor Bingham

I. **APPROVAL OF MINUTES**

Motion by Councilor Gruber, seconded by Councilor Stiles, to accept the October 22, 2018 meeting minutes as presented.

VOTE: 6-0-1 (Edes abstained) MOTION PASSES

II. **MANAGER'S REPORT**

Town Manager Shane said that we had a very successful election. The 44% of absentee voters kept the lines down on Election Day. Town Clerk, Tammy O'Donnell and her team did a phenomenal job.

Construction around Town will be wrapping up for the season soon. The weather has been our biggest deterrent. We were not able to do finish paving in the rainy conditions. Middle Road and Main Street final paving will be on hold until spring.

III. **PUBLIC DISCUSSION**

None

IV. **LEGISLATION AND POLICY**

18 – 143 To consider and act on a tax abatement request for property identified as Map R03/Lot 49B.

Town Manager Shane explained that the Bancroft's are requesting a tax abatement for a barn on their property that was sold in 2008. When the property was divided, the barn was assessed to both properties. The Assessor discovered the error and abated the taxes for the current year, but explained to them that under State Law, they are not eligible for any additional abatement. Property owners are responsible to know what they are being taxed for and the law does not allow any additional relief for this oversight. The Town Manager said that his recommendation is to support the letter from the Assessor and not grant the abatement.

Chairman Copp asked if there is any public comment on this item.

There was no public comment.

Motion by Councilor Gruber, seconded by Councilor Stiles, to support the Tax Assessor's decision to not abate any additional taxes for property identified as Map R03/Lot 49B per State Statute.

VOTE: 6-0 UNANIMOUS

18 – 144 To hear a report from the Ordinance Committee re: Medical Marijuana.

Councilor Storey-King explained that that someone could obtain a license to grow medical marijuana and be a registered caregiver (at present time, we have 22 registered caregivers in Cumberland). The Ordinance Committee has discussed where any new caregivers should be located in Town going forward. An overlay district was chosen

for the OC South District (Route One), the Highway Commercial District (Main Street near the Railroad tracks) and the VCC Zone (Route 100). We are not trying to go after people who have a legitimate business and provide services for people with legitimate needs, but we want to make sure that these operations stay legitimate.

Chairman Copp asked if there were any comments from the public.
No public comment.

V. **NEW BUSINESS**

Councilor Gruber – The Food Pantry is holding its annual Thanksgiving Basket distribution this Thursday. The entire Council Chambers will be filled with food. It is a great event and he wants to thank everybody that is involved.

The annual Aging in Place forum was another successful event this year.

Councilor Edes – There was a story on the local news this evening about Amtrak increasing their daily trips to 5 round trips per day, with the earliest trip leaving Brunswick at 4:00 a.m. For him, this makes the quiet zone issue a little more urgent.

Councilor Storey-King – She sat in on a Conservation Subdivision Committee meeting recently. Their work is very tedious and they have been at it for almost 2 years. She feels confident that they are close to the end. They are doing a great job.

She wished everyone a Happy Thanksgiving.

Chairman Copp – Longtime resident, Charlie Googins passed away recently. Charlie was a great guy and true gentleman.

Hunting season has begun. Please be aware of this. He has seen people out walking their dogs and riding their horses with no orange on.

Councilor Stiles – He reminded the public that he continues to collect money for the 4-H auction to benefit the Food Pantry.

He wished everyone a Happy Thanksgiving.

Councilor Turner – His wife had knee replacement surgery recently and she borrowed medical equipment from the Fire Department. This is a wonderful service that they offer that residents should be aware of. He thanked the Council and Town staff for the get well soon flowers that they sent her.

He sent condolences to the Googins family on the passing of Charlie Googins.

Town Manager Shane – The Town owns a gravel pit off Sweetsir Road in North Yarmouth that Portland Water District is interested in purchasing because it is adjacent to 3 of their production wells. If the Council is interested in pursuing this, the Manager said that he can get more information and an appraisal of the property done.

The Town was notified recently that there was a duck blind discovered at Knight's Pond. We do allow tree stands for hunting on Town owned property as long as they are marked with the owners contact information. We should consider doing the same for duck blinds if the Council desires.

Chairman Copp said that this makes sense and the Council agreed.

Town Manager Shane said that he would let the Land Trust know.

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

Motion by Councilor Stiles, seconded by Councilor Turner, to recess to EXECUTIVE SESSION pursuant to Title 36 M.R.S.A. Section 841(2) to consider and act on applications for tax abatement based on hardship.

VOTE: 6-0 UNANIMOUS

TIME: 7:47 P.M.

Reconvene to regular session at 7:56 P.M.

Motion by Councilor Edes, seconded by Councilor Turner, to approve poverty abatement request #1 based on hardship.

VOTE: 6-0 UNANIMOUS

Motion by Councilor Stiles, seconded by Councilor Gruber, to deny poverty abatement request #2 based on hardship because the applicant does not meet the poverty threshold per the Town of Cumberland General Assistance Ordinance.

VOTE: 6-0 UNANIMOUS

Motion by Councilor Stiles, seconded by Councilor Gruber, to table poverty tax abatement request #3. The lien will not be placed on this property until June 2019 and the lien will not ripen until December 2020. We recommend that the applicant return to the Town Council in October 2020 for consideration should their current circumstances not change.

VOTE: 6-0 UNANIMOUS

VII. ADJOURNMENT

Motion by Councilor Stiles, seconded by Councilor Gruber, to adjourn.

VOTE: 6-0

TIME: 7:57 P.M.

Respectfully submitted by,

Brenda L. Moore

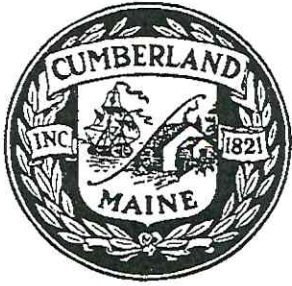
Council Secretary

Not present at meeting. Minutes prepared from recording of meeting.

ITEM

18-145

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



C O A S T A L W A T E R S
C O M M I S S I O N

T O W N O F C U M B E R L A N D , M A I N E
2 9 0 T U T T L E R O A D
C U M B E R L A N D , M A I N E 0 4 0 2 1
T E L : 2 0 7 - 8 2 9 - 2 2 0 5 F A X : 8 2 9 - 2 2 2 4

November 5, 2018

Mr. Ronald Copp, Chairman
Cumberland Town Council
290 Tuttle Road
Cumberland, Maine 04021

Re: Wharfing Out Permit Request - Anne and Alexander Buck
 59 Sanderson Road, Cumberland, ME--Map #U02, Lot 10-C

Dear Chairman Copp:

On Saturday, November 3, 2018, the Cumberland Coastal Waters Commission held a Public Hearing at Town Hall regarding the application for an Access and Seasonal Dock located at 59 Sanderson Road, Cumberland, owned by Anne and Alexander Buck.

A completed application is on file at Town Hall and the minutes to our meeting are attached to this recommendation.

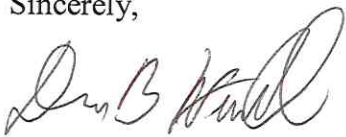
The Commission has found the application to be complete and offers the following recommendations as conditions of approval to their request for a Wharfing Out Permit pursuant to the Town's Code *Chapter 226 Shoreland Zoning § 226-25 Piers, wharves, docks, bridges, floats and other structures:*

The **Commission recommends approval** of the Permit Application subject to the following conditions:

1. A building permit be obtained and the Code Enforcement Officer shall visit the site during construction.
2. An onsite final inspection with Atlantic Environmental, LLC shall be performed by the Code Enforcement Officer prior to departure of the general contractor.
3. The homeowner is encouraged to minimize disturbance along the top of the embankment.
4. No lighting of the pier or docks shall be permitted with this application.
5. All marine floats, floatation pieces, ramps, docks, and the miscellaneous materials currently stored in the cove shall be removed by November 15th. The float and gangway are to be stored offsite and the dock sections can be stored on the upland property.
6. A.C.O.E permit must be received prior to the Town Council meeting November 26, 2018.
7. A minimum clearance of 5' 6" within close proximity to the high water mark and within the intertidal zone is required. Revised drawings shall be submitted prior to April 30th to the Town Manager and the Coastal Waters Commission for approval.
8. Steps are required to allow for traditional colonial rights, fishing and fowling and the ability to cross the dock.
9. Any change in use of the proposed application shall require a new application and Public Hearing before the Coastal Waters Commission. This application approval was for a residential use of the property owner.

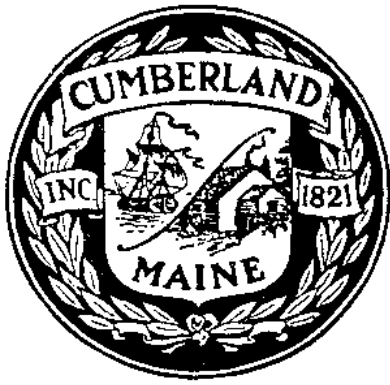
I will be at your meeting on November 26, 2018 to answer any questions you may have related to the Commission's public hearing, site walk or deliberations on this application.

Sincerely,



David Witherill, Chairman
Coastal Water's Commission

cc: William R. Shane, Town Manager



COASTAL WATERS COMMISSION

MEETING MINUTES Saturday, November 3, 2018 Site Walk West Conference Room

Committee Members:

David Witherill, Chairman
Mike Schwindt, Vice Chairman
David Carlson
Hugh Judge
Richard Thompson
Bob Vail

Town Staff:
Tom Gruber
George Turner
Charles Rumsey
Jean Duchesneau

Present: Chairman David Witherill, Mike Schwindt, Richard Thompson, Hugh Judge, Bob Vail and David Carlson
Absent: Jean Duchesneau, Recording Secretary
Town Staff: Charles Rumsey, Police Chief;
Guests: Tim Forrester of Atlantic Environmental, LLC

1. Call to Order

The meeting was called to order by Chairman, David Witherill at 3:00 p.m.

2. Site Walk – Public Hearing

To review the permit application for a temporary pier at 59 Sanderson Road, Cumberland—Anne and Alexander Buck property. Site walk is complete and public hearing is open. Chief Rumsey went over the ordinance criteria for the application and it was noted that all areas were in compliance. Chief Rumsey read a letter written by Jeff Young opposing the application and will be made a part of these minutes. Chairman Witherill stated that they (Young's) made a point that it was all tide access in that letter, but of course it is not because it does not go out beyond the mean low water mark. He can understand the concern of the neighbors, but the commission has no grounds to deny the permit. However, it is his recommendation to have the steps put in because anyone using the shore should have an ability to get across. The steps should probably go on the wider float, near the end, on the shore side of the wider float.

Motion: To recommend the approval to the Town Council of this permit with the stipulation that the steps are put in to allow for traditional colonial rights, fishing and fowling and to be able to cross the dock.
Moved by: David Witherill
Seconded by: Mike Schwindt
Vote: All Approved – Unanimous

Tim Forrester of Atlantic Environmental stated they would revise the plans to indicate the addition of the steps to the second to last pier section and send them to Bill Shane.

The public meeting ended and the commission continued with new business.

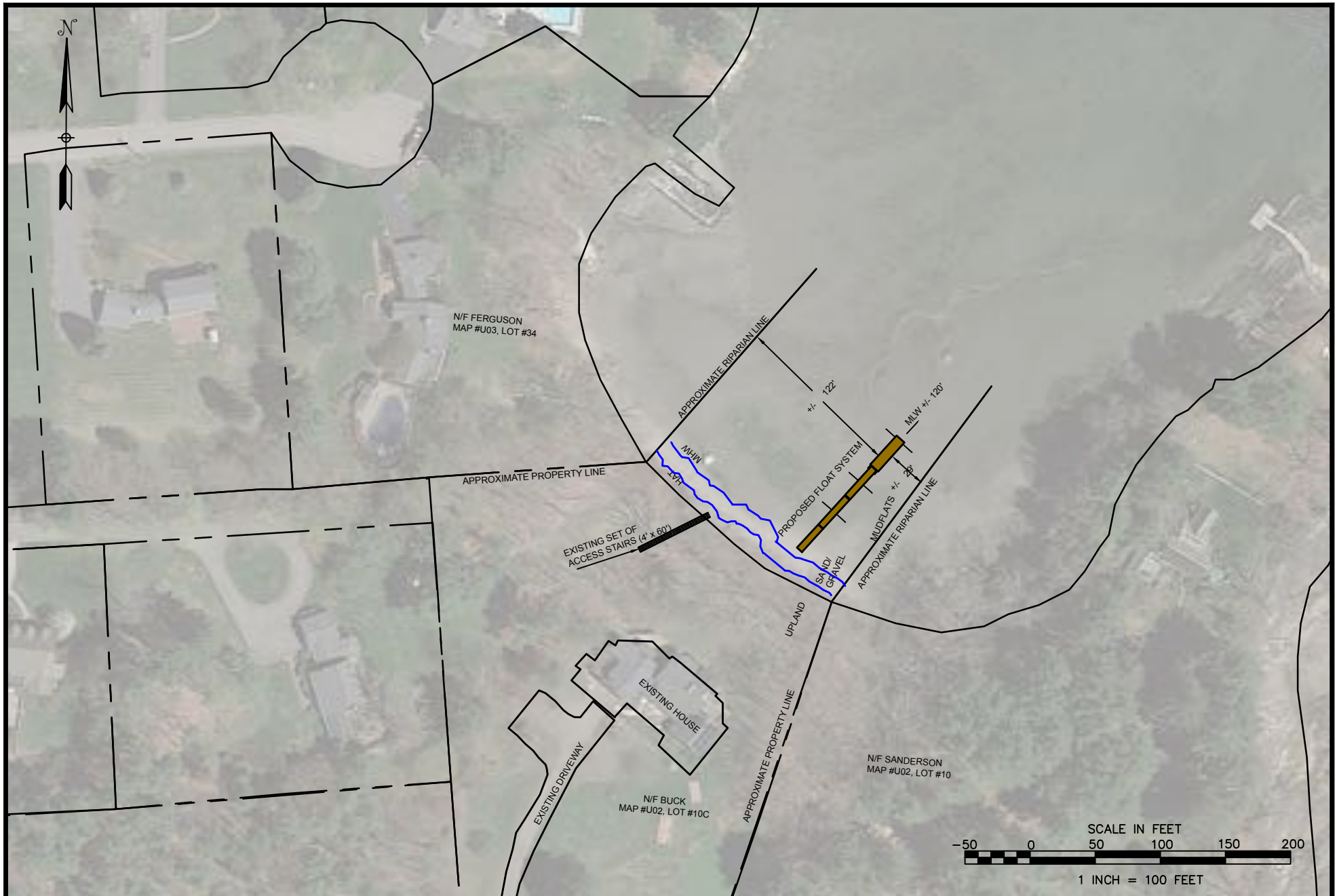
3. New Business

The next meeting date was set for November 28, 2018 to discuss mooring field issues, mooring allocations, kayak rack lottery, Town pier update and parking spaces. Chief Rumsey stated the Harbormaster would be in attendance and would give an overview of the online mooring application system. A Broad Cove Reserve visitor report update was requested by Mike Schwindt

4. Adjournment

The meeting was adjourned at 3:30 p.m.

Submitted by,
Jean Duchesneau, Recording Secretary

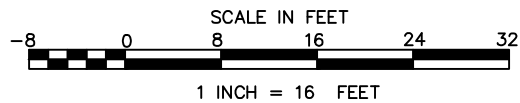
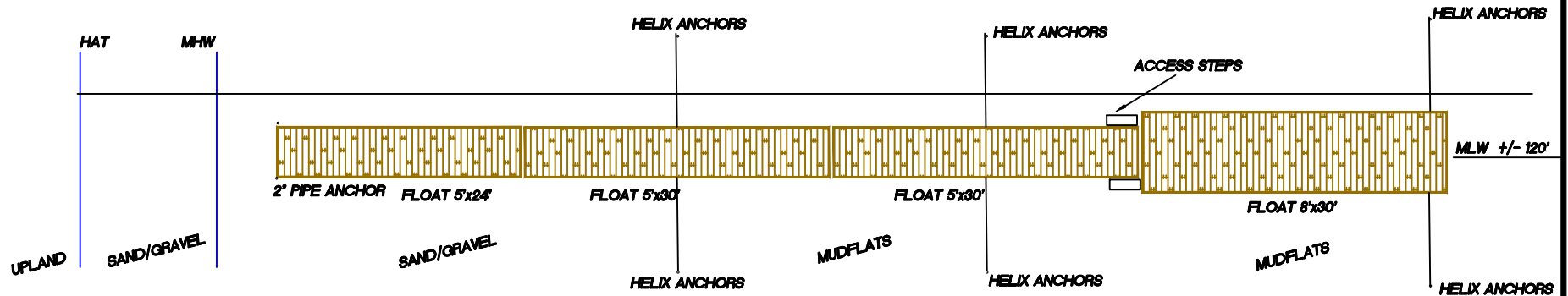
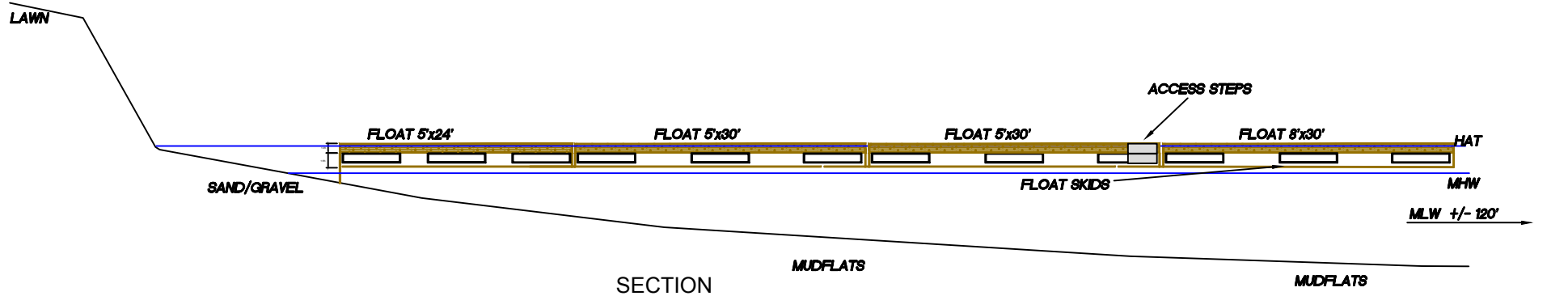


ATLANTIC ENVIRONMENTAL LLC.
Environmental Consultants
135 River Road, Woolwich, ME 04579
(207) 837-2199
tim@atlanticenviromaine.com

Date: 2/9/2018
Revised: 11/5/2018
Project: Buck, Cumberland
Drafted By: LCV/TAF

Overview of the proposed Float System for Alexander and Anne Buck
located at 59 Sanderson Road in Cumberland, Maine.

Sheet
1
of
3



NOTES:

- 1) ALL PT LUMBER WILL BE CURED IN THE UPLAND FOR 21 DAYS PRIOR TO INSTALL.
- 2) FLOATS WILL BE REMOVED AND STORED OFF-SITE DURING THE OFF-SEASON..
- 3) FLOATS WILL BE SECURED IN PLACE WITH HELIX ANCHORS.
- 4) FLOATS WILL BE CONSTRUCTED WITH FLOAT SKIDS TO ELEVATE OFF SUBSTRATES A MINIMUM OF 18" DURING ALL TIDES.



ATLANTIC ENVIRONMENTAL LLC.
Environmental Consultants
135 River Road, Woolwich, ME 04579
(207) 837-2199
tim@atlanticenviromaine.com

Date: 2/9/2018
Revised: 11/5/2018
Project: Buck, Cumberland
Drafted By: LCV/TAF

Plan and Cross Section View of the Proposed Float System for Alexander and Anne Buck located at 59 Sanderson Lane in Cumberland, Maine.

Sheet
3
of
3

To whom it may concern :

My wife Betsy Mahoney and I have resided at 9 Longmeadow Rd. for almost 20 years. Our deed provides for access to Broad Cove where I have maintained a mooring for a boat for much of the time we have lived here. We also swim on occasion off the pier at the end of the street.

The application by the Bucks to build a dock extending far into Broad Cove, presumably so that they can have access to a boat without regard to the tides, would inalterably change the character of Broad Cove. Right now the Cove is virtually unobstructed and pleasure boats and small craft like kayaks can frequent it from outside without any visual interruption.

We welcome the Bucks use of the Cove like all of us with access to it, subject to the vicissitudes of the tides. Accordingly, Betsy and I oppose the application.

Thank you for your consideration

Jeff Young



135 River Road • Woolwich, ME 04579
207-837-2199 • tim@atlanticenviromaine.com
www.atlanticenviromaine.com

September 11, 2018

Mr. Bill Shane, Town Manager
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

Re: Shoreland Zoning Application on behalf of Anne and Alexander Buck, 59 Sanderson Road,
Cumberland, Maine.

Dear Mr. Shane,

On behalf of Anne and Alexander Buck, Atlantic Environmental, LLC (AE) requests that the Town of Cumberland's Coastal Water Commission consider the application for a proposed seasonal dock consisting of a series of floats that will begin approximately five (5) feet from the mean high water. Specifically, the series of floats will consist of a five (5) foot wide by twenty-four (24) foot long float that will connect to two (2), five (5) foot wide by thirty (30) foot long floats, and an eight (8) foot wide by thirty (30) foot long float. The first float will be secured in place with two (2) inch pipe anchors and the remainder of the floats will be secured in place with helix anchors.

The Applicant has received approval from the Army Corps of Engineers (ACOE) and relevant portions of the ACOE application are included in the attached application materials as well as copies of the permit approvals.

Thank you in advance for your consideration of this Application. If you require any additional information or clarifications, please feel free to contact me at 207 - 837 - 2199 or by email at tim@atlanticenviromaine.com.

Sincerely,
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Timothy A. Forrester'.

Timothy A. Forrester, Owner

FOR OFFICE USE ONLY:

PERMIT NO.: _____

ISSUE DATE: _____

FEE AMOUNT: _____

**Town of Cumberland
Shoreland Zoning Permit Application**

GENERAL INFORMATION

1. APPLICANT Atlantic Environmental, LLC c/o Tim Forrester	2. APPLICANT ADDRESS 135 River Road Woolwich, ME 04579	3. APPLICANT PHONE NUMBER (207) 837 - 2199
4. PROPERTY OWNER Alex and Anne Buck	5. PROPERTY OWNER ADDRESS 59 Sanderson Road Cumberland, ME 04011	6. PROPERTY OWNER PHONE NUMBER (207) 272 - 5597
7. CONTRACTOR: Custom Floats	8. CONTRACTOR'S ADDRESS: 11 Wallace Avenue South Portland, ME 04106	9. CONTRACTOR'S PHONE NUMBER: (888) 944 - 9666
10. LOCATION / ADDRESS OF PROPERTY 59 Sanderson Road	11. TAX MAP & LOT NUMBER, AND DATE LOT WAS CREATED Map #U02, Lot #10C	12. ZONING DISTRICT LDR
13. DESCRIPTION OF PROPERTY INCLUDING A DESCRIPTION OF ALL PROPOSED CONSTRUCTION, E.G. LAND CLEARING, ROAD BUILDING, SEPTIC SYSTEMS AND WELLS (PLEASE NOTE THAT A SITE PLAN SKETCH IS REQUIRED ON PAGE 3) The Applicant proposes to construct a seasonal float system consisting of four floats. The first float will measure five (5) feet wide by twenty-four (24) feet long and will be secured in place with two (2) inch pipe supports. This float will connect to two (2), five (5) foot wide by thirty (30) foot long floats and an eight (8) foot wide by thirty (30) foot long float. The outer three floats will be secured in place with helix anchors. The floats will be in place for less than seven (7) months and will provide partial tide access to Casco Bay and adjacent waters. The floats will be elevated with float skids to elevate the float a minimum of eighteen (18) inches off the substrate during all tides. During the off-season the floats will be hauled off-site and stored in an upland location.		
14. PROPOSED USE OF PROJECT Residential		15. ESTIMATED COST OF CONSTRUCTION \$30,000

SHORELAND PROPERTY INFORMATION

16. LOT AREA (SQ. FT.) 174, 240 sq. ft.	17. FRONTAGE ON ROAD (FT.) +/- 157 ft.
18. SQ. FT. OF LOT TO BE COVERED BY NON-VEGETATED SURFACES +/- 6500 sq. ft.	19. ELEVATION ABOVE 100 YEAR FLOOD Within Flood Zone
20. FRONTAGE ON WATERBODY (FT.) +/- 180 ft.	21. HEIGHT OF PROPOSED STRUCTURE Minimum of 18 inches
22. EXISTING USE OF PROPERTY Residential	23. PROPOSED USE OF PROPERTY Residential

NOTE: Questions 24 & 25 apply only to expansions of portions of existing structures which are less than the required setback from the high water mark. N/A

24. A) TOTAL FLOOR AREA OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89 (SQ. FT.)	25. A) TOTAL VOLUME OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89 (CU. FT.)
B) FLOOR AREA OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 1/1/89 TO PRESENT (SQ. FT.)	B) VOLUME OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 1/1/89 TO PRESENT (CU. FT.)
C) FLOOR AREA OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK (SQ. FT.)	C) VOLUME OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK (CU. FT.)
D) % INCREASE OF FLOOR AREA OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 1/1/89 (% INCREASE = (B+C)/A x 100)	D) % INCREASE OF VOLUME OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 1/1/89 (%) (% INCREASE = (B+C)/A x 100)

ADDITIONAL PERMITS, APPROVALS, AND/OR REVIEWS REQUIRED

CHECK IF REQUIRED:

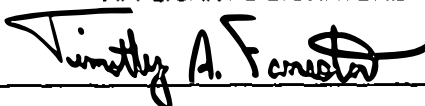
- ☐ PLANNING BOARD REVIEW APPROVAL (e.g. Subdivision, Site Plan Review)
- ☐ BOARD OF APPEALS REVIEW APPROVAL
- ☐ FLOOD HAZARD DEVELOPMENT PERMIT
- ☐ EXTERIOR PLUMBING PERMIT (Approved HHE-200 Application Form)
- ☐ INTERIOR PLUMBING PERMIT
- ☐ D.E.P. PERMIT (Site Location, Natural Resource Protection Act)
- ☒ ARMY CORPS OF ENGINEERS PERMIT (e.g. Sec. 404 of Clean Waters Act)
- ☐ ARMY CORPS OF ENGINEERS PERMIT (e.g. Sec. 404 of Clean Waters Act)

OTHERS:

<input type="checkbox"/>	_____	<input type="checkbox"/>	_____
<input type="checkbox"/>	_____	<input type="checkbox"/>	_____

NOTE: Applicant is advised to consult with the Code Enforcement Officer and appropriate State and Federal agencies to determine whether additional permits, approvals, and reviews are required.

I CERTIFY THAT ALL INFORMATION GIVEN IN THIS APPLICATION IS ACCURATE. ALL PROPOSED USES SHALL BE IN CONFORMANCE WITH THIS APPLICATION AND THE CUMBERLAND SHORELAND ZONING ORDINANCE. I AGREE TO FUTURE INSPECTIONS BY THE CODE ENFORCEMENT OFFICER AT REASONABLE HOURS.

_____ APPLICANT'S SIGNATURE 	_____ DATE 9/11/2018
_____ AGENT'S SIGNATURE (if applicable)	_____ DATE

* If the person signing the application is not the owner or lessee of the property, then that person shall submit a letter of authorization from the owner or lessee.



135 River Road • Woolwich, ME 04579
207-837-2199 • tim@atlanticenviromaine.com
www.atlanticenviromaine.com

February 1, 2018

To whom it may concern:

By this letter, I authorize Atlantic Environmental LLC to act on my behalf as my Agent for the preparation and submission of all federal, state, and local town or city permit applications and relevant documents and correspondence related to the construction of a dock located at 59 Sanderson Road in Cumberland, Maine. This authorization includes attending meetings and site visits, appearing before all boards, commissions, and/or committees, and providing other services as required for completing the aforementioned tasks.

Thank you for the opportunity to work with you on this project. Should you have any additional questions, please do not hesitate to contact me at 207-837-2199 or via email at tim@atlanticenviromaine.com.

A handwritten signature in black ink that reads 'Alexander K Buck Jr.'.

Print Name

Alexander K Buck Jr

February 10, 2018

Signature

Date

Sincerely,
Atlantic Environmental LLC.

A handwritten signature in black ink that reads 'Timothy A. Forrester'.

Timothy A. Forrester, Owner

LAND USE STANDARDS

Town of Cumberland

Chapter 226-25(D)

Approval Standards and Criteria for Piers, Docks, Wharves, Bridges, and Other Structures and Uses Extending Over or Below the Normal High Water Line of a water body, submerged lands, or wetland:

- 1. Access from the shore shall be developed on soils appropriate for such use and constructed so as to control erosion.***

The Applicant has an existing set of access stairs that provide access to the intertidal area. The proposed structures will begin below the mean high water (MHW) and will be supported with pipe supports and helix anchors which require minimal disturbance to the substrates.

- 2. The location shall not interfere with existing developed or natural beach areas.***

The proposed seasonal dock will be not located over an existing developed or natural beach areas. The structures will begin approximately five (5) feet from MHW and will be located over mudflats.

- 3. The facility shall be located so as to minimize adverse effects on fisheries.***

The project is seasonal in nature, the floats will be elevated a minimum of eighteen (18) inches off the substrate, and all floats will be stored at an upland location in the off-season. In addition, as part of the Army Corps of Engineers (ACOE) review, the project was reviewed by the Environmental Protection Agency, the US Fish and Wildlife Service, and the National Marine Fisheries Service. None of these review agencies objected to the proposed project.

- 4. The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. A temporary pier, dock, or wharf in nontidal waters shall not be wider than six feet for noncommercial uses.***

The proposed dock will provide reasonable partial tide access for the Applicant. Based on aerial imagery, there are existing docks in the project vicinity of similar dimensions.

- 5. No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water body or wetland as an operational necessity.***

The Applicant does not propose to construct a new structure on, over, or abutting the proposed dock; therefore, this standard is not applicable.

- 6. New permanent piers and docks on nontidal waters shall not be permitted unless it is clearly demonstrated to the Code Enforcement Officer that a temporary pier or dock is not feasible and a permit has been obtained from the Department of Environmental Protection pursuant to the Natural Resources Protection Act.***

The proposed dock is located in tidal waters; therefore, this standard is not applicable.

- 7. No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.***

There are no existing structures, including a pier, dock, or wharf; therefore, this standard is not applicable.

- 8. Except in the General Development District, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or***

within a wetland shall not exceed 20 feet in height above the pier, wharf, dock or other structure.

The Applicant does not propose to construct a structure on, over, or abutting the proposed dock; therefore, this standard is not applicable.

- 9. Structures shall not unduly interfere with passage along or within the intertidal zone in order to protect established colonial rights for fishing, fowling, and navigation. This may require accommodations such as steps or pier elevation to allow passage over or beneath a structure.***

The Applicant has located the dock approximately five (5) feet from the mean high water to allow for passage for fishing, fowling, and navigating within the intertidal zone.

- 10. Where the applicant has applied for "group dock" and the waterfront structure proposed will serve more than one property, the property owners shall submit to the Town a proposed easement deed demonstrating that permanent access and maintenance rights shall be granted to the parties sharing the structure. The parties shall submit to the Code Enforcement Officer proof of recording of the easement after its review and approval by the Town.***

The proposed dock will provide access for a one residence; therefore, this standard is not applicable.

- 11. Storage of floats, ramps, and pier accessories is prohibited within the intertidal zone.***

The Applicant proposes to remove all floats and store them at an off-site, upland location.

- 12. Storage of floats, ramps, and pier accessories must comply with all federal, state, and local shoreland zoning rules and regulations.***

The proposed storage of floats will meet federal, state, and local shoreland zoning rules and regulations.

- 13. Lighting on piers, wharves, docks, bridges, floats and other structures should be designed and installed to minimize negative impacts on other properties and to promote safe navigation at night. Negative impacts include excessive lighting and unnecessary glare that can be a hazard to navigation.***

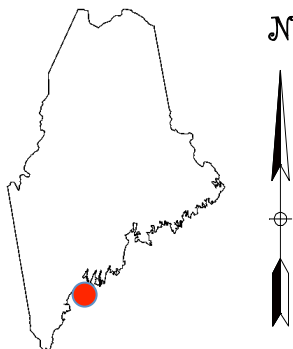
The Applicant does not propose lighting on the proposed floats.

LOCATION MAP

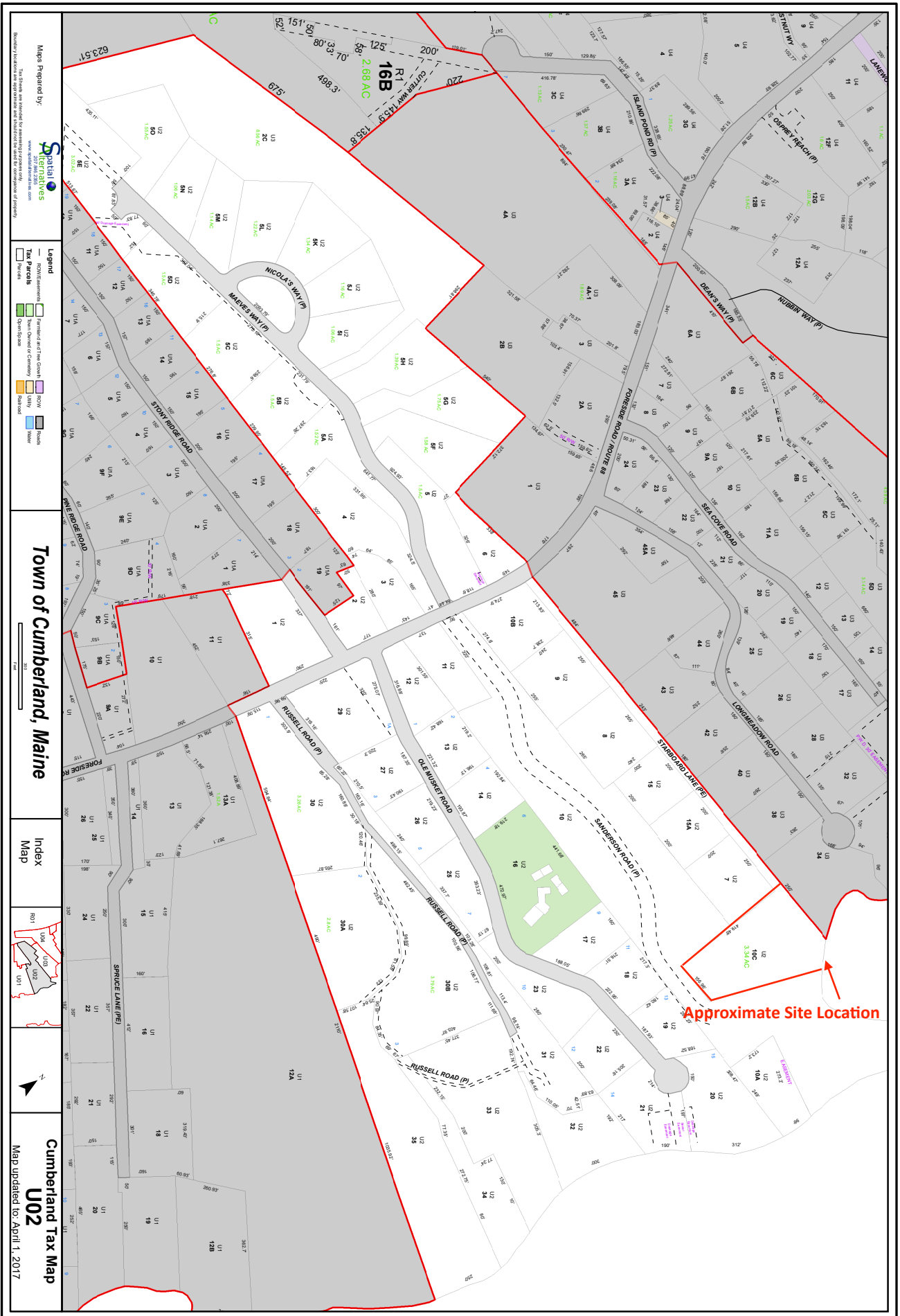
Anne and Alexander Buck, Jr., 59 Sanderson Road, Town of Cumberland, Maine.



Directions: From I-295, take Exit 10, take ramp right for Bucknam Rd. toward Cumberland/Falmouth. Turn left on Bucknam Rd and then turn right on Route 1. Travel for approximately 1.2 miles and turn right onto Johnson Rd. Travel for 0.7 miles and turn left on Route 88. Travel for 0.9 miles and turn right on Sanderson Road. #59 is on left.



Notes:	
Gazetteer Map 5 (Section E-5) 43° 44' 52.93"N	
 ATLANTIC ENVIRONMENTAL LLC. Environmental Consultants 135 River Road, Woolwich, ME 04579 (207) 837-2199 tim@atlanticenviromaine.com	Date: 2/9/20
	DWG Name: BUCK Site Location



PHOTOGRAPHS

The following photographs are taken from the site of the project and represent the proposed location of the float system and the surrounding area at 59 Sanderson Road in the Town of Cumberland, ME.



Photograph One. Aerial View of Project Site. Red arrow indicates approximate location of proposed floats. Source: Bing. Date: Unknown.



Photograph Two. Facing northerly - view of intertidal area in area of proposed floats. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 15, 2017.



Photograph Three. Facing southeasterly - view of intertidal area and surrounding area. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 15, 2017.



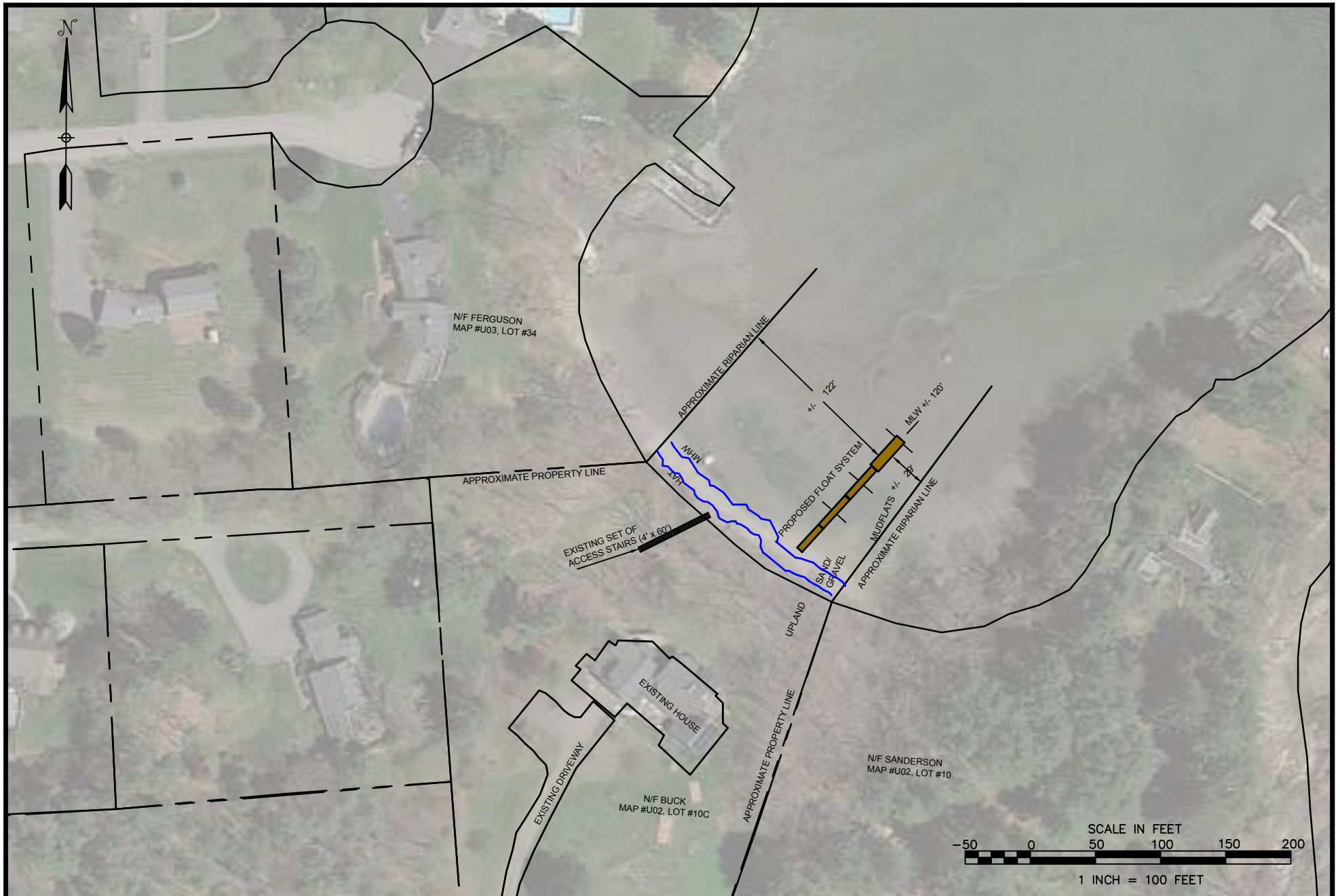
Photograph Four. Facing easterly – view of intertidal in area of proposed dock. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 15, 2017.



Photograph Five. Facing easterly – view of upper intertidal area. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 15, 2017.



Photograph Six. Facing southerly – view of upper intertidal area. Photographer: Tim Forrester, Atlantic Environmental, LLC. Date: September 15, 2017.

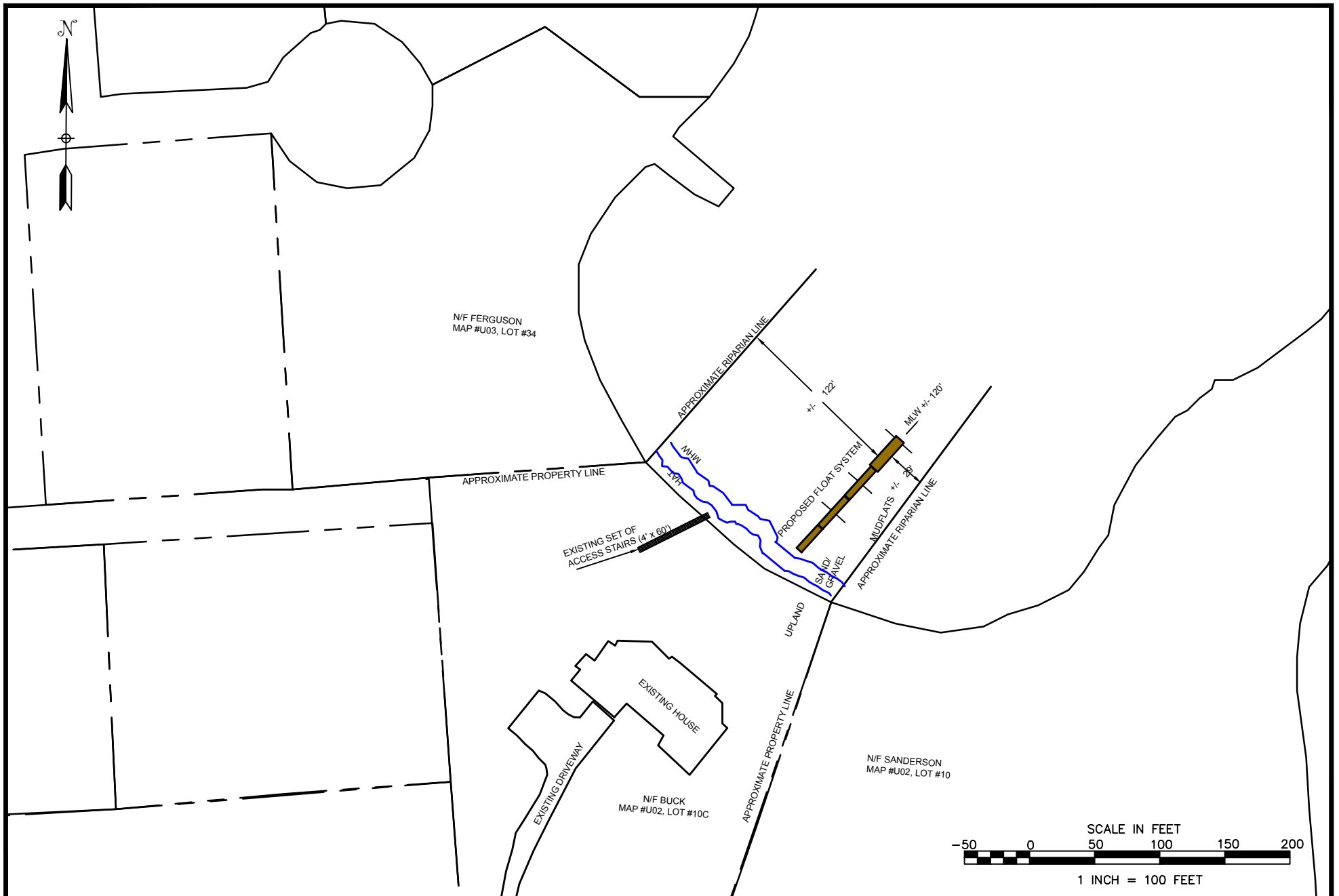


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(207) 837-2199
tim@atlanticenviromaine.com

Date: 2/9/2018
Revised: 5/20/2018
Project: Buck, Cumberland
Drafted By: LCV/TAF

Overview of the proposed Float System for Alexander and Anne Buck
located at 59 Sanderson Road in Cumberland, Maine.

Sheet
1
of
3

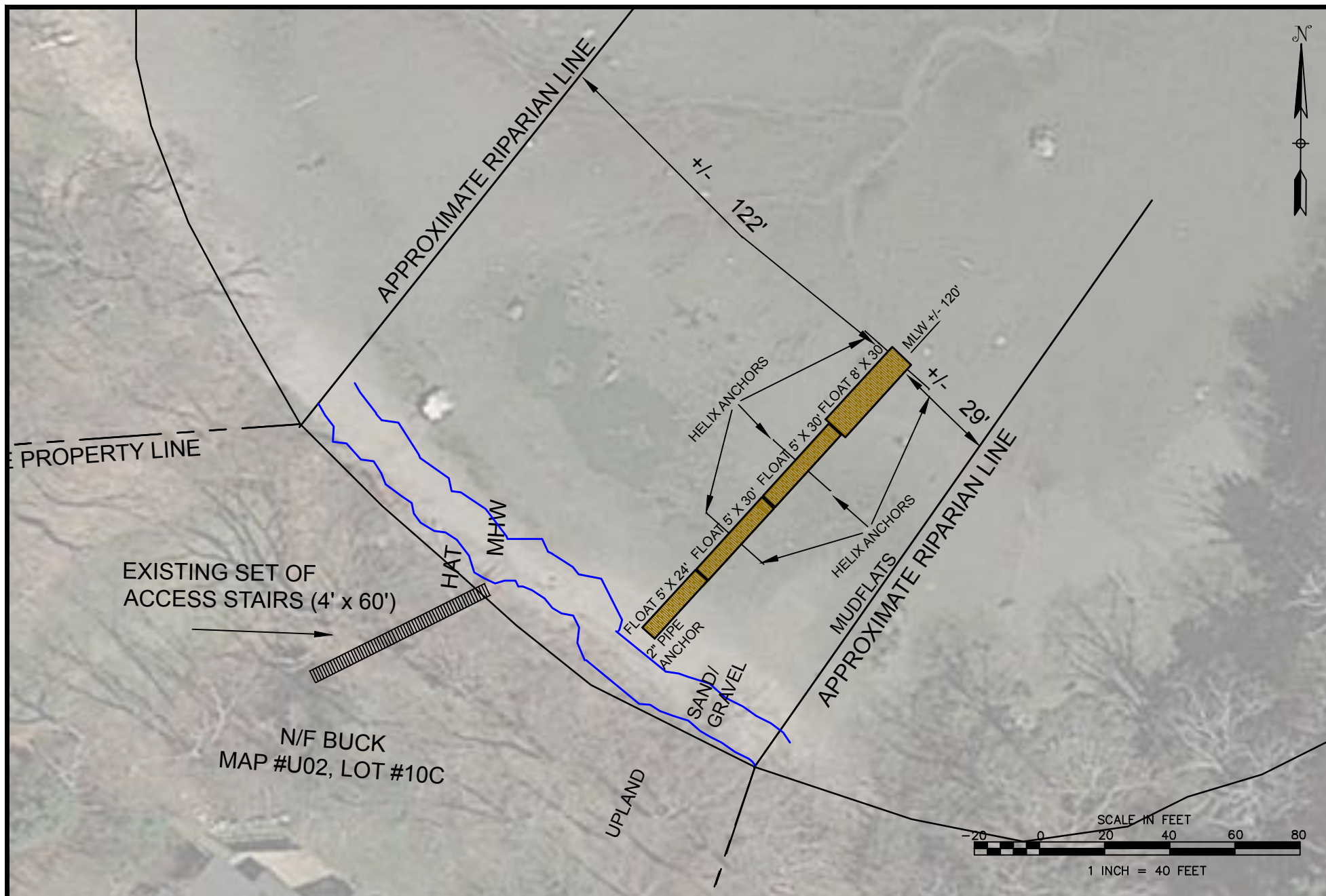


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Revised: 5/20/2018
Project: Buck, Cumberland
Drafted By: LCV/TAF

**Overview of the proposed Float System for Alexander and Anne Buck
 located at 59 Sanderson Road in Cumberland, Maine.**

Sheet
1
of
3

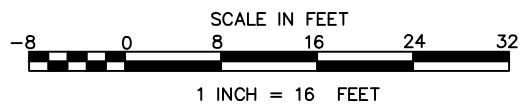
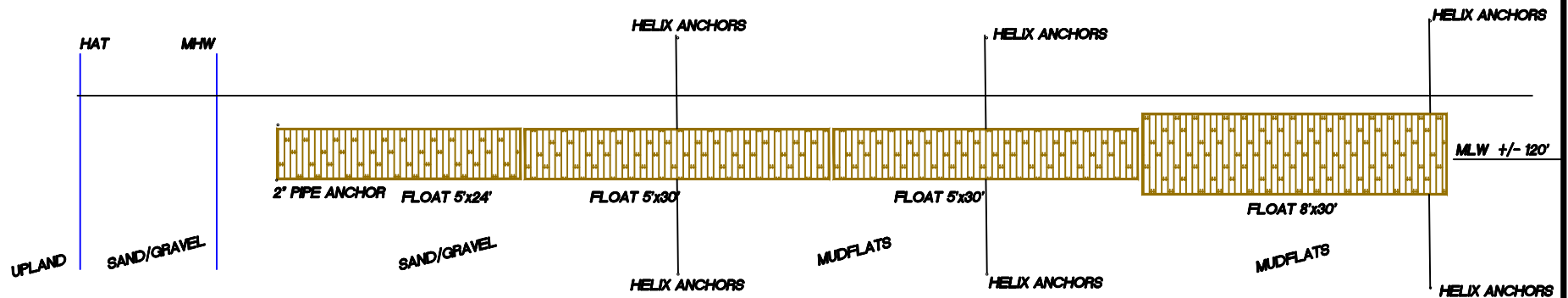
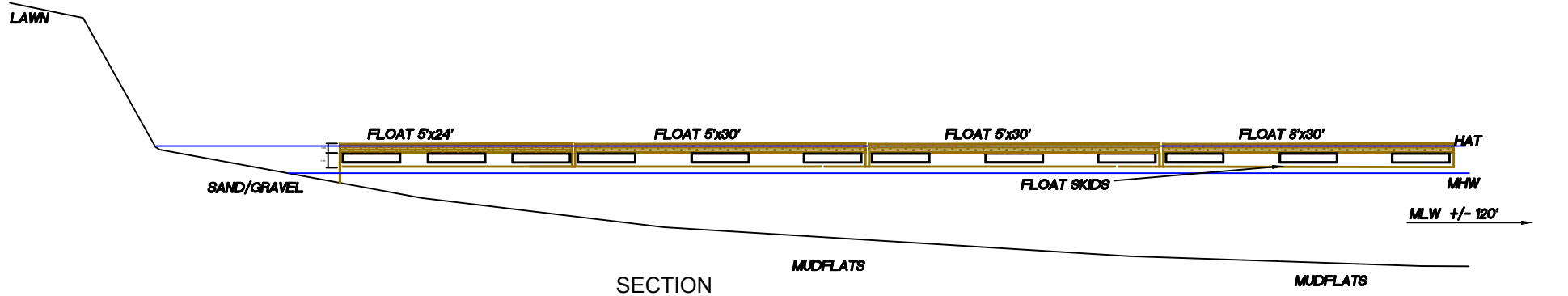


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tim@atlanticenviromaine.com

Date: 2/8/2018
Revised: 5/20/2018
Project: Buck, Cumberland
Drafted By: LCV

Plan View of the Proposed Float System for Alexander and Anne Buck
located at 59 Sanderson Road in Cumberland, Maine.

Sheet
2
of
3



NOTES:

- 1) ALL PT LUMBER WILL BE CURED IN THE UPLAND FOR 21 DAYS PRIOR TO INSTALL.
- 2) FLOATS WILL BE REMOVED AND STORED OFF-SITE DURING THE OFF-SEASON..
- 3) FLOATS WILL BE SECURED IN PLACE WITH HELIX ANCHORS.
- 4) FLOATS WILL BE CONSTRUCTED WITH FLOAT SKIDS TO ELEVATE OFF SUBSTRATES A MINIMUM OF 18" DURING ALL TIDES.



ATLANTIC ENVIRONMENTAL LLC.
Environmental Consultants
135 River Road, Woolwich, ME 04579
(207) 837-2199
tim@atlanticenviromaine.com

Date: 2/9/2018
Revised: 5/20/2018
Project: Buck, Cumberland
Drafted By: LCV/TAF

Plan and Cross Section View of the Proposed Float System for Alexander and Anne Buck located at 59 Sanderson Lane in Cumberland, Maine.

Sheet
3
of
3

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, ROBERT S. CRAIG, of Cumberland, in the County of Cumberland and State of Maine,

in consideration of One Dollar and other valuable considerations,

paid by ALEXANDER K. BUCK, JR., and ANNE E. BUCK, of Topsfield, Massachusetts,

whose mailing address is:

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said ALEXANDER K. BUCK, JR. and ANNE E. BUCK, as joint tenants and not as tenants in common, their heirs and assigns forever.

A certain lot or parcel of land situated on the easterly side of Route 88 in the Town of Cumberland, County of Cumberland, and State of Maine as shown on Partial Boundary Survey of Proposed Outsale for Robert Craig by Sebago Technics, Inc., dated July 1, 2004 and revised through October 25, 2004, reference to project number 01348, being more particularly bounded and described as follows:

Commencing at a 1½ inch iron pipe 2 inches high on the southerly side of Starboard Lane and at the most northerly corner of land now or formerly of George and Carolyn Smith (Cumberland County Registry of Deeds [CCRD] Book 10800, Page 4);

Thence S 75°- 20'- 53" E, by and along the southerly side of Starboard Lane, a distance of 1,387.00 feet to a 1 inch iron pipe found 8 inches high at the most easterly corner of land now or formerly of Edward Jr. and Virginia Gignoux (CCRD, Book 18423, Page 211 and Book 7911, Page 225) at the point of beginning;

Thence from the point of beginning, S 14°-39'-07" W, by and along land of said Gignoux, a distance of 200.00 feet to a 1 inch iron pipe found 4 inches high;

Thence N 75°-20'-53" W, along land of Gignoux and land of Barbara McManus, (CCRD Book 9591, Page 187), a distance of 350.00 feet;

Thence S 15°-46'-16" W, along remaining land of the Grantor, a distance of 114.60 feet to the northerly sideline of the proposed Sanderson Lane right-of-way;

Thence along the northerly sideline of Sanderson Lane, by and along a curve to the right having a radius of 275.00 feet, a length of 152.95 feet, having a chord of S 55°-09'-47" E, 150.99 feet to a point of tangency;

Thence S 39°-13'-46" E, continuing along the northerly sideline of Sanderson Lane, a distance of 74.28 feet to a point of curvature;

Thence continuing along the northerly sideline of Sanderson Lane, by and along a curve to the left having a radius of 200.00 feet, a length of 120.15 feet, having a chord of S 56°-26'-24" E, 118.35 feet to a point

of tangency;

Thence S 73°-39'-02" E, continuing along the northerly sideline of Sanderson Lane, a distance of 144.10 feet to a point of tangency;

Thence continuing along the northerly sideline of Sanderson Lane, by and along a curve to the left having a radius of 125.00 feet, a length of 41.35 feet, having a chord of S 83°-07'-37" E, 41.16 feet to remaining land of this Grantor;

Thence N 37°-23'-45" E, along remaining land of this Grantor, a distance of 337.63 feet to a 5/8 inch rebar set near the top of bank;

Thence continuing N 37°-23'-45" E, past the high water mark and over a tidal area, a distance of 180.14 feet;

Thence N 75°-20'-53" W, over tidal area, a distance of 119.45 feet to a drill hole in boulder on gravel beach;

Thence N 75°-20'-53" W, continuing over tidal area and then the northerly sideline of Starboard Lane, a distance of 226.99 feet;

Thence S 14°-39'-07" W, crossing Starboard Lane, a distance of 30.00 feet to the point of beginning.

The approximate area of this parcel is 4.00 acres to the high water mark. This is a portion of the property conveyed to this Grantor in Deed Book 4089, Page 60.

The above-described four (4) acre parcel is subject to a restriction that no structure or building shall occur within fifty (50) feet of the northerly sideline of the fifty (50) foot easement known as Sanderson Lane. Said area is shown with cross hatch on Schedule A attached hereto.

Benefited by and subject to an existing 30 foot wide access easement serving all of the properties southerly of Starboard Lane from Route 88 to Casco Bay.

Subject to a utility easement to Portland Water District as described in a deed recorded at Cumberland County Registry of Deeds in Book 2378, Page 201.

Benefited by and subject to the utility easement to Central Maine Power as described in deeds recorded at Cumberland County Registry of Deeds in Book 1805, Page 152, Book 2276, Page 263, Book 7028, Page 262, Book 2553, Page 90 and Book 2407, Page 366.

Subject to two view easements to Gignoux as described in a deed recorded at Cumberland County Registry of Deeds in Book 2387, Page 375. No building or other obstructions shall be erected or placed and easement Grantees have the right to trim, cut and remove trees and growth from these areas. Being further bounded and described as follows:

Beginning at a 1 inch iron pipe 8 inches high on the southerly side of Starboard Lane and at the most easterly corner of land now or formerly of Edward Jr. and Virginia Gignoux as described in deed recorded at Cumberland County Registry of Deeds in Book 17423, Page 211 and Book 7911, Page 225;

Thence S 75°-20'-53" E, by and along the southerly side of Starboard Lane, a distance of 100.00 feet to a 1 inch iron pipe found 15 inches high;

Thence S 14°-39'-07" W, over and through above described lot a distance of 75.00 feet;

Thence N 75°-20'-53" W, continuing over and through the above described lot, a distance of 100.00 feet to the southeasterly sideline of said Gignoux;

Thence N 14°-39'-07" E, by and along land of said Gignoux, a distance of 75.00 feet to the point of beginning.

The second view easement beginning at a 1 inch iron pipe found 15 inches high being S 75°-20'-53" E, 100.00 feet from the easterly corner of said Gignoux;

Thence S 75°-20'-53" E, by and along the southerly sideline of said Starboard Lane, a distance of 108.25 feet to the shore;

Thence southeasterly along the shore approximately 162.00 feet;

Thence N 75°-20'-53" W, over and through the above described lot, a distance of 161.86 feet to the southeasterly sideline of the previously described view easement;

Thence N 14°-39'-07" E, by and along the previously described easement and over and through the above described lot, a distance of 50.00 feet to the point of beginning.

Also conveying herewith a shared access easement in common with others known as Sanderson Lane, owned by this Grantor, connecting the above described parcel to the Route 88. Said easement is 50 feet in width with a 14 foot wide gravel base. Said cleared area and traveled portion of said easement shall not exceed said 14 foot width. The Grantee herein agrees, by acceptance of this deed, to pay one-third (1/3) of the costs of plowing, sanding and maintenance of said Sanderson Lane, so-called.

Beginning at the intersection of the easterly side of Route 88 and northerly sideline of Sanderson Lane, being N 87°-54'-23" E, a distance of 69.65 feet from a 5 inch by 6 inch granite monument 3 inches high on the westerly sideline of Route 88;

Thence S 75°-20'-34" E, a distance of 297.49 feet to a point of curvature;

Thence by and along a curve to the right having a radius of 200.00 feet, a length of 99.16 feet, having a chord of S 61°-08'-21" E, 98.15 feet to a point of tangency;

Thence S 46°-56'-08" E, a distance of 116.59 feet to a point of curvature;

Thence by and along a curve to the left having a radius of 135.00 feet, a length of 99.98 feet, having a chord of S 68°-09'-08" E, 97.71 feet to a point of tangency;

Thence S 89°-22'-08" E, a distance of 153.06 feet to a point of curvature;

Thence by and along a curve to the right having a radius of 675.00 feet, a length of 215.27 feet, having a

chord of S 80°-13'-57" E, 214.36 feet to a point of tangency;

Thence S 71°-05'-47" E, a distance of 146.47 feet to a point of curvature at the westerly corner of the herein conveyed parcel;

Thence by and along a curve to the right having a radius of 275.00 feet, a length of 152.95 feet, having a chord of S 55°-09'-47" E, 150.99 feet to a point of tangency;

Thence S 39°-13'-46" E, a distance of 74.28 feet to a point of curvature;

Thence by and along a curve to the left having a radius of 200.00 feet, a length of 120.15 feet, having a chord of S 56°-26'-24" E, 118.35 feet to a point of tangency;

Thence S 73°-39'-02" E, a distance of 144.10 feet to a point of tangency;

Thence by and along a curve to the left having a radius of 125.00 feet, a length of 41.35 feet, having a chord of S 83°-07'-37" E, 41.16 feet to the southeasterly corner of the herein conveyed parcel;

Thence continuing along the same curve to the left having a radius of 125.00 feet, a length of 45.19 feet, having a chord of N 77°-02'-23" E, 44.94 feet to the end of this Grantee's rights in Sanderson Lane;

Thence S 23°-19'-02" E, crossing Sanderson Lane, a distance of 50.00 feet

Thence by and along a curve to the right having a radius of 175.00 feet, a length of 121.15 feet, having a chord of S 86°-30'-58" W, 118.75 feet to a point of tangency;

Thence N 73°-39'-02" W, a distance of 144.10 feet to a point of tangency;

Thence by and along a curve to the right having a radius of 250.00 feet, a length of 150.19 feet, having a chord of N 56°-26'-24" W, 147.94 feet to a point of tangency;

Thence N 39°-13'-46" W, a distance of 74.28 feet to a point of curvature;

Thence by and along a curve to the left having a radius of 225.00 feet, a length of 125.14 feet, having a chord of N 55°-09'-47" W, 123.53 feet to a point of tangency;

Thence N 71°-05'-47" W, a distance of 146.47 feet to a point of curvature;

Thence by and along a curve to the left having a radius of 625.00 feet, a length of 199.32 feet, having a chord of N 80°-13'-57" W, 198.48 feet to a point of tangency;

Thence N 89°-22'-08" W, a distance of 153.06 feet to a point of curvature;

Thence by and along a curve to the right having a radius of 185.00 feet, a length of 137.01 feet, having a chord of N 68°-09'-08" W, 133.90 feet to a point of tangency;

Thence N 46°-56'-08" W, a distance of 116.59 feet to a point of curvature;

Thence by and along a curve to the left having a radius of 150.00 feet, a length of 74.37 feet, having a chord of N 61°-08'-21" W, 73.61 feet to a point of tangency;

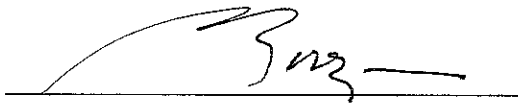
Thence N 75°-20'-34" W, a distance of 309.75 feet to the point of beginning.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said ALEXANDER K. BUCK, JR. and ANNE E. BUCK, as joint tenants and not as tenants in common, their heirs and assigns, to them and their use and behoof forever.

And I do covenant with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all encumbrances, that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Robert S. Craig, being the said Grantor, has hereunto set my hand and seal this 10th day of the month of December, 2004.

Signed, Sealed and Delivered
in presence of


Robert S. Craig

State of Maine
County of Cumberland

December 10, 2004

Then personally appeared the above named Robert S. Craig and acknowledged the foregoing instrument to be his free act and deed.

Before me,

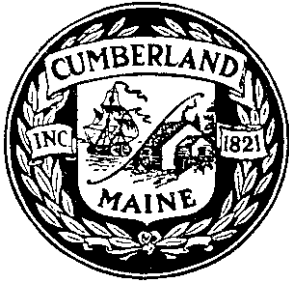

Notary Public Attorney-AT-LAW

Roderick R. Kovzar
Print or Type Name

ITEM

18-146

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



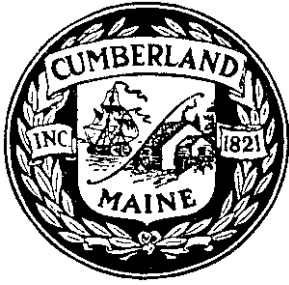
TOWN OF CUMBERLAND, MAINE
290 TUTTLE ROAD
CUMBERLAND, MAINE 04021
TEL: 207-829-2205 FAX: 829-2224

To: Town Council
From: William R. Shane, Town Manager
Subject: Medical Caregiver Overlay Zone
Date: November 19, 2018

Attached is my memo to the Planning Board. I am hopeful each of the specific Ordinance sections will be addressed, so you can deliberate and update our Ordinances:

Amendments to:

- § 315- 04 **Word Usage and definitions**
- § 315- 12 **Office Commercial North (OC-N)** – elimination of Registered dispensary as a use
- § 315- 28.5 **Registered Caregiver Overlay District** – adding a new Overlay Zone
- § 315- 59.1 **Eliminating Registered Dispensaries** from the Ordinance
- Zoning Map Recommendation on approval of the **Medical Caregiver Overlay District** in portions of Highway Commercial (HC), Office Commercial –South (OC-S) and the Village Center Commercial (VCC)



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

To: Steve Moriarty, Planning Board Chairman
From: William R. Shane, Town Manager
Subject: Medical Caregiver Overlay Zone
Date: November 14, 2018

On behalf of the Town Council, I will be presenting their request for the Planning Board to hold a Public Hearing and offer a recommendation on the Medical Marijuana Caregiver Overlay Zone.

As you know a workshop was held with the Town Council's Ordinance Committee, members of the Board of Appeals, the Planning Board and Town staff, to discuss how the Town could be in better conformance with the new state laws regarding Medical Caregivers that will be in effect in early December.

From the meeting, the attached highlighted changes were made, zones of Towns agreed upon and how to administer future permit requests for a Medical Caregiver. The attached Ordinance language and recommended Zoning Overlay Map changes should be part of your recommendation. Also, as part of the new state laws around marijuana, Registered Dispensaries 315-59.1 are no longer required.

The Town Council asks for your recommendation on the elimination of medical dispensaries presently only allowed in the OC- North zone (315-12) zone of Town along the northern end of Route 1.

In summary, your recommendation should include:

Amendments to:

- § 315- 04 **Word Usage and definitions**
- § 315- 12 **Office Commercial North (OC-N) – elimination of Registered dispensary as a use**
- § 315- 28.5 **Registered Caregiver Overlay District – adding a new Overlay Zone**
- § 315- 59.1 **Eliminating Registered Dispensaries from the Ordinance**
- Zoning Map Recommendation on approval of the **Medical Caregiver Overlay District** in portions of Highway Commercial (HC), Office Commercial –South (OC-S) and the Village Center Commercial (VCC)

Notice of Decision

Date: November 21, 2018

To: William Shane, Town Manager

From: Carla Nixon, Town Planner

Re: Public Hearing: Recommendation to the Town Council on proposed amendments/additions/deletions to the Zoning Ordinance; section 315-4 Word usage and definitions, section 315-12 Office Commercial North District (OC-N), section 315-28.5 Registered Caregiver Overlay District and section 315-59.1 Registered dispensaries re: regulation of medical marijuana, registered caregivers and medical marijuana dispensaries.

This is to advise you that on November 20, 2018, the Planning Board conducted Public Hearings on a recommendation to the Town Council on proposed amendments/additions/deletions to the Zoning Ordinance; section 315-4 Word usage and definitions, section 315-12 Office Commercial North District (OC-N), section 315-28.5 Registered Caregiver Overlay District and section 315-59.1 Registered dispensaries re: regulation of medical marijuana, registered caregivers and medical marijuana dispensaries.

The Board recommended that the language for the definition of Marijuana Concentrate be reviewed and voted unanimously to recommend to the Town Council approval of the amendments to section 315-4 Word usage and definitions as presented.

The Board voted unanimously to recommend to the Town Council to make the amendment to section 315-12 to eliminate the registered dispensaries as a permitted use in the Office Commercial North District (OC-N).

The Board voted unanimously to recommend to the Town Council the inclusion of section 315-28.5 to add a new overlay zone for Registered Caregivers as an Overlay District as presented and amended tonight.

The Board voted unanimously to recommend to the Town Council to eliminate section 315-59.1 regarding registered dispensaries from the Zoning Ordinance.

The Board voted unanimously to recommend to Town Council to approve the Medical Caregiver Overlay District in portions of the Highway Commercial (HC), Office Commercial South (OS-C) and the Village Center Commercial districts on the official amend the Zoning Overlay Map of the Town of Cumberland.

Cumberland Planning Board

Stephen Moriarty, Board Chair

AMENDMENTS TO CUMBERLAND ZONING ORDINANCE
RE: REGULATION OF MEDICAL MARIJUANA REGISTERED CAREGIVERS AND
MEDICAL MARIJUANA DISPENSARIES

§ 315-4 Word usage and definitions.

CAREGIVER

A person or an assistant of that person that provides care for a qualifying patient in accordance with 22 M.R.S.A. § 2423-A (2), as amended.

IMMATURE MARIJUANA PLANT

A nonflowering marijuana plant that measures more than 24 inches from the base of the main plant stalk to the most distant point of the plant's leaf stems or branches.

MARIJUANA CONCENTRATE

The resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish.

MARIJUANA PLANT

A plant of the genus Cannabis, including, but not limited to, Cannabis sativa, Cannabis indica and Cannabis ruderalis or their hybrids and the seeds of those plants.

MARIJUANA PRODUCT

A product composed of harvested marijuana and other ingredients that is intended for medical use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

MATURE MARIJUANA PLANT

A flowering female marijuana plant.

NONFLOWERING MARIJUANA PLANT

A marijuana plant that is in a stage of growth in which the plant's pistils are not showing or the pistils protrude in pairs from seed bracts that may be located on multiple nodes of the plant.

QUALIFYING PATIENT

A person who has been a resident of the State for at least 30 days and who possesses a valid written certification regarding medical use of marijuana in accordance with 22 M.R.S.A. § 2423-B, as may be amended.

REGISTERED CAREGIVER

A caregiver who is registered by the Maine Department of Administrative and Financial Services pursuant to 22 M.R.S.A. § 2425-A, as may be amended.

§ 315-12 Office Commercial North District (OC-N).

A. The following uses are permitted within the OC-N District:

§ 315-28.5 Registered Caregiver Overlay District.

A. Purpose. The purpose of the Registered Caregiver Overlay District is to establish areas of Town where registered caregivers may operate, as well as to establish land use requirements for this use.

B. District. The Registered Caregiver Overlay District, as delineated on the official Town of Cumberland Zoning Map, is hereby designated as an overlay district in specified areas of the Town for the purposes designated herein. Properties in this Overlay District shall continue to be governed by the regulations applicable to the underlying zoning district except as specifically provided herein.

C. Standards and Review. In addition to the permitted uses allowed in the underlying zoning districts and notwithstanding anything to the contrary in the regulations for the underlying zoning districts, the following use is allowed in the Registered Caregiver Overlay District, subject to review and approval by the Code Enforcement Officer, in consultation with the Police and Fire Departments, subject to the standards set forth in this section:

(1) Registered caregiver. A registered caregiver, subject to the following standards:

(a) A caregiver must meet all applicable requirements of State law and must have all required State registrations and approvals.

(b) Each registered caregiver located on a site shall be allowed to cultivate no more than thirty (30) mature marijuana plants and 60 immature marijuana plants. There shall be no limit on the number of seedlings that may be cultivated.

(c) All cultivation or processing of marijuana shall take place in an enclosed, secure area that is equipped with locks or other security devices that only allow the person authorized to cultivate and process the marijuana to enter the area. No processing or cultivation shall be visible from the exterior of the building in which the registered caregiver operation is located.

(d) A registered caregiver must provide **for the** control **of** odors and emissions. Marijuana odor shall not be perceptible at the exterior of the building or at any adjoining property boundary. Appropriate ventilation and filtration systems shall be provided, including but not limited to air scrubbers and charcoal filtration systems. No smoke, debris, dust or other substances shall be allowed to exit the building.

(e) No signage shall be placed or otherwise used within one thousand (1,000) feet from the property line of any preexisting public or private school, daycare or nursery school. Signage must comply with all applicable requirements of State law and regulation, as well as the requirements of Section 315-63 of this Ordinance.

(f) The Fire Department may require the installation of smoke detectors, sprinklers or other safety devices when the Department determines that such devices are necessary due to the size, condition or age of the structure, or if there are other uses in the building.

(g) Security measures shall include, at a minimum, the following:

(i) Security surveillance cameras installed, recording and operating 24 hours a day, seven days a week to monitor all entrances, along with the interior and exterior of the premises, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises. All security recordings shall be preserved for at least 30 days by the registered caregiver. The registered caregiver shall provide the Police Chief or his/her designee with the name and functioning telephone number of a twenty-four-hour on-call staff person to whom the Town may provide notice of any operating problems associated with the operation.

(ii) Door and window intrusion robbery and burglary alarm systems with audible and Police Department notification components that are professionally monitored and maintained in good working condition.

(iii) Exterior lighting that illuminates the exterior walls of the licensed premises and complies with applicable provisions of this Code.

(iv) Deadbolt locks on all exterior doors and locks or bars on any other access points (e.g., windows).

(h) A registered caregiver shall not operate a retail store as part of the caregiver operations.

(i) The hours of operation shall be limited to **between 8:00 a.m. and 5:00 p.m.**

(j) A marijuana caregiver shall provide one (1) on-site parking space for the caregiver and an additional space for each employee of the caregiver, in addition to two (2) parking spaces for patients.

§ 315-59.1 Reserved.

**AMENDMENTS TO CUMBERLAND ZONING ORDINANCE
RE: REGULATION OF MEDICAL MARIJUANA REGISTERED CAREGIVERS AND
MEDICAL MARIJUANA DISPENSARIES**

§ 315-4 Word usage and definitions.

CAREGIVER

A person or an assistant of that person that provides care for a qualifying patient in accordance with 22 M.R.S.A. § 2423-A (2), as amended.

IMMATURE MARIJUANA PLANT

A nonflowering marijuana plant that measures more than 24 inches from the base of the main plant stalk to the most distant point of the plant's leaf stems or branches.

MARIJUANA CONCENTRATE

The resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish.

MARIJUANA PLANT

A plant of the genus Cannabis, including, but not limited to, Cannabis sativa, Cannabis indica and Cannabis ruderalis or their hybrids and the seeds of those plants.

MARIJUANA PRODUCT

A product composed of harvested marijuana and other ingredients that is intended for medical use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

MATURE MARIJUANA PLANT

A flowering female marijuana plant.

NONFLOWERING MARIJUANA PLANT

A marijuana plant that is in a stage of growth in which the plant's pistils are not showing or the pistils protrude in pairs from seed bracts that may be located on multiple nodes of the plant.

QUALIFYING PATIENT

A person who has been a resident of the State for at least 30 days and who possesses a valid written certification regarding medical use of marijuana in accordance with 22 M.R.S.A. § 2423-B, as may be amended.

REGISTERED CAREGIVER

A caregiver who is registered by the Maine Department of Administrative and Financial Services pursuant to 22 M.R.S.A. § 2425-A, as may be amended.

§ 315-12 Office Commercial North District (OC-N).

A. The following uses are permitted within the OC-N District:

~~(3) Registered dispensary subject to the provisions of § 315-59.1 and Chapter 229, Site Plan Review, of the Cumberland Code.~~

§ 315-28.5 Registered Caregiver Overlay District.

A. Purpose. The purpose of the Registered Caregiver Overlay District is to establish areas of Town where registered caregivers may operate, as well as to establish land use requirements for this use.

B. District. The Registered Caregiver Overlay District, as delineated on the official Town of Cumberland Zoning Map, is hereby designated as an overlay district in specified areas of the Town for the purposes designated herein. Properties in this Overlay District shall continue to be governed by the regulations applicable to the underlying zoning district except as specifically provided herein.

C. Standards and Review. In addition to the permitted uses allowed in the underlying zoning districts and notwithstanding anything to the contrary in the regulations for the underlying zoning districts, the following use is allowed in the Registered Caregiver Overlay District, subject to review and approval by the Code Enforcement Officer, in consultation with the Police and Fire Departments, subject to the standards set forth in this section:

(1) Registered caregiver. A registered caregiver, subject to the following standards:

(a) A caregiver must meet all applicable requirements of State law and must have all required State registrations and approvals.

(b) Each registered caregiver located on a site shall be allowed to cultivate no more than thirty (30) mature marijuana plants and 60 immature marijuana plants. There shall be no limit on the number of seedlings that may be cultivated.

(c) All cultivation or processing of marijuana shall take place in an enclosed, secure area that is equipped with locks or other security devices that only allow

the person authorized to cultivate and process the marijuana to enter the area. No processing or cultivation shall be visible from the exterior of the building in which the registered caregiver operation is located.

(d) A registered caregiver must provide control odors and emissions. Marijuana odor shall not be perceptible at the exterior of the building or at any adjoining property boundary. Appropriate ventilation and filtration systems shall be provided, including but not limited to air scrubbers and charcoal filtration systems. No smoke, debris, dust or other substances shall be allowed to exit the building.

(e) No signage shall be placed or otherwise used within **one thousand (1,000) feet from the property line of any preexisting public or private school, daycare or nursery school.** Signage must comply with all applicable requirements of State law and regulation, as well as the requirements of Section 315-63 of this Ordinance.

(f) The Fire Department may require the installation of smoke detectors, sprinklers or other safety devices when the Department determines that such devices are necessary due to the size, condition or age of the structure, or if there are other uses in the building.

(g) Security measures shall include, at a minimum, the following:

(i) Security surveillance cameras installed, recording and operating 24 hours a day, seven days a week to monitor all entrances, along with the interior and exterior of the premises, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises. All security recordings shall be preserved for at least 30 days by the registered caregiver. The registered caregiver shall provide the Police Chief or his/her designee with the name and functioning telephone number of a twenty-four-hour on-call staff person to whom the Town may provide notice of any operating problems associated with the operation.

(ii) Door and window intrusion robbery and burglary alarm systems with audible and Police Department notification components that are professionally monitored and maintained in good working condition.

(iii) Exterior lighting that illuminates the exterior walls of the licensed premises and complies with applicable provisions of this Code.

(iv) Deadbolt locks on all exterior doors and locks or bars on any other access points (e.g., windows).

(h) A registered caregiver shall not operate a retail store as part of the caregiver operations.

(i) The hours of operation shall be limited to **between 8:00 a.m. and 5:00 p.m.**

(j) A marijuana caregiver shall provide one (1) on-site parking space for the caregiver and an additional space for each employee of the caregiver, in addition to two (2) parking spaces for patients.

§ 315-59.1 **~~Registered dispensaries.~~ Reserved.**

~~Notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, these performance standards, when enacted, shall govern any proposed registered dispensary for which an application has not been submitted and acted on by the Planning Board prior to February 10, 2014. The following standards apply to all registered dispensaries:~~

~~A. Location criteria:~~

~~(1) No medical marijuana dispensary shall be sited within 500 feet of the lot lines of any of the following:~~

~~(a) Any juvenile or adult halfway house, correctional facility, or substance abuse—rehabilitation or treatment center;~~

~~(b) A State of Maine licensed child care facility; or~~

~~(c) A State of Maine licensed family home child care facility.~~

~~(2) The distance cited in this subsection shall be measured between the lot line of the proposed site for the registered dispensary and the lot line of the site of the use listed in Subsection A(1)(a) through (c) above at their closest points.~~

~~B. Hours of operation. Registered dispensaries may be open for business only between the hours of 8:00 a.m. and 5:00 p.m., locally prevailing time.~~

~~C. Signage and advertising. All signage and advertising for a registered dispensary shall comply with all applicable provisions of this Code. In addition, no signage or advertising shall use the word "marijuana" or "cannabis," or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols on the sign. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers.~~

~~D. Security requirements. Security measures at a medical marijuana dispensary and any associated cultivation facility shall include, at a minimum, the following:~~

~~(1) Security surveillance cameras installed, recording and operating 24 hours a day, seven days a week to monitor all entrances, along with the interior and exterior of the premises; to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises;~~

~~(a) All security recordings shall be preserved for at least 30 days by the medical marijuana dispensary. The medical marijuana dispensary shall provide the Police Chief or his designee with the name and functioning telephone number of a twenty four hour on call staff person to whom the Town may provide notice of any operating problems associated with the medical marijuana dispensary.~~

~~(b) Door and window intrusion robbery and burglary alarm systems with audible and Police Department notification components that are professionally monitored and maintained in good working condition;~~

~~(c) Exterior lighting that illuminates the exterior walls of the licensed premises and complies with applicable provisions of this Code; and~~

~~(d) Deadbolt locks on all exterior doors and locks or bars on any other access points (e.g., windows).~~

~~E. Cultivation. If there is both the cultivation and dispensation of marijuana occurring on the same site, the cultivation area shall not be greater than 25% of the total floor area of the portion of the building used for dispensation of marijuana.~~

~~F. On-site consumption of medical marijuana. The consumption, ingestion or inhalation of medical marijuana on or within the premises of a medical marijuana dispensary or cultivation facility is prohibited; provided, however, that a medical marijuana dispensary employee who is a registered patient, as that term is defined in 22 M.R.S.A. § 2422(12), as may be amended, may consume medical marijuana within the enclosed building area of the premises if such consumption occurs via oral consumption (i.e., eating only). For purposes of this subsection, the term "premises" includes the actual building, as well as any accessory structures, parking lot or parking areas, or other surroundings within 200 feet of the medical marijuana dispensary's entrance.~~

~~G. Visibility of activities; control of emissions; disposal plan.~~

~~(1) All activities of registered dispensaries, including, without limitation, cultivating, growing, processing, displaying, selling and storage, shall be conducted indoors.~~

~~(2) No marijuana or paraphernalia shall be displayed or kept in a dispensary or cultivation facility so as to be visible from outside the premises.~~

~~(3) Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a dispensary or cultivation facility must be~~

~~provided at all times. Sufficient measures shall be provided for the proper disposal of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations.~~

~~(4) All medical marijuana dispensaries shall have in place an operational plan for proper disposal of marijuana and related byproducts.~~

~~H. Sale of edible products. No food products shall be sold, prepared, produced or assembled by a medical marijuana dispensary except in compliance with all operating and other requirements of state and local law and regulation, including, without limitation, food establishment licensing requirements. Any goods containing marijuana for human consumption shall be stored in a secure area.~~

~~I. Other laws remain applicable. A medical marijuana dispensary shall meet all operating and other requirements of state and local law and regulation. To the extent the State of Maine has adopted or adopts in the future any stricter law or regulation governing medical marijuana dispensaries, the stricter law or regulation shall control.~~

~~J. Maximum number. The maximum number of medical marijuana dispensaries in the Town shall be capped at one.~~

~~K. Application submission requirements. The applicant shall provide the Planning Board with documentation of any required state approvals for the operation of a registered dispensary.~~

**AMENDMENTS TO CUMBERLAND ZONING ORDINANCE
RE: REGULATION OF MEDICAL MARIJUANA REGISTERED CAREGIVERS AND
MEDICAL MARIJUANA DISPENSARIES**

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§ 315-12 Office Commercial North District (OC-N).

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(ii) Door and window intrusion robbery and burglary alarm systems with audible and Police Department notification components that are professionally monitored and maintained in good working condition.

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(h) A registered caregiver shall not operate a retail store as part of the caregiver operations.

(i) The hours of operation shall be limited to between 8:00 a.m. and 5:00 p.m.

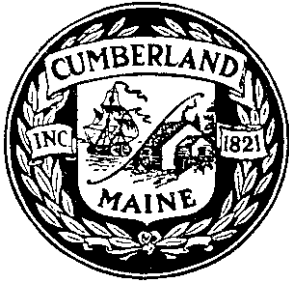
(j) A marijuana caregiver shall provide one (1) on-site parking space for the caregiver and an additional space for each employee of the caregiver, in addition to two (2) parking spaces for patients.

§ 315-59.1 **Reserved.**

ITEM

18-148

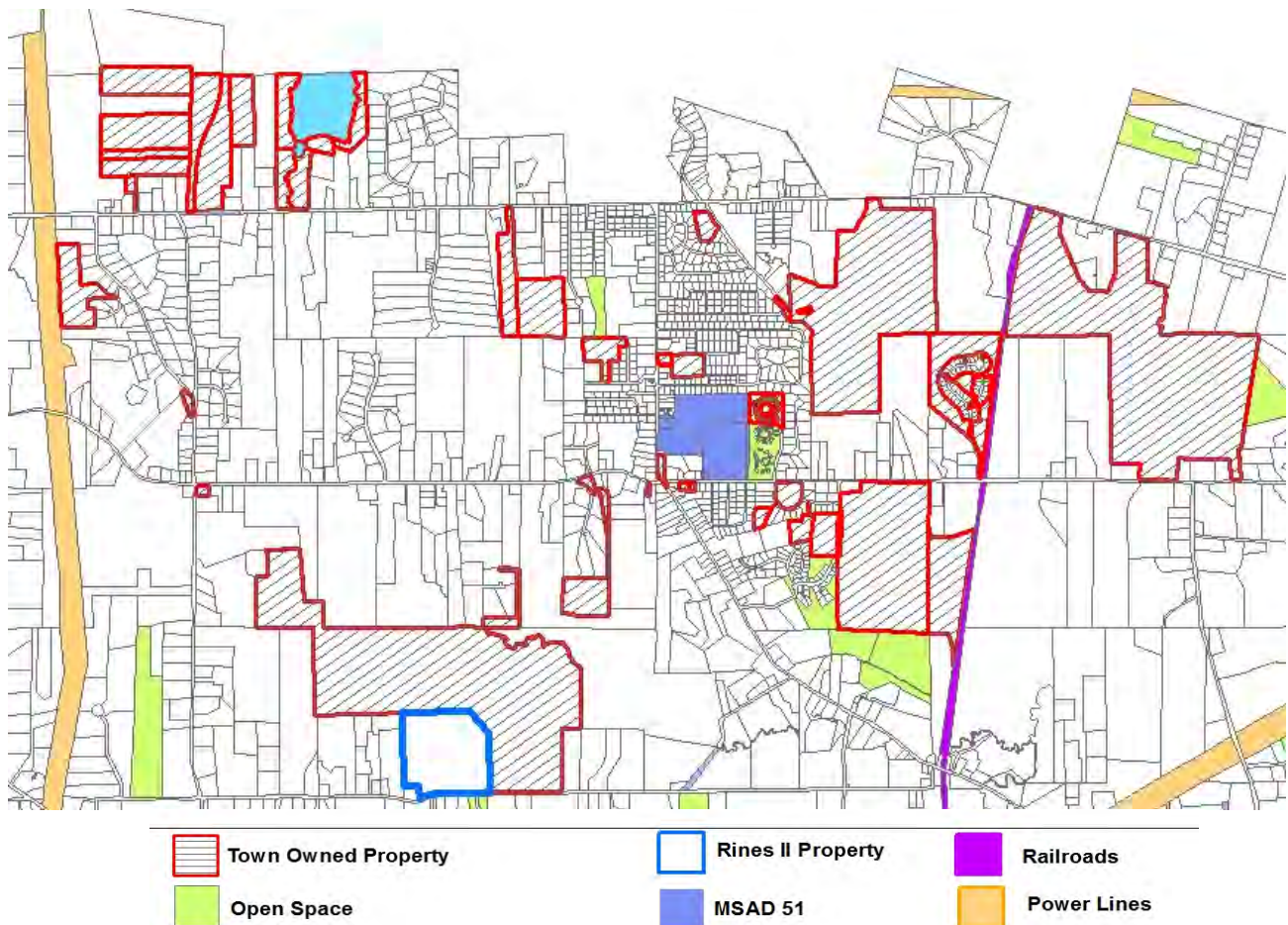
To set a Public Hearing date of December 10th to consider and act on the purchase of 51.5 acres of land on Range Road adjacent to the Rines Forest, as recommended by the Lands and Conservation Commission



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

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

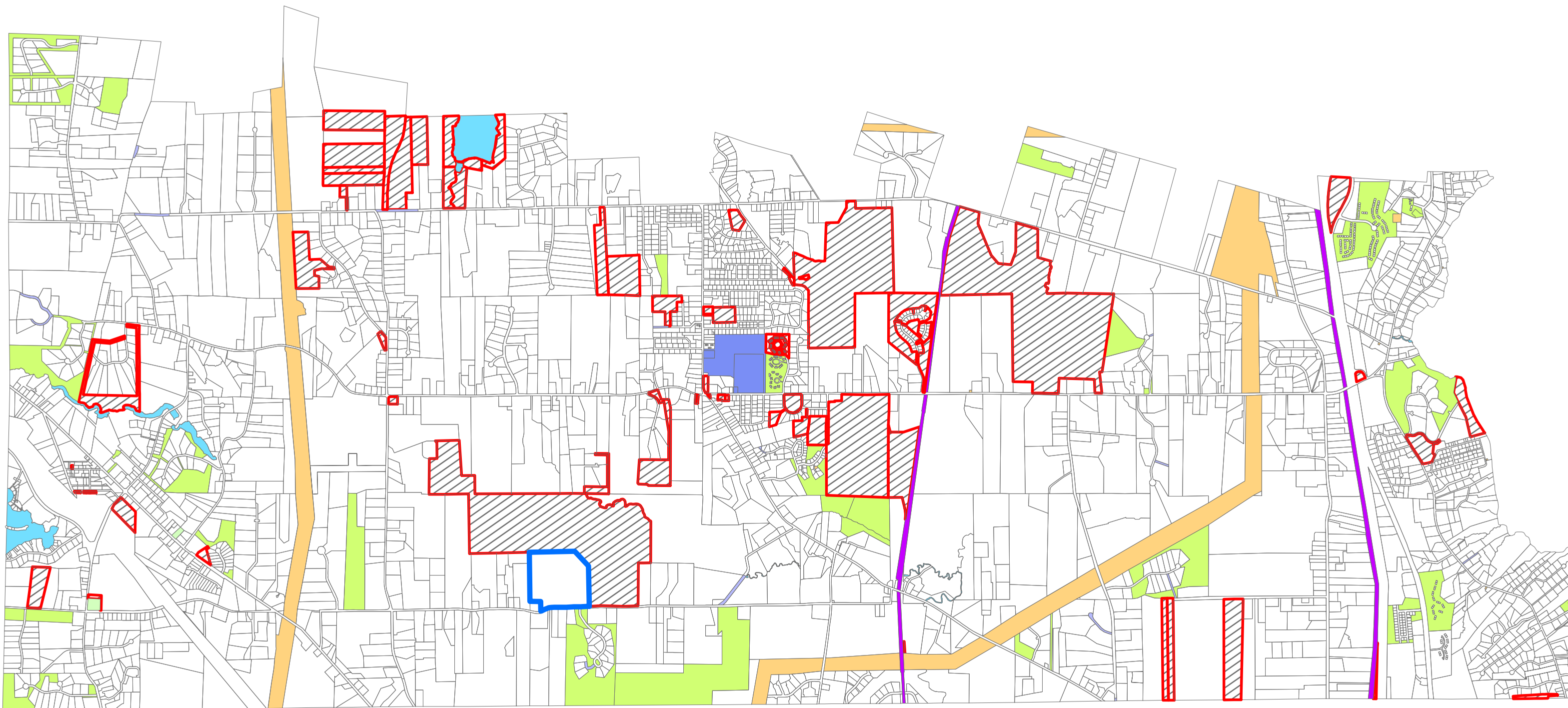
Our option expires this year on the remaining 51.5 acre parcel of the Rines Forest (250 Acres w/ Godsoe Woods). The Land Trust continues its fund raising efforts and The Finance Committee has supported this item moving forward for consideration at the December 10, 2018 Council meeting. The Lands & Conservation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



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

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

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



Town Owned Property



Open Space



Rines II Property



MSAD 51



Railroads



Power Lines



LOAN AMORTIZATION SCHEDULE

ENTER VALUES

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

LOAN SUMMARY

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

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



PHONE: 207.735.5858 FAX: 352.336.4877

422 MEADOW ROAD, HAMPDEN, ME 04444

RINES II PROPERTY

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

PREPARED FOR

TOWN OF CUMBERLAND

290 TUTTLE ROAD

CUMBERLAND, ME 04021

EFFECTIVE DATE: JUNE 6, 2018

DATE OF REPORT: JUNE 22, 2018

PREPARED BY

JESSE STUDLEY

LEGACY APPRAISAL SERVICES, LLC

422 MEADOW ROAD

HAMPDEN, ME 04444



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

June 22, 2018

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

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

Dear William:

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

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

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

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

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

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

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

Sincerely,

Jesse Studley
ME CGA #2851
Legacy Appraisal Services

TABLE OF CONTENTS

LETTER OF TRANSMITTAL	i
TABLE OF CONTENTS	II
ASSUMPTIONS AND LIMITING CONDITIONS	IV
EXECUTIVE SUMMARY	VI
1. INTRODUCTION	1
Property History	1
Property Rights Appraised	1
Extraordinary Assumptions	1
Prior Appraisal services	1
Partial Acquisition	2
Hypothetical Conditions	2
Definition of Market Value	2
Appraisal Standards	3
Client, Intended User, and Intended Use	3
Scope of Work	3
Important Dates	3
Exposure Time	4
2. NEIGHBORHOOD AND MARKET DESCRIPTION	5
3. PROPERTY DESCRIPTION	8
4. HIGHEST AND BEST USE ANALYSIS, AND VALUATION PREMISES	15
Highest and Best Use	15
Valuation Premises	15
5. SALES COMPARISON APPROACH	17
6. RECONCILIATION & FINAL ESTIMATE OF VALUE	26

FIGURES AND TABLES

Figure 2.1. Single Family Residential Prices – Cumberland County, Maine	6
Figure 2.2. Land Sales – Cumberland County, Maine	7
Figure 3.1. Location Map	12
Figure 3.2. Tract Map – Topographic	13
Figure 3.3. Tract Map – Aerial	14
Figure 5.1. Vacant Land Sales Volume – Cumberland County (2015-2018)	19
Figure 5.2. Vacant Land Sales Volume – Cumberland and York Counties (2015-2018)	21
Figure 5.3. Comparable Sales Location Map	25
Table 1.1. Average Days on Market – Cumberland County (sales >10 acres)	4
Table 1.2. Average Days on Market – Sales	4
Table 2.1. Cumberland Real Estate Metrics	7
Table 3.1. Soils Type Summary	9
Table 5.1. Comparable Sales Summary	17
Table 5.2. Real Estate Metrics – Cumberland	19
Table 5.3. SCA – Adjustment Grid	22
Table 5.4. Sales Comparison Reconciliation	24

APPENDIX

Appendix A.	Certification and Qualifications
Appendix B.	Inspection Transcripts and Photos
Appendix C.	Comparable Sales
Appendix D.	Zoning Map and Ordinance
Appendix E.	Flood Insurance Map
Appendix F.	Tax Map and Assessment
Appendix G.	Deed

ASSUMPTIONS AND LIMITING CONDITIONS

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

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

EXECUTIVE SUMMARY

SUBJECT PROPERTY

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

EFFECTIVE DATE OF APPRAISAL

June 6, 2018.

HIGHEST AND BEST USE

Residential development.

PROPERTY RIGHTS APPRAISED

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

CLIENT, INTENDED USER, AND INTENDED USE

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

VALUE CONCLUSION

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

1. INTRODUCTION

PROPERTY HISTORY

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

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

PROPERTY RIGHTS APPRAISED

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

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

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

EXTRAORDINARY ASSUMPTIONS

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

PRIOR APPRAISAL SERVICES

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

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

PARTIAL ACQUISITION

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

HYPOTHETICAL CONDITIONS

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

DEFINITION OF MARKET VALUE

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

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

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

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

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

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

APPRAISAL STANDARDS

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

CLIENT, INTENDED USER, AND INTENDED USE

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

SCOPE OF WORK

For this comprehensive appraisal, the following was conducted:

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

IMPORTANT DATES

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

³ (2) Ibid, p. 123

EXPOSURE TIME

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

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

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

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

Table 1.2. Average Days on Market – Sales

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

2. NEIGHBORHOOD AND MARKET DESCRIPTION

NEIGHBORHOOD

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

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

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

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

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

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

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

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

RESIDENTIAL MARKETS

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

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

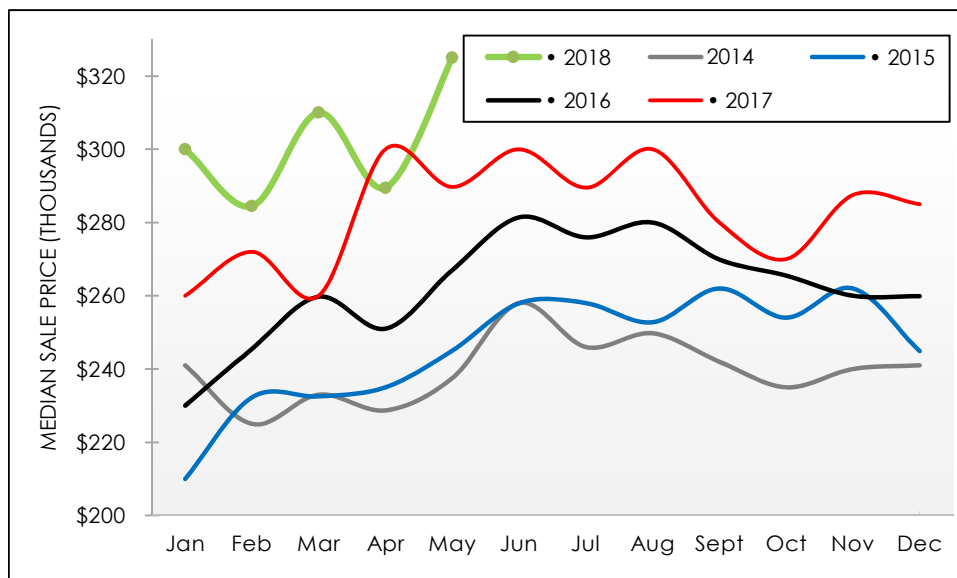


Figure 2.2 illustrates vacant land sales volumes in Cumberland County since 2015. The data indicates an increasing market with the 2018 market indicating continued positive price appreciation. The majority of the sales volumes illustrated in Figure 2.2 are residential lot sales located in the more populated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

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

Figure 2.2. Land Sales – Cumberland County, Maine

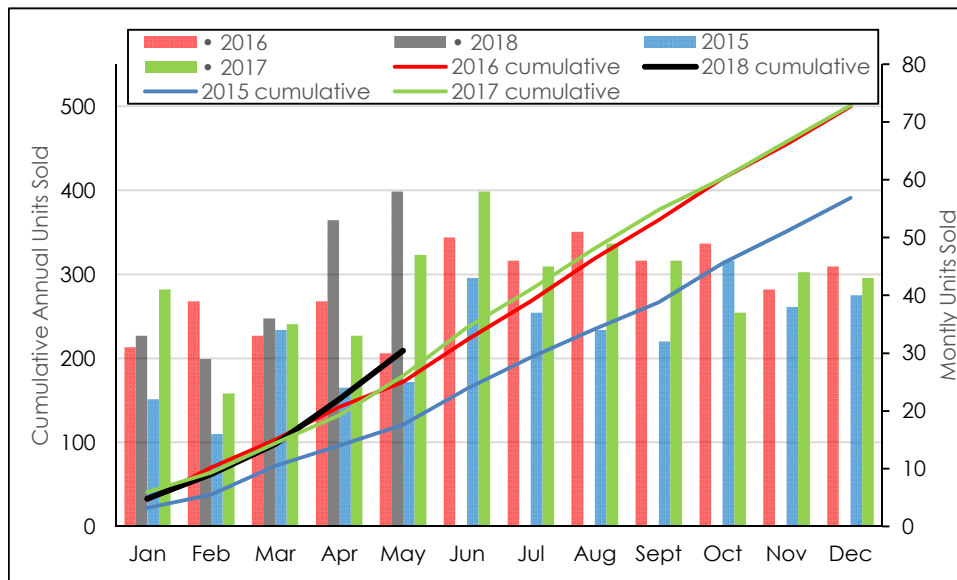


Table 2.1. Cumberland Real Estate Metrics

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

* Through May 31, 2018.

3. PROPERTY DESCRIPTION

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

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

Ten-Year Use History

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

Environmental Site Assessment

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

Access

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

Flood Hazard and Public Utilities

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

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

Topography and Soils

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

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

Table 3.1. Soils Type Summary

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

Timber Resource

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

Development Values

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

Inspection Photos and Transcripts

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

Taxation

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

Land Use Regulations

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

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

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

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

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

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

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

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

Figure 3.1. Location Map

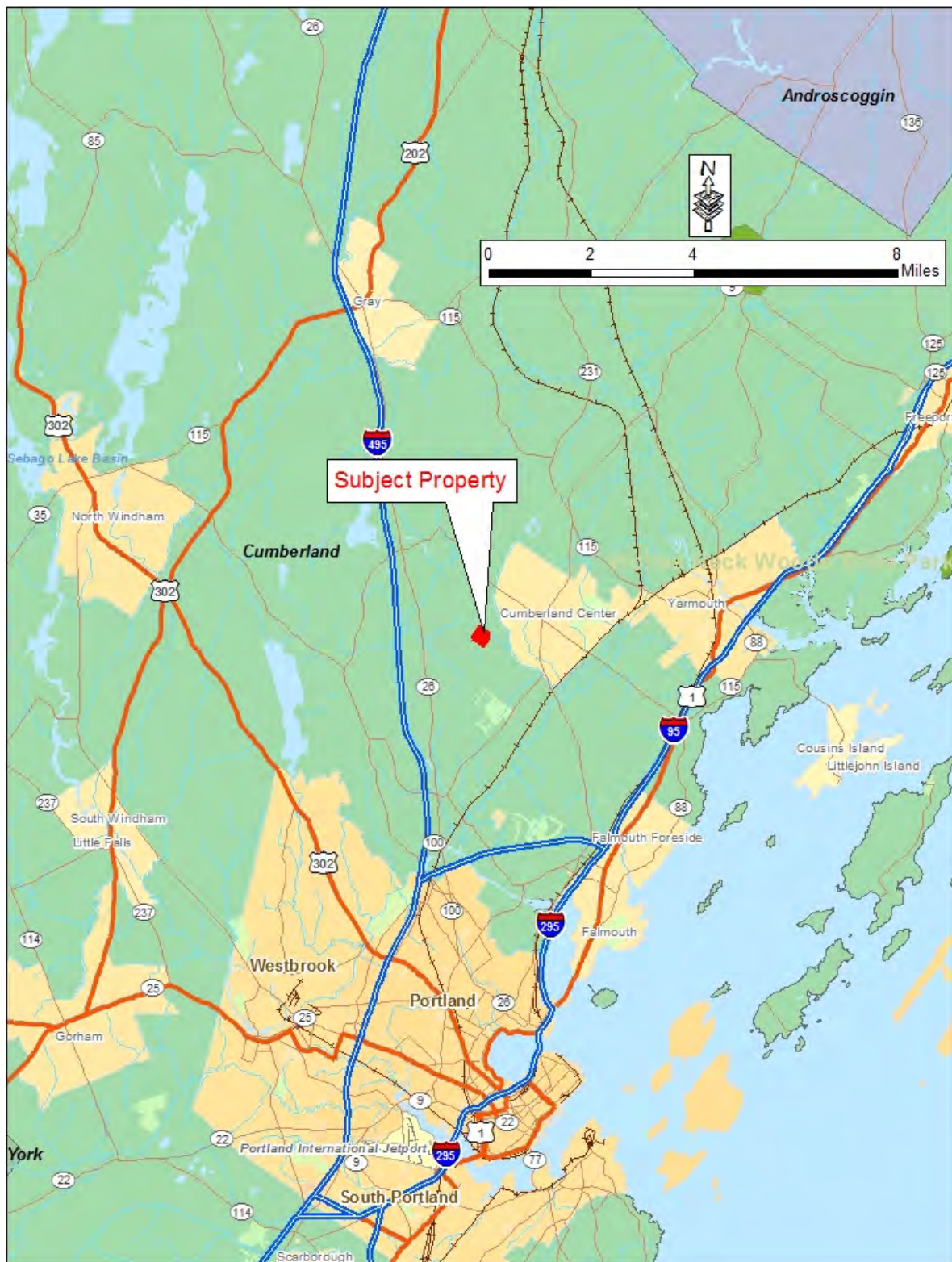


Figure 3.2. Tract Map – Topographic

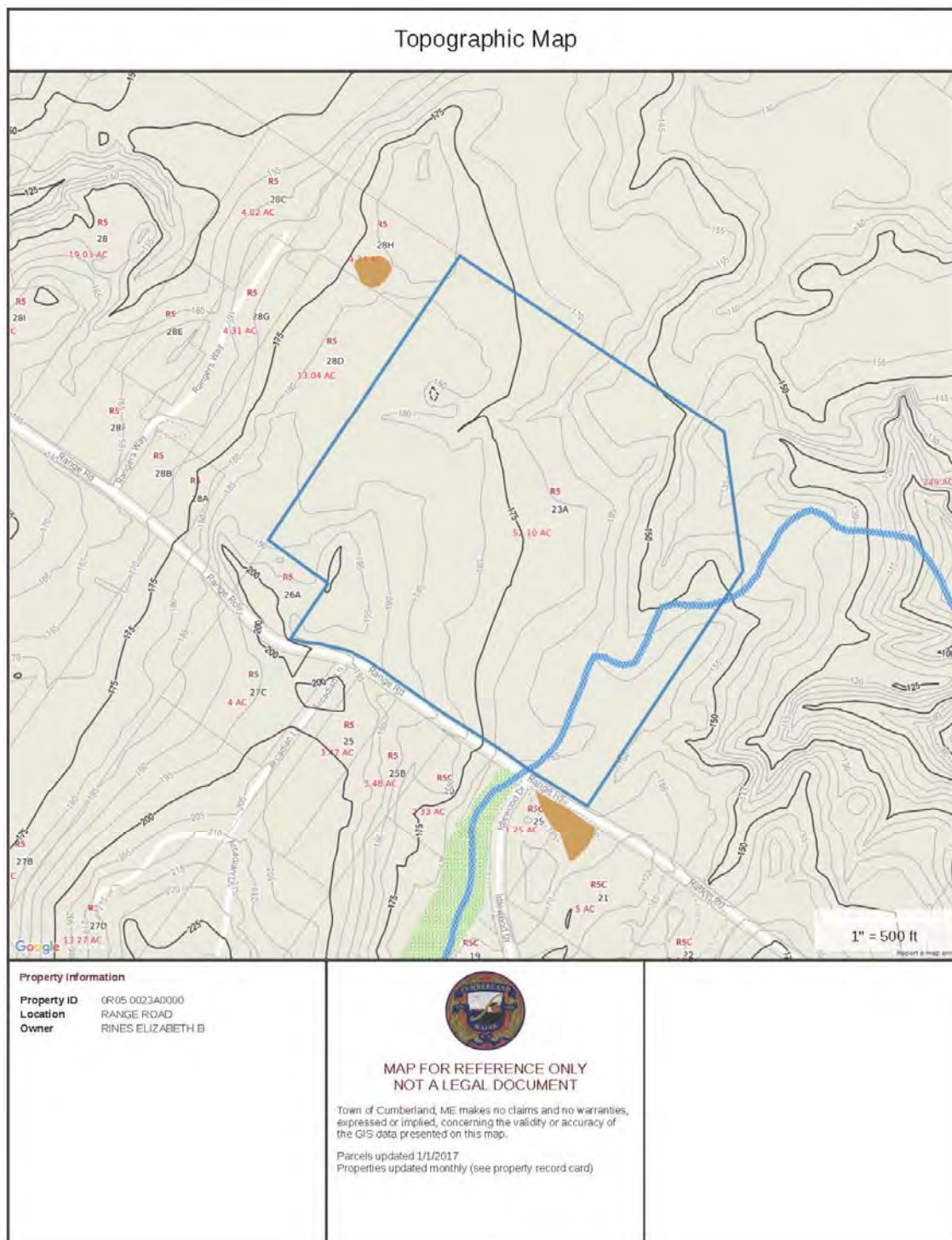


Figure 3.3. Tract Map – Aerial



4. HIGHEST AND BEST USE ANALYSIS, AND VALUATION PREMISES

HIGHEST AND BEST USE

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

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

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

VALUATION PREMISES

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

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

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

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

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

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

5. SALES COMPARISON APPROACH

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

Sales Summary

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

Table 5.1. Comparable Sales Summary

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

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

Units of Comparison

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

Sale Adjustments

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

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

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

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

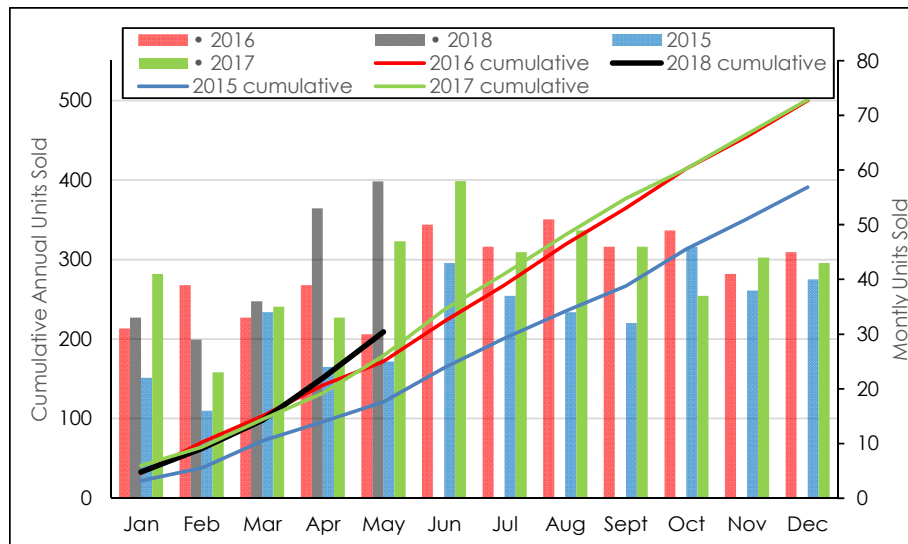


Table 5.2. Real Estate Metrics – Cumberland

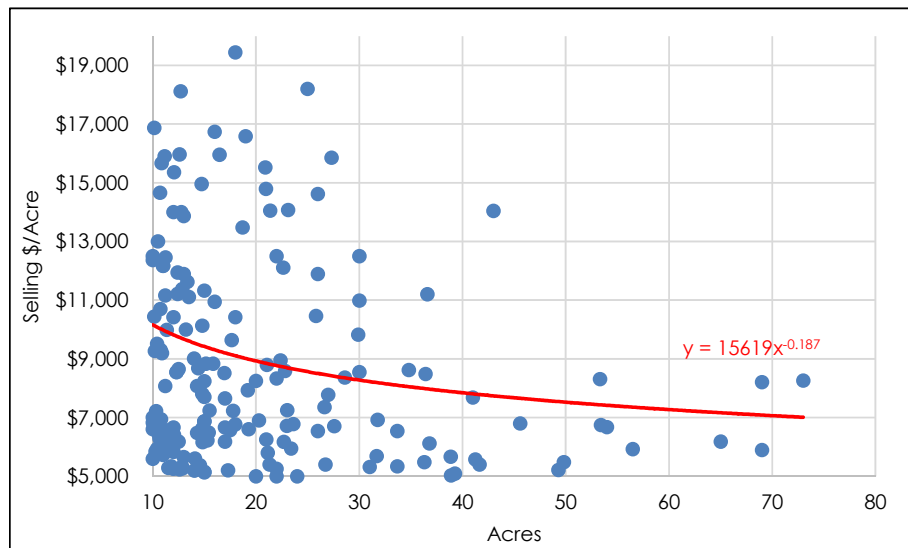
Year	Land		Residential	
	# of Sales	Median Sale \$	# of Sales	Median Sale \$
2013	17	\$107,100	160	\$358,250
2014	20	\$100,000	167	\$340,500
2015	24	\$124,000	151	\$364,900
2016	24	\$122,000	188	\$360,219
2017	16	\$124,000	163	\$410,791
2018	7	\$128,500	57	\$410,000

* Through May 31, 2018.

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

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

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

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

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

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

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

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

Table 5.3. SCA – Adjustment Grid

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

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

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

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

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

Weighting of Sales and Final Reconciliation

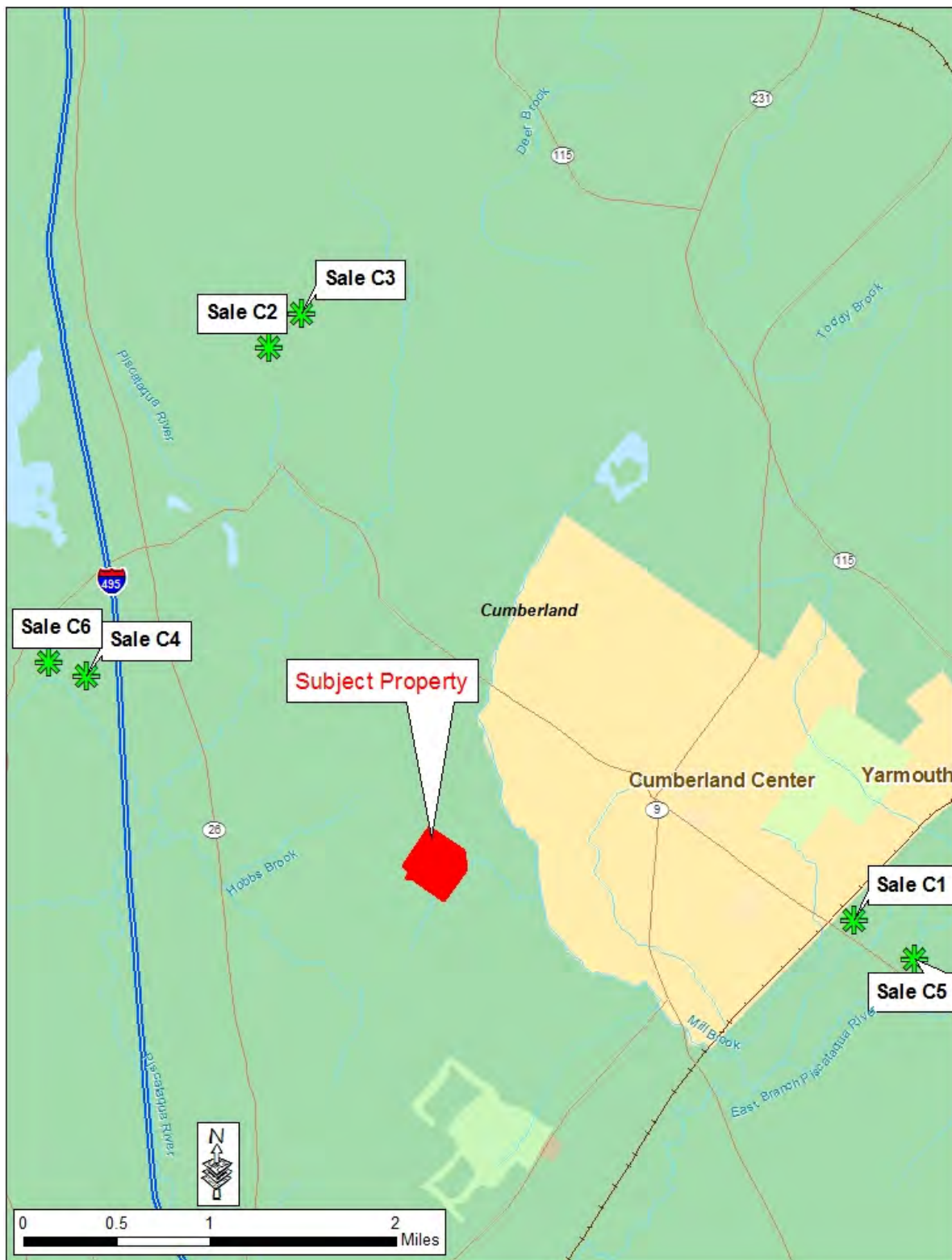
Table 5.4 gives weighting to the comparable sales based on their overall comparability to the subject property. Sales C2 and C1 are considered the “Key Sales” and are therefore given the most weight (25% each) in the analysis. Sale C2 is the most recent sale and includes similar development potential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

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

Table 5.4. Sales Comparison Reconciliation

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

Figure 5.3. Comparable Sales Location Map



6. RECONCILIATION & FINAL ESTIMATE OF VALUE

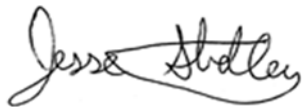
The sales comparison approach was utilized to value the subject property. The cost and income approaches were not used to value the subject property. The market value per acre as indicated by the sales comparison approach is lower than the unadjusted indications of 4 of the sales and higher than the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

Appendix A: Certification and Qualifications

CERTIFICATION OF VALUE

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

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



Jesse Studley
ME CGA #2851

June 22, 2018

Date

APPRAISAL QUALIFICATIONS

JESSE STUDLEY

CERTIFIED GENERAL APPRAISER

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

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

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

PROFESSIONAL AFFILIATIONS & LICENSES

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

Appraisal Institute, Associate Member

Licensed Associate Real Estate Broker (Maine)

RELEVANT EXPERIENCE

2013 – Present, Legacy Appraisal Services

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

2006 – 2013, James W. Sewall Company

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

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

2006, Hull Forest Products, Connecticut

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

2002 – 2004, James W. Sewall Company

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

Appendix B: Inspection Documentation



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



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



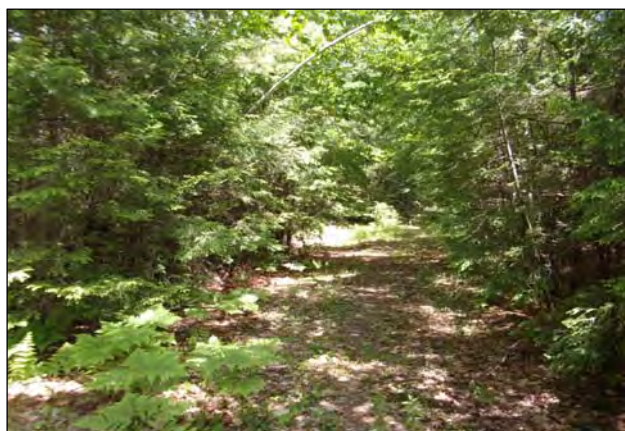
Entrance to the recreational trails.



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



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



Walking trail on the property.



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



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

Appendix C: Comparable Sales



Sale C1

Jesse Studley (014105)

Contact Us

Sign Out

Member Portal

Land - Agent Synopsis



Photo 3 of 3

Sold

Lot 9 Tuttle Road

Cumberland, ME 04021

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

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

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

MLS#: 1159051

Contact

Property Listed By



003304

Richard H Garrett

p:(207) 553-732

richie@homesinn
aine.com**RE/MAX Shoreline**

Office 2951

p:(207) 553-7500

Land Features

Leased Land:
Lot Size(Acr) ±: 30.0000**Zoning:** RR1**Surveyed:** No**Seasonal:** No**Island:** No**WtrFrt:** No**Water Views:** No
Site:
Pasture/Field, Rolling/Sloping,
Wooded
Location:

Rural

Zoning Overlay:

No

Roads:

Paved, Public

Waste Water
Disposal:

Public

Water:

Public

Electric:

No Electric

Gas:

No Gas

Driveway:

No Driveway

Parking:

On Site

Restrictions:

No Restrictions

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

Additional Information

Showing Instructions: Call Listing Broker, Sign On Property**BAFP:** 3.0000% **TBFP:** 3.0000%**List \$:** \$249,000**List Date:** 10/28/2014**Pending Date:** 03/29/2016**List Office:** RE/MAX Shoreline - 2951
(207) 553-7500**List Agent:** Richard H Garrett-003304
(207) 553-7327
RICHIE@HOMESINMAINE.COM**Appraiser:** Beacon Appraisal Co - 999999**Sold \$:** \$249,000**Sold Date:** 05/19/2016**Sold Terms:** Conventional**Sell Office:** Keller Williams Realty - 2957
(207) 553-2605**Sell Agent:** Jeffrey T Mateja-011741
(207) 553-2605
upi@universalpropertiesmaine.com**Days On Market:** 518

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Sale C1

**Property Information**

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

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

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

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

Land - Agent Synopsis



Photo 1 of 27

Sold

S/S South Orchard Road
Cumberland, ME 04021

Kickout: No

Sold Price: \$270,000

Sold Date: 07/28/2017

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

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

MLS#: 1217159

Contact

Property Listed By



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

CENTURY 21 Baribeau Agency

Office 1084

p:(207) 729-3333

Land Features

Leased Land:

Lot Size(Acr) ±: 25.8200

Zoning: Residential

Surveyed: Unknown

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:

Level, Wooded

Location:

Near Town, Near
Turnpike/Interstate,
Neighborhood, Rural

Zoning Overlay:

No

Roads:

Paved

Road Frontage ±:

394

Transportation:

Major Road Access, Near
Airport

Driveway:

No Driveway

Parking:

No Parking

Restrictions:

No Restrictions

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

Waste Water Disposal:

Septic Needed On Site

Water:

Well Needed On Site

Electric:

No Electric

Gas:

No Gas

Additional Information

Showing Remarks: Call listing broker

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

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

List \$: \$279,900

List Date: 05/11/2015

Pending Date: 04/13/2017

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

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

Appraiser: No Appraisal - 888888

Sold \$: \$270,000

Sold Date: 07/28/2017

Sold Terms: Cash

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

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

Days On Market: 703



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Sale C2

**Property Information**

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

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

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



Sale C3

Jesse Studley (014105)

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

Land - Agent Synopsis



Photo 1 of 12

Sold

113 Orchard Road
Cumberland, ME 04021

Kickout: No
Sold Price: \$200,000
Sold Date: 05/19/2017

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

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

MLS#: 1299110

Contact

Property Listed By



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

The Maine Real Estate Network

Office 2741
p:(207) 781-3400

Land Features

Leased Land:

Lot Size(Acr) ±: 22.3600

Zoning: Rural Residential 2

Surveyed: Yes

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:

Wooded

Location:

Rural

Zoning Overlay:

No

Roads:

Other Road, Public, Right Of Way

Waste Water
Disposal:

Septic Needed On Site

Water:

Well Needed On Site

Electric:

No Electric

Gas:

No Gas

Driveway:

No Driveway

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

Additional Information

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

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

List \$: \$220,000

List Date: 03/17/2017

Pending Date: 03/29/2017

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

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

Appraiser: No Appraisal - 888888

Sold \$: \$200,000

Sold Date: 05/19/2017

Sold Terms: Cash

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

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

Days On Market: 12



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Sale C3

**Property Information**

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

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

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



Sale C4

Jesse Studley (014105)

Contact Us

Sign Out

Member Portal

Land - Agent Synopsis



Photo 1 of 1

Sold

50 Stratton Woods Lane
Cumberland, ME 04021

Kickout: No

Sold Price: \$140,000

Sold Date: 01/10/2017

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

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

MLS#: 1286996

Contact

Property Listed By

015124

Joseph A Butkovic

p:(207) 730-3551

joseph.butkovic@gmail.com



Coldwell Banker Residential Brokerage

Office 1039

p:(207) 282-5988

Land Features

Leased Land:
Lot Size(Acr) ±: 20.2900

Zoning: RR2

Surveyed: Yes

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:

Right of Way, Wooded

Location:

Near Turnpike/Interstate, Rural

Zoning Overlay:

No

Roads:

Association, Gravel/Dirt Road, Right Of Way

Waste Water Disposal:

Septic Needed On Site

Water:

Well Needed On Site

Electric:

Other Electric

Gas:

No Gas

Driveway:

Other

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

Additional Information

Showing Instructions: Call Listing Broker

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

List \$: \$150,000

List Date: 10/16/2016

Pending Date: 11/30/2016

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

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

Appraiser: No Appraisal - 888888

Sold \$: \$140,000

Sold Date: 01/10/2017

Sold Terms: Cash

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

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

Days On Market: 45


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Sale C4

**Property Information**

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

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



Sale C5

Jesse Studley (014105)

Contact Us

Sign Out

Member Portal

Land - Agent Synopsis


Sold

215-A Tuttle
Cumberland, ME 04021

Kickout: No

Sold Price: \$300,000

Sold Date: 07/30/2015

MLS#: 1223832

Photo 1 of 1

Contact

Property Listed By



006052

*Christie B
Harriman*

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

F.O. Bailey Real Estate

Office 2872

p:(207) 781-1111

Land Features

Leased Land:
Lot Size(Acr) ±: 41.0000

Zoning: RR1

Surveyed: Yes

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:
Location:
Zoning Overlay:
Roads:
Waste Water
Disposal:
Water:
Electric:
Gas:

Agriculture

Abuts Conservation, Near Golf Course

No

 Dead End, Gravel/Dirt Road,
Private

None

Other

No Electric

Natural-At Street

Driveway:

Gravel

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

Additional Information

Showing Instructions: Call Listing Broker

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

List \$: \$300,000

List Date: 06/12/2015

Pending Date: 06/17/2015

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

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

Appraiser: Derrell B Smith - 008770

Sold \$: \$300,000

Sold Date: 07/30/2015

Sold Terms: Conventional

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

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

Days On Market: 5


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



Sale C5

**Property Information**

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

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



Sale C6

Jesse Studley (014105)

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

Land - Agent Synopsis



Photo 1 of 27

Sold

29 Blackstrap Road
Cumberland, ME 04021

Kickout: No

Sold Price: \$300,000

Sold Date: 10/20/2016

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

MLS#: 1277851

Contact

Property Listed By



008201

Maryea L. Curtis

p:(207) 650-543

maryea@maryea.com

The Flaherty Group

Office 2927

p:(207) 221-8585

Land Features

Leased Land:
Lot Size(Acr) ±: 26.0000

Zoning: RR2

Surveyed: No

Seasonal: No

Island: No

WtrFrt: No

Water Views: No

Site:

Agriculture, Pasture/Field, Wooded

Location:

Near Golf Course, Near Shopping, Near Turnpike/Interstate

Zoning Overlay:

No

Roads:

Public

Road Frontage ±:

600

Driveway:

Gravel

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

Waste Water

Septic Existing On Site, Septic Needed On Site

Disposal:

Private, Well Existing On Site, Well Needed On Site

Water:
Electric:

Circuit Breakers

Gas:

Bottled

Additional Information

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

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

List \$: \$399,900

List Date: 08/02/2016

Pending Date: 08/09/2016

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

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

Appraiser: No Appraisal - 888888

Sold \$: \$300,000

Sold Date: 10/20/2016

Sold Terms: Cash

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

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

Days On Market: 7


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Sale C6

**Property Information**

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

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

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

Appendix D: Zoning Map and Ordinance

Official Zoning Map Cumberland, Maine

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

Deborah P. O'Donnell
Town Clerk

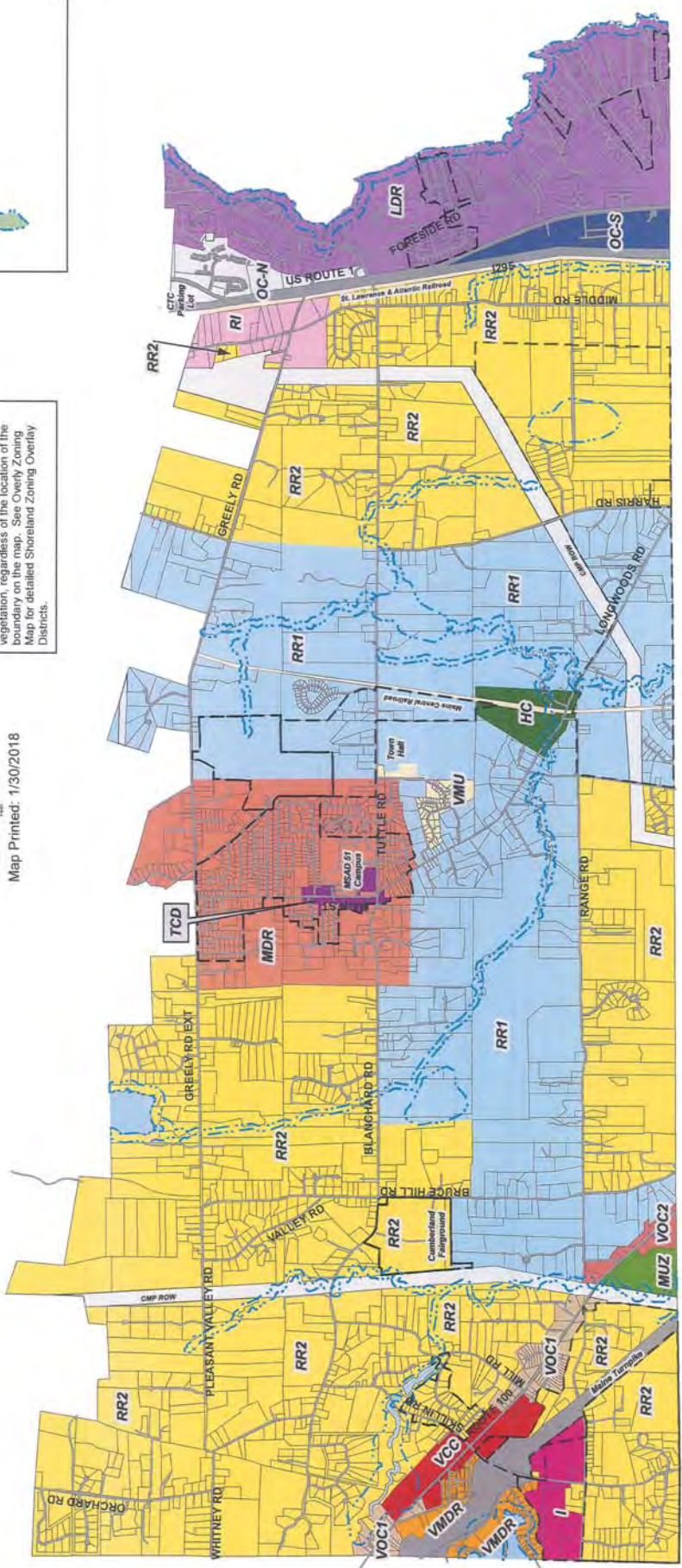
- Adopted: 01/25/1999
- Amended: 04/28/2014
- Amended: 04/20/2008
- Amended: 02/23/2009
- Amended: 09/17/2015
- Amended: 12/12/2016
- Amended: 05/08/2017
- Amended: 04/11/2011
- Amended: 10/10/2011
- Amended: 10/08/2012
- Amended: 02/25/2013
- Amended: 07/23/2013

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

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



Map Printed: 1/30/2018



Town of Cumberland, ME
Tuesday, June 19, 2018

Chapter 315. Zoning

Article II. Zoning Districts

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

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

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

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

(a) Single-family detached dwellings.

(b) Duplex dwellings.

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

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

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

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

(e) Agriculture.

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

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

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

[Amended 9-10-2012]

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

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

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

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

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

(n) Cemeteries, subject to site plan review.

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

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

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

(r)

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

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

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

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

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

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

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

Appendix E: FEMA Flood Plain Map



APPROXIMATE SCALE



EXPLANATION OF ZONE DESIGNATIONS

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

NOTES TO USER

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

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

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

INITIAL IDENTIFICATION:

AUGUST, 1977

FLOOD HAZARD BOUNDARY MAP REVISIONS:

FLOOD INSURANCE RATE MAP EFFECTIVE:

MAY 15, 1981

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

Appendix F: Tax Map and Assessment

**Property Information**

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

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

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

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

RANGE ROAD

Location RANGE ROAD

Mblu R05/ 23/A / /

Acct# R0600R

Owner RINES ELIZABETH B

Assessment \$21,800

PID 100426

Building Count 1

Current Value

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

Owner of Record

Owner RINES ELIZABETH B

Sale Price \$0

Co-Owner

Certificate

Address 29 WALNUT CREST ROAD
GORHAM, ME 04038

Book & Page 26735/ 1

Sale Date 03/23/2009

Instrument 1A

Ownership History

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

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Replacement Cost: \$0

Building Percent

Good:

Replacement Cost

Less Depreciation: \$0

Building Photo

Building Attributes	
Field	Description
Style	Vacant Land

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



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

Building Layout

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

Extra Features

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

Land

Land Use

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

Land Line Valuation

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

Outbuildings

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

Valuation History

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

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Appendix G: Deed


WARRANTY DEED

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

See the attached Exhibit A.

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

WITNESS




Dale S. Rines

STATE OF MAINE
CUMBERLAND, ss.

^{20th}
March, 2009

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

Before me,



Ernest L. Manderson, Attorney at Law

Exhibit A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OPTION TO PURCHASE

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

This Option is granted upon the following terms and conditions:

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

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

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

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

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

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

(4) Miscellaneous.

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

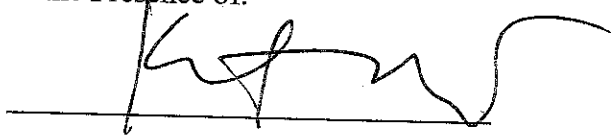
Dale S. Rines
29 Walnut Crest Road
Gorham, ME 04038

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


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

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

Signed, Sealed
and Delivered
in the Presence of:




Optionor:


Dale S. Rines

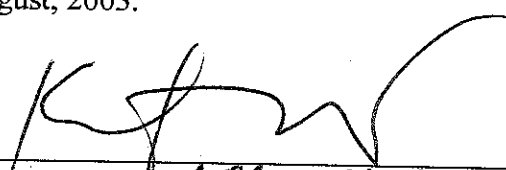
Optionee:

TOWN OF CUMBERLAND

By: 
Its Town Manager

STATE OF MAINE
Cumberland, ss.

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


Notary Public

Print Name:

My Commission Expires:

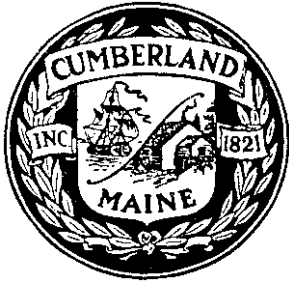
Atty - At - Law
KENNETH M. COLE TH

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

ITEM

18-149

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



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: 18-149 Tan Borrowing
Date: November 20, 2018

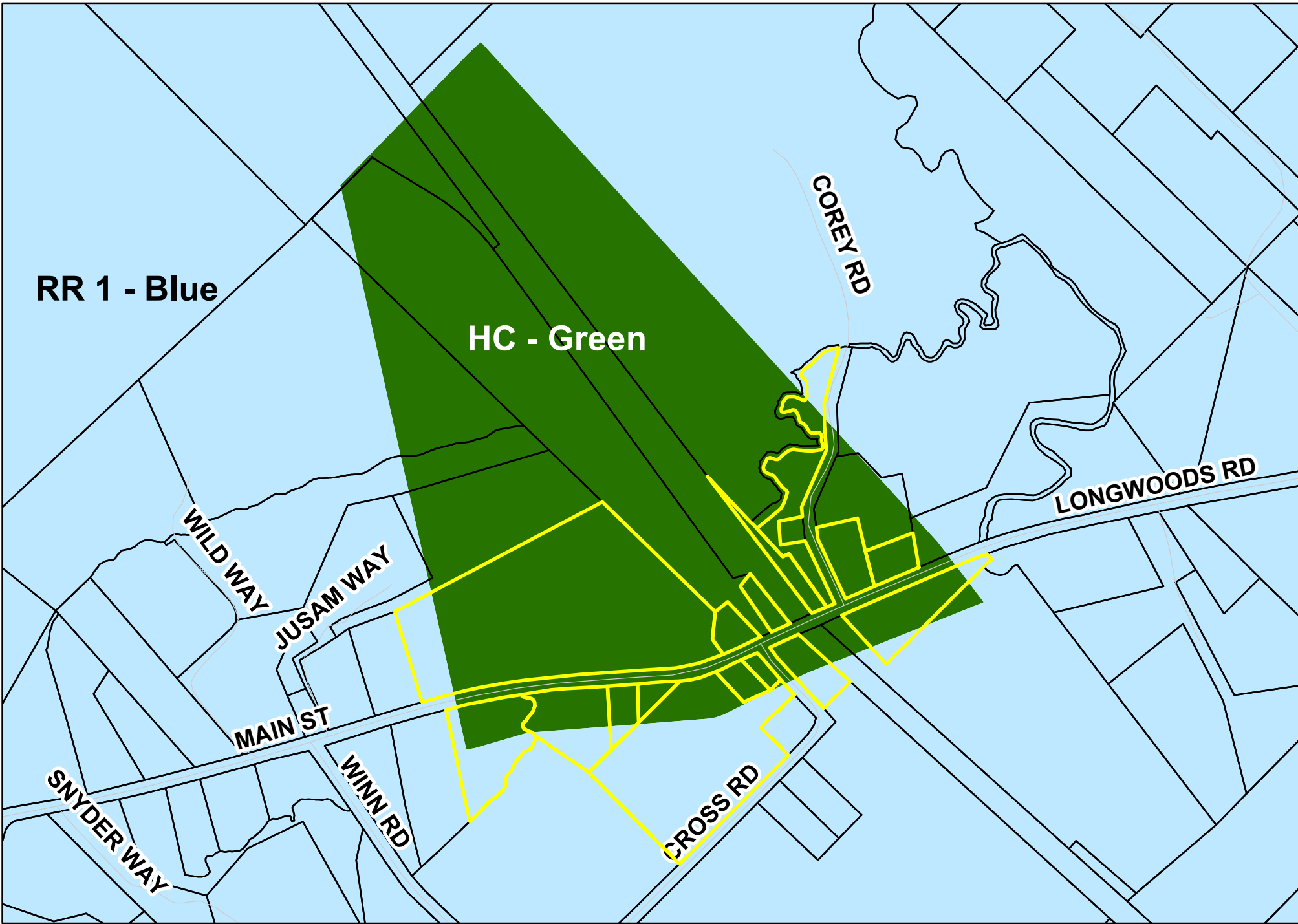
The Finance Committee, at its 10/17 meeting, voted unanimously to forward to the Town Council for action the authorization and award of a Tax Anticipation Note (TAN) for \$2M for FY 2019 and to transfer from debt service reserves up to \$20,000 for interest on the TAN. The Town Council approved this recommendation on October 22, 2018.


On December 10, 2018, I expect to have the results of the TAN bid and will be requesting you award the TAN to the highest qualified bidder.

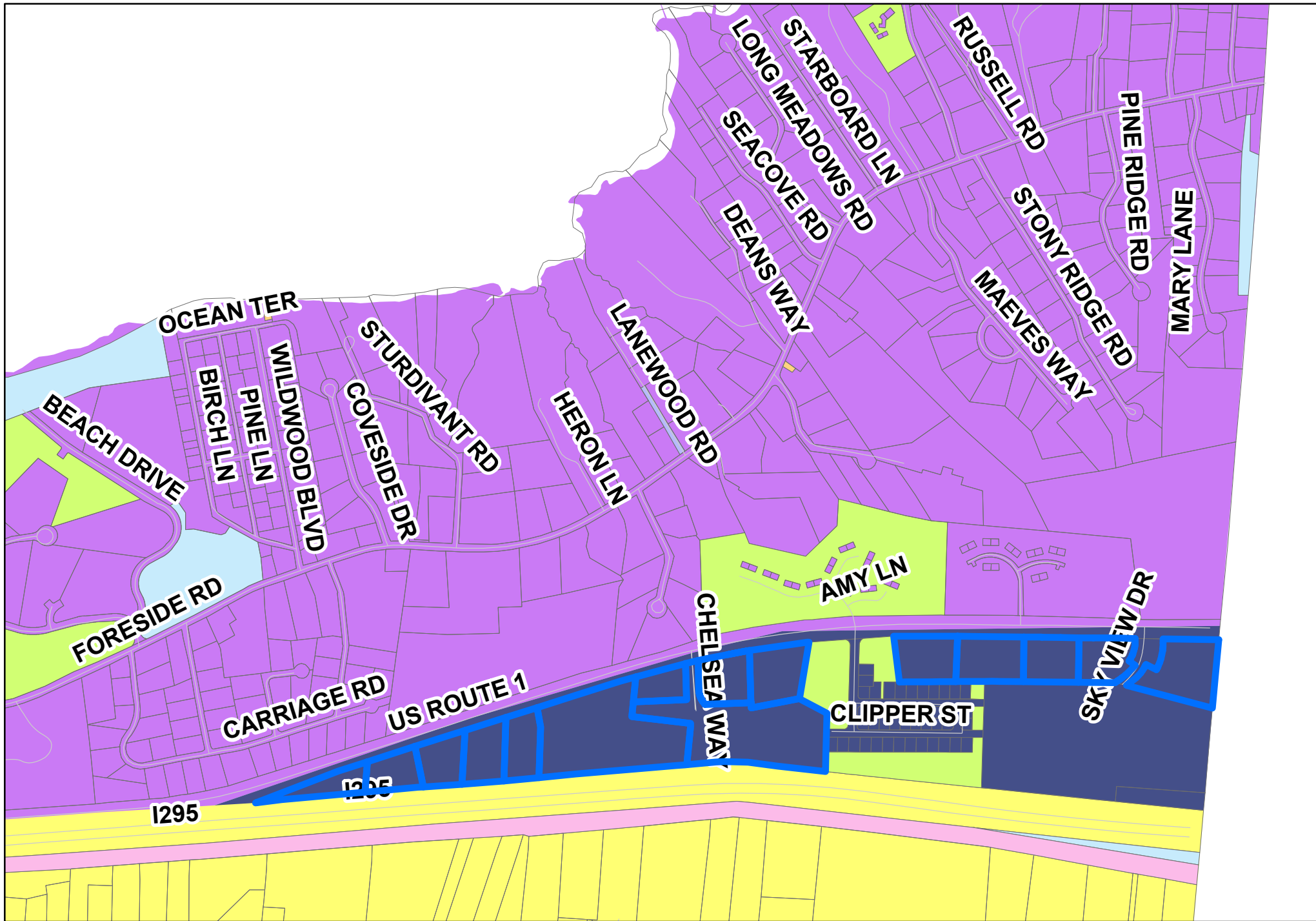
ITEM

18-150

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



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



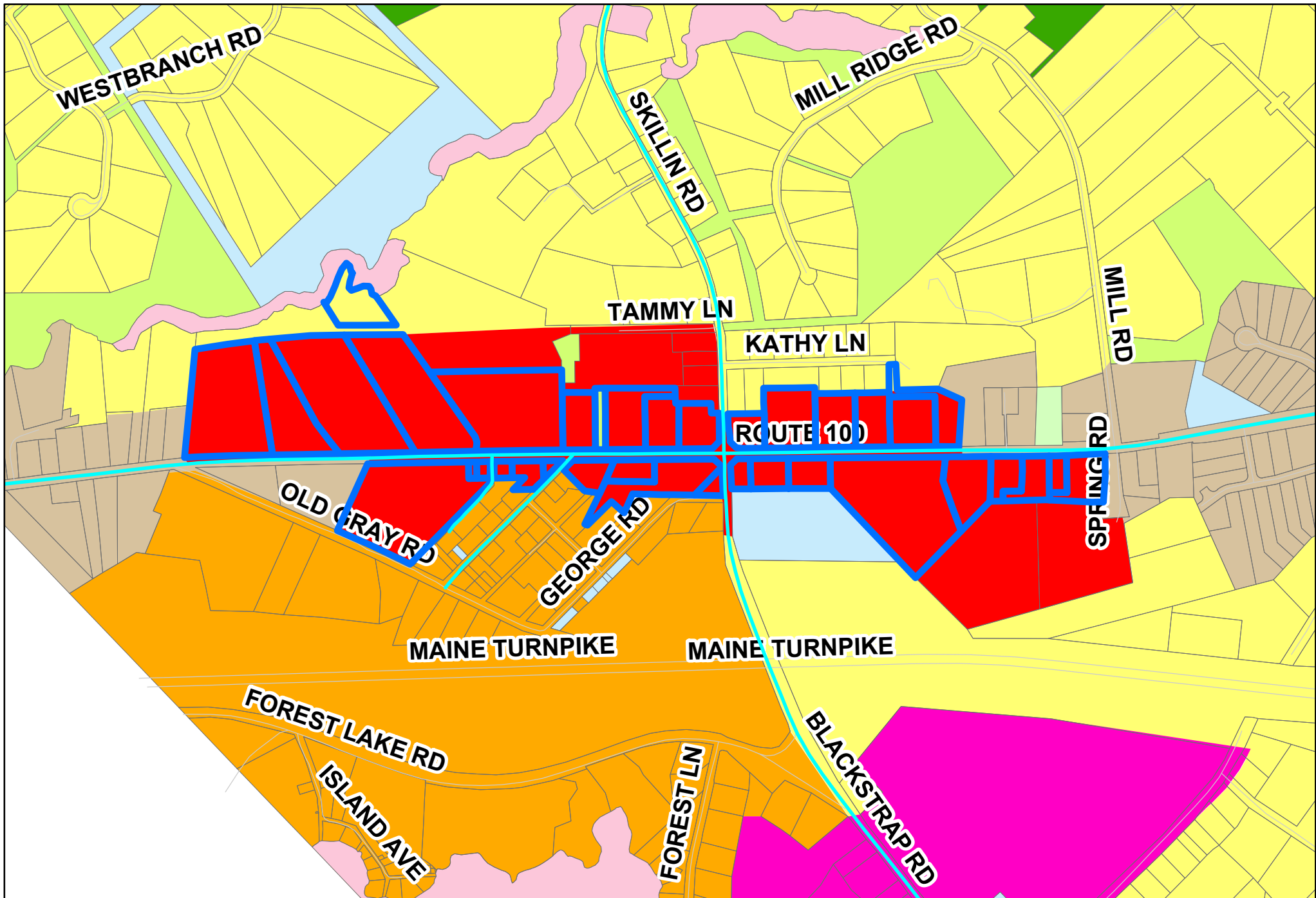
OCS Properties in Overlay



800 400 0 800 Feet



1 inch = 833 feet



VCC Properties in Marijuana Overlay



700 350 0 700 Feet



1 inch = 700 feet



ITEM

18-152

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

LEASE AGREEMENT

Please fax completed agreement to 1-866-329-8795
Questions or need assistance? Call 1-866-550-8795

This Lease has been written in "Plain English." When we use the words Lessee, You and Your in this Lease, we mean the Lessee indicated below. When we use the words Lessor, We, Us, and Our in this Lease, We mean TIAA Commercial Finance, Inc. Our address is 10 Waterview Boulevard, Parsippany, New Jersey 07054.

LESSEE INFORMATION	Lessee Name Town of Cumberland		Lease Number
	Lessee Billing Address 290 Tuttle Road Cumberland, ME 04021		Lessee Phone Number 207-829-5559
	Equipment Location (if different from above) Same		Federal Tax ID Number
SUPPLIER INFORMATION	Supplier Name ("Supplier") and Address Kyocera Document Solutions of New England - Portland, ME 04103		Supplier Phone Number 207-797-7224
EQUIPMENT DESCRIPTION ("Equipment")	Make/Model/Accessories	Quantity	Serial Number(s)
	Kyocera TASKalfa 6052ciw/Doc Feed, LCF, Staple Finisher & Hole Punch	1	
PURCHASE OPTION	Check one applicable box. If no box is checked or if more than one box is checked, the Fair Market Value Purchase Option will apply. <input checked="" type="checkbox"/> Fair Market Value <input type="checkbox"/> \$1.00 Purchase Option <input type="checkbox"/> Fixed Price Purchase Option - 10% of Total Cash Price		
TERM AND PAYMENT	Initial Lease Term (months): 60	Lease Payment: \$138.00	Advance Lease Payment (Non Refundable) PLUS APPLICABLE TAX

TERMS AND CONDITIONS

1. LEASE. You agree to lease the Equipment from Us on the terms and conditions of this lease agreement ("Lease"). The Equipment will be deemed irrevocably accepted by You upon the earlier of (a) the delivery to Us of a signed Delivery and Acceptance Certificate or (b) 10 days after delivery of the Equipment to You if previously You have not given written notice to Us of Your non-acceptance. This Lease commences on the day the Equipment is delivered to You (the "Commencement Date") and the first Lease Payment shall be due on the Commencement Date or any other date that we designate, and the remaining Lease Payments will be due on the same day of each subsequent month at an address specified by Us in writing. If more than one Lease Payment is required in advance, the additional amount will be applied at the end of the initial or any renewal term. IF THIS LEASE IS REPLACING AN EXISTING LEASE, THE NEW PAYMENT MAY INCLUDE THE BALANCE OF THAT LEASE AND RESULT IN A GREATER AGGREGATE COST TO YOU. YOUR LEASE OBLIGATIONS ARE ABSOLUTE, UNCONDITIONAL AND NOT SUBJECT TO CANCELLATION, REDUCTION, SETOFF OR COUNTER CLAIM, EVEN IF THE EQUIPMENT DOES NOT WORK PROPERLY. You authorize Us to adjust the Lease Payment up or down by not more than 15% if the total amount We have paid in connection with the purchase, delivery and installation of the equipment, including any trade-up and buyout amounts (collectively, the "Total Cash Price") differs from the estimated Total Cash Price originally assumed for documentation purposes.

2. NO WARRANTIES. You are leasing the Equipment "AS-IS" AND WE MAKE NO WARRANTIES EITHER EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

3. EQUIPMENT USE AND MAINTENANCE, RESTOCKING FEE. You will keep the Equipment at the location stated above and maintain it in good working condition, eligible for manufacturer's certification, normal wear and tear excepted. You will pay for any repairs. It is solely Your duty to remove all sensitive or confidential data stored within the Equipment prior to returning it. You will pay all shipping expenses for the return of the Equipment to Us, to a location in the United States that We designate. We may charge You a restocking fee equal to two (2) Lease Payments. You agree that You will not take the Equipment out of service and have a third party pay or provide funds to pay the amounts due under this Lease.

4. ASSIGNMENT. You agree not to sell, assign or sublease either the Equipment or any right under this Lease without Our prior written consent. We may sell or assign this Lease without notice and the new owner will not be subject to any claims, defenses or setoffs that You may have.

5. TAXES AND FEES. You will pay all excise, sales and use, personal property and all other taxes and charges which may be imposed during the term of this Lease, arising from the use, acquisition, ownership or leasing of the Equipment, whether due before or after termination of this Lease. You will reimburse Us for Our administrative costs and fees associated with the preparation, filing, payment, and other costs of administering taxes associated with the Equipment. Where required by law, We will file the personal property tax returns with respect to the Equipment, and You shall pay Us in advance, and when We require, the taxes that We anticipate will be due during the year. You further agree to pay Us a fee for documenting this Lease.

6. INSURANCE. You will maintain at Your expense (a) property insurance against the loss, theft or destruction of, or damage to, the Equipment for its full replacement value, naming Us as loss payee, and (b) public liability and third party property insurance, naming Us as an additional insured, and give Us written proof of Your insurance. We reserve the right to reject Your insurance carrier. IF YOU DO NOT GIVE US EVIDENCE OF INSURANCE ACCEPTABLE TO US, WE HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO OBTAIN INSURANCE COVERING OUR INTERESTS FOR THE TERM OF THIS LEASE, INCLUDING ANY RENEWAL OR EXTENSIONS. WE MAY ADD THE COSTS OF ACQUIRING AND MAINTAINING SUCH INSURANCE, AND OUR FEES FOR OUR SERVICES IN PLACING AND MAINTAINING SUCH INSURANCE

(COLLECTIVELY, "INSURANCE CHARGE"), ON WHICH WE MAY EARN A PROFIT, TO THE AMOUNTS DUE FROM YOU UNDER THIS LEASE. Such insurance may duplicate coverage provided under Your existing policy. You will pay the Insurance Charge in equal installments allocated to the remaining Lease Payments. You acknowledge that We are not required to secure or maintain any insurance, and We will not be liable to You if We terminate any insurance coverage that We arrange.

7. PURCHASE OPTION; AUTOMATIC RENEWAL. If no default exists under this Lease, You will have the option at the end of the initial or any renewal term to purchase all (but not less than all) of the Equipment at the Purchase Option price shown above, plus any applicable taxes. Unless the Purchase Option price is \$1.00, You must give Us at least 90 days written notice before the end of the Initial Lease Term that You will purchase the Equipment or that You will return the Equipment to Us. If You do not give Us such written notice or if You do not purchase or deliver the Equipment in accordance with the terms and conditions of this Lease, this Lease will automatically renew on a monthly basis until You exercise a purchase option or deliver the Equipment to Us.

8. DEFAULT AND REMEDIES. You shall be in default under this Lease if (a) You fail to make any Lease Payment or other payment within 10 days of its due date, (b) You do not perform any of Your obligations under this Lease or any other agreement with Us or any of Our affiliates and this failure continues for 10 days or, (c) You become insolvent. If a default occurs, We may do one or more of the following: (i) terminate this Lease or any other agreement You have with Us or any of Our affiliates; (ii) require that You immediately pay to Us the balance of unpaid Lease Payments plus the present value of the Equipment's anticipated residual value discounted at 3% per annum plus any other amounts due or to become due under this Lease; (iii) demand that You return the Equipment to Us; and (iv) exercise any other legal right or remedy that We may have. If any Lease Payment is not paid to Us within 3 days of its due date, You will owe Us a late charge not to exceed the greater of 10% of each late payment or \$20.00 (or such lesser amount as is the maximum allowable under applicable law). You will pay all of Our costs and reasonable attorneys' fees associated with enforcing Our rights and pursuing Our remedies against You.

9. OWNERSHIP; UCC. Unless You have a \$1.00 purchase option, We are the owner of the Equipment and this Lease is a "finance lease" as defined in Article 2A of the UCC; however, in the event this Lease is deemed to be a lease intended for security, You hereby grant to Us a first priority security interest in the Equipment.

10. INDEMNIFICATION. You are responsible for any losses, damages, claims, and actions, including reasonable attorneys' fees caused by or related to (a) the selection, installation, ownership, use, lease, or possession of the Equipment or (b) any data You store within the Equipment.

11. TRANSITION BILLING. In order to facilitate an orderly transition, including Equipment installation and training and to establish a uniform billing cycle, the "Effective Date" of the Initial Lease Term will be the date after such transition, as shown on the first invoice. You agree to pay a prorated amount for the period between the Commencement Date and the Effective Date. This payment for the transition period will be based on the Lease Payment prorated on a 30-day calendar month and will be added to your first invoice.

12. MISCELLANEOUS. This is the entire agreement between the parties and supersedes all prior agreements, whether oral or written, concerning the subject matter hereof. THE EQUIPMENT WILL BE USED ONLY FOR BUSINESS PURPOSES. YOU CONFIRM THAT YOU DECIDED TO ENTER INTO THIS LEASE RATHER THAN PURCHASE THE EQUIPMENT. YOU AUTHORIZE US TO CORRECT OBVIOUS ERRORS OR SUPPLY MISSING INFORMATION IN THIS LEASE WITHOUT NOTICE TO YOU. YOU AGREE THAT THIS LEASE WILL BE GOVERNED BY THE LAWS OF THE STATE OF NEW JERSEY. YOU CONSENT TO THE JURISDICTION OF ANY STATE OR FEDERAL COURT LOCATED WITHIN NEW JERSEY. WE WILL NOT BE BOUND BY THIS LEASE UNTIL WE COUNTERSIGN IT OR BY PURCHASING THE EQUIPMENT, WHICHEVER OCCURS FIRST. A FAX OR ELECTRONIC VERSION OF YOUR SIGNATURE ON THIS LEASE WHEN RECEIVED BY US SHALL BE BINDING UPON YOU AS IF ORIGINALLY SIGNED. YOU AND WE EXPRESSLY WAIVE ANY RIGHTS TO A TRIAL BY JURY.

TIAA COMMERCIAL FINANCE, INC.

Lessor
X
Authorized Signature _____ Date _____
Print Name and Title _____

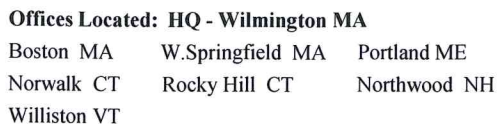
Town of Cumberland

Lessee
X
Authorized Signature _____ Date _____
Print Name and Title _____

ACCEPTANCE OF DELIVERY

You certify that all the Equipment listed above has been furnished to You, and that delivery and installation has been fully completed and satisfactory and therefore You accept the Equipment. Further, all terms and conditions of this Lease have been reviewed and agreed to by You. Upon Your signing below, Your promises herein will be irrevocable and unconditional. We have purchased the Equipment from the above Supplier, whom You may contact for Your warranty rights, which We transfer to You for the term of this Lease. You acknowledge that We are not the manufacturer, supplier or dealer of the Equipment, and that the above Supplier is not Our agent.

X
Authorized Signature _____ Date _____
Print Name and Title _____



Sales Rep	Charlie Pasquerillo
Invoice #	
Date	10/24/2018

CUSTOMER INFO-SHIP TO:			METO09-SHM			CUSTOMER INFORMATION			BILL TO:			
Town of Cumberland						Same						
290 Tuttle Road												
Cumberland		ME	04021									
PHONE # -			Fax #			PHONE #			Fax #			
(207) 829-5559						(207) 829-5559						
CONTACT NAME: Mike Crosby						CONTACT NAME:						PO#:
EMAIL ADDRESS:						EMAIL ADDRESS:						

[illegible]

* TERMS: THE EQUIPMENT INDICATED ABOVE IS PURCHASED UNDER THE KNE STANDARD TERMS AS FOLLOWS:

1. Overdue accounts will be charged a late payment fee of 1.5% per month or to the extent allowed by law if less, and a fee of \$25.00 will be charged for all returned checks.
2. This order is subject to the terms and conditions appearing herein and buyer agrees to be bound thereby.
3. No modifications or additions thereto shall be binding upon seller unless expressly consented to in writing by an officer of the corporation.
4. Credit will not be issued on returned supplies for any opened packages.

SUB TOTAL		Leased
DELIVERY		NA
SUB TOTAL		Leased
Tax	0.055	YES
TOTAL		Leased
LESS DEPOSIT		NA
TOTAL DUE		Leased

COMPASS
SHERPA

ACCEPTED BY CUSTOMER

AUTHORIZED SIGNATURE REQUIRED DATE

PRINTED NAME

CUSTOMER INFORMATION

Revised: 6/16/2017

BILL TO:		SHIP TO:		METO09-SHM	
COMPANY NAME		COMPANY NAME			
Town of Cumberland		Town of Cumberland			
ADDRESS		ADDRESS			
290 Tuttle Road		290 Tuttle Road			
CITY		CITY, STATE ZIP			
Cumberland, ME		Cumberland/ME/4021			
METER CONTACT		APCONTACT		PHONE	
Mike Crosby				(207) 829-5559	
METER EMAIL		AP EMAIL (for invoices)		FAX	
PRODUCT MAINTENANCE & SUPPLIES		PRODUCT MAINTENANCE AGREEMENT - Pars & Labor		MANAGED PRINT SERVICES	
<input checked="" type="checkbox"/> AGREEMENT - All Inclusive		<input type="checkbox"/> Labor		<input type="checkbox"/> AGREEMENT	
INCLUDES - TONER, DEVELOPER, DRUMS OR PHOTOCONDUCTORS, FILTERS, PARTS, PREVENTATIVE MAINTENANCE & LABOR		INCLUDES -PARTS & LABOR		INCLUDES - TONER, PARTS, MAINTENANCE KITS, QUARTERLY REVIEW	
EXCLUDES - PAPER, STAPLES, MEDIA		EXCLUDES - SUPPLY UNITS, PAPER, STAPLES, MEDIA, FUSER, MAINTENANCE KITS		EXCLUDES - PAPER, STAPLES, MEDIA	
*NETWORK FEES ARE NOT INCLUDED		*NETWORK FEES ARE NOT INCLUDED		*NETWORK FEES ARE NOT INCLUDED	

EQUIPMENT COVERED UNDER AGREEMENT

Model	Serial Number	Equipment ID#	Begin Meter
TASKalfa 6052ci			
AK-7100			
DF-7110			
DP-7110			
PF-7110			
PH-7A			

CONTRACT PRICING

Customer shall be invoiced \$0.00 basis to include 0 black & white Kyocera prints
 Billing Frequency: Circle One and color Kyocera prints

Monthly Quarterly Annual Bi-Annual X 0.0055 black & white Other prin
 0.035 color other prints

Excess Kyocera prints shall be billed on a basis at a rate of per black & white prints
 Monthly Quarterly Annual Bi-Annual per color prints

Excess Other prints shall be billed on a basis at a rate of 0.0055 per black & white prints
 and 0.035 per color prints

NOTES Service Credit of \$1,000 to be issued and used toward the purchase of the copier
 Please use the overage rate above for half of the overage at the end of the current
 contract. Separate this one from that point on at the above rates.

CUSTOMER ACCEPTANCE

This agreement consisting of the terms & conditions appearing on the reverse side of this agreement is hereby approved, accepted
 & executed by the respective parties, hereto on the dates set forth adjacent to their signatures. See reverse for additional terms.

X
 Customer Signature Print Name and Title Date

X
 Manager Signature Print Name and Title Date

REVENUES

11/21/2018
12:21:35

TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
glactrpt

FOR PERIOD 05 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					
<hr/>					
0011 0303 Motor Vehicle Excise Tax	-778,792.03	-846,674.32	-951,609.73	-913,711.92	-1,950,000.00
0011 0304 Boat Excise Tax	-2,480.50	-1,868.20	-2,840.74	-2,319.20	-14,000.00
0011 0325 Supplemental Taxes	.00	-14,130.35	.00	.00	.00
0011 0328 Outer Islands Property Tax	-19,944.63	-21,676.03	-21,887.03	-22,020.50	-42,000.00
0011 0329 Payment in Lieu of Taxes	-14,804.00	-14,902.00	-15,344.00	-15,959.00	-31,000.00
TOTAL Other Tax Revenues	-816,021.16	-899,250.90	-991,681.50	-954,010.62	-2,037,000.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting/Fishing Lic Agent Fees	-144.00	-115.00	-117.50	-150.50	-541.00
0012 0312 Marriage Lic & Vital Records	-1,266.60	-1,351.86	-1,191.80	-1,539.00	-2,436.00
0012 0313 Birth Certificates	-450.00	-725.60	-756.80	-697.40	-1,361.00
0012 0314 Death Certificates	-440.00	-806.80	-936.20	-870.00	-1,713.00
0012 0315 Clerk Licenses	-1,365.00	-805.00	-895.00	-1,925.00	-4,608.00
0012 0316 Shellfish Licenses	-25.00	-227.42	-36.06	-35.70	.00
0012 0317 Conservation Fees	-10.00	-22.58	-13.94	-14.30	.00
0012 0334 Snowmobile Reg. Agent Fees	-21.00	-34.00	-11.00	-22.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-8,951.00	-8,789.00	-9,615.00	-8,955.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-142.00	-121.00	-115.00	-135.00	-1,098.00
0012 0366 Building Permits	-36,368.85	-75,747.78	-32,934.87	-32,226.50	-75,000.00
0012 0367 Electrical Permits	-7,746.15	-10,887.55	-14,259.45	-7,475.50	-21,634.00
0012 0368 Plumbing Permits	-6,869.98	-9,500.00	-11,330.00	-6,020.00	-18,789.00
0012 0369 Other Permits	-350.00	-879.00	-349.00	-628.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	.00	.00	-37.00	-62.00	-37.00
0012 0398 Application Fee	-255.56	-100.00	-1,000.00	-650.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-331.00	-453.00	-434.00	-402.00	-2,800.00
0012 0404 Commercial Haulers License	-200.00	-100.00	.00	.00	-500.00
TOTAL License & Permit Revenue	-64,936.14	-110,665.59	-74,032.62	-61,807.90	-154,974.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0331 State Revenue Sharing	-191,172.23	-175,033.19	-191,896.30	-114,011.51	-453,207.00
0013 0332 Park Fee Sharing	.00	.00	.00	.00	-10,055.00
0013 0335 DOT Block Grant	.00	.00	.00	.00	-69,136.00

11/21/2018
 12:21:35

**TOWN OF CUMBERLAND
 HISTORICAL ACTUALS COMPARISON REPORT**
**PAGE 2
 glactrpt**
FOR PERIOD 05 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	-1,822.00	-10,934.00	-8,344.00	-4,730.00	-35,000.00
0013 0342 North Yarmouth Library Share	-36,488.00	-36,100.00	-38,856.00	-40,018.00	-160,000.00
0013 0347 North Yarmouth Channel 2	-637.00	-668.00	-737.00	.00	.00
TOTAL Intergovernmental Revenue	-230,119.23	-222,735.19	-239,833.30	-158,759.51	-727,398.00
0015 Other Revenues					
0015 0305 Interest & Penalties	-9,690.18	-6,618.17	-7,202.31	-5,890.28	-30,000.00
0015 0306 Over/Short	-66.37	-303.31	591.08	460.09	-100.00
0015 0364 Growth Permits	-1,800.00	-12,000.00	-1,900.00	-1,100.00	-2,000.00
0015 0365 Board of Appeals	-100.00	.00	-200.00	-100.00	.00
0015 0379 Investment Earnings	1,040.88	-74.05	.00	.00	.00
0015 0390 Misc. Revenue	-2,708.06	-36,438.61	-33,772.60	-31,057.95	-25,000.00
0015 0399 Staff Review Fee	-719.44	-5,000.00	-9,300.00	-3,500.00	-14,117.00
0015 0403 Mooring Fees	-135.00	-300.00	-1,300.00	-150.02	-1,500.00
0015 0410 Private Ways	-600.00	-200.00	-200.00	-600.00	-400.00
0015 0432 Workers Compensation Dividend	.00	-3,294.00	.00	.00	.00
0015 0508 Impact Fees	-52,402.00	-138,717.60	-33,055.40	-33,531.40	-60,000.00
TOTAL Other Revenues	-67,180.17	-202,945.74	-86,339.23	-75,469.56	-133,117.00
0021 Police Related Revenues					
0021 0351 Police Issued Permits	-225.00	-807.00	-757.00	-1,140.00	-2,000.00
0021 0353 Police Insurance Reports	-248.00	-152.00	-240.00	-160.00	-500.00
0021 0390 Miscellaneous Police Revenue	-15.00	-39.00	-273.15	-27.00	-648.00
0021 0427 Parking Tickets	.00	.00	-300.00	.00	-100.00
0021 0431 Outside Detail	-20,258.83	-23,425.54	-18,784.08	.00	.00
0021 0536 Dog Licenses ACO Revenue	-632.00	-737.00	-1,111.00	-857.00	-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	.00	-300.00	671.00	-2,200.00
0021 0620 Federal Grant revenue	-25,000.00	.00	.00	.00	.00
TOTAL Police Related Revenues	-46,528.83	-25,160.54	-45,765.23	-26,013.00	-56,248.00
0022 Fire Related Revenues					
0022 0390 Misc. Revenue	-5.00	-2.50	-300.00	.00	-100.00

11/21/2018
12:21:35

**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**
**PAGE 3
glactrpt**
FOR PERIOD 05 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	-16,462.80	-19,082.54	-17,742.00	.00	.00
0022 0504 Rescue Billing	-49,983.05	-71,687.57	-67,616.56	-50,969.21	-160,000.00
0022 0505 Non Emergency Transports	-31,371.53	-39,701.38	-6,392.67	.00	-12,000.00
0022 0507 Paramedic Intercepts	.00	.00	-300.00	.00	-600.00
TOTAL Fire Related Revenues	-97,822.38	-130,473.99	-92,351.23	-50,969.21	-172,700.00
0031 Public Services Revenues					
0031 0390 Misc. Revenue	-273.00	-78.00	-234.00	-3,114.00	-500.00
0031 0391 Field Usage Fees	-5,427.16	-4,774.00	-1,440.00	-4,613.20	-10,000.00
0031 0431 Outside Details	.00	-549.10	720.00	-752.95	.00
0031 0517 Bags/Universal Waste	-73,130.00	-107,391.00	-144,837.50	-79,372.50	-286,015.00
0031 0539 Brush Passes	-988.00	-1,621.00	-1,556.00	-1,519.00	-8,277.00
0031 0617 Twin Brooks Donations	.00	.00	-18.00	.00	-92.00
TOTAL Public Services Revenues	-79,818.16	-114,413.10	-147,365.50	-89,371.65	-304,884.00
0035 VH Other Revenues					
0035 0329 Payment in Lieu of Taxes	.00	.00	.00	.00	-8,000.00
0035 0378 Soda Sales	-1,705.87	-1,724.94	-1,644.50	-2,016.60	-2,500.00
0035 0560 Rental Income	-6,611.17	-11,589.47	-2,790.51	-8,948.23	-14,000.00
0035 0565 Cell Tower Land Lease	.00	-9,000.00	-9,000.00	-9,000.00	-24,000.00
TOTAL VH Other Revenues	-8,317.04	-22,314.41	-13,435.01	-19,964.83	-48,500.00
0037 VH Golf Revenues					
0037 0306 Over/Short	-9.43	-10.68	3.23	-6.89	.00
0037 0357 Golf Memberships	-110,834.35	-111,665.88	-92,497.00	-116,270.40	-230,000.00
0037 0358 Greens Fees	-77,015.95	-69,412.70	-78,852.45	-87,668.14	-120,000.00
0037 0359 Golf Cart Rentals	-46,874.02	-51,364.07	-59,243.63	-46,983.36	-88,000.00
0037 0416 Practice Range	-6,589.00	-5,346.75	-6,316.50	-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	-2,250.00	-800.00	-5,600.00	-23,392.00
0037 0522 Outing Golf	-69,602.08	-56,391.43	-36,180.00	-41,978.43	-45,000.00
0037 0617 Donations Received	.00	.00	-845.00	.00	.00

11/21/2018
12:21:35

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 4
glactrpt

FOR PERIOD 05 OF 2019

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
TOTAL VH Golf Revenues	-323,878.83	-316,096.51	-302,222.87	-349,784.67	-572,921.00
 0041 Recreation Related Revenues					
<hr/>					
0041 0371 41000 Fall Recreation Revenue	-44,541.00	.00	.00	.00	.00
0041 0372 41000 Winter Recreation Revenue	-41,610.00	.00	.00	.00	.00
0041 0374 41000 Summer Recreation Revenue	-21,743.50	.00	.00	.00	.00
0041 0440 41100 After School Programs	-68,412.00	-93,997.22	-111,869.40	-107,508.18	-214,836.00
0041 0441 41110 Youth Enrichment Programs	.00	-26,147.51	-38,918.60	-46,741.60	-108,607.00
0041 0442 41120 Youth Sports Programs	.00	-37,889.00	-40,360.50	-43,873.75	-93,052.00
0041 0443 41130 Skiing Programs	.00	-35,960.00	-41,182.50	-48,714.00	-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	-7,591.00	-8,736.00	-8,787.29	-54,052.00
0041 0446 41160 Adult Enrichment Revenue	-12,121.15	-11,990.50	-14,196.24	-11,397.09	-39,515.00
0041 0447 41170 Adult Fitness Revenue	-20,170.68	-26,957.10	-23,885.84	-24,363.13	-37,743.00
0041 0448 41190 Special Events/Trips Reven	.00	-1,026.00	-1,337.00	-952.00	-2,243.00
0041 0449 41190 Recreation Programs	-2,764.00	-2,595.55	-2,040.00	-550.00	-6,971.00
0041 0570 41190 Rec Soccer Revenue	-6,815.00	-11,760.00	-16,120.00	-18,175.00	-20,245.00
0041 0571 41190 Rec Ultimate Frisbee Reven	.00	.00	.00	.00	-15,672.00
0041 0606 41190 CPR/First Aid Revenues	1,551.20	-300.00	2,215.60	-650.00	.00
TOTAL Recreation Related Reven	-216,626.13	-301,015.93	-330,130.66	-340,812.69	-818,116.00
 0045 Library Related Revenues					
<hr/>					
0045 0379 Library Interest Income	-93.80	.00	.00	.00	.00
0045 0392 Library Fines	-2,182.68	-1,544.13	-1,293.69	-1,153.05	-3,500.00
0045 0394 Misc. Library Revenue	-652.40	-931.10	-442.50	-465.80	-1,000.00
TOTAL Library Related Revenues	-2,928.88	-2,475.23	-1,736.19	-1,618.85	-4,500.00
TOTAL General Fund	-1,954,176.95	-2,347,547.13	-2,324,893.34	-2,128,582.49	-5,030,358.00
TOTAL REVENUES	-1,954,176.95	-2,347,547.13	-2,324,893.34	-2,128,582.49	-5,030,358.00
GRAND TOTAL	-1,954,176.95	-2,347,547.13	-2,324,893.34	-2,128,582.49	-5,030,358.00

EXPENSES

11/21/2018
12:23:10

TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
glactrpt

FOR PERIOD 05 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					
<hr/>					
130 Administration	259,769.32	282,459.25	281,570.60	242,747.43	588,736.00
140 Assessor	32,394.83	36,347.90	27,308.50	42,660.05	96,036.00
150 Town Clerk	88,970.47	89,705.31	85,710.80	93,090.00	247,295.00
160 Technology	84,347.98	110,041.03	110,587.76	95,953.95	202,151.00
165 Elections	1,510.99	7,872.89	1,664.75	3,875.08	16,026.00
170 Planning	24,925.61	25,902.24	28,108.48	23,277.61	71,630.00
190 Legal	16,533.38	15,304.17	22,224.85	13,265.40	47,500.00
999 Finance/GAAP entries	11.53	.00	.00	.00	.00
TOTAL General Government	508,464.11	567,632.79	557,175.74	514,869.52	1,269,374.00
20 Public Safety					
<hr/>					
210 Police	508,528.09	599,816.96	575,992.40	490,395.14	1,378,565.00
220 Fire	356,194.80	405,040.51	382,687.29	354,697.86	968,342.00
240 Code Enforcement	44,458.68	36,414.67	60,172.26	51,389.85	132,952.00
250 Harbor Master	.00	.00	2,190.53	2,647.39	11,650.00
260 Animal Control	16,140.81	17,647.54	17,542.13	15,525.18	31,108.00
TOTAL Public Safety	925,322.38	1,058,919.68	1,038,584.61	914,655.42	2,522,617.00
30 Public Services					
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310 Public Works	321,395.41	372,470.70	367,117.89	325,314.41	1,166,478.00
320 Waste Disposal	175,762.26	193,685.09	167,598.27	202,463.16	512,350.00
430 Parks	137,042.79	134,836.67	167,688.56	165,935.92	292,754.00
440 West Cumberland Rec	95.15	1,086.47	1,341.93	796.62	7,202.00
470 Historical Society Building	154.88	840.86	1,439.91	2,591.77	4,958.00
TOTAL Public Services	634,450.49	702,919.79	705,186.56	697,101.88	1,983,742.00
37 Val Halla Golf Club					
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350 Valhalla-Club	15,359.53	17,865.18	19,513.27	17,972.66	26,485.00

11/21/2018
12:23:10

**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**
PAGE 2
glactrpt
FOR PERIOD 05 OF 2019

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
360 Valhalla-Course	291,086.78	250,430.86	248,790.98	263,894.28	489,882.00
370 Valhalla-Pro Shop	149,849.16	149,421.07	158,050.11	178,952.47	243,415.00
TOTAL Val Halla Golf Club	456,295.47	417,717.11	426,354.36	460,819.41	759,782.00
40 Recreation					
410 Recreation	383,744.98	420,849.64	450,759.65	447,367.84	993,045.00
420 Aging in Place	.00	.00	.00	7,134.26	37,453.00
TOTAL Recreation	383,744.98	420,849.64	450,759.65	454,502.10	1,030,498.00
45 Library					
450 Library	162,456.11	171,649.70	175,566.21	179,224.17	494,236.00
TOTAL Library	162,456.11	171,649.70	175,566.21	179,224.17	494,236.00
90 Other					
580 General Assistance	25,107.67	14,378.08	21,520.88	9,877.55	35,000.00
590 Health Services	11,139.55	11,639.55	11,639.55	11,490.50	13,875.00
620 Cemetery Association	32,500.00	27,925.00	26,700.00	28,450.00	26,700.00
630 Conservation	5,961.36	2,750.00	2,176.04	4,122.45	5,000.00
800 Fire Hydrants	20,734.16	26,587.65	31,570.53	25,806.17	75,624.00
810 Street Lighting	14,266.29	14,572.78	13,898.72	9,775.31	45,000.00
830 Contingent	2,958.70	7,262.74	.00	-247.20	10,000.00
840 Municipal Building	23,743.75	31,745.27	32,781.49	34,570.50	90,847.00
850 Abatements	7,314.21	29,915.44	22,336.23	2,633.89	20,000.00
TOTAL Other	143,725.69	166,776.51	162,623.44	126,479.17	322,046.00
96 Fixed Expenses					
650 Debt Service	571,794.72	565,020.80	692,833.99	528,987.24	970,000.00
750 Insurance	152,986.02	149,795.59	152,679.54	217,011.58	286,554.00

11/21/2018
12:23:11

**TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT**

PAGE 3
glactrpt

FOR PERIOD 05 OF 2019

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
910 Capital Reserves	1,181,500.00	1,038,598.00	693,000.00	699,300.00	699,300.00
TOTAL Fixed Expenses	1,906,280.74	1,753,414.39	1,538,513.53	1,445,298.82	1,955,854.00
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98 Assessments					
860 MSAD #51	6,482,104.55	6,691,864.20	7,170,044.70	7,787,612.85	18,690,270.84
890 County Tax	747,431.00	775,374.00	813,904.00	878,954.00	878,954.00
TOTAL Assessments	7,229,535.55	7,467,238.20	7,983,948.70	8,666,566.85	19,569,224.84
TOTAL General Fund	12,350,275.52	12,727,117.81	13,038,712.80	13,459,517.34	29,907,373.84
TOTAL EXPENSES	12,350,275.52	12,727,117.81	13,038,712.80	13,459,517.34	29,907,373.84
GRAND TOTAL	12,350,275.52	12,727,117.81	13,038,712.80	13,459,517.34	29,907,373.84