

AGENDA
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, February 24, 2020
5:00 P.M. Budget Workshop
7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

February 10, 2020

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

20 – 006 To hear a report from MSAD 51 Superintendent, Jeff Porter re: FY2021 School Budget.

20 – 007 To hold a Public Hearing to consider and act on amendments to Chapter 315 (zoning), Article IV (lot regulations), Section 29 (lots abutting more than one street) of the Cumberland Code to clarify that corner lots may have a 30' front on a private street if they meet the 50' front on a public street, as recommended by the Planning Board.

20 – 008 To award the Tuttle Road sidewalk project to Storey Brothers.

20 – 009 To hear a report and set a Public Hearing date of March 9th to consider and act on accepting Red Mill Way as a public road.

20 – 010 To hold a Public Hearing to consider and act on a Farm Based Special Events License renewal for Joanne Fryer of Mowfield Farm, LLC.

- 20 – 011** To set a Public Hearing date of March 9th to consider and act on a Class I and Mobile Auxiliary Liquor License application for Rachel's On the Green, for the period of March 29, 2020 – March 29, 2021.

VI. NEW BUSINESS

Budget Workshop schedule:

March 2nd at 5:00 p.m. (Tuesday, non-Council meeting night)

March 9th at 5:00 p.m. (Council meeting night)

March 14th 8:00 a.m. to noon (Saturday Workshop)

March 23rd or April 13th Budget Public Hearing and adoption

VII. BUDGET REPORT

VIII. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting
Town Council Chambers

MONDAY, February 10, 2020

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Copp, to accept the January 27, 2020 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

Assistant Town Manager Bolduc said that some town roads will posted beginning February 17th.

Superintendent Porter will be at the February 24th Town Council meeting to give a report on the school budget.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

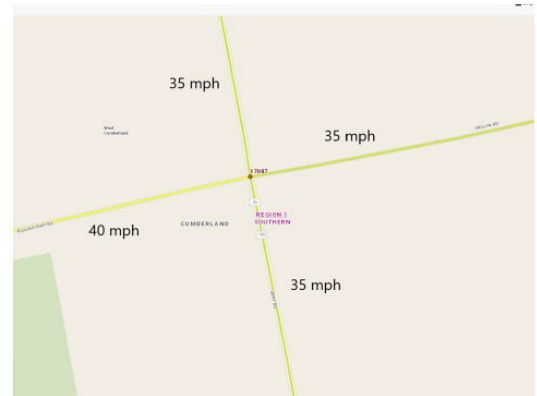
20 – 005 To hear a report from the Maine Department of Transportation re: their recommendation of a 4-way stop instead of a traffic signal at the intersection of Route 100 and Skillin Road.

Dennis Emidy of Maine Department of Transportation presented the following:

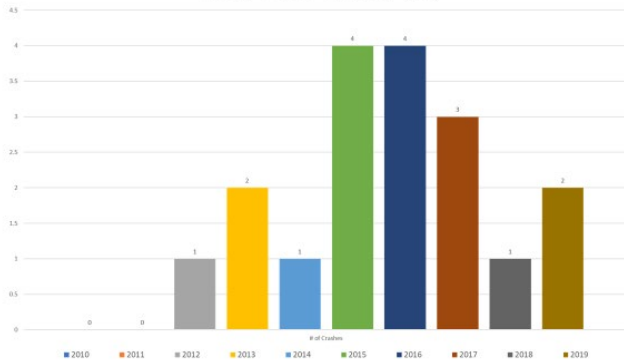
Cumberland

Intersection of Route 26 & Blackstrap Rd./Skillin Rd.

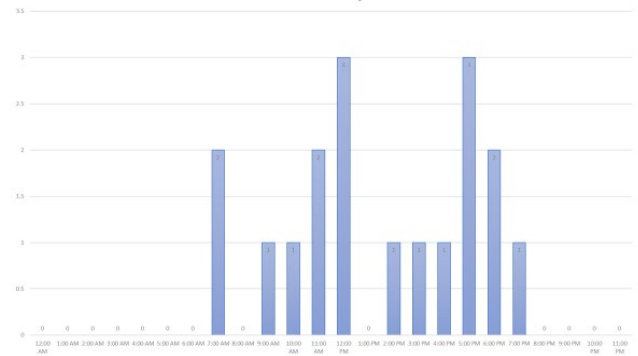




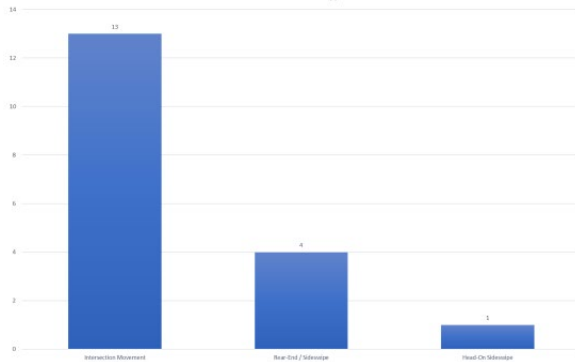
2010 - 2019 Crashes (18)



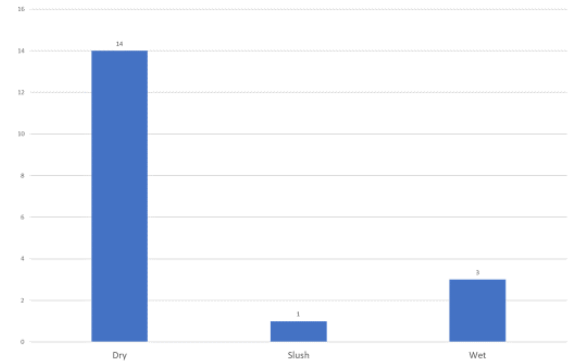
2010-2019 Hourly Crashes

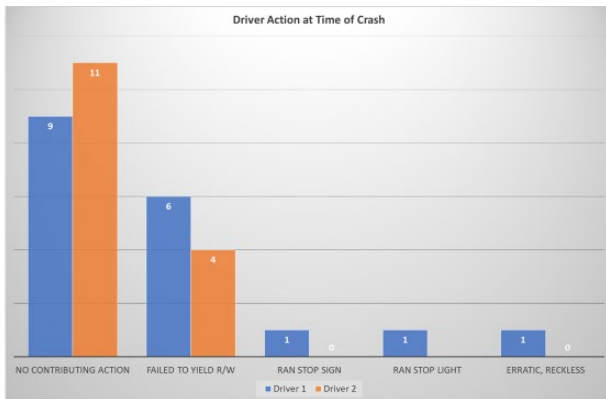
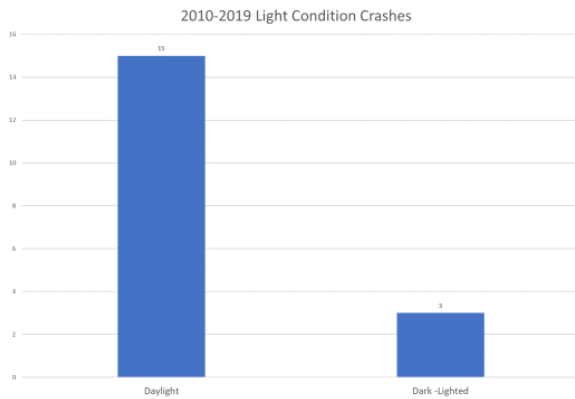


2010-2019 Crash Types



2010-2019 Road Surface Crashes





Two Alternatives were Considered

- Alternative 1 – Signal – No Signal Warrants were met.
- Alternative 2 – All-Way Stop

Two Maine Examples 2-Way Stop to All-Way Stop

- Auburn Young's Corner (Before & After)
 - From 5 Crashes/ Year To 1.67 or a **67% Reduction in Crashes / Year.**
 - From 1.78 Injury Crashes/ Year To 0.33 or an **81% Reduction in Injury Crashes / Year.**
 - From \$3,116,000 Crash Cost/ Year To \$309,000 or a **90% Reduction in Crash Costs/Year.**
- Durham Route 125 & Quaker Meeting House Road (Before & After)
 - From 3 Crashes/ Year To 1.71 or a **43% Reduction in Crashes / Year.**
 - From 1.80 Injury Crashes/ Year To 0.0 or a **100% Reduction in Injury Crashes / Year.**
 - From \$3,486,400 Crash Cost/ Year To \$31,800 or a **99.1% Reduction in Crash Costs/Year.**

Location	Years	Crashes Before						Total Crashes/yr	Injury Crashes/yr	Years	Years	Crashes After						Total Crashes/yr	Injury Crashes/yr	% Reduction in Total Crashes	% Reduction in Injury Crashes	Actual Crash Cost Per Year		% Reduction
		# of Tcr	A	B	C	D	Total					# of Tcr	A	B	C	D	Total					Before	After	% Reduction
Auburn Young's Corner (Converted to All-Way Stop in 2012)	2008-2011	9	0	2	1	13	20	45	1.78	2012-2016	6	0	0	0	2	0	10	1.67	0.33	60%	81%	\$3,116,000	\$309,000	90%
Durham Rte. 125 & Quaker Meeting (Converted to All-Way in 3/30/18)	2009-2017	30	0	2	4	1	10	17	1.80	2018-2019	3	0	0	0	0	3	3	1.71	0.00	43%	100%	\$3,486,400	\$31,800	99.1%

The Lands & Conservation Commission met last week and voted unanimously to approve the agricultural easement for Spring Brook Farm. They will be presenting their building standards for trails to the Town Council soon.

He has been elected Chairman of the Municipal Oversight Committee for the second year in a row, for the Community Development Block Grant program.

Councilor Edes – the Public Works crew did a great job during the last couple of storms. Kudos to them for keeping our roads in great shape.

Councilor Stiles – he thanked Councilor Copp for his donation to the 4-H auction fund that will benefit the Food Panty with meat.

Budget workshops will begin on Tuesday, February 18th at 5:00 p.m.

Chairman Storey-King – its tournament time. Good luck to our winter sports teams.

Councilor Copp – none

Councilor Turner – in regard to Councilor Vail’s comments on solar energy, there are some great solar incentives if installed while under new construction that a lot of people don’t take advantage of.

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

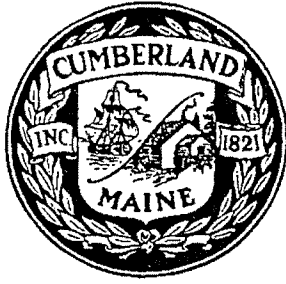
TIME: 8:24 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM 20-007

To hold a Public Hearing to consider and act on amendments to Chapter 315 (zoning), Section 29 (lot regulations) of the Cumberland Code to clarify that corner lots may have a 30' front on a private street if they meet the 50' front on a public street, as recommended by the Planning Board



MEMORANDUM CODE ENFORCEMENT OFFICE

To: Planning Board
From: William C. Longley Jr. CEO
Subject: Zoning Ordinance change 315-29 A & B
Date: 02-12-20
CC: Carla Nixon, Town Planner

Bill J

Please find attached draft language from the Town Attorney to clear up some confusion around the current setback from a private way where a lot has frontage along both a public and private way. Currently a 50' front setback is required for both. In cases where the public way serves as a front and meets the required setback this change would allow for a less front setback allowing the private front to meet the side setback of 30'. Please let me know if you need any further explanation regarding this change.

Notice of Decision

Date: February 19, 2020

To: Bill Shane, Town Manager
Town of Cumberland
290 Tuttle Rd.
Cumberland, ME 04021

From: Carla Nixon, Town Planner

Re: Recommendation to the Town Council on amendment to the Zoning Ordinance, Chapter 315, Section 29 - Lot Regulations, to clarify that corner lots may have a 30' front on a private street, if they meet the 50' front on a public street.

This notice is to advise you that on February 18, 2020 the Planning Board conducted a Public Hearing on providing a recommendation to the Town Council on an amendment to the Zoning Ordinance, Chapter 315, Section 29 - Lot Regulations, to clarify that corner lots may have a 30' front on a private street, if they meet the 50' front on a public street. The Planning Board voted unanimously to recommend the amendment.

Cumberland Planning Board

Paul Auclair, Board Chair

Recommended amended language for Chapter 315. Zoning Article IV. Lot Regulations § 315-29. Lots abutting more than one street.

- A. Setback requirement. Lots which abut on more than one public street shall provide the required front setbacks along each and every public street on which that lot abuts, except for a lot in existence on August 23, 2005, that meets the following standards:
 - (1) The lot was created in accordance with all applicable zoning requirements in effect at the time of its creation;
 - (2) The lot is abutted on two or more sides by the street; and
 - (3) The lot meets the frontage requirements for its zoning district on at least one side of the lot.
- B. Setback requirement. A lot that abuts on both a private street and a public street shall provide the required front setback from any public street on which it abuts and shall provide a thirty (30)-foot front setback on any private street on which it abuts. This section shall not apply to lots in existence on August 23, 2005 that meet the standards set forth in Subsection A of this Section.

- C. Frontage requirement. A lot with frontage on more than one street only has to meet the applicable lot frontage requirements of the zoning district in which it is located along one frontage of the lot, regardless of whether the frontage is located on a public street or a private street approved by the Town in accordance with the provisions of § **315-61** of this chapter.

Chapter 315. Zoning

Article IV. Lot Regulations

§ 315-29. Lots abutting more than one street.

[Amended 9-24-2018]

- A. Setback requirement. Lots which abut on more than one public street shall provide the required front setbacks along each and every public street on which that lot abuts, except for a lot in existence on August 23, 2005, that meets the following standards:

- (1) The lot was created in accordance with all applicable zoning requirements in effect at the time of its creation;
- (2) The lot is abutted on two or more sides by the street; and
- (3) The lot meets the frontage requirements for its zoning district on at least one side of the lot.

~~B. Setback requirement. For all other lots which abut on more than one street shall provide the required front setbacks along any public street on which that lot abuts. A side setback along any private street that also abuts the lot. A lot that abuts on both a private street and a public street shall provide the required front setback from any public street on which it abuts and shall provide a thirty (30)-foot front setback on any private street on which it abuts. This section shall not apply to lots in existence on August 23, 2005 that meet the standards set forth in Subsection A of this Section.~~

- C. Frontage requirement. A lot with frontage on more than one street only has to meet the applicable lot frontage requirements of the zoning district in which it is located along one frontage of the lot, regardless of whether the frontage is located on a public street or a private street approved by the Town in accordance with the provisions of § 315-61 of this chapter.

ITEM 20-008

To award the Tuttle Road sidewalk project to Storey Brothers



M E M O R A N D U M

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

To: Town Council
From: William R. Shane, Town Manager
Date: February 20, 2020
Re: Tuttle Road Sidewalk Completion

The Tuttle Road sidewalk project to Twin Brook is now in its final phase. The remaining 2,000' sidewalk section will be completed by mid-August.

Storey Brothers was the successful bidder on the project. The Town received \$200,000 in funding from PACTS for this project. The balance will be paid from TIF funds.

I recommend the Town Council authorize the award for the Tuttle Road sidewalk project to Storey Brothers Inc. for an amount not to exceed \$475,714.

Bidder	Base Bid (1) -Part 1	Total Base Bid		Bid Alternate 1	Grand Total Base Bid & Alternate		Bid Form Complete	Addenda Acknowledged	Signatures, Seals, & Disclosures	Suppliers	Subcontractors
Glidden Excavating	\$ 569,726.00	\$ 569,726.00		\$ 47,828.00	\$ 617,554.00		X	X	X	R.J. Grondin, E.J.P., Superior Concrete, Pike Industries, Genest Concrete	Superior Construction Services, Project Flagging, KMP Landscapes, Fineline Pavement Striping
Pratt & Sons	\$ 588,524.00	\$ 588,524.00		\$ 59,728.00	\$ 648,252.00		X	X	X	Core & Main, Superior Concrete, Genest	Glidden, C.A. Newcomb & Sons, Curb & Sidewalk Solutions, Fineline Pavement Striping, Atwork Personnel Services, Law's Inc
DDI Construction	\$ 599,004.00	\$ 599,004.00		\$ 64,532.00	\$ 663,536.00		X	X	X	George Roberts, Core & Main	Dayton Sand & Gravel, Gorham Fence, Dirigo Slipform, General Concrete Cutting Services
A.H. Grover	\$ 468,395.31	\$ 468,395.31		\$ 49,415.00	\$ 517,810.31		X	X	X	F.W. Webb, Genest, Superior Concrete	Gorham Fence, Fineline Pavement Striping, P&B Paving, Curb Sol, General Concrete Cutting, Project Flagging, Well Tree
Storey Brothers	\$ 424,378.75	\$ 424,378.75		\$ 51,335.00	\$ 475,713.75		X	X	X	Ferguson, Precast of Maine	Glidden Paving, Dirigo Slipform, Main Line Fence, Ace Security
St. Laurent & Son	\$ 629,141.00	\$ 629,141.00		\$ 57,625.00	\$ 686,766.00		X	X	X	E.J.P., Redi-Rock of Central Maine, Portland Sand & Gravel	Webster Tree, KMP Landscape, CA Newcomb, Fineline Pavement Striping

2020 TUTTLE ROAD SIDEWALK EXTENSION AND ROAD REALIGNMENT					Glidden Excavating			Pratt & Sons			DDI Construction			A.H. Grover			Storey Brothers			St. Laurent and Son			Contractor Average		
Item #	MDOT Spec. Ref.	Description	Units	Estimated Quantity	Unit	Cost	Total	Unit	Cost	Total	Unit	Cost	Total	Unit	Cost	Total	Unit	Cost	Total	Unit	Cost	Total	Unit	Cost	Total
1	201.11	Clearing	AC	0.5	\$	9,000.00	\$ 4,500.00	\$	10,000.00	\$ 5,000.00	\$	20,000.00	\$ 10,000.00	\$	0.01	\$ 0.01	\$	11,600.00	\$ 5,800.00	\$	40,000.00	\$ 20,000.00	\$	15,100.00	\$ 7,550.00
2	201.24*	Removing Stump	EA	1	\$	471.00	\$ 471.00	\$	350.00	\$ 350.00	\$	1,000.00	\$ 1,000.00	\$	450.00	\$ 450.00	\$	500.00	\$ 500.00	\$	650.00	\$ 650.00	\$	570.17	\$ 570.17
3	202.127	Removing Existing Bituminous Pavement	CY	500	\$	32.50	\$ 16,250.00	\$	20.00	\$ 10,000.00	\$	20.00	\$ 10,000.00	\$	43.00	\$ 21,500.00	\$	15.50	\$ 7,750.00	\$	20.00	\$ 10,000.00	\$	25.17	\$ 12,583.33
4	203.20	Common Excavation	CY	1200	\$	32.50	\$ 39,000.00	\$	15.00	\$ 18,000.00	\$	20.00	\$ 24,000.00	\$	18.50	\$ 22,200.00	\$	15.00	\$ 18,000.00	\$	21.00	\$ 25,200.00	\$	20.33	\$ 24,400.00
5	203.21*	Rock Excavation (Roadway)	CY	10	\$	140.00	\$ 1,400.00	\$	150.00	\$ 1,500.00	\$	500.00	\$ 5,000.00	\$	0.01	\$ 0.10	\$	200.00	\$ 2,000.00	\$	500.00	\$ 5,000.00	\$	248.34	\$ 2,483.35
6	203.24	Common Borrow	CY	300	\$	25.00	\$ 7,500.00	\$	15.00	\$ 4,500.00	\$	25.00	\$ 7,500.00	\$	25.00	\$ 7,500.00	\$	27.00	\$ 8,100.00	\$	46.00	\$ 13,800.00	\$	27.17	\$ 8,150.00
7	203.29*	Crushed Stone 3/4-inch	CY	10	\$	40.00	\$ 400.00	\$	50.00	\$ 500.00	\$	50.00	\$ 500.00	\$	0.01	\$ 0.10	\$	25.00	\$ 250.00	\$	60.00	\$ 600.00	\$	37.50	\$ 375.02
8	206.061*	Structural Excavation (Unsuitable Soils)	CY	10	\$	40.00	\$ 400.00	\$	20.00	\$ 200.00	\$	100.00	\$ 1,000.00	\$	38.00	\$ 380.00	\$	25.00	\$ 250.00	\$	66.00	\$ 660.00	\$	48.17	\$ 481.67
9	206.07*	Structural Excavation (Rock)	CY	10	\$	140.00	\$ 1,400.00	\$	250.00	\$ 2,500.00	\$	500.00	\$ 5,000.00	\$	0.01	\$ 0.10	\$	200.00	\$ 2,000.00	\$	500.00	\$ 5,000.00	\$	265.00	\$ 2,650.02
10	304.104	Aggregate Subbase - Type D (Plan Quantity)	CY	1400	\$	49.00	\$ 68,600.00	\$	50.00	\$ 70,000.00	\$	40.00	\$ 56,000.00	\$	32.50	\$ 45,500.00	\$	38.00	\$ 53,200.00	\$	40.00	\$ 56,000.00	\$	41.58	\$ 58,216.67
11	304.14	Aggregate Base - Type A (Plan Quantity)	CY	350	\$	74.00	\$ 25,900.00	\$	90.00	\$ 31,500.00	\$	42.00	\$ 14,700.00	\$	58.00	\$ 20,300.00	\$	48.00	\$ 16,800.00	\$	94.00	\$ 32,900.00	\$	67.67	\$ 23,683.33
12	403.102	HMA 19mm - Base (Hand Place)	TN	200	\$	132.00	\$ 26,400.00	\$	132.00	\$ 26,400.00	\$	160.00	\$ 32,000.00	\$	105.00	\$ 21,000.00	\$	142.00	\$ 28,400.00	\$	125.00	\$ 25,000.00	\$	132.67	\$ 26,533.33
13	403.207	HMA 19mm - Base	TN	200	\$	105.00	\$ 21,000.00	\$	105.00	\$ 21,000.00	\$	100.00	\$ 20,000.00	\$	105.00	\$ 21,000.00	\$	115.00	\$ 23,000.00	\$	110.00	\$ 22,000.00	\$	106.67	\$ 21,333.33
14	403.208	HMA 12.5mm - Base (Drives, Incidentals, etc.)	TN	120	\$	132.00	\$ 15,840.00	\$	132.00	\$ 15,840.00	\$	159.00	\$ 19,080.00	\$	145.00	\$ 17,400.00	\$	142.00	\$ 17,040.00	\$	190.00	\$ 22,800.00	\$	150.00	\$ 18,000.00
15	403.209	HMA 9.5mm (Drives, Incidentals, etc.)	TN	150	\$	132.00	\$ 19,800.00	\$	132.00	\$ 19,800.00	\$	160.00	\$ 24,000.00	\$	145.00	\$ 21,750.00	\$	142.00	\$ 21,300.00	\$	170.00	\$ 25,500.00	\$	146.83	\$ 22,025.00
16	403.210	HMA 9.5mm - Surface	TN	90	\$	105.00	\$ 9,450.00	\$	105.00	\$ 9,450.00	\$	112.00	\$ 10,080.00	\$	145.00	\$ 13,050.00	\$	115.00	\$ 10,350.00	\$	130.00	\$ 11,700.00	\$	118.67	\$ 10,680.00
17	603.169	15" HDPE Culvert or Storm Drain	LF	720	\$	75.00	\$ 54,000.00	\$	80.00	\$ 57,600.00	\$	50.00	\$ 36,000.00	\$	65.00	\$ 46,800.00	\$	60.75	\$ 43,740.00	\$	89.00	\$ 64,080.00	\$	69.96	\$ 50,370.00
18	603.7318	Remove 18" Metal Pipe	LF	50	\$	20.00	\$ 1,000.00	\$	25.00	\$ 1,250.00	\$	100.00	\$ 5,000.00	\$	50.00	\$ 2,500.00	\$	70.00	\$ 3,500.00	\$	116.00	\$ 5,800.00	\$	63.50	\$ 3,175.00
19	604.092	Catch Basin	EA	8	\$	3,250.00	\$ 26,000.00	\$	4,000.00	\$ 32,000.00	\$	5,000.00	\$ 40,000.00	\$	4,100.00	\$ 32,800.00	\$	3,750.00	\$ 30,000.00	\$	4,300.00	\$ 34,400.00	\$	4,066.67	\$ 32,533.33
20	604.18	Adjust Manhole/Catch Basin to Grade	EA	1	\$	800.00	\$ 800.00	\$	900.00	\$ 900.00	\$	1,000.00	\$ 1,000.00	\$	350.00	\$ 350.00	\$	800.00	\$ 800.00	\$	955.00	\$ 955.00	\$	800.83	\$ 800.83
21	606.18	Gaurdrail Type 3b	LF	270	\$	22.00	\$ 5,940.00	\$	28.00	\$ 7,560.00	\$	26.00	\$ 7,020.00	\$	31.00	\$ 8,370.00	\$	24.50	\$ 6,615.00	\$	28.00	\$ 7,560.00	\$	26.58	\$ 7,177.50
22	606.79	Gaurdrail 350 Flared Terminal	EA	6	\$	2,550.00	\$ 15,300.00	\$	2,450.00	\$ 14,700.00	\$	2,517.00	\$ 15,102.00	\$	2,750.00	\$ 16,500.00	\$	3,000.00	\$ 18,000.00	\$	2,450.00	\$ 14,700.00	\$	2,619.50	\$ 15,717.00
23	608.08	Reinforced Concrete Sidewalk	SY	6	\$	300.00	\$ 1,800.00	\$	150.00	\$ 900.00	\$	200.00	\$ 1,200.00	\$	210.00	\$ 1,260.00	\$	460.00	\$ 2,760.00	\$	400.00	\$ 2,400.00	\$	286.67	\$ 1,720.00
24	608.26	Detectable Warning Field	SF	33	\$	45.00	\$ 1,485.00	\$	125.00	\$ 4,125.00	\$	120.00	\$ 3,960.00	\$	55.00	\$ 1,815.00	\$	35.00	\$ 1,155.00	\$	145.00	\$ 4,785.00	\$	87.50	\$ 2,887.50
25	609.21	Concrete Slipform Curb	LF	1900	\$	8.00	\$ 15,200.00	\$	7.00	\$ 13,300.00	\$	9.00	\$ 17,100.00	\$	8.75	\$ 16,625.00	\$	9.50	\$ 18,050.00	\$	7.50	\$ 14,250.00	\$	8.29	\$ 15,754.17
26	609.21	Concrete Slipform Curb - 8' Terminal End	EA	15	\$	65.00	\$ 975.00	\$	61.00	\$ 915.00	\$	100.00	\$ 1,500.00	\$	90.00	\$ 1,350.00	\$	73.00	\$ 1,095.00	\$	65.00	\$ 975.00	\$	75.67	\$ 1,135.00
27	609.34	Curb Type 5 (Granite)	LF	70	\$	28.50	\$ 1,995.00	\$	45.00	\$ 3,150.00	\$	70.00	\$ 4,900.00	\$	55.00	\$ 3,850.00	\$	60.00	\$ 4,200.00	\$	28.50	\$ 1,995.00	\$	47.83	\$ 3,348.33
28	610.08	Plain Riprap	CY	50	\$	61.32	\$ 3,066.00	\$	75.00	\$ 3,750.00	\$	75.00	\$ 3,750.00	\$	65.00	\$ 3,250.00	\$	50.00	\$ 2,500.00	\$	88.00	\$ 4,400.00	\$	69.05	\$ 3,452.67
29	613.319	Erosion Control Blanket (Jute)	SY	350	\$	3.00	\$ 1,050.00	\$	3.00	\$ 1,050.00	\$	5.00	\$ 1,750.00	\$	2.50	\$ 875.00	\$	2.00	\$ 700.00	\$	3.00	\$ 1,050.00	\$	3.08	\$ 1,079.17
30	615.0701	Loam	CY	350	\$	60.00	\$ 21,000.00	\$	70.00	\$ 24,500.00	\$	34.00	\$ 11,900.00	\$	53.50	\$ 18,725.00	\$	28.00	\$ 9,800.00	\$	75.00	\$ 26,250.00	\$	53.42	\$ 18,695.83
31	618.14	Seeding Method #2	UN	10	\$	50.00	\$ 500.00	\$	55.00	\$ 550.00	\$	100.00	\$ 1,000.00	\$	60.00	\$ 600.00	\$	65.00	\$ 650.00	\$	77.00	\$ 770.00	\$	67.83	\$ 678.33
32	627.75	White Pavement Markings	SF	216	\$	1.50	\$ 324.00	\$	1.50	\$ 324.00	\$	5.00	\$ 1,080.00	\$	2.50	\$ 540.00	\$	1.50	\$ 324.00	\$	1.50	\$ 324.00	\$	2.25	\$ 486.00
33	627.733	4" White & Yellow Pavement Marking Line	LF	2400	\$	0.25	\$ 600.00	\$	0.25	\$ 600.00	\$	1.00	\$ 2,400.00	\$	0.45	\$ 1,080.00	\$	0.35	\$ 840.00	\$	0.25	\$ 600.00	\$	0.43	\$ 1,020.00
34	629.05*	Hand Labor, Straight Time	HR	8	\$	45.00	\$ 360.00	\$	40.00	\$ 320.00	\$	40.00	\$ 320.00	\$	35.00	\$ 280.00	\$	35.00	\$ 280.00	\$	57.00	\$ 456.00	\$	42.00	\$ 336.00
35	652.361	Maintenance of Traffic	LS	1	\$	65,000.00	\$ 65,000.00	\$	40,000.00	\$ 40,000.00	\$	60,000.00	\$ 60,000.00	\$	58,000.00	\$ 58,000.00	\$	31,200.00	\$ 31,200.00	\$	60,250.00	\$ 60,250.00	\$	52,408.33	\$ 52,408.33
36	653.22	2" Polystyrene Plastic Insulation	SY	20	\$	25.00	\$ 500.00	\$	12.00	\$ 240.00	\$	75.00	\$ 1,500.00	\$	13.50	\$ 270.00	\$	25.00	\$ 500.00	\$	19.00	\$ 380.00	\$	28.25	\$ 565.00
37	654.08	Soil Compaction Testing	EA	3	\$	250.00	\$ 750.00	\$	500.00	\$ 1,500.00	\$	670.00	\$ 2,010.00	\$	185.00	\$ 555.00	\$	100.00	\$ 300.00	\$	450.00	\$ 1,350.00	\$	359.17	\$ 1,077.50
38	656.75	Temporary Soil Erosion & Water Pollution Control	LS	1	\$	15,000.00	\$ 15,000.00	\$	75,000.00	\$ 75,000.00	\$	25,000.00	\$ 25,000.00	\$	14,650.00	\$ 14,650.00	\$	9,000.00	\$ 9,000.00	\$	15,370.00	\$ 15,370.00	\$	25,670.00	\$ 25,670.00
39	659.10	Mobilization & Clean-up	LS	1	\$	65,000.00	\$ 65,000.00	\$	50,000.00	\$ 50,000.00	\$	90,000.00	\$ 90,000.00	\$	17,325.00	\$ 17,325.00	\$	14,700.00	\$ 14,700.00	\$	69,000.00	\$ 69,000.00	\$	51,004.17	\$ 51,004.17
40	674.10	Prefabricated Concrete Modular Gravity Wall	SF	89	\$	90.00	\$ 8,010.00	\$	100.00	\$ 8,900.00	\$	168.00	\$ 14,952.00	\$	55.00	\$ 4,895.00	\$	67.75	\$ 6,029.75	\$	154.00	\$ 13,706.00	\$	105.79	\$ 9,415.46
41	722.01	Geotextile (Roadway)	SY	1200	\$	2.00	\$ 2,400.00	\$	3.00	\$ 3,600.00	\$	6.00	\$ 7,200.00	\$	2.00	\$ 2,400.00	\$	1.25	\$ 1,500.00	\$	1.50	\$ 1,800.00	\$	2.63	\$ 3,150.00
42	803.03	Test Pits	EA	7	\$	480.00	\$ 3,360.00	\$	750.00	\$ 5,250.00	\$	500.00	\$ 3,500.00	\$	100.00	\$ 700.00	\$	200.00	\$ 1,400.00	\$	675.00	\$ 4,725.00	\$	450.83	\$ 3,155.83
		SUBTOTAL - PART 1					\$569,726.00			\$588,524.00			\$ 599,004.00			\$ 468,395.31			\$ 424,378.75			\$ 629,141.00			\$ 546,528.18
43	Bid Alt. 1	202.23 - Pavement Butt Joints	SY	70	\$	15.00	\$ 1,050.00	\$	15.00	\$ 1,050.00	\$	22.00	\$ 1,540.00	\$	15.00	\$ 1,050.00	\$	17.00	\$ 1,190.00	\$	20.00	\$ 1,400.00	\$	17.33	\$ 1,213.33
44	Bid Alt. 1	403.210 - HMA 9.5mm Surface (1-1/4 Overlay)	TN	470	\$	89.90	\$ 42,253.00	\$	89.90	\$ 42,253.00	\$	102.00	\$ 47,940.00	\$	90.00	\$ 42,300.00	\$	95.00	\$ 44,650.00	\$	110.00	\$ 51,700.00	\$	96.13	\$ 45,182.67
45	Bid Alt. 1	627.733 - 4" White and Yellow Pavement Marking Line	LF	5700	\$	0.25	\$ 1,425.00	\$	0.25	\$ 1,425.00	\$	0.36	\$ 2,052.00	\$	0.45	\$ 2,565.00	\$	0.35	\$ 1,995.00	\$	0.25	\$ 1,425.00	\$	0.32	\$ 1,814.50
46	Bid Alt. 1	652.361 - Maintenance of Traffic	LS</																						

ITEM 20-010

To hold a Public Hearing to consider and act on a Farm Based Special Events
License renewal for Joanne Fryer of Mowfield Farm, LLC



FARM BASED SPECIAL EVENTS LICENSE

Chapter 81 of Town of Cumberland Code

Application

Name: Joanne T. Fryer, Mowfield LLC
Address: 111 Bruce Hill Rd, Cumberland 04021
Email: joanne@mowfieldfarm.com
Telephone: (207) 829-8430
PB Site Plan Approval Date: December 20, 2017

Submission Requirements

Please submit one paper copy and one electronic copy of your Site Plan (Planning Board Submission), Notice of Decision and Conditions of Approval along with this cover sheet.

License Fee-\$50

License fee is to cover costs of Public Hearing Notices and advertisement to neighbors and abutters.

Notice of Decision

Date: December 20, 2017

To: Joanne Fryer
111 Bruce Hill Rd.
Cumberland, ME 04021

Re: *Public Hearing: Site Plan Review to allow for Farm Based Special Events, 111 Bruce Hill Road, Tax Map R05, Lot 42 A, Owner and Applicant: Joanne Fryer.*

This is to advise you that on December 19, 2017 the Planning Board held a public hearing for Site Plan Review to allow for Farm Based Special Events, 111 Bruce Hill Road, Tax Map R05, Lot 42 A, and voted to approve Site Plan Review to allow for Farm Based Special Events, 111 Bruce Hill Road, Tax Map R05, Lot 42 A, Owner and Applicant: Joanne Fryer subject to the Standard Condition of Approval and 4 Conditions of Approval.

Findings of Fact: See Below

Waivers granted: None

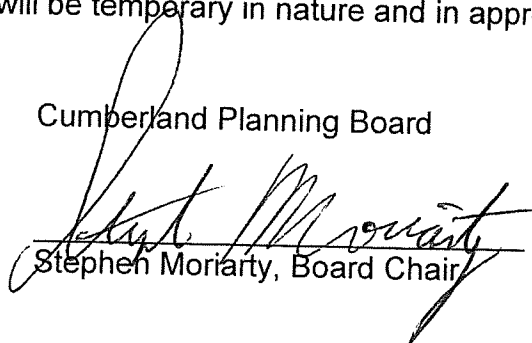
Waivers Denied: None

Standard Condition of Approval: This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted by the applicant. Any variation from the plans, proposals and supporting documents, except de minimis changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

Conditions of Approval:

1. The applicant shall obtain a sign permit from the Town of Cumberland.
2. The applicant shall comply with all state and local fire regulations.
3. All fees shall be paid prior to the Town Council's issuance of the Farm Based Event License.
4. Any temporary outdoor storage of fuels, petroleum products or chemicals shall be limited to the needs of a single event and will be temporary in nature and in approved containers.

Cumberland Planning Board



Stephen Moriarty, Board Chair

Chapter 229 – SITE PLAN REVIEW

SECTION 10: APPROVAL STANDARDS AND CRITERIA: The following criteria shall be used by the Planning Board in reviewing applications for site plan review and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Planning Board determines that the applicant has failed to meet one or more of these standards. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

10.1 Utilization of the Site: The plan for the development, including buildings, lots, and support facilities, must reflect the natural capabilities of the site to support development. Environmentally sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, and sand and gravel aquifers must be maintained and preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

There will be no construction of new structures or parking areas. There are no known environmentally sensitive areas on the parcel. The events will be limited to 8 per year.

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.2 Traffic, Circulation and Parking

10.2.1 Traffic Access and Parking: Vehicular access to and from the development must be safe and convenient.

10.2.1.1 Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation standards, to the maximum extent possible.

10.2.1.2 Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.

10.2.1.3 The grade of any proposed drive or street must be not more than +3% for a minimum of two (2) car lengths, or forty (40) feet, from the intersection.

10.2.1.4 The intersection of any access/egress drive or proposed street must function: (a) at a Level of Service D, or better, following development if the project will generate one thousand (1,000) or more vehicle trips per twenty-four (24) hour period; or (b) at a level which will allow safe access into and out of the project if less than one thousand (1,000) trips are generated.

10.2.1.5 Where a lot has frontage on two (2) or more streets, the primary access to and egress from the lot must be provided from the street where there is less potential for traffic congestion and for traffic and pedestrians hazards. Access from other streets may be allowed if it is safe and does not promote short cutting through the site.

10.2.1.6 Where it is necessary to safeguard against hazards to traffic and pedestrians and/ or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets.

10.2.1.7 Access ways must be designed and have sufficient capacity to avoid queuing of entering vehicles on any public street.

10.2.1.8 The following criteria must be used to limit the number of driveways serving a proposed project:

- a. No use which generates less than one hundred (100) vehicle trips per day shall have more than one (1) two-way driveway onto a single roadway. Such driveway must be no greater than thirty (30) feet wide.
- b. No use which generates one hundred (100) or more vehicle trips per day shall have more than two (2) points of entry from and two (2) points of egress to a single roadway. The combined width of all access ways must not exceed sixty (60) feet.

10.2.2 Access way Location and Spacing: Access ways must meet the following standards:

10.2.2.1 Private entrance / exits must be located at least fifty (50) feet from the closest un-signalized intersection and one hundred fifty (150) feet from the closest signalized intersection, as measured from the point of tangency for the corner to the point of tangency for the access way. This requirement may be reduced if the shape of the site does not allow conformance with this standard.

10.2.2.2 Private access ways in or out of a development must be separated by a minimum of seventy-five (75) feet where possible.

10.2.3 Internal Vehicular Circulation: The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

10.2.3.1 Projects that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing.

10.2.3.2 Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane - no parking).

10.2.3.3 The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the lot.

10.2.3.4 All roadways must be designed to harmonize with the topographic and natural features of the site insofar as practical by minimizing filling, grading, excavation, or other similar activities which result in unstable soil conditions and soil erosion, by fitting the development to the natural contour of the land and avoiding substantial areas of excessive grade and tree removal, and by retaining existing vegetation during construction. The road network must provide for vehicular, pedestrian, and cyclist safety, all season emergency access, snow storage, and delivery and collection services.

10.2.4 Parking Layout and Design: Off street parking must conform to the following standards:

10.2.4.1 Parking areas with more than two (2) parking spaces must be arranged so that it is not necessary for vehicles to back into the street.

10.2.4.2 All parking spaces, access drives, and impervious surfaces must be located at least fifteen (15) feet from any side or rear lot line, except where standards for buffer yards require a greater distance. No parking spaces or asphalt type surface shall be located within fifteen (15) feet of the front property line. Parking lots on adjoining lots may be connected by accessways not exceeding twenty-four (24) feet in width.

10.2.4.3 Parking stalls and aisle layout must conform to the following standards.

Parking Stall Angle	Stall Width	Skew Width	Stall Depth	Aisle Width
90°	9'-0"		18'-0"	24'-0" 2-way
60°	8'-6"	10'-6"	18'-0"	16'-0" 1-way
45°	8'-6"	12'-9"	17'-6"	12'-0" 1-way
30°	8'-6"	17'-0"	17'-0"	12'-0" 1 way

10.2.4.4 In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings or other permanent indications and maintained as necessary.

10.2.4.5 Parking areas must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.

10.2.4.6 Provisions must be made to restrict the "overhang" of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.

10.2.5 Building and Parking Placement

10.2.5.1 The site design should avoid creating a building surrounded by a parking lot. Parking should be to the side and preferably in the back. In rural, uncongested areas buildings should be set well back from the road so as to conform to the rural character of the area. If the parking is in front, a generous, landscaped buffer between road and parking lot is to be provided. Unused areas should be kept natural, as field, forest, wetland, etc.

10.2.5.2 Where two or more buildings are proposed, the buildings should be grouped and linked with sidewalks; tree planting should be used to provide shade and break up the scale of the site. Parking areas should be separated from the building by a minimum of five (5) to ten (10) feet. Plantings should be provided along the building edge, particularly where building facades consist of long or unbroken walls.

10.2.6 Pedestrian Circulation: The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/ exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect the amenities such as parks or open space on or adjacent to the site.

There is an existing 18' wide driveway into the site. There is adequate sight distance in each direction as shown in the file photos. There is a 16' - 18' wide gravel driveway that extends approximately 2,000' into the site where the events will be held. Parking will be in open fields. There is no need for pedestrian sidewalks as the site is an open field and there will not be traffic circulating during the events. There are no buildings proposed.

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.3 Stormwater Management and Erosion Control

10.3.1 Stormwater Management: Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

10.3.1.1 To the extent possible, the plan must retain stormwater on the site using the natural features of the site.

10.3.1.2 Unless the discharge is directly to the ocean or major river segment, stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.

10.3.1.3 The applicant must demonstrate that on - and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to, flooding and erosion of shoreland areas, or that he / she will be responsible for whatever improvements are needed to provide the required increase in capacity and / or mitigation.

10.3.1.4 All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to a closed system unless approved as part of the site plan review.

10.3.1.5 The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.

10.3.1.6 The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.

10.3.1.7 The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the

reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.

10.3.2 Erosion Control

10.3.2.1 All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and / or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.

10.3.2.2 Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991, and as amended from time to time.

There are no new impervious areas being created as part of this project. There is no construction associated with this application.

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.4 Water, Sewer, Utilities and Fire Protection

10.4.1 Water Supply Provisions: The development must be provided with a system of water supply that provides each use with an adequate supply of water. If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source of distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

10.4.2 Sewage Disposal Provisions: The development must be provided with a method of disposing of sewage which is in compliance with the State Plumbing Code. If provisions are proposed for on-site waste disposal, all such systems must conform to the Subsurface Wastewater Disposal Rules.

10.4.3 Utilities: The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

10.4.4 Fire Protection: The site design must comply with the Fire Protection Ordinance. The Fire Chief shall issue the applicant a "Certificate of Compliance" once the applicant has met the design requirement of the Town's Fire Protection Ordinance.

Portable toilets will be used for each event. An on-site generator will provide necessary electrical power for tent lighting and sound amplification. The Fire Chief has reviewed and approved the proposed plan. Potable water will be brought in for each event.

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.5 Water Protection

10.5.1 Groundwater Protection: The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to the public water supply systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

Temporary toilets will be brought in for each event. Permanent storage of fuels or chemicals will not occur.

10.5.2 Water Quality: All aspects of the project must be designed so that:

10.5.2.1 No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxious, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

10.5.2.2 All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

There is no permanent outdoor storage of petroleum products. Underground propane tanks are not part of this amendment.

10.5.3 Aquifer Protection: If the site is located within the Town Aquifer Protection Area, a positive finding by the Board that the proposed plan will not adversely affect the aquifer is required.

The site is not located within the Town Aquifer Protection Area.

Based on the materials included in the application, the Board finds that the standards of this section have been met.

10.6 Floodplain Management: If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town's Floodplain management provisions.

The site is not located within a floodplain.

Based on the above finding of fact, the Board finds the standards of this section have been met.

10.7 Historic and Archaeological Resources: If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

There will be no excavation or construction on the site. There are no apparent historical resources on the site.

Based on the above finding of fact, the Board finds the standards of this section have been met.

10.8 Exterior Lighting: The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated. All exterior lighting must be designed and shielded to avoid undue glare, adverse impact on neighboring properties and rights - of way, and the unnecessary lighting of the night sky.

No lighting is proposed other than the temporary lighting that will be provided from on-site portable generators.

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.9 Buffering and Landscaping

10.9.1 Buffering of Adjacent Uses: The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and storage areas. The buffer may be provided by distance, landscaping, fencing, changes in grade, and / or a combination of these or other techniques.

10.9.2 Landscaping: Landscaping must be provided as part of site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character. The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties.

There will be only infrequent (up to 8 per year) events at the site. There are no new structures or parking areas proposed therefor no new buffering or landscaping is required. The fields are bounded by stands of trees on three sides and Bruce Hill Road on the fourth side.

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.0 Noise: The development must control noise levels such that it will not create a nuisance for neighboring properties.

Potential point source generators of noise are the arrival and departure of trucks that will bring the generator, tents, chairs and other supplies needed for each of the 8 events. Given the distance that exists between neighboring properties and the site, this noise should not be audible. There will be amplified sound and music at most, if not all of the events. The Ordinance limits the hours for amplified music from 10:00 a.m. to 10:00 p.m. Based on the above findings of fact, the Board finds the standards of this section have been met.

10.11 Storage of Materials

10.11.1 Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have sufficient setbacks and screening (such as a stockade fence or a dense evergreen hedge) to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.

10.11.2 All dumpsters or similar large collection receptacles for trash or other wastes must be located on level surfaces which are paved or graveled. Where the dumpster or receptacle is located in a yard which abuts a residential or institutional use or a public street, it must be screened by fencing or landscaping.

10.11.3 Where a potential safety hazard to children is likely to arise, physical screening sufficient to deter small children from entering the premises must be provided and maintained in good condition.

There will be no permanent outdoor storage of petroleum products. All trash will be removed within 24 hours of the conclusion of the event.

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.12 Capacity of the Applicant: The applicant must demonstrate that he / she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

Technical Ability: *There was no need for technical assistance as there are no new roads, structures or parking areas being built.*

Financial Capacity: *There was no need for evidence of financial capacity as there are no public improvements required for the proposal.*

Based on the above findings of fact, the Board finds the standards of this section have been met.

10.13 Design and Performance Standards

The project is NOT subject to any of the design and performance standards contained in the Ordinance for the Route 1, Route 100 or Main Street corridors.

Chapter 81

Farm-Based Special Events Licensing

[HISTORY: Adopted by the Town Council of the Town of Cumberland 1-8-2018. Amendments noted where applicable.]

§ 81-1 Title.

This chapter shall be known and may be cited as "Farm Based Special Events Licensing."

§ 81-2 Purpose.

The Town of Cumberland is concerned about the adverse effect to the general health and safety of the community that may result from large crowds which attend farm-based special events, including exhibitions, festivals, music concerts, weddings, and fairs. Large gatherings may lead to sanitation problems, resulting from inadequate waste disposal, insufficient drinking water and ill-equipped first aid facilities; such gatherings may also threaten the safety of the community through the obstruction of roads, violations of liquor and drug laws, and destruction of property. Further, large gatherings that occur within a short period of time create traffic congestion, crowd control, health, sanitation and safety problems. Therefore, the following license is hereby ordained for the purposes of protecting the general welfare, preventing disease, promoting health and providing for public safety.

§ 81-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FARM-BASED SPECIAL EVENT

An event held indoors or outdoors on farmland that is at least five contiguous acres in size and is primarily used for farming, agriculture or horticultural activities. Such events may be for commercial purposes other than farming and may include, but are not limited to, weddings, wedding receptions, family reunions, special occasion celebrations, fairs and recreation programs, subject to the requirements of § 315-49.1. Farms must be registered farms with the Town Assessor.

§ 81-4 License required; application procedure.

- A. A Planning Board site plan approval is required prior to applying for the first annual license. Subsequent renewals do not require additional Planning Board approvals unless the site is modified requiring an amended site plan approval.
- B. No person may sponsor, promote, operate or hold any farm-based special event license ("event license") unless a license therefore is first obtained from the Town Council of Cumberland.
- C. Applications for all event licenses shall be made in writing to the Town Council and shall state the name of the applicant; his resident address; the name of the business to be conducted; his business address; the nature of his business; the location to be used; whether the applicant has ever had a license to conduct the business therein described either denied or revoked and, if so, a specific description of the circumstances; whether the applicant, including all partners or corporate officers, has ever been convicted of a felony and, if so, the applicant shall describe specifically those circumstances; and any additional information as may be required by the Town Council prior to the issuance of said permit.

- D. No license shall be issued for any thing or act, or premises, if the premises and building to be used do not fully comply with all ordinances, codes and regulations of said Town.
- E. The amount of said fee shall be set by the order of the Town Council.
- F. The application review procedure shall require a written plus electronic submission of the Planning Board site plan approval including the notice of decision and conditions of approval. The documents shall be the basis for review of each license. Town staff will review each license and provide a written recommendation to the Town Council prior to the public hearing. The review shall require conformance with the standards set in § 81-5 of this chapter unless waived by the Town Council. Farmers are required to obtain site plan approval only once and not annually unless site plan has changed.
- G. Renewals shall follow the same procedure listed § 81-4F. The renewals shall include any correspondence related to the previous year's license, all fire-EMS and police reports and any relevant items.

§ 81-5 License standards.

In reviewing submitted pursuant to § 81-4, the Town Council shall determine whether to issue a license based upon whether the application meets all of the following standards:

- A. Access. Convenient and safe access for the ingress and egress of pedestrian and vehicular traffic exists, and all public roadways in the proximity of the large outdoor event shall be adequately staffed.
- B. Grounds.
 - (1) Each large outdoor event assembly area shall be well drained and so arranged to provide sufficient space for persons assembled, vehicles, sanitary facilities, and appurtenant equipment.
 - (2) Trees, underbrush, large rocks and other natural features shall be left intact and undisturbed whenever possible, and the natural vegetative cover shall be retained, protected, and maintained so as to facilitate drainage, prevent erosion, and preserve the scenic attributes.
 - (3) The grounds shall be maintained free from accumulation of refuse and from health and safety hazards constituting a nuisance as defined.
 - (4) Illumination shall be provided at night beginning 1/2 hour before sunset to protect the safety of the persons at the large outdoor event. The assembly area shall be adequately lighted, but lighting shall not unreasonably reflect beyond the assembly area boundaries unless adjacent properties are uninhabited.
 - (5) Parking shall be provided for persons arriving by vehicular means.
 - (a) Service road and parking spaces shall be located so as to permit convenient and safe movement of vehicular and pedestrian traffic and free passage of emergency vehicles.
 - (b) The width of the service road should not be less than the following:
 - [1] One traffic lane: 12 feet.

[2] Two traffic lanes: 24 feet.

[3] Parallel parking lanes: seven feet.

(c) Adequate parking space shall be provided, which means that there shall be at least one parking space to every three persons, and the density shall not exceed 100 passenger cars or 30 buses per usable acre.

(6) At least 10 square feet per person shall be provided on the site for a large outdoor event with assigned seating; at least 15 square feet shall be provided for a large outdoor event with festival seating; and no overnight assemblage shall be permitted.

C. Water supply.

(1) An adequate, safe supply of potable water, meeting the requirements of the State Department of Health and Human Services, Division of Environmental Health, shall be provided and common cups shall not be used. Service buildings or rooms housing required plumbing fixtures shall be constructed of easily cleanable, nonabsorbent materials; the buildings, service rooms, and required plumbing fixtures located therein shall be maintained in good repair and in a clean and sanitary condition.

(2) Transported water shall be obtained from an approved source, stored and dispensed in an approved manner. "Approved" as used in this subsection means in compliance with standards adopted by the State Department of Health and Human Services, Division of Environmental Health.

D. Sanitation.

(1) Where water is distributed under pressure and flush toilets are used, the water system shall deliver water at a normal operating pressure (20 pounds per square inch minimum to all fixtures at the rate of at least 30 gallons per person per day).

(2) When water is not available under pressure, and nonwater carriage toilets are used, at least three gallons of water per person per day shall be provided for drinking and lavatory purposes.

(3) Where water under pressure is not available, equivalent facilities shall be provided and installed in accordance with the requirements of the Department of Health and Human Services, Bureau of Health, Mass Gathering Rules and Informational Guidelines.

(4) Sanitary facilities shall be provided at the rate of one for each 200 persons. Any other proposal for providing sanitary facilities must be in accordance with the requirements of the Department of Health and Human Services, Bureau of Health, Mass Gathering Rules and Informational Guidelines.

(5) The required sanitary facilities shall be conveniently accessible and well defined.

(6) Each toilet shall have a continuous supply of toilet paper.

(7) Service buildings or rooms housing required plumbing fixtures shall be constructed of easily cleanable, nonabsorbent materials; the buildings, service rooms, and required plumbing fixtures located therein shall be maintained in good repair and in a clean and sanitary condition.

- (8) Separate service buildings or rooms containing sanitary facilities, clearly marked, shall be provided for each sex, and each toilet room shall be screened so that the interior is not visible from the outside.
- (9) Wastewater shall be discharged in a manner consistent with the requirements of the State Department of Health and Human Services, Division of Environmental Health.
- (10) Disposal and/or treatment of any excretion or liquid waste shall be in a manner consistent with the requirements of the State Department of Health and Human Services, Division of Environmental Health.

E. Refuse disposal.

- (1) Refuse shall be collected, stored, and transported in such a manner as to protect from odor, infestation of insects and/or rodents any and other nuisance condition or conditions which are inconsistent with the health, safety, and welfare of the patrons of the large outdoor event or of the public.
- (2) Refuse containers shall be readily accessible, and one thirty-two-gallon refuse container or its equivalent shall be provided for each 100 persons anticipated or one sixteen-cubic-yard trash container shall be provided for every 5,000 persons anticipated. All trash barrels shall be lined with plastic bags.
- (3) The area where motor vehicles are parked shall have one thirty-two-gallon refuse container or its equivalent for every 200 such motor vehicles.
- (4) All refuse shall be collected from the assembly area at least twice each twelve-hour period of the large outdoor event, with a minimum of two such collections per large outdoor event exceeding six hours, or more if it is necessary, and disposed of at a waste disposal site approved by the Town.
- (5) The grounds and immediate surrounding property shall be cleared of refuse within 24 hours following the large outdoor event.

F. Vermin control. Insects, rodents and other vermin shall be controlled by proper sanitation practices, extermination or other safe and effective control methods; where necessary, animal parasites and other disease-transmitting nuisances shall be controlled.

G. Safety.

- (1) Where an electrical system is installed, it shall be installed and maintained in accordance with the provisions of the applicable state standards and regulations and the Town's electrical codes.
- (2) The grounds, building, and related facilities shall be maintained and used in a manner as to prevent fire and in accordance with the applicable local fire prevention regulations.
- (3) Internal and external traffic and security control shall meet requirements of the applicable state and local law enforcement agencies.
- (4) The Town of Cumberland Police, Fire/EMS Department has been informed of the event and adequate public safety protection equipment is available.

H. Noise. No amplification of music or sound shall continue beyond 10:00 p.m. measured by a sound-level

meter and frequency-weighting network (manufactured according the standards prescribed by the American National Standards Institute), inherently and recurrently generated shall not exceed a maximum of 60 decibels at lot boundaries, excepting air raid sirens and similar warning devices.

§ 81-6 Public hearing; grant of event license; term.

- A. The Town Council shall, prior to granting an event license and after reasonable notice to the municipality and the applicant, hold a public hearing within 21 days of receipt of a completed application, at which hearing the testimony of the applicant and that of any interested members of the public shall be taken.
- B. Abutters and neighbors within 500 feet of the event location shall be notified in writing by the Town of the public hearing for annual license renewals.
- C. The event license may be granted subject to such conditions and restrictions as the Council may deem necessary.
- D. An event license shall be valid only until December 31 of any calendar year.

§ 81-7 Permits; blackout dates.

Each event license may hold up to eight events per calendar year with an approved event license. The Town Council authorizes the Town Manager, or his designee, to meet with license holders to issue permits for proposed scheduled events and to collect fees. Chapter 84, Fees and Fines will list the permit fee for each farm-based special event. Said permit fee shall adequately cover the costs for additional public safety staffing as result of one or multiple events occurring simultaneously in the community. Permit blackout dates around the annual Cumberland Fair are expected due to the lack of local resources to adequately cover the Town.

§ 81-8 Inspections.

- A. Whenever inspections of the premises used for or in connection with the operation of a licensed business which has obtained a farm-based special event license are provided for or required by ordinance or state law, or are reasonably necessary to secure compliance with any municipal ordinance, code or regulation or state law, it shall be the duty of the licensee, or the person in charge of the premises to be inspected, to admit any officer, official, or employee of said Town authorized to make the inspection at any reasonable time that admission is requested.
- B. In addition to any other penalty which may be provided, the Town Council may revoke the farm-based special event license of any licensee in the municipality an inspection or who interferes with such officer, official, or employee while in the performance of his duty, provided that no license or farm-based special event license shall be revoked unless written demand for the inspection is made upon the licensee or person in charge of the premises at the time it is sought to make the inspection.

§ 81-9 Suspension or revocation of event license.

The Town Council may, after a public hearing preceded by notice to interested parties, suspend or revoke any farm-based special event license which has been issued under this chapter on the ground that the music, dancing, or entertainment so permitted constitutes a detriment to the public health, safety, or welfare or violates any municipal regulations.

§ 81-10 Denial of event license; appeals.

- A. Any licensee requesting a farm-based special event license from the Town Council shall be notified in writing of its decision no later than 21 days from the date his application was received. In the event that

a licensee is denied an event license, the licensee shall be provided with the reasons for the denial in writing. The licensee may not reapply for an event license within 30 days after an application for an event license has been denied.

- B. Any licensee who has requested an event license and has been denied, or whose event license has been revoked or suspended, may, within 30 days of the denial, suspension or revocation, appeal the decision to the Superior Court.

§ 81-11 Rules and regulations.

- A. The Town Council is hereby authorized, after public notice and hearing, to establish written rules and regulations governing the issuance, suspension, and revocation of farm-based special event licenses, the classes of permits, the music, dancing, or entertainment permitted under each class, and other limitations on these activities required to protect the public health, safety and welfare. These rules and regulations may specifically determine the location and size of permitted premises, the facilities that may be required for the permitted activities on those premises, and the hours during which the permitted activities are permitted.
- B. Such rules and regulations shall be additional to and consistent with all sections of this chapter.

§ 81-12 Violations and penalties.

The Town of Cumberland shall enforce this chapter through its Code Enforcement Officer. Anyone violating any provision of this chapter shall be subject to a fine not less than \$500 nor more than \$1,000 per violation. Each day such violation continues shall constitute a separate offense.

§ 81-13 Waivers.

The Town Council may, in its discretion, waive any of the requirements under § 81-4 or § 81-5 of this chapter if it finds the requirement of information or materials with the application is unnecessary or irrelevant to the review of a particular license application.

§ 81-14 Transfer of license.

Licenses issued hereunder shall not be transferable or assignable.

ITEM 20-011

To set a Public Hearing date of March 9th to consider and act on a Class I and Mobile Auxiliary Liquor License application for Rachel's On the Green, for the period of March 29, 2020 – March 29, 2021



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): <u>RACHELS ON THE GREEN</u>	Business Name (D/B/A): <u>RACHELS ON THE GREEN</u>
Individual or Sole Proprietor Applicant Name(s): <u>LLOYD SMITH</u>	Physical Location: <u>60 VAL HALLA RD</u>
Individual or Sole Proprietor Applicant Name(s): <u>CELESTE ROSS</u>	Mailing address, if different: <u>CUMBERLAND, ME 04021</u>
Mailing address, if different from DBA address:	Email Address:
Telephone # Fax #: <u>N/A</u>	Business Telephone # Fax #: <u>207-829-2225 EXT. 4</u>
Federal Tax Identification Number: <u>27-5380488</u>	Maine Seller Certificate # or Sales Tax #: <u>1149663</u>
Retail Beverage Alcohol Dealers Permit: <u>N/A</u>	Website address: <u>N/A</u>

1. New license or renewal of existing license? ☐ New ☒ Renewal

If a renewal, please provide the following information:

Your current license expiration date: 3/29/20

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: 283,138.29 Beer, Wine or Spirits: 226,481.92 Guest Rooms: 0

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

3. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input checked="" type="checkbox"/> Golf Course with auxiliary and mobile cart options
(Class I, II, III, IV) | | <input type="checkbox"/> Tavern
(Class IV) |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

☐ Other: _____

Refer to Section V for the License Fee Schedule

4. If application is for a **new** license or the business is under new ownership, indicate starting date:

5. Business records are located at the following address:

600 VAL HALLA RD CUMBERLAND, ME 04102

6. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

7. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

8. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
LLOYD SMITH		
CELESTE ROSS		
PATRICIA DUNN		

Residence address on all the above for previous 5 years

Name Address:

LLOYD SMITH

Name Address:

CELESTE ROSS

Name Address:

PATRICIA DUNN

Name Address:

9. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

10. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

11. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine? ☐ Yes ☒ No

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

TOWN OF CUMBERLAND 290 TOTTLE RD CUMBERLAND, ME 04021

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

A. The bureau shall prepare and supply application forms.

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

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

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

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

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

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

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

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

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

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its [Retail Beverage Alcohol Dealers](https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers) permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<u>Class of License</u>	<u>Type of liquor/Establishments included</u>	<u>Fee</u>
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00
Self-Sponsored Events	This class is for Qualified Caterers Only	\$ 700.00

REVENUES

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TOWN OF CUMBERLAND HISTORICAL ACTUALS COMPARISON REPORT

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FOR PERIOD 13 OF 2020

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
0011 Other Tax Revenues					
<hr/>					
0011 0303 Motor Vehicle Excise Tax	-1,943,428.95	-2,101,824.00	-2,146,834.02	-1,433,791.78	-1,950,000.00
0011 0304 Boat Excise Tax	-16,021.70	-18,402.19	-16,043.70	-3,093.50	-14,000.00
0011 0324 Change in Deferred Taxes	-14,059.59	66,128.74	21,911.96	.00	.00
0011 0325 Supplemental Taxes	-14,130.35	.00	.00	-38,940.00	.00
0011 0328 Outer Islands Property Tax	-43,352.06	-43,774.06	-44,041.00	-23,513.74	-42,000.00
0011 0329 Payment in Lieu of Taxes	-29,804.00	-30,688.00	-31,918.00	-16,061.48	-31,000.00
TOTAL Other Tax Revenues	-2,060,796.65	-2,128,559.51	-2,216,924.76	-1,515,400.50	-2,037,000.00
0012 License & Permit Revenues					
<hr/>					
0012 0311 Hunting/Fishing Lic Agent Fees	-495.03	-488.50	-481.25	-272.75	-541.00
0012 0312 Marriage Lic & Vital Records	-2,361.86	-2,090.60	-2,503.80	-1,771.20	-2,436.00
0012 0313 Birth Certificates	-1,447.00	-1,667.20	-1,491.40	-1,045.20	-1,361.00
0012 0314 Death Certificates	-1,848.13	-1,391.00	-1,994.00	-1,234.20	-1,713.00
0012 0315 Clerk Licenses	-3,545.00	-4,615.00	-5,170.00	-1,735.00	-4,608.00
0012 0316 Shellfish Licenses	-729.69	-593.85	-662.95	-474.93	.00
0012 0317 Conservation Fees	-150.31	-146.15	-177.05	-75.07	.00
0012 0334 Snowmobile Reg. Agent Fees	-241.00	-201.00	-223.00	-218.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-21,448.00	-22,030.00	-21,763.00	-18,044.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-660.00	-706.00	-681.00	-183.00	-1,098.00
0012 0366 Building Permits	-120,409.01	-68,660.01	-74,055.25	-48,082.71	-75,000.00
0012 0367 Electrical Permits	-27,410.83	-25,610.10	-22,440.55	-14,356.55	-21,634.00
0012 0368 Plumbing Permits	-21,357.50	-18,252.50	-15,056.00	-9,195.00	-18,789.00
0012 0369 Other Permits	-1,902.00	-1,000.00	-976.00	-432.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-60.72	-94.00	-122.00	-71.00	-37.00
0012 0390 Misc. Revenue	.00	.00	-1,350.00	.00	.00
0012 0398 Application Fee	-800.00	-1,450.00	-4,150.00	-1,250.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-2,422.00	-1,999.00	-937.00	-796.00	-2,800.00
0012 0404 Commercial Haulers License	-600.00	-500.00	-500.00	.00	-500.00
TOTAL License & Permit Revenue	-207,888.08	-151,494.91	-154,734.25	-99,236.61	-154,974.00
0013 Intergovernmental Revenues					
<hr/>					
0013 0331 State Revenue Sharing	-415,633.17	-458,304.35	-468,848.55	-373,607.12	-603,207.00

02/20/2020
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TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 2
glactrpt

FOR PERIOD 13 OF 2020

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
0013 0332 Park Fee Sharing	-10,624.80	.00	.00	.00	.00
0013 0335 DOT Block Grant	-68,012.00	-69,136.00	-68,644.00	-71,480.00	-68,000.00
0013 0341 North Yarmouth Recreation Shar	-43,685.00	-33,376.00	-18,920.00	1,742.50	3,485.00
0013 0342 North Yarmouth Library Share	-144,349.00	-155,424.00	-160,072.00	-84,680.42	-169,361.00
0013 0347 North Yarmouth Channel 2	-2,774.00	-737.00	.00	.00	.00
0013 0348 ACO Sharing Payments	-10,039.34	.00	.00	.00	.00
TOTAL Intergovernmental Revenue	-695,117.31	-716,977.35	-716,484.55	-528,025.04	-837,083.00
 0015 Other Revenues					
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0015 0305 Interest & Penalties	-31,385.94	-24,351.71	-31,902.49	-23,980.62	-30,000.00
0015 0306 Over/Short	103.54	1,207.02	-442.16	-1.01	-100.00
0015 0364 Growth Permits	-13,600.00	-3,000.00	-2,400.00	-2,000.00	-2,000.00
0015 0365 Board of Appeals	.00	-300.00	-100.00	-200.00	.00
0015 0379 Investment Earnings	-349.64	.00	.00	.00	.00
0015 0390 Misc. Revenue	-89,693.19	-33,518.02	-40,746.09	-31,975.57	-25,000.00
0015 0399 Staff Review Fee	-10,675.00	-23,332.50	-11,250.00	-8,950.00	-14,117.00
0015 0402 Cable TV Revenue	-116,809.64	.00	.00	.00	.00
0015 0403 Mooring Fees	-3,700.00	-4,100.13	-4,387.92	-1,668.00	-1,500.00
0015 0410 Private Ways	-200.00	-200.00	-1,000.00	.00	-400.00
0015 0432 Workers Compensation Dividend	-13,558.82	.00	.00	.00	.00
0015 0508 Impact Fees	-184,440.79	-59,616.20	-79,340.10	-56,876.40	-60,000.00
TOTAL Other Revenues	-464,309.48	-147,211.54	-171,568.76	-125,651.60	-133,117.00
 0021 Police Related Revenues					
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0021 0337 State Grant revenue	.00	.00	-1,195.00	-1,846.00	.00
0021 0351 Police Issued Permits	-2,839.00	-2,329.00	-2,212.00	-7,309.00	-2,000.00
0021 0353 Police Insurance Reports	-456.00	-562.00	-446.00	-380.00	-500.00
0021 0390 Miscellaneous Police Revenue	-128.00	-318.15	-811.25	-171.00	-648.00
0021 0427 Parking Tickets	-111.00	-615.00	-375.00	-575.00	-100.00
0021 0431 Outside Detail	-32,566.00	-32,737.68	.00	.00	.00
0021 0536 Dog Licenses ACO Revenue	-1,970.00	-3,003.00	-2,983.00	-2,127.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	.00	-48,000.00	-49,000.00	.00	.00
0021 0546 Court Reimbursements	-2,409.72	-3,246.56	-1,209.32	-3,492.28	-2,200.00
TOTAL Police Related Revenues	-40,479.72	-90,811.39	-58,231.57	-15,900.28	-7,248.00
 0022 Fire Related Revenues					
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0022 0390 Misc. Revenue	-77.50	-450.00	.00	-15.00	-100.00

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FOR PERIOD 13 OF 2020

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
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0022 0431 Outside Details	-21,132.19	-20,036.25	.00	.00	.00
0022 0504 Rescue Billing	-154,208.48	-166,729.49	-180,580.79	-64,837.23	-160,000.00
0022 0505 Non Emergency Transports	-59,378.19	-6,865.06	.00	.00	-12,000.00
0022 0507 Paramedic Intercepts	-600.00	-300.00	.00	.00	-600.00
0022 0617 Donations Received	.00	.00	.00	-1,000.00	.00
TOTAL Fire Related Revenues	-235,396.36	-194,380.80	-180,580.79	-65,852.23	-172,700.00
 0031 Public Services Revenues					
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0031 0390 Misc. Revenue	-312.00	-615.00	-23,706.60	-5,973.00	-20,500.00
0031 0391 Field Usage Fees	-8,334.00	-9,774.40	-7,643.80	-4,031.80	-10,000.00
0031 0431 Outside Details	-2,265.56	-1,912.00	-1,234.03	-852.16	.00
0031 0517 Bags/Universal Waste	-290,043.50	-311,753.65	-314,056.35	-115,256.50	-286,015.00
0031 0539 Brush Passes	-9,237.00	-10,200.00	-10,730.00	-1,666.00	-8,277.00
0031 0617 Twin Brooks Donations	-23.00	-143.00	.00	-100.00	-92.00
TOTAL Public Services Revenues	-310,215.06	-334,398.05	-357,370.78	-127,879.46	-324,884.00
 0035 VH Other Revenues					
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0035 0329 Payment in Lieu of Taxes	-2,000.00	-3,000.00	.00	-9,000.00	-5,000.00
0035 0378 Soda Sales	-2,381.49	-2,860.30	-2,604.60	-1,594.40	-2,500.00
0035 0560 Rental Income	-25,841.34	-25,091.49	-23,151.91	-6,750.00	-14,000.00
0035 0565 Cell Tower Land Lease	-21,600.00	-21,600.00	-21,600.00	-14,400.00	-21,600.00
TOTAL VH Other Revenues	-51,822.83	-52,551.79	-47,356.51	-31,744.40	-43,100.00
 0037 VH Golf Revenues					
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0037 0306 Over/Short	-22.75	-5.43	250.38	506.47	.00
0037 0357 Golf Memberships	-230,898.00	-223,335.69	-220,646.15	-93,154.48	-230,000.00
0037 0358 Greens Fees	-116,041.92	-131,917.19	-132,082.98	-80,082.44	-120,000.00
0037 0359 Golf Cart Rentals	-85,193.13	-93,134.10	-76,800.09	-52,915.45	-88,000.00
0037 0416 Practice Range	-8,116.75	-9,798.00	-5,281.75	-1,248.25	-10,000.00
0037 0417 VH Program Revenues	-61,040.00	-78,586.57	-69,027.70	-42,284.00	-56,529.00
0037 0419 Advertising Sales	-17,495.69	-16,390.00	-19,631.50	.00	-23,392.00
0037 0522 Outing Golf	-61,758.81	-43,998.00	-46,725.43	-66,487.00	-45,000.00

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ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
0037 0617 Donations Received	.00	-845.00	.00	.00	.00
TOTAL VH Golf Revenues	-580,567.05	-598,009.98	-569,945.22	-335,665.15	-572,921.00
0041 Recreation Related Revenues					
0041 0440 41100 After School Programs	-258,014.19	-304,583.25	-315,864.87	-219,385.50	-269,836.00
0041 0441 41110 Youth Enrichment Programs	-117,240.86	-155,269.23	-173,051.23	-116,764.07	-148,607.00
0041 0442 41120 Youth Sports Programs	-96,123.95	-108,076.27	-122,223.96	-60,184.00	-93,052.00
0041 0443 41130 Skiing Programs	-45,741.28	-49,560.85	-52,049.32	-57,274.00	-45,020.00
0041 0444 41140 Day Camps	-184,832.94	-205,066.36	-205,424.63	-30,108.43	-180,160.00
0041 0445 41150 Swimming Programs	-23,803.10	-28,319.02	-26,468.45	-20,171.00	-54,052.00
0041 0446 41160 Adult Enrichment Revenue	-43,397.91	-41,566.98	-38,503.05	-32,131.26	-39,515.00
0041 0447 41170 Adult Fitness Revenue	-70,572.38	-62,142.14	-61,279.49	-43,060.20	-42,743.00
0041 0448 41190 Special Events/Trips Reven	-5,796.43	-6,292.58	-5,763.61	-3,361.00	-2,243.00
0041 0449 41190 Recreation Programs	-1,334.62	-3,209.26	-2,098.49	-5,984.28	-6,971.00
0041 0570 41190 Rec Soccer Revenue	-23,349.77	-29,279.99	-23,561.67	-20,190.00	-20,245.00
0041 0571 41190 Rec Ultimate Frisbee Reven	-13,694.97	-12,318.14	-14,279.33	-6,550.00	-15,672.00
0041 0606 41190 CPR/First Aid Revenues	-1,010.00	-50.00	295.00	-570.00	.00
TOTAL Recreation Related Reven	-884,912.40	-1,005,734.07	-1,040,273.10	-615,733.74	-918,116.00
0045 Library Related Revenues					
0045 0392 Library Fines	-3,396.57	-3,314.26	-3,221.73	-2,990.02	-3,500.00
0045 0394 Misc. Library Revenue	-1,571.16	-1,253.90	-1,199.00	-865.20	-1,000.00
TOTAL Library Related Revenues	-4,967.73	-4,568.16	-4,420.73	-3,855.22	-4,500.00
TOTAL General Fund	-5,536,472.67	-5,424,697.55	-5,517,891.02	-3,464,944.23	-5,205,643.00
TOTAL REVENUES	-5,536,472.67	-5,424,697.55	-5,517,891.02	-3,464,944.23	-5,205,643.00
GRAND TOTAL	-5,536,472.67	-5,424,697.55	-5,517,891.02	-3,464,944.23	-5,205,643.00

EXPENSES

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ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
<hr/>					
10 General Government					
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130 Administration	604,129.45	618,426.36	628,525.46	406,388.20	621,818.00
140 Assessor	94,199.02	96,402.59	109,157.82	66,711.64	102,534.00
150 Town Clerk	216,205.97	215,491.19	246,662.88	186,190.78	265,989.00
160 Technology	193,054.32	212,608.77	210,954.94	174,202.88	212,517.00
165 Elections	12,457.22	13,895.66	10,827.72	3,961.47	16,026.00
170 Planning	68,491.72	62,427.78	63,159.04	40,451.41	73,802.00
190 Legal	69,113.60	59,052.56	63,448.53	32,102.22	47,500.00
TOTAL General Government	1,257,651.30	1,278,304.91	1,332,736.39	910,008.60	1,340,186.00
20 Public Safety					
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210 Police	1,327,712.51	1,353,564.83	1,333,991.48	906,124.74	1,390,056.00
220 Fire	952,610.94	929,309.70	943,893.75	624,076.39	1,014,323.91
240 Code Enforcement	108,004.12	136,083.96	142,020.09	93,890.52	140,977.00
250 Harbor Master	105.49	6,058.23	5,745.97	12,012.04	12,000.00
260 Animal Control	30,566.81	32,715.85	30,710.58	23,763.07	32,875.00
TOTAL Public Safety	2,418,999.87	2,457,732.57	2,456,361.87	1,659,866.76	2,590,231.91
30 Public Services					
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310 Public Works	1,171,911.82	1,171,097.42	1,129,454.98	781,193.56	1,236,087.00
320 Waste Disposal	482,100.91	506,020.60	524,667.39	311,123.69	565,635.00
430 Parks	224,321.53	298,549.71	313,321.36	203,316.21	311,112.00
440 West Cumberland Rec	6,536.09	6,294.36	6,184.03	3,023.74	7,427.00
470 Historical Society Building	3,977.49	5,821.22	7,418.96	4,299.30	7,164.00
TOTAL Public Services	1,888,847.84	1,987,783.31	1,981,046.72	1,302,956.50	2,127,425.00
37 Val Halla Golf Club					
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350 Valhalla-Club	38,097.97	36,267.41	35,775.72	15,482.90	27,100.00
360 Valhalla-Course	455,998.03	472,737.27	485,039.95	355,485.92	509,259.00

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ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
370 Valhalla-Pro Shop	227,183.42	234,472.18	269,057.44	159,749.53	225,574.00
TOTAL Val Halla Golf Club	721,279.42	743,476.86	789,873.11	530,718.35	761,933.00
40 Recreation					
410 Recreation	934,703.80	996,563.32	1,088,124.62	751,651.57	1,048,508.00
420 Aging in Place	.00	185.50	24,793.90	62,870.18	86,793.00
TOTAL Recreation	934,703.80	996,748.82	1,112,918.52	814,521.75	1,135,301.00
45 Library					
450 Library	426,212.04	450,253.64	491,453.33	329,321.35	497,303.00
TOTAL Library	426,212.04	450,253.64	491,453.33	329,321.35	497,303.00
90 Other					
580 General Assistance	36,344.93	27,783.78	31,100.17	25,813.40	35,000.00
590 Health Services	13,875.30	13,875.30	13,875.30	16,533.85	17,875.00
620 Cemetery Association	27,925.00	31,165.00	28,450.00	26,700.00	26,700.00
630 Conservation	4,733.73	5,216.99	6,212.20	2,137.71	13,000.00
800 Fire Hydrants	64,565.79	76,381.42	80,355.12	47,960.36	78,924.00
810 Street Lighting	43,373.02	43,693.00	37,248.35	24,815.14	45,000.00
830 Contingent	13,622.01	8,365.00	9,339.68	2,500.00	10,000.00
840 Municipal Building	83,873.62	102,008.54	102,248.17	51,273.62	104,523.00
850 Abatements	42,825.52	23,069.43	23,670.91	34,592.46	2,900.00
TOTAL Other	331,138.92	331,558.46	332,499.90	232,326.54	333,922.00
96 Fixed Expenses					
650 Debt Service	947,757.40	962,673.17	969,023.35	361,209.26	995,000.00
750 Insurance	222,340.91	318,755.09	284,468.82	238,046.06	263,400.00
910 Capital Reserves	1,038,598.00	693,000.00	699,300.00	771,061.00	771,061.00
TOTAL Fixed Expenses	2,208,696.31	1,974,428.26	1,952,792.17	1,370,316.32	2,029,461.00

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FOR PERIOD 13 OF 2020

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
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98 Assessments					
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860 MSAD #51	16,060,474.08	17,208,107.28	18,690,270.84	12,625,171.28	18,937,756.87
890 County Tax	775,374.00	813,904.00	878,954.00	910,761.00	910,761.00
TOTAL Assessments	16,835,848.08	18,022,011.28	19,569,224.84	13,535,932.28	19,848,517.87
TOTAL General Fund	27,023,377.58	28,242,298.11	30,018,906.85	20,685,968.45	30,664,280.78
TOTAL EXPENSES	27,023,377.58	28,242,298.11	30,018,906.85	20,685,968.45	30,664,280.78
GRAND TOTAL	27,023,377.58	28,242,298.11	30,018,906.85	20,685,968.45	30,664,280.78