

AGENDA
Cumberland Town Council Meeting
Town Council Chambers
Monday, April 28, 2008

6:30 p.m. WORKSHOP re: Route One Zone Change Request.

7:00 p.m. CALL TO ORDER

I. APPROVAL OF MINUTES

April 14, 2008

II. MANAGER'S REPORT

- Promotional swearing in of Nathan R. Schools, Fire Department Battalion Chief
- Bulky Waste Pick-Up Week (*May 12 – 16*)
- Update on June Ballot
- Revaluation appointments (*829-5699 M-W-F, 8:30 am – 4:00 pm, April 28th – May 20th*)

III. PUBLIC DISCUSSION

IV. LEGISLATION AND POLICY

08 – 066. To consider and act on changing *June 9th* Council meeting date to *June 16th* due to *June 10th* election.

08 – 067. To hear a report from the Finance Chair re: third quarter financial report.

08 – 068. To hold a Public Hearing to consider and act on a recommendation from the Planning Board re: amendments to Section 204.10 VOC I (Village Office Commercial I); 204.11 VOC II (Village Office Commercial II); and 204.12; MUZ (Mixed Use Zone) of the Cumberland Zoning Ordinance to add “agricultural uses” as a permitted use.

08 – 069. To hold a Public Hearing to consider and act on a recommendation from the Planning Board re: amendment to Sections 204.10 VOC I (Village Office Commercial I); 204.11 VOC II (Village Office Commercial II); and 204.12; MUZ (Mixed Use Zone); 204.6 Highway Commercial (HC); 204.7 Office Commercial North (OC-N); 204.8 Office Commercial South (OC-S); 204.13 Industrial (I); and 204.14 Rural Industrial (RI) of the

Cumberland Zoning Ordinance to add “veterinary offices” as a permitted use.

08 – 070. To set a Public Hearing date (*May 26*) to consider and act on a recommendation from the Planning Board re: setback requirement changes to the Val Halla Overlay District.

08 – 071. To set a Public Hearing date (*May 12*) to consider and act on a Mobile Vending Cart License for Val Halla for the period of *May 12, 2008 – May 12, 2009*.

08 – 072. To act to countersign the MSAD 51 Budget Validation Referendum Warrant.

V. NEW BUSINESS

VI. EXECUTIVE SESSION – pursuant to 1 M.R.S.A., § 405(6)(C) re: real property; and 1 M.R.S.A., § 405(6)(A) re: Town Manager evaluation.

VII. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, APRIL 14, 2008

7:00 p.m. Call To Order

Present: Chairman Porter, Councilors Copp, Perfetti, Storey-King, Turner, Moriarty and Stiles.

I. APPROVAL OF MINUTES

March 24, 2008

Motion by Councilor Moriarty; seconded by Councilor Copp, to approve the minutes as presented.

VOTE: UNANIMOUS PASSAGE 6-0-1 (Chairman Porter abstained)

II. MANAGER'S REPORT

- Nomination Papers due April 28th by 5:00 p.m.
- April 28th: School Board Meeting @ 6:00 p.m. and Town Council Meeting @ 7:00 p.m. (both in Town Council Chambers) re: Budget Validation Referendum Warrant. This will be the first opportunity for our residents to vote at the polls on the school budget and the council will be asked to countersign the budget validation referendum warrant.
- Street sweeping schedule is now posted on the town website.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

08 – 056 To hold a Public Hearing to consider and act on a Victualer's License for Brenda Pitcher, 79 Woody Creek Lane.

Manager introduced Ms. Pitcher. Councilor Storey-King asked for the location of Ms. Pitcher's business. Woody Creek Lane is located off Longwoods Road. The business name is *Simply Sweet*. Ms. Pitcher will sell baked goods with "great ingredients...keeping it simple." She will participate in the Cumberland Farmer's Market selling cakes, pies, cookies, and "anything made to order."

Motion by Councilor Copp; seconded by Councilor Storey-King, to approve the Victualer's License for Brenda Pitcher, 79 Woody Creek Lane, for the period April 2008 through June 2008.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 057 To hold a Public Hearing to consider and act on amendments to the Cumberland Shellfish Ordinance.

The Town Manager recognized committee members Harland Storey, Mike Brown, and Tom Peterson. Mr. Brown spoke on behalf of the committee, explaining that additional items remained after the Council's November 2007 amendments to the shellfish ordinance. The committee was requested to continue its review of the ordinance, and offered further amendments this evening, which included: permit one guest to assist a licensed harvester to harvest one peck of clams per day; clarify the availability of a junior resident recreational license for resident youth ages 12 to 16, at a reduced cost of \$15 (youth under the age of 12 would fall within the guest provision; no license is required, however they must be accompanied by a licensed shellfish digger); recreational licenses issued to Maine Certified Wardens of the town will not be counted in the calculation of licenses sold; senior resident and non-resident recreational licenses issued at no cost to persons at least 62 years of age; and the rest "boils down to general housekeeping...in order to support these earlier modifications."

Councilor Stiles suggested the addition of language to support the committee's position that youth eleven and under may not dig by themselves. "It doesn't state that they couldn't do it and yet it doesn't state that they can." Mr. Brown

confirmed the committee would “pursue that further. They would be considered an unlicensed digger if they weren’t accompanied.” Councilor Moriarty noted that Section 108.2(b) “exempts” a child eleven years or younger from the license requirement. “Exempt means they can dig at will.” Councilor Moriarty also recommended the committee make clear its intention regarding junior recreational licenses for resident and non-resident juniors.

Mr. Bob Heyner, West Cumberland, commented on the issue of guest assistance, he interpreted the wording to permit a peck person, rather than one peck between the license holder and guest. He recommended adding the word “collectively.” Committee member Tom Peterson explained, “we understood this is really kind of a tune up event” and these changes would be adopted later as part of the final ordinance amendments in October or November. He complimented the Town Manager and Brenda Stiffler for their assistance. “We’ll have the final draft ready for you for adoption in the fall.”

08 – 058 To hold a Public Hearing to consider and act on authorizing the Cumberland Police Department to make arrests outside of municipal boundaries, pursuant to M.R.S.A. 17-A §15.

The Town Manager introduced Chief Charron and Lieutenant Calder. Chief Charron requested the council vote affirmatively to grant the Cumberland Police Department authority to take law enforcement action when an incident or crime originates in Cumberland but takes the on-duty officer outside the boundaries of Cumberland. If approved, Chief Charron will promulgate policy to address arrests outside municipal boundaries. Cumberland’s officers must receive authorization through the council in order to arrest in a jurisdiction which requested our assistance or in which the offender has entered. The Chief again referenced incidents occurring on school district property in North Yarmouth. This policy would permit the Cumberland School Resource Officer to address such an incident.

No public comments received. Councilor Perfetti clarified the application of the policy only to on-duty officers. Councilor Moriarty clarified there are no financial costs to this new authority and no intention on the department’s part to patrol routinely outside the limits of Cumberland. The Chief responded affirmatively to both points. Chairman Porter remarked, “this is a tough one for me.” Each community has serious issues with drugs, alcohol, speeding and theft; “you name it. It’s truly unfortunate that we need to take this act” because an abutting community chooses not to staff a full-time on-duty officer. With this policy, “I know that if something goes wrong at the North Yarmouth Memorial School, I don’t have to wait for a sheriff” to drive from a good distance outside Cumberland or North Yarmouth. Councilor Turner expressed his support, despite his initial concerns that this expanded authority could have been “a slippery slope.” He suggested, “this is circumscribed enough” to prevent a legitimate cause for concern.

Motion by Councilor Moriarty; seconded by Councilor Stiles, to authorize the Cumberland Police Chief, pursuant to Title 30-A M.R.S.A., Section 2671.A, to establish General Order Number 2-9-5 promulgating the policy regarding arrests made in conformance with 17-A M.R.S.A., Section 15, and occurring outside Cumberland limits.

08 – 059 To hold a Public Hearing to consider and act on authorizing the Town Manager to execute a Purchase and Sale Agreement for the sale of the Val Halla Banquet Center to Maine State Golf Association.

Manager Shane stated he has provided the council a draft Purchase and Sale Agreement. Councilor Moriarty requested the agreement be revised to include a right of first refusal for the town. The sale is intended to be executed in January 2009 at a price of \$680,000. The banquet facility suffered a \$200,000 loss last year and close to a million dollars over the last ten years. “The banquet facility just can not support itself.” The purchase and sale includes the banquet room and basement area; “almost create a duplex out of the whole building.” A zoning change is needed and will go before the Planning Board in May. The MSGA hopes to provide sufficient banquet space to accommodate between 125 and 150 people. The remaining square footage will be retrofitted as office space. MSGA will consider the possibility of creating usable space in the basement level. “There is some potential there. They just don’t have the money to do that at this time.” Val Halla was purchased as open space many years ago and “our primary mission is golf. Our niche has got to be affordable golf...we’re going to concentrate on the golf course and the banquet facility will become the property of the MSGA if you authorize me to go forward with this.”

Chairman Porter asked what provision is made if the MSGA decides not to continue with the purchase at any point during the 3 years. The MSGA will pay three \$35,000 payments, and a balloon payment the last year. “They walk away in year two, year one and year three, we still get the hundred and five thousand dollars.”

No public comments received. Councilor Perfetti questioned the right of first refusal. The provision will be added to the purchase and sale agreement and the deed. Councilor Storey-King attended the open house and spoke with some members of the women's MSGA who were "very supportive of this." She heard the long term vision is for the MSGA to serve as an anchor to bring in the other state associations and centralize golf in Maine, "and what other better place than Val Halla to do that." Councilor Moriarty clarified that the town will honor its commitments to those who have reserved the banquet facility. The town has full rights to the banquet facility until December 31, 2008. "After that, they will work directly with the MSGA" "Everything we have on the books right now is being honored." The sale involves the building and a ten foot perimeter around the building. Councilor Turner believes there are two factors to consider, "it stops the bleeding" and "it can't help but benefit the profitability of the golf course itself." The Manager noted that the Val Halla Board of Trustees is "a hundred percent behind this." Chairman Porter received comments from five to ten residents, with varying opinions. "They have some concerns about the loss of this as a community resource" but once educated about the financial bleeding, "the realization is that we can no longer incur those types of losses year after year for that operation."

Motion by Councilor Stiles; seconded by Councilor Turner, to authorize the Town Manager to execute a Purchase and Sale Agreement for the sale of the Val Halla Banquet Center to Maine State Golf Association.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 060 To hold a Public Hearing to consider and act on adoption of the FY'09 Municipal Budget.

Town Manager Shane noted he has received more calls regarding closing the brush dump than he has regarding the secession or LNG debate. "This has probably been the most active participation from the public than we've ever had." The Manager's budget represents a "zero dollar increase over last year on the operational side" at "just under eight million dollars." His budget proposal includes the continuation of the stump dump and brush facility as it is today with somewhat "shortened schedule during the winter months."

Budget Chairman Stiles explained Chairman Porter "led off the charge" regarding the need for tough decisions this budget year. "It just amazed me that one of the first hurts drew such a response." Councilor Stiles commended the council and the budget committee for the zero percent increase and the Town Manager for finding additional savings to restore the brush facility services.

Toby Bell, Willow Lane, asked the council to retain the brush facility, describing it as a "fantastic resource; very well run." Councilor Turner noted he received several emails regarding a user fee, and questioned Mr. Bell regarding this suggestion. Mr. Bell replied that he would "have to consider that, but ... I would push back very strongly." Daniel Budere, 21 Foreside Road, stated the option to haul to Portland "is not very palatable." Bonita , Hedgerow Drive, remarked that closing the facility will turn what is now a half hour chore into an all day event. Bob Heyner, 66 Forest Lake Road, said he attended each one of this year's budget hearings where the council and department managers worked hard to meet the directive of a zero based budget. "You're really looking at a budget that's really 3% below zero based" when considering three percent wage increases. He described the process as a "fantastic opportunity to see the town in action and I was impressed." He believes there were some areas that were under budgeted in order to meet the zero budget. "This budget cost people...real people that are working today. I feel that if you go that far to cut personnel we can go a little further...and lose one of the items that some of us like to use." Paul Carroll, Stonewall Drive, prefers to keep the stump dump open and raised the issue of lights at town hall at night. "What would be the savings" if those lights were cut down at night? Chairman Porter explained the newly appointed Cool Cities Committee will review this issue and a number of energy saving initiatives.

Councilor Stiles noted the Manager's proposal is to close the facility during December through February. Some residents have suggested a user fee and "retard the hours even more." He also noted the facility is unlicensed and it "could go away in the future by demand of the state." Councilor Turner received clarification that other than the reduced winter hours, there will be no change in the stump dump operation. Councilor Moriarty suggested the council not "lose track" of the major achievement in reaching a zero percent budget. "I think we owe Bill Shane a lot of credit for the work that he did. That, I think, is the big story here tonight." From his point of view, it's a matter of pure chance that the stump dump was the last matter dealt with to get to zero. "We didn't start out with the stump dump as a target in our budget deliberation." The \$13,000 cost is less than two tenths of one percent of the entire budget, but "The service is of importance to a great many people. Next year, should it become necessary to achieve our goals" it may be necessary to consider a fee. "I don't think it's necessary to take that up tonight. We've achieved our goal tonight without having to impose new fees on anybody." Chairman Porter added, "if the status quo continued...that would have been an increase

of over \$400,000 in this budget. These are real substantial cuts. We're losing 4.5 full time equivalents. While I feel good about getting to the number...I don't feel good that good people who've served this community are no longer going to be employed." He referred to this issue as a "great lesson in government" showing "practical politics at its best." Councilor Perfetti commented that he "won't get in the way of this" adding "it's important to take your opportunities when they come to you. It's a small opportunity lost for us" to reduce the budget further." He further noted the many services that "are offset by fees." Councilor Turner remarked, "this budget isn't in a vacuum." The mil rate will be "vastly better" than any member of the council anticipated due to the additional revenue scheduled for the school district. Mr. Budere commented that he is not against a fee "as long as the fee was a reasonable fee" because it would be more than offset by what he would spend hauling brush to Portland. Councilor Storey-King stated she likes the idea of a user fee to continue this service. This is an occasion where the Manager has been very responsive to the public. She found Mr. Heyner's comments compelling. "We have to ask those difficult questions. I really would like us to look at a user fee, a sticker fee. There are a lot of people in town who don't use this. I wouldn't support using tax dollars to support it for the few." Councilor Copp remarked, "If this was \$11,000 I'd be voting right now to close the brush dump, no questions asked. If we charged you five dollars per trip...you'd save money. It is a valuable asset" and "it would be foolish of this council not to make it pay." Chairman Porter added this facility is an unlicensed facility and he is averse to charging a fee for an unlicensed fee. The Manager clarified that the town is not providing hazardous waste collection or universal waste collection at this facility. Residents must bring those items to the Riverside facility. Bulky waste pickup will continue in town.

Motion by Councilor Copp; seconded by Councilor Moriarty, to adopt the FY 09 municipal budget of \$7,998,577 as presented by the Town Manager, which includes the Cumberland County taxes of \$588,870 and includes the continuation of the transfer station brush area with the continuation of the present level of services, motor oil disposal, car batteries, metals, leaves, grass clippings and brush with a modified winter schedule.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 061 To consider a June 10th election date re: School Consolidation with the Town of Falmouth.

Chairman Porter explained SAD Board Chairman Peter Bingham informed him it is the wish of the SAD Board to request the town council "weigh in on the date" of the consolidation vote.

Councilor Storey-King explained that an emergency RPC meeting was held March 31st to respond to some Falmouth inquiries regarding changing the consolidation election from June to November. LD 1932 has been reinstated as LD 2314. If this bill does not go through, "our regional plan is a moot issue." The RPC Committee discussed moving the election and "it was a five-five decision." Another meeting is scheduled for April 29th. Cumberland "would really like to see this move forward. We don't want to send a mixed message that we don't believe in it. We do believe in it." The MSAD 51 Board asks the council to consider moving forward with a June 10th election date.

Peter Bingham suggested 'this is kind of a moving target. The rules of the game change every day. I don't think we're asking for a vote but what your thoughts are.' The RPC will likely ultimately make the recommendation. As written, the consolidation plan calls for a June 10th election. "We're trying to get some guidance to the RPC as to whether we do or do not want to modify the plan." His "gut feeling" is that the election "may have to be in November." Chairman Porter commented that the discussion this evening is not whether the consolidation is a good or bad thing, "it is about the election date" which "makes perfect sense. I see absolutely no reason to wait until November." Both superintendents and senior staff are in support of the consolidation.

Bob Vail, district trustee, commented that the structure of the SAD has existed for 40 years and there "has never been a charter review." A mechanism for a charter review will be in place "going forward should we adopt a regional school system that does not exist. This is an important piece of legislation" that allows the communities to step back every five years and examine the mechanisms of what works and what doesn't work. That does not exist with the SAD.

An informal poll of the council by Chairman Porter resulted in unanimous support of a June 10th election date consensus. Councilor Perfetti sees no problem with either date, but remarked "Democracy is meant to move slowly so that it can digest what is being proposed. I respect the position that Falmouth is in." Councilor Turner stated "the only excuse for moving from the tenth to November is education of the public. Other than that, there isn't any advantage." Councilor Moriarty questioned whether the district board has taken a position and Mr. Bingham responded that the board would "like to keep it on the tenth."

Town Manager stated if the consolidation question was moved to the November ballot, the town could not elect the new school board members on the same date. He feels a June 10th election “at least gives that transition committee” some time to get started.

08 – 062 To appoint Bill Landis as Public Services Director, effective July 1, 2008.

The Manager explained the newly adopted FY 09 budget included a reorganization of the Public Works and Parks and Recreation Departments. The two departments will be consolidated into one department, now known as the Public Services Department. Bill Landis will become the new Director of Public Services, effective July 1, 2008. The existing supervisors, Chris Logan, Parks Foreman, and Steve Googins, Public Works Supervisor, will continue in their current field roles. “We’re very fortunate to have someone as talented as Bill to pull this off.”

Motion by Councilor Perfetti; seconded by Councilor Stiles, to appoint Bill Landis as Public Services Director, effective July 1, 2008.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 063 To send to the Planning Board for recommendation changes to the Val Halla Overlay District re: setback requirements.

The Manager noted again that a change to the Val Halla Overlay Zone is required in order to sell the banquet facility to the MSGA. It requires “some minor tweaking” of the overlay district ordinance. The issue at hand is with the setback requirements.

Bob Vail questioned whether non-approval by the Planning Board “kills” this? Any zoning change requires a ‘recommendation’ from the Planning Board. Mr. Vail does not favor the sale of this property. “It’s a town asset. I don’t like selling our property.”

Motion by Councilor Turner; seconded by Councilor Perfetti, to send to the Planning Board for recommendation changes to the Val Halla Overlay District re: setback requirements.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 064 To set a Public Hearing date (April 28th) to consider and act on a recommendation from the Planning Board re: amendments to Section 204.10 VOC I (Village Office Commercial I); 204.11 VOC II (Village Office Commercial II); and 204.12; MUZ (Mixed Use Zone) of the Cumberland Zoning Ordinance to add “agricultural uses” as a permitted use.

Motion by Councilor Stiles; seconded by Councilor Copp, to set an April 28th public hearing date to consider and act on a recommendation from the Planning Board re: amendments to Section 204.10 VOC I (Village Office Commercial I); 204.11 VOC II (Village Office Commercial II); and 204.12; MUZ (Mixed Use Zone) of the Cumberland Zoning Ordinance to add “agricultural uses” as a permitted use.

VOTE: UNANIMOUS PASSAGE 7-0

08 – 065 To set a Public Hearing date (April 28th) to consider and act on a recommendation from the Planning Board re: amendment to Sections 204.10 VOC I (Village Office Commercial I); 204.11 VOC II (Village Office Commercial II); and 204.12; MUZ (Mixed Use Zone); 204.6 Highway Commercial (HC); 204.7 Office Commercial North (OC-N); 204.8 Office Commercial South (OC-S); 204.13 Industrial (I); and 204.14 Rural Industrial (RI) of the Cumberland Zoning Ordinance to add “veterinary offices” as a permitted use.

Mr. Bob Vail expressed his concern regarding adding veterinary use among residential homes.

Motion by Councilor Stiles; seconded by Councilor Moriarty, to set an April 28th public hearing date to consider and act on a recommendation from the Planning Board re: amendment to Sections 204.10 VOC I (Village Office Commercial I); 204.11 VOC II (Village Office Commercial II); and 204.12; MUZ (Mixed Use Zone); 204.6 Highway Commercial (HC); 204.7 Office Commercial North (OC-N); 204.8 Office Commercial South (OC-S); 204.13 Industrial (I); and 204.14 Rural Industrial (RI) of the Cumberland Zoning Ordinance to add “veterinary offices” as a permitted use.

VOTE: UNANIMOUS PASSAGE 7-0

V. NEW BUSINESS

COPP – none

PERFETTI – none

STOREY-KING – reminder/invitation to Historical Society's meeting Thursday night; collection open for viewing; increase in bike traffic – reminder for bike helmets for young riders.

TURNER – 4/29th consolidation discussion at the RPC meeting; hopefully legislature will have done their job by that point.

CHAIRMAN PORTER – Rines Committee on Thurs at 7; letter from Town Manager to Range Road residents regarding a survey to collect information; TM asked for approval to send this letter out asking nine questions and opportunity to provide comments; may be a misunderstanding about shoulders on this road, question is the type (gravel or paved) but there is a requirement to place them; town council gave consensus to send this letter out.

MORIARTY – requested clerk to add a copy of the zoning map to councilor's binders.

STILES – Range Road surveyors are out there now; he has received several queries regarding this data; we'll attempt to keep the public as informed as we can; asked about term expirations of Val Halla board members; Tim Moody has volunteered to move to two years if the council chooses.

Motion by Councilor Stiles; seconded by Councilor Copp, to recess to Executive Session.

VOTE: UNANMOUS PASSAGE 7-0

TIME: 9:13 p.m.

VI. EXECUTIVE SESSION – pursuant to 1 M.R.S.A., § 405(6)(C) re: real property; 1 M.R.S.A., § 405(6)(A) re: Town Manager evaluation, and Title 36 M.R.S.A., § 841, re: Poverty Abatement Application.

Motion by Councilor Moriarty; seconded by Councilor Stiles, to return from Executive Session.

VOTE: UNANMOUS PASSAGE 7-0

TIME: 10:34 p.m.

Motion by Councilor Perfetti; seconded by Councilor Copp, to approve a poverty abatement for property located at Map R06, Lot 25, in the amount of \$1,574.59 for fiscal year '08.

VOTE: UNANIMOUS PASSAGE 7-0

TIME: 10:34 p.m.

Motion by Councilor Perfetti; seconded by Councilor Stiles, to adjourn.

VOTE: UNANMOUS PASSAGE 7-0

TIME: 10:34 p.m.

Respectfully submitted,

Nadeen Daniels, CMC
Town Clerk

ITEM

08-066

To consider and act on changing June 9th Council meeting date
to June 16th due to June 10th election

There are no materials
for this item

ITEM

08-067

To hear a report from the Finance Chair re: third quarter financial report

TOWN OF CUMBERLAND YEAR-TO-DATE EXPENSES

Through March 31, 2008

Department/Cat	2007-08		06-07 %
	Budget	YTD Expenses %	
General Admin	\$ 1,164,506	\$ 903,128 77.6%	74.8%
Public Safety	\$ 2,119,486	\$ 1,526,025 72.0%	74.7%
Public Works	\$ 1,815,516	\$ 1,462,676 80.6%	75.9%
Public Services	\$ 1,025,560	\$ 837,561 81.7%	84.1%
Other	\$ 371,548	\$ 329,860 88.8%	76.2%
MSAD #51	\$ 10,892,585	\$ 8,174,970 75.1%	74.9%
Debt Service	\$ 588,187	\$ 452,977 77.0%	98.5%
County Tax	\$ 685,529	\$ 685,529 100.0%	100.0%
Capital Improve	\$ 228,300	\$ 228,300 100.0%	95.5%
All Expenses Total	\$ 18,891,217	\$ 14,601,027 77.3%	77.4%
End of Fiscal Year			102.1%

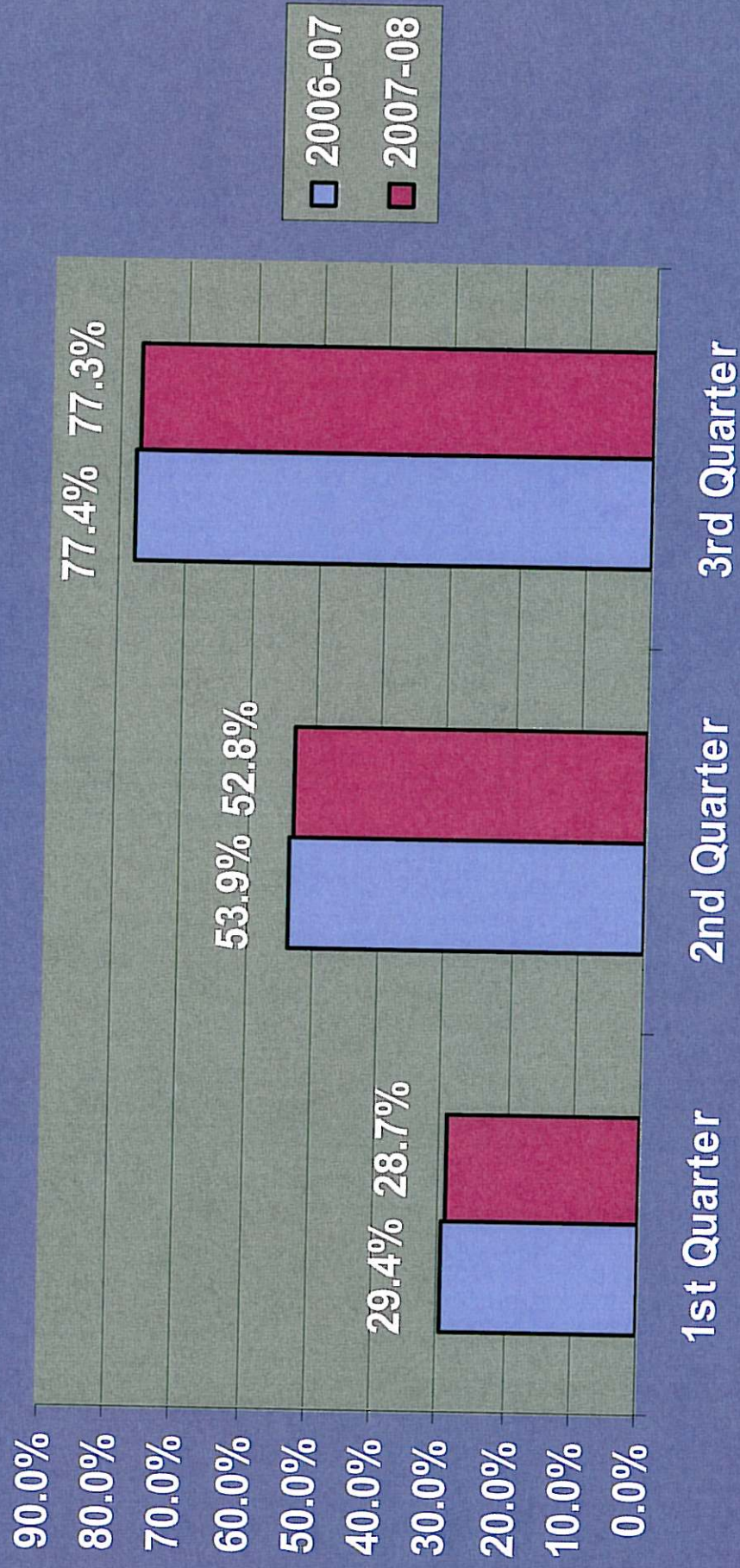
	2007-08		06-07
1st Quarter All Expenses	\$ 5,428,075	28.7%	29.4%
2nd Quarter All Expenses	\$ 9,987,972	52.8%	53.9%
3rd Quarter All Expenses	\$ 14,601,027	77.3%	77.4%

A Very Snowy Winter

Public Works-Selected Expense Lines through 3/31

Name	2007-08		06-07		04-05	
	Budget	Actual	%		%	
Overtime	\$ 40,000	\$ 70,751	177%		76%	
Diesel	\$ 126,000	\$ 147,466	117%		96%	
Road Salt	\$ 50,000	\$ 113,878	228%		118%	
Totals	\$ 216,000	\$ 332,095	154%		78%	
					92%	

General Fund Expenses by Quarter



3 Year Comparison-General Fund Revenues through 3-31-08

Description	2007-2008		06-07 %	05-06 %
	Budget	Actual %		
Misc Revenues	\$ 2,568,164	\$ 1,945,406 76%	76%	80%
Dept Revenues	\$ 1,194,526	\$ 724,988 61%	61%	54%
Total Revenues	\$ 3,762,690	\$ 2,670,394 71.0%	71.2%	72.0%
End of Year Totals			112%	110%

Revenue Percentage Collected by Year



Property Tax Collections through 3/31

	2006-07	2007-08
Tax Commitment	\$ 17,152,987	\$ 15,762,627
Taxes Collected	\$ 16,451,918	\$ 15,104,784
Percent Collected	95.91%	95.83%
% Difference		-0.09%
\$\$ Difference		\$ (13,599)

Building Permits Issued Through 3/31/08

Type	2007		2008	
	Number	Value	Number	Value
House	5	\$ 1,859,610	4	\$ 990,000
Condo	0	\$ -	2	\$ 400,000
Addition	8	\$ 577,000	7	\$ 322,363
Totals	13	\$ 2,436,610	13	\$ 1,712,363

ITEM

08-068

To hold a Public Hearing to consider and act on a
recommendation from the Planning Board
re: amendments to Section 204.10 VOC I (Village Office
Commercial I); 204.11 VOC II (Village Office Commercial II);
and 204.12; MUZ (Mixed Use Zone) of the Cumberland Zoning
Ordinance to add “agricultural uses” as a permitted use

Notice of Decision

Date: January 16, 2008

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

Re: "Agricultural Uses" as permitted uses in Sections 204.10; 204.11; and 204.12 of the Zoning Ordinance.

This is to advise you that on January 15, 2008 the Planning Board voted to recommend to the Town Council to add "agricultural uses" as a permitted use to Sections 204.10 Village Office Commercial I; 204.11 Village Office Commercial II, and 204.12 the Mixed Use Zone of the Zoning Ordinance.

Findings of Fact: None

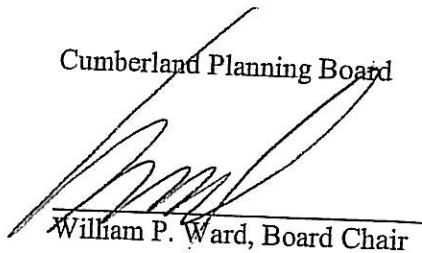
Waivers granted: None

Waivers Denied: None

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus 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.

Cumberland Planning Board



William P. Ward, Board Chair

204.10

Village Office Commercial I (VOCI)

The purpose of the Village Office Commercial I district is to provide substantial areas for integrated development of professional offices and related businesses in a park or campus-like setting which are of a unified architectural design and landscaping, compatible with the natural surroundings. [Adopted, effective 10/22/07]

All development in this district shall be consistent with the Town of Cumberland Route 100 Design Standards.

204.11.1 The following uses are permitted within the VOC I District:

- .1 Business and professional offices with drive-through facilities;
- .2 Commercial schools;
- .3 Commercial health and recreation facilities;
- .4 Outdoor recreation facilities;
- .5 Municipal Uses;
- .6 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .7 Timber harvesting; [Amended, effective 10/26/98]
- .8 Multiplex dwellings;
- .9 Riding stables and schools;
- .10 Bed and Breakfasts;
- .11 Day care home;
- .12 Agricultural Uses

204.11

Village Office Commercial II (VOC II)

The purpose of the Village Office Commercial II is to provide for the flexible development or redevelopment of an area that has historically featured a mix of residential and retail uses. [Adopted, effective 10/22/07]

All development in this district shall be consistent with the Town of Cumberland Route 100 Design Standards.

204.11.1 The following uses are permitted within the VOC II District:

- .1 Business and professional offices without drive-through facilities;
- .2 Commercial schools;
- .3 Commercial health and recreation facilities;
- .4 Outdoor recreation facilities;
- .5 Municipal Uses;
- .6 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .7 Timber harvesting; [Amended, effective 10/26/98]
- .8 Multiplex Dwellings;
- .9 Riding stables and schools;
- .10 Bed and Breakfasts;
- .11 Day care home;
- .12 Agricultural Uses

Mixed Use Zone (MUZ)

The purpose of the Mixed Use Zone is to provide an area along the Route 100 Corridor that will accommodate a mix of residential, retail and office uses in a campus-like setting. [Adopted, effective 10/22/07]

All development in this district shall be consistent with the Town of Cumberland Route 100 Design Standards.

204.12.1 The following uses are permitted within the MUZ District:

- .1 Business and professional offices; with drive-through facilities;
- .2 Restaurants;
- .3 Retail; (25,000 maximum footprint)
- .4 Grocery Stores; (35,000 maximum footprint)
- .5 Commercial Schools;
- .6 Commercial Health and Recreation;
- .7 Multiplex Dwellings;
- .8 Riding Stables and Schools;
- .9 Hotels;
- .10 Inns;
- .11 Bed and Breakfasts;
- .12 Personal Services;
- .13 Day Care Homes;
- .14 Municipal Uses;
- .15 Commercial Health and Recreation;
- .16 Personal Services;
- .17 Municipal Uses;
- .18 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .19 Timber harvesting; [Amended, effective 10/26/98]
- .20 Agricultural Uses
- ~~.20~~ The total gross area of all building footprints on the site shall not exceed thirty thousand square feet for each four acres of lot area. Additional building footprints of 30,000 square feet shall be permitted for each additional land area increment of four acres.
- ~~.21~~ The parking requirement included in Section 432 may be reduced upon a positive finding by the Board that the proposed use does not, in practice, require the amount stated in the standard as demonstrated by a parking analysis submitted by the applicant.
- ~~.22~~ Uses and buildings accessory to those above; [Amended, effective 5/15/89]

ITEM

08-069

To hold a Public Hearing to consider and act on a recommendation from the Planning Board re: amendment to Sections 204.10 VOC I (Village Office Commercial I); 204.11 VOC II (Village Office Commercial II); and 204.12; MUZ (Mixed Use Zone); 204.6 Highway Commercial (HC); 204.7 Office Commercial North (OC-N); 204.8 Office Commercial South (OC-S); 204.13 Industrial (I); and 204.14 Rural Industrial (RI) of the Cumberland Zoning Ordinance to add “veterinary offices” as a permitted use

Notice of Decision

Date: March 20, 2008

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

Re: Public Hearing: To recommend to the Town Council draft zoning amendments to allow "Veterinary Offices" as a permitted use to Sections 204.10 Village Office Commercial I (VOCI), 204.11 Village Office Commercial II (VOCII), and 204.12 the Mixed Use Zone (MUZ) and to allow "Veterinary Offices" as special exception uses in Sections 204.1.1 Rural Residential 1(RR1), 204.1.2 Rural Residential 2(RR2), 204.2 Low Density Residential (LDR), 204.3 Medium Density Residential (MDR), 204.4 Village Medium Density Residential (VMDR), 204.5 Island Residential (IR), 204.6 Highway Commercial (HC), 204.7 Office Commercial North(OC-N), 204.8 Office Commercial South (OC-S), 204.13 Industrial (I), 204.14 Rural Industrial (RI), of the Zoning Ordinance.

This is to advise you that on March 18, 2008 the Planning Board voted to recommend to the Town Council to add "Veterinary Offices" as a permitted use to Sections 204.10 Village Office Commercial I(VOCI); 204.11 Village Office Commercial II,(VOCII) and 204.12 Mixed Use Zone (MUZ), 204.6 Highway Commercial (HC), 204.7 Office Commercial North(OC-N), 204.8 Office Commercial South (OC-S), 204.13 Industrial (I), 204.14 Rural Industrial (RI), of the Zoning Ordinance.

Findings of Fact: None

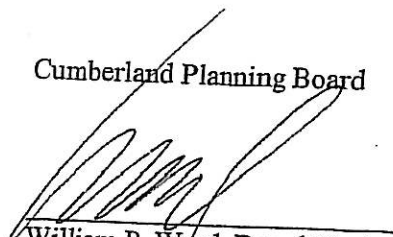
Waivers granted: None

Waivers Denied: None

Standard Conditions of Approval

This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents, except de minimus 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.

Cumberland Planning Board


William P. Ward, Board Chair

204.11.1 The following uses are permitted within the VOC I District:

- .1 Business and professional offices with drive-through facilities;
- .2 Commercial schools;
- .3 Commercial health and recreation facilities;
- .4 Outdoor recreation facilities;
- .5 Municipal Uses;
- .6 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .7 Timber harvesting; [Amended, effective 10/26/98]
- .8 Multiplex dwellings;
- .9 Riding stables and schools;
- .10 Bed and Breakfasts;
- .11 Day care home;
- .12 Agricultural Uses
- .13 Veterinary Offices

204.11.1 The following uses are permitted within the VOC II District:

- .1 Business and professional offices without drive-through facilities;
- .2 Commercial schools;
- .3 Commercial health and recreation facilities;
- .4 Outdoor recreation facilities;
- .5 Municipal Uses;
- .6 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .7 Timber harvesting; [Amended, effective 10/26/98]
- .8 Multiplex Dwellings;
- .9 Riding stables and schools;
- .10 Bed and Breakfasts;
- .11 Day care home;
- .12 Agricultural Uses
- .13 Veterinary Offices

204.12 Mixed Use Zone (MUZ)

The purpose of the Mixed Use Zone is to provide an area along the Route 100 Corridor that will accommodate a mix of residential, retail and office uses in a campus-like setting. [Adopted, effective 10/22/07]

All development in this district shall be consistent with the Town of Cumberland Route 100 Design Standards.

204.12.1 The following uses are permitted within the MUZ District:

- .1 Business and professional offices; with drive-through facilities;
- .2 Restaurants;
- .3 Retail; (25,000 maximum footprint)
- .4 Grocery Stores; (35,000 maximum footprint)
- .5 Commercial Schools;
- .6 Commercial Health and Recreation;
- .7 Multiplex Dwellings;
- .8 Riding Stables and Schools;
- .9 Hotels;
- .10 Inns;
- .11 Bed and Breakfasts;
- .12 Personal Services;
- .13 Day Care Homes;
- .14 Municipal Uses;
- .15 Commercial Health and Recreation;
- .16 Personal Services;
- .17 Municipal Uses;
- .18 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .19 Timber harvesting; [Amended, effective 10/26/98]
- .20 Agricultural Uses
- .21 Veterinary Offices

- ~~.21~~²The total gross area of all building footprints on the site shall not exceed thirty thousand square feet for each four acres of lot area. Additional building footprints of 30,000 square feet shall be permitted for each additional land area increment of four acres.
- ~~.22~~³The parking requirement included in Section 432 may be reduced upon a positive finding by the Board that the proposed use does not, in practice, require the amount stated in the standard as demonstrated by a parking analysis submitted by the applicant.
- ~~.23~~⁴Uses and buildings accessory to those above; [Amended, effective 5/15/89]

204.12.2 The following uses are allowed as special exceptions in the MUZ District, requiring the approval of the Board of Adjustment and Appeals:

- .1 Residential care facilities; subject to the provisions of Sec. 432, except that for the purposes of this District, those provisions shall be modified as follows: [Amended, effective 6/14/99]
 - a) The total gross area of all building footprints on the site shall not exceed thirty thousand square feet for each four acres of lot area. Additional building footprints of 30,000 square feet shall be permitted for each additional land area increment of four acres.

- b) The parking requirement included in Section 432 may be reduced upon a positive finding by the Board that the proposed use does not require the stated amount.
- .2 Light manufacturing, as defined;
 - ~~.3 Veterinary Office;~~
 - .4 Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
 - .5 Accessory structures of public utilities;
 - .6 Home Occupations;
 - .7 Above ground utility transmission lines not located within public ways;
 - .8 Day care centers and nursery schools, subject to the provisions of Sec. 408A and Site Plan Review;
 - .9 Single-family dwelling;
 - .10 Uses and building accessory to those above;

204.6.1 The following uses are permitted in the HC District:

- .1 Business and professional offices;
- .2 Restaurants;
- .3 Personal Services;
- .4 Private Clubs;
- .5 Lodging Houses;
- .6 Private Schools;
- .7 Landscaping Services;
- .8 Retail Store;
- .9 Gasoline Station;
- .10 Motor Vehicle Sales;
- .11 Timber harvesting;
- .12 Hotels; motels;
- .13 Buildings accessory to single family dwellings;
- .14 Telecommunication Facilities, subject to Site Plan Review and the provisions of Sec. 433;
- .15 Municipal uses and buildings;
- .16 Agriculture;
- .17 Animal Husbandry;
- .18 Private heliport, personal use, subject to Site Plan Review and to the provisions of Section 418;
- .19 Sewer pumping stations, subject to the provisions of Sec. 419.4; [Amended, effective 12/13/89]
- .20 Additions to and accessory structures to single-family dwellings existing as of the effective date of this amendment; [Amended, effective 8/10/98]
- ~~.21~~ .21 Veterinary Offices
- ~~.24~~ .24 Uses and buildings accessory to those above;

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

- .1 Business and professional offices;
- .2 Research facilities;
- .3 Uses and buildings accessory to those above;
- .4 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .5 Duplex and multiplex dwellings; [Amended, effective 11/22/99, amended, effective 10/22/07]:
 - .1 The minimum lot size shall be 20,000 square feet per dwelling unit, except that for units constructed specifically for persons 55 years of age or older the minimum lot size shall be 10,000 square feet per dwelling unit; [Amended, effective 11/22/99].
 - .2 No more than 40% of a tract or parcel developed hereunder shall be required to be reserved as open space; [Amended, effective 5/15/89]
 - .3 All dwelling units shall be connected to the public water and sewer system; [Adopted, effective 11/22/99]
- .6 Commercial health and recreation facility; [Amended, effective 10/13/92]
- .7 Timber harvesting; [Amended, effective 10/26/98]
- .8 Residential care facilities, subject to the provisions of Sec. 432, except that for the purposes of this District, those provisions shall be modified as follows: [Amended, effective 6/14/99]
 - .1 The minimum lot size shall be 4 acres;
 - .2 All facilities shall be connected to the public water and sewer system;
 - .3 The total gross area of all building footprints on the site shall not exceed thirty thousand square feet for each four acres of lot area. Additional building footprints of 30,000 square feet shall be permitted for each additional land area increment of four acres;
 - .4 Buildings and parking lots shall cover not more than 25% of the lot;
 - .5 The parking requirement included in Section 432 may be reduced upon a positive finding by the Board that the proposed use does not, in practice, require the amount stated in the standard;
- .9 Self-storage facilities as defined in Section 420, in the more southerly of the two OC districts; [Amended, effective 6/26/06]
10. Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
- .11 Veterinary Offices
- ~~.14~~2 Uses and buildings accessory to those above; [Amended, effective 5/15/89]

204.8.1 The following uses are permitted within the OC-S District:

- .1 Business and professional offices;
- .2 Research facilities;
- .3 Uses and buildings accessory to those above;
- .4 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .5 Commercial health and recreation facility; [Amended, effective 10/13/92]
- .6 Timber harvesting; [Amended, effective 10/26/98]
- .7 Residential care facilities, subject to the provisions of Sec. 432, except that for the purposes of this District, those provisions shall be modified as follows: [Amended, effective 6/14/99]
 - .1 The minimum lot size shall be 4 acres;
 - .2 All facilities shall be connected to the public water and sewer system;
 - .3 The total gross area of all building footprints on the site shall not exceed thirty thousand square feet for each four acres of lot area. Additional building footprints of 30,000 square feet shall be permitted for each additional land area increment of four acres;
 - .4 Buildings and parking lots shall cover not more than 25% of the lot;
 - .5 The parking requirement included in Section 432 may be reduced upon a positive finding by the Board that the proposed use does not, in practice, require the amount stated in the standard;
- .8 Self-storage facilities as defined in Section 420; [Amended, effective 6/26/06]
- .9 Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
- .10 Veterinary Offices**
- .101** Uses and buildings accessory to those above; [Amended, effective 5/15/89]

204.14.1 The following uses are permitted in the Rural Industrial District:

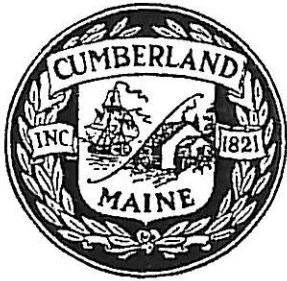
- .1 Single family detached dwellings;
- .2 Duplex dwellings;
- .3 Agriculture and animal husbandry;
- .4 Light manufacturing;
- .5 Warehousing and wholesale distribution;
- .6 Research facilities;
- .7 Municipal uses and buildings;
- .8 Sewer pumping stations subject to the provisions of Sec. 419.4;
- .9 Road and rail facilities;
- .10 Residential care facilities; [Amended, effective 6/24/91]
- .11 Business and professional offices; [Amended, effective 6/24/91]
- .12 Construction operations [Amended, effective 4/6/98]

- .12 Timber harvesting; [Amended, effective 10/26/98]
- .13 Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
- .14 Veterinary Offices
- .14~~5~~ Uses and buildings accessory to those above;

ITEM

08-070

To set a Public Hearing date (May 26th) to consider and act on a recommendation from the Planning Board re: setback requirement changes to the Val Halla Overlay District



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: March 28, 2008
Re: **Planning Board Recommendation- Val Halla**

The attached information allows for the sale of the Banquet Center to the MSGA and avoids creating a condominium association. Ken Cole will present this to the Planning Board as it may become a complex legal discussion because of the "Duplex versus Condo" like plan Ken has developed.

204.20

Val Halla Golf and Recreation Center Overlay District

- 204.20.1 The Val Halla Golf and Recreation Center, delineated as R04, Lot 41 on the official Town of Cumberland Tax Assessor's Map dated April 1, 2001, is hereby designated as an overlay district within the Medium Density Residential District zone for the purposes designated herein.
- 204.20.2 All recreational uses listed below shall be allowed as permitted uses in the Val Halla Golf and Recreational Overlay District:
- .1 Active recreational uses, including golf, tennis, cross-country skiing, sledding, and snowshoeing;
 - .2 Passive recreational uses, including walking trails and areas for bird and wildlife observation;
 - .3 Golf clubhouse, including a pro shop and food and beverage service;
 - .4 Banquet facilities and outdoor receptions including tables, tents, and chairs;
 - .5 Public Facility and Outdoor Recreational Facility; (as defined)
 - .6 Offices accessory to permitted uses;
 - .7 Offices for recreational services or recreational support services;
 - .8 Parking associated with permitted uses;
 - .9 Other uses determined by the Code Enforcement Officer to be similar in size, scope, type and impact to those uses permitted by this Section.
- 204.20.3 Notwithstanding the requirements of Section 206.2, accessory storage buildings up to 400 square feet in size shall not require site plan review.
- 204.20.4 Existing buildings on site as of the adoption of the Ordinance May __, 2008 shall have the following setback requirements.
[Amended, adopted __]

.1 Front: 5 feet

.2 Rear: 5 feet

.3 Side 0 feet

.4 All new buildings exceeding 400 sq. ft. shall require Site
Plan Review in accordance with Section 206.



All existing paved surfaces shall remain property of the Town of Cumberland. 20 spaces shall be designated as MSG A Parking.

204.3

Medium Density Residential District (MDR)

204.3.1 The following uses are permitted in the MDR district:

- .1 Single family detached dwellings;
- .2 Duplex dwellings and multiplex dwellings, so long as each such dwelling is connected to sewer facilities, and provided that multiplex dwellings are subject to the provisions of Sec. 406A; [Amended, effective 5/15/89]
- .3 Timber Harvesting;
- .4 Sewer pumping stations, subject to the provisions of Sec. 419.4;
- .5 Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
- .6 Agriculture; [Adopted, effective 4/24/00]
- .7 Uses and buildings accessory to those above;

204.3.2 The following uses are allowed as special exceptions in the MDR district, requiring the approval of the Board of Adjustment and Appeals:

- .1 Home Occupations and Home Based Occupations; [Amended, effective 2/12/07]
- .2 Above ground utility lines not located within public ways;
- .3 Accessory structures of public utilities, subject to Site Plan Review;
- .4 Municipal uses and buildings, subject to Site Plan Review;
- .5 Religious institutions, subject to Site Plan Review;
- .6 Cemeteries, subject to Site Plan Review;
- .7 Private schools, subject to Site Plan Review;
- .8 Extraction and/or bulk storage of ground water or spring water, subject to the provisions of Sec. 430;
- .9 Residential Care Facilities (see Sec. 432); [Amended, effective 9/14/88]
- .10 Day care centers and nursery schools for no more than 20 children, subject to the provisions of Section 408A and Site Plan Review; [Amended, effective 12/13/89, Amended, effective 4/12/99]
- .11 Uses and buildings accessory to those above;

204.3.3 The following lot standards shall apply within the MDR district:

- .1 2 acre minimum lot size, except that the minimum lot size for lots served by sewer shall be 1 acre; [Amended, effective 5/15/89]
- .2 In the case of duplex or multiplex developments, the minimum lot area per dwelling unit for a lot served by sewer shall be .5 acres; [Amended, effective 5/15/89]
- .3 There shall be no less than 150 feet of lot frontage. [Amended, effective 8/10/98]

204.3.4 The following minimum setbacks are required for all structures in the MDR district, except that sheds and driveways are permitted to a minimum setback of fifteen (15) feet from the side and rear lot lines:

- .1 Front: 35 feet
- .2 Rear: 50 feet
- .3 Side: 20 feet - combined width at least 50 feet.

204.4 VMDR ---Village Medium Density Residential

The purpose of the VMDR zone is to provide an area for medium density residential use with reduced lot standards to enable the development of affordable housing. [Adopted, effective 10/22/07]

204.4.1 The following uses are permitted in the VMDR district:

- .1 Single family detached dwellings;
- .2 Duplex dwellings and multiplex dwellings;
- .3 Bed and Breakfasts & Inns;
- .4 Daycare Homes;
- .5 Municipal Uses and Buildings;
- .6 Sewer pumping stations, subject to the provisions of Sec. 420.4;
- .7 Uses and buildings accessory to those above;

204.4.2 The following uses are allowed as special exceptions in the VMDR district, requiring the approval of the Board of Adjustment and Appeals:

- .1 Home Occupations and Home Based Occupations; [Amended, effective 2/12/07]
- .2 Above ground utility lines not located within public ways;
- .3 Accessory structures of public utilities, subject to Site Plan Review;
- .4 Religious institutions, subject to Site Plan Review;
- .5 Cemeteries, subject to Site Plan Review;
- .6 Private schools, subject to Site Plan Review;
- .7 Extraction and/or bulk storage of ground water or spring water, subject to the provisions of Sec. 430;
- .8 Residential Care Facilities; (see Sec. 432); [Amended, effective 9/14/88]
- .9 Day care centers and nursery schools for no more than 20 children, subject to the provisions of Section 408A and Site Plan Review; [Amended, effective 12/13/89, Amended, effective 4/12/99]
- .10 Timber harvesting;

ITEM 08-071

To set a Public Hearing date (May 12th) to consider and act on a
Mobile Vending Cart License for Val Halla for the period of
May 12, 2008 – May 12, 2009

JOHN ELIAS BALDACCI
GOVERNOR



ANNE H. JORDAN
COMMISSIONER

COPY

DEPARTMENT OF PUBLIC SAFETY
LIQUOR LICENSING AND INSPECTION

Date of return: 12-26-07

Your application for licensure is being returned for one or more of the following reason(s):

1. The question(s) indicated by an (X) are incomplete or incorrect and must be completed or corrected. _____
2. The fee remitted \$ _____ is incorrect, correct fee is \$ _____.
3. Check not signed.
4. Application must be signed by all applicants, sole proprietor(s) or by an officer of the corporation.
5. Corporate questionnaire must be signed.
6. Application must be approved and signed by Municipal Officers or County Commissioners. See back page of application.
7. Applicants from unorganized territories must submit receipt of \$10.00 filing fee which has been paid to the County Commissioners.

8. Please complete the enclosed form. *Auxiliary for mobile golf cart.*
9. Temporary License enclosed.
10. *need another \$100- sign in blue ink and mail back.*
Needs to be approved by

To prevent further delays in processing your application, please return immediately.

Thank You

DIANE

Shanks

municipal.

STATE HOUSE STATION 164, AUGUSTA ME 04333

Tel: (207) 624-7220

TDY: (207) 624-4478

Fax: (207) 287-3424

MAINE DEPT OF
PUBLIC SAFETY

STATE OF MAINE
Liquor Licensing & Inspection Division
164 State House Station
Augusta ME 04330-0164
Tel: (207) 624-7220 Fax: (207) 287-3424



APPLICATION FOR AUXILIARY LICENSE - \$100.00
Check Payable: Treasurer State of Maine

The undersigned hereby applies for an auxiliary license and certifies that the applicant is the holder of a spirituous, vinous and malt restaurant, hotel license or club license located at a ski area / golf course.

1. Full Name of Applicant: TOWN OF CUMBERLAND MAINE
(PLEASE PRINT) Last First Middle Initial
Date of Birth: _____ Telephone No. 829-5559 Fax: 829-5916
Address: 290 TUTTLE ROAD CUMBERLAND MAINE 04021
Mailing Address City/Town State Zip Code

2. Describe auxiliary premise and the location at the ski/golf area: VAL HALLA GOLF COURSE
60 VAL HALLA RD. CUMBERLAND, ME 04021

3. Do you have all necessary permits from the Department of Human Services for your auxiliary premise?
Yes ☒ No ☐

4. What is the distance from the premise to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premise to the main entrance of the school, school dormitory, church chapel or parish house by the ordinary course of travel? 1 1/2 MILES

Which of the above is nearest? GREELY HIGH SCHOOL

NOTE: The above application must be signed by the individual(s) or a duly authorized officer of the corporation executing the application and approved by the Municipal Officers/County Commissioner and filed with the Liquor Licensing & Inspection Division.

Dated at: CUMBERLAND MAINE on JANUARY 2, 20 08
City/Town State Date

[Signature]
W. R. SHANE

KEVIN E. GOOGINS
WILLIAM R. SHANE

Signature of Individual(s), or Duly Authorized Officer of Corporation, or If Partnership by Members of Partnership

Print Name

STATE OF MAINE

Dated at: Cumberland, Maine Cumberland ss
On: December 10, 2007
Date

The undersigned being: ☒ Municipal Offices ☐ County Commissioners of the
☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Cumberland
Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653
Title 28A, Maine Revised Statutes and hereby approve said application.

Signature	Print Name
<u>Nadeen M. Daniels</u>	
<u>Nadeen M. Daniels, Town Clerk</u>	
<u>for the municipal officers</u>	

ITEM 08-072

To act to countersign the M.S.A.D. 51 Budget Validation
Referendum Warrant

No materials for this item

Warrant to come from
School Board Meeting