AGENDA
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, December 12, 2011
6:00 p.m. Workshop
7:00 p.m. Call to Order

6:00 P.M. WORKSHOP re: draft amendments to the Site Plan Ordinance

I. CALL TO ORDER

II. APPROVAL OF MINUTES
   November 28, 2011

III. MANAGER’S REPORT
   Recognition Report

IV. PUBLIC DISCUSSION

V. LEGISLATION AND POLICY

   11-186 To hear a report from Cumberland Police Officer, Ryan Martin re: “bath salts”.

   11-187 To hear a report from the Cumberland Energy Advisory Committee re: Home Energy Efficiency.

   11-188 To hear a report from the Lands & Conservation Commission re: selective harvesting in the Town Forest and to authorize the Town Manager to enter into an agreement with IFM for tree harvesting in the Town Forest.

   11-189 To authorize the Town Manager to enter into a lease and lease/purchase agreement for Val Halla equipment.

   11-190 To hold a Public Hearing to consider and act on the Greely High School Swimming Pool License renewal for the 2012 calendar year.
11-191 To reappoint members to various Boards/Committees.

11-192 To hold a Public Hearing to consider and act on draft zoning amendments to add Farm Based Retail to Section 104 (Definitions) and as a permitted use in Sections 204.1.1 Rural Residential One (RR1) and Section 204.1.2.1 Rural Residential District Two (RR2), as recommended by the Planning Board.

11-193 To hold a Public Hearing to consider and act on a Fireworks Ordinance.

11-194 To authorize the Town Manager to accept an anonymous donation of $20,000 to be used for food and fuel assistance.

11-195 To hear a report from the Finance Committee re: FY’13 Budget Meetings.

VI. NEW BUSINESS

VII. EXECUTIVE SESSION — pursuant to Title 36 M.R.S.A., § 841, re: Hardship Abatement Request for property identified as Map U20/Lot 55.

VIII. ADJOURNMENT
MINUTES
Cumberland Town Council Meeting
Town Council Chambers
MONDAY, November 28, 2011
6:00 p.m. Workshop
7:00 p.m. Call to Order

6:00 P.M. Workshop re: Crossing Brook subdivision silent second mortgages.

7:00 P.M. Call to Order
Present: Chairman Perfetti, Councilors Moriarty, Turner, Storey-King, Gruber, Copp & Stiles.

I. APPROVAL OF MINUTES
November 14, 2011
Motion by Councilor Gruber, seconded by Councilor Moriarty, to accept the minutes as presented.
VOTE: 6-0-1 (Copp abstained)

II. MANAGER’S REPORT
On Tuesday, December 6th at 7:00 p.m. there will be a legislative forum at Town Hall with Senator Dick Woodbury and Representative Meredith Strang Burgess. They will be covering issues of concern to the constituents of Cumberland. The session will be televised live on Channel 2 and the public is welcome to come and ask questions.

There will be a Fire Department pancake breakfast on Sunday, December 3rd from 7 – 10 a.m. at the Middle School. The proceeds will go to the Toys for Tot’s program.

III. PUBLIC DISCUSSION
None

IV. LEGISLATION AND POLICY

11 – 178 To hold a Public Hearing to consider and act on the 2012 Shellfish License allocations and to amend the Cumberland Shellfish Conservation Ordinance, as recommended by the Shellfish Conservation Commission.

Shellfish Conservation Commission, Michael Brown reviewed the ordinance amendments as recommended by the Shellfish Conservation Commission. The amendments are mostly housekeeping items, except for the increase in in age for a Senior License from 62 to 70 and charging the $10.00 conservation fee for the senior license to keep it consistent with our shellfish license fees.

- **Section 105 (Definitions): Senior License:** Resident and non-resident licenses shall be issued at no cost to persons at least 62 years of age.

- **Section 107 (Harvesting):** In an effort to maintain shoreline stability, shellfish harvesting is prohibited within (2’) two feet of eelgrass areas in or adjacent to areas of eelgrass, (Zostera marina) and salt marsh cord grass (spartina alterni flora).
Harvesting of shellfish is only permitted with tools that have equally spaced tines such as a clam hoe or spading fork. Using shovels and garden spades is not permitted since they result in many broken clams.

- **SECTION 108. DESIGNATION, SCOPE AND QUALIFICATIONS**
  1. **COMMERCIAL LICENSES:**

    a. **Annual Resident Commercial Shellfish License:**
    This license is available to residents and/or taxpayers of the Town of Cumberland and entitles the holder to dig and take two (2) bushels of shellfish per day from the shores and flats of this municipality and reciprocating municipalities in the areas to be designated pursuant to Section 107 of this ordinance. The licensee will maintain an accurate log of the days harvested commercially in his or her required Shellfish Harvesting Log, which is due by June 30th each year to the office of the Town Clerk. The commercial license will revert to a recreational license the remaining days of the calendar year.

    b. **Annual Non-Resident Commercial Shellfish License:**
    This license is available to non-residents of this municipality and entitles the holder to dig and take two (2) bushels of shellfish per day from the areas designated pursuant to Section 107. The licensee will maintain an accurate log of the days harvested commercially in his or her required Shellfish Harvesting Log, which is due by June 30th of each year to the office of the Town Clerk. The commercial license will revert to a recreational license the remaining days of the year.

  2. **RECREATIONAL SHELLFISH LICENSES.**

    A person holding a recreational shellfish license may not engage in the wholesale or retail sale of any shellfish harvested under that license. Recreational shellfish licenses are not available and not valid for a person who holds a shellfish license issued by the Maine State Commissioner of Marine Resources or a recreational license issued by any other municipality. Resident Commercial or Recreational Licenses may be held by a resident of either the Town of Chebeague Island or the Town of Cumberland as per the July 1, 2007 State Legislature Act of Separation. Cumberland and Chebeague Island residents will be eligible for resident licenses in either or both communities.

    f. **Annual Senior Recreational Shellfish License:** Resident and non-resident recreational shellfish license shall be issued at no cost to persons at least 62 years of age.

- **SECTION 109. FEES**

  1. Resident Commercial Shellfish License: $110.00
  2. Non-Resident Commercial Shellfish License: $210.00
  3. Resident Recreational Shellfish License: $35.00
     Over age 62 is free.
  4. Non-Resident Recreational Shellfish License: $60.00
     Over age 62 is free.
5. Monthly Recreational Shellfish License:
   - Resident: $25.00
   - Non-Resident: $40.00
   Over age 62 is free

6. Junior License: $25.00

7. Resident & Non-Resident Senior License: $10.00
   *each license includes a $10.00 Conservation Fee

SECTION 114. LICENSE EXPIRATION DATE

Each shellfish license issued under the authority of this Ordinance expires at midnight on the 31st day of December next following date of issue, unless otherwise specified in this ordinance. see Section 108(2)(a) & Section 108(3)(c).

7. ALTERNATIVE LICENSING PROCEDURES

In the event that the Shellfish Conservation Commission shall establish that no limit on recreational licenses shall be imposed, the following procedure shall govern the issuance of licenses notwithstanding the provisions of Section 116 (1-4).

SECTION 126. APPOINTMENT OF SHELLFISH CONSERVATION WARDEN COMPENSATION; REMOVAL

The Town Council shall appoint a Shellfish Conservation Warden yearly, and establish the Shellfish Conservation Warden's compensation and, for cause by them declared in writing, after due notice to the officer and hearing, if requested, remove the Shellfish Conservation Warden and appoint another one. The Cumberland Police Department shall be the legal enforcement agency for the enforcement of the Shellfish Ordinance. The Chief of Police shall designate an officer or officers certified by the Department of Marine Resources to enforce violations of the ordinance and conduct required water quality sampling.

Mr. Brown said that the Shellfish Conservation Commission is recommending the same license allocation as last year:

2012 Calendar Year Shellfish Allocation

RECREATIONAL:
- Unlimited resident recreational licenses
- 40 non-resident recreational licenses
- 8 monthly resident licenses
- 2 monthly non-resident licenses

COMMERCIAL:
- 5 resident commercial licenses
- 1 non-resident commercial license

Public discussion: None

Councilor Turner asked why the age increase in the Senior License.

Mr. Brown said that the Commission decided that the age should be consistent with the State Fish and Game licenses.
Motion by Councilor Moriarity, seconded by Councilor Gruber, to set the 2012 Shellfish License allocations as recommended by the Shellfish Conservation Commission, and to amend the Shellfish Conservation Ordinance as attached.

VOTE: 7-0 UNANIMOUS PASSAGE

11 – 179 To consider and act on the adoption of a Post Issuance Compliance Policy relating to bonds issued by the Town.

Chairman Perfetti explained that even though this is a current practice of the Town it has to be officially adopted by the Town Council.

Town Manager Shane said that the Town Attorney is required to answer a letter from the auditor each year and this compliance policy will be addressed in that letter.

Motion by Councilor Turner, seconded by Councilor Moriarty, to adopt the Post Issuance Compliance Policy Relating to Bonds Issued by the Town, which is included in the Town Council meeting materials.

VOTE: 7-0 UNANIMOUS PASSAGE

11 – 180 To authorize the Town Manager to close on the sale of the Doane Property to Bateman Partners, LLC, pursuant to the Purchase and Sale Agreement.

Town Manager Shane said that the closing on the Doane Property will take place within the next few weeks. The payment structure is $200,000 at closing and the balance as the individual lots are released and sold. The Purchase and Sale agreement was rolled into the Contract Zone agreement. The Town Attorney suggested that the Council authorize the closing agreement separately as a formality.

Motion by Councilor Storey-King, seconded by Councilor Stiles, to authorize the Town Manager to execute a closing on the former Town owned Doane Property in accordance with the Purchase and Sale and Contract Zone Agreements.

VOTE: 7-0 UNANIMOUS PASSAGE

11 – 181 To set a Public Hearing date (December 12th) to consider and act on the Greely High School Swimming Pool License renewal for the 2012 calendar year.

Motion by Councilor Stiles, seconded by Councilor Copp, to set a Public Hearing date of December 12th to consider and act on the Greely High School Swimming Pool License renewal for the 2012 calendar year.

VOTE: 7-0 UNANIMOUS PASSAGE

11 – 182 To set a Public Hearing date (December 12th) to consider and act on draft amendments to the Site Plan Ordinance, as recommended by the Planning Board.

Motion by Councilor Copp, seconded by Councilor Stiles, to set a Public Hearing date of December 12th to consider and act on draft amendments to the Site Plan Ordinance, as recommended by the Planning Board.

Chairman Perfetti said that he has questions about the amendments and asked the Manager if this document could be reviewed and discussed in workshop before the next meeting.

Councilor Moriarty suggested a workshop in December 12th, but table any action until January 9th as discussion and further amendments can get confusing in the same meeting.
Motion by Councilor Copp, seconded by Councilor Stiles to withdraw previous motion.

Motion by Councilor Moriarty, seconded by Councilor Copp to table this item and hold a workshop on December 12th.

VOTE: 7-0 UNANIMOUS PASSAGE

11 – 183 To set a Public Hearing date (December 12th) to consider and act on draft zoning amendments to add Farm Based Retail to Section 104 (Definitions) and as a permitted use in Sections 204.1.1 Rural Residential One (RR1) and Section 204.1.2.1 Rural Residential District Two (RR2), as recommended by the Planning Board.

Councilor Moriarty explained that this was discussed at the last meeting of the Planning Board. Looking at it in print, the second comma changes the entire meaning of the sentence.

Farm-Based Retail: The selling of agricultural produce or products, the majority of which is grown or raised by the landowner on property owned by the landowner, within the RR1 and RR2 zoning districts.

Between now and the meeting on December 12th he suggested that the Manager review it with the Town Attorney and get his opinion. As it is currently written, it would allow the import of produce grown out of town on property that someone may own, to be sold in the RR1 or RR2 zones. The theory was that someone could have a retail operation in the RR1 or RR2 zone for produce grown and sold within those zones.

Motion by Councilor Moriarty, seconded by Councilor Stiles, to set a Public Hearing date of December 12th to consider and act on draft zoning amendments to add Farm Based Retail to Section 104 (Definitions) and as a permitted use in Sections 204.1.1 Rural Residential One (RR1) and Section 204.1.2.1 Rural Residential District Two (RR2), as recommended by the Planning Board, and further, to authorize the Town Manager to discuss the phrasing of the proposed new use and its proper grammatical construction to reflect the intent of the Planning Board.

VOTE: 7-0 UNANIMOUS PASSAGE

11 – 184 To consider and act on cancelling the December 26, 2011 Town Council Meeting.

Councilor Moriarty asked the Manager if there are items to discuss that evening and reminded him that it would be a full month between meetings if the December 26th meeting is cancelled. However, if there is nothing to act upon, there is no need to meet.

Chairman Perfetti said that he and the Manager have discussed this and there are no pressing issues.

Motion by Councilor Turner, seconded by Councilor Stiles, to cancel the December 26, 2011 Town Council Meeting.

VOTE: 6-1 (Storey-King opposed) MOTION PASSED

Councilor Storey-King said that she opposed because she feels that the Council has to always give the public the opportunity to bring issues forward on a regular basis, and feels that is a little hasty given the amount of work that the Council has to consider on the 12th to cancel the meeting on the 26th.

11 – 185 To hear a report from the Ordinance Committee re: Fireworks Ordinance and to set a Public Hearing date (December 12th) to consider and act on a Fireworks Ordinance.
Councilor Moriarty, on behalf of the Ordinance Committee, explained that the committee has met to discuss a fireworks ordinance and this issue is more complex than it appears to be. There is an existing state statute that deals with fireworks. In the current law and the new law that takes effect on January 1, 2012, there are two categories of explosives: “Consumer Fireworks” (smaller and less explosive) and “Fireworks”. It appears that the public understanding is that the state has legalized fireworks generally. This is not accurate because the law that will still be in effect on January 1st will prohibit the use of “fireworks” but will legalize the possession and use of “consumer fireworks”. The issue that all municipalities are dealing with is whether or not they should exercise what the legislature created, a local option to limit the possession and use of consumer fireworks. Surrounding towns to the north and south of us have already banned the sale and use of consumer fireworks. Some inland communities are undecided and some others have decided to allow the sale and use of consumer fireworks. The Ordinance Committee has presented a draft of what they feel represents the least interventionist choice for Cumberland and the new state law. The Ordinance Committee recommends it to read: “to prohibit the use or the sale of consumer fireworks within the Town or from any watercraft on the waters within the Town”. We now have to understand what consumer fireworks really are and decide if we want to join our neighboring communities in prohibiting the sale and use.

Chairman Perfetti asked Doug Pride to go to the podium to answer any questions that the Council may have.

Mr. Pride explained that the new state law deals only with consumer fireworks. He is of the opinion that Cumberland should do nothing and let the state law take effect. This is a freedom issue. State law will not allow anyone to buy display fireworks unless they are a licensed fireworks user. Consumer fireworks are much different today than they were in the 40’s and 50’s. They are much safer now. Mr. Pride said that he does not see a need for a fireworks ordinance at this time.

Chairman Perfetti asked Mr. Pride how he would respond to the resident who lives in a congested area with 50 homes whose neighbor is shooting off fireworks and they are concerned that their house may catch on fire.

Mr. Pride said this is a good point and fire is an issue. People have to use common sense and sellers of fireworks are required to pass out safety information to consumers. The law requires that fireworks can only be discharged on one’s own property or on other property with permission.

Councilor Copp said that he agrees with Mr. Pride and we should let the state control this. If people can legally buy firecrackers, they will be less likely to attempt to make their own and hurt themselves.

Councilor Gruber said that he agrees that fireworks are safer now than they were in the past. His concern is the potential fire issue and not having some type of control in place to prevent a fire incident.

Mr. Pride said that he has seen very few fires in his experience due to fireworks. He suggested banning fireworks during dry conditions.

Councilor Stiles said that he grew up in the age where he was allowed to use fireworks and enjoyed it. He feels that you cannot legislate against stupidity and if people are careful, fireworks can be safe and fun.

Town Manager Shane advised the Council that if they do nothing and place no restrictions on the use of fireworks, they will be legal from 9:00 a.m. to 10:00 p.m., 7 days per week. On July 4th and New Year’s Eve, they will be allowed until 12:30 a.m.
Chairman Perfetti encouraged the Council to draft their own language that they feel should be included in an ordinance so that on December 12th there will be options and discussion.

Councilor Turner said that he agrees with Mr. Pride in terms with this being a freedom issue, but his biggest concern is the noise. He wonders if a middle ground may be restricting the use of fireworks to certain times of the year.

Councilor Gruber said that he would like to see a permit process in place.

Motion by Councilor Moriarty, seconded by Councilor Turner, to set a Public Hearing date of December 12th to consider and act on a Fireworks Ordinance.  

VOTE: 6-1 (Stiles opposed)

V. NEW BUSINESS

Councilor Turner – there was an editorial in the Forecaster re: railroad quite zones and Cumberland’s decision to “put things on hold”. He feels that couple of the statements made in the editorial were inaccurate and should be addressed for the benefit of the public. Sounding of horns at crossings adds one level of safety. Take away the horn and add channelization and gates, this brings the safety level back to somewhere near the safety level with horns. The editorial suggested that it would be 50% safer with channelization than with allowing the sounding of horns and we are disregarding the safety of the public if we don’t consider channelization.

Town Manager Shane explained that scenario is not incorrect. The horns add one level of safety, the gates add another, and when you add channelization, you increase the factor of safety by another 1/3. It becomes a safer intersection with channelization even absent the horns.

Councilor Copp – Falmouth is taking action on Railroad Quiet Zones this evening. It will be interesting to see what they choose to do about this.

There are vacancies on the following Cumberland boards and committees:

Board of Sewer Appeals  
Coastal Waters Commission  
Cumberland Energy Advisory Committee  
Lands & Conservation Commission  
Personnel Appeals Board  
Rines Property Citizens Advisory Committee  
Shellfish Conservation Commission  
Twin Brook Facility Advisory Committee

Anyone who is interested can call Town Hall and talk to Brenda or if you are currently serving on a committee and could like to continue, please contact Brenda.

Councilor Storey-King – a good friend of her family and a good friend of the community passed away last week. Tom Joyce was the principal at Greely Junior High School for over 30 years. Tom’s passing is not only a loss to educators, but also to the community. There will be a memorial service for him on November 29th from
11:00 a.m. to 1:00 p.m. at the Lindquist Funeral Home in Yarmouth. Councilor Storey-King asked the Council to consider naming the access road to Greely Middle School after Tom.

Town Manager Shane explained that the difficulty with the Middle School access road is that it is not a public street. There is no formal process to do this and it would be the Council’s decision to pursue it or not.

**Councilor Moriarty** – thanked the Public Works Department for preparing the race course with sand and salt on Thanksgiving morning. The race had well over 300 finishers with no injuries on that very icy morning. Thank you also to the Police Department and volunteers for all their help.

**Chairman Perfetti** – none

**Councilor Stiles** – reminder to residents that deer hunting is still in effect for 2 more weeks. Please be careful and wear orange if walking in wooded areas.

**Councilor Gruber** – The Lands and Conservation Commission is in great need of new members.

**Town Manager Shane** – December 12th meeting topics:

a) To hear a report from Public Services Director, Chris Bolduc re: Town Roads
b) To hear a report from the Cumberland Energy Advisory Committee re: home energy efficiency
c) Nominating Committee appointments
d) To hear a report from the Lands & Conservation Commission re: selective harvesting in the Town Forest
e) Bath Salts presentation by Officer Ryan Martin.

**VI. ADJOURNMENT**

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

VOTE: 7-0 UNANIMOUS PASSAGE

TIME: 8:27 p.m.

Respectfully submitted by,

Brenda L. Moore
Council Secretary
ITEM
11-186

To hear a report from Cumberland Police Officer, Ryan Martin re: “bath salts”.
Bath Salts
What are they?
What are they called on the street?
Where does it come from?
How do they take it?
What effects do they have on people?
How long will the intoxication last?
What is being seen on the streets for behaviors?
Products marketed as....

Bath Salts
Plant Food
Research Chemicals
"not for human consumption"

Toy Cleaner
Decorative
Jewelry Cleaner
Glass Cleaner.

St. Louis area head-shop is selling the drug under the name Cosmic Blast jewelry cleaner.

Street names

Ivory Wave
Vanilla Sky
Energy 1
Explosion
Meow Meow
Plant food
Bubbles
Purple Rain
Cloud 9

Bonsai Grow
Blow
Recharge
Lust
white widow
copycat cocaine
White Horse
Lovey Dovey
MCAT
Fake cocaine
Jewelry cleaner
Cosmic Blast
White Rush

Red Dove
Blue Silk
Zoom
Bloom
Ocean Snow
Lunar Wave
Scarface
Hurricane Charlie
White Lightning
Eight Ballz
What's it called on streets in Maine?

Monkey Dust
Anything “Monkey”

In the Bangor area strains of money dust frequently found are:

1. “Brown”
2. “Fluff” - white and disappears when smoked
3. “Instant Retardation” – yellow, the effect is how it got its name.

Sources

These substances are currently illegal.

They can no longer be purchased in the head shops or convenience in Maine due to the recent legislation.

The internet remains the main source.

<table>
<thead>
<tr>
<th>Mephedrone (4-MMC)</th>
<th>Bulytone (bk-MDMA)</th>
<th>JWH-018</th>
</tr>
</thead>
<tbody>
<tr>
<td>100g $430</td>
<td>50g $430</td>
<td>25g $350</td>
</tr>
<tr>
<td>500g $1400</td>
<td>100g $800</td>
<td>50g $625</td>
</tr>
<tr>
<td>1000g $2400</td>
<td>500g $2325</td>
<td>100g $1100</td>
</tr>
<tr>
<td></td>
<td>1000g $3985</td>
<td>500g $2870</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Methylene (bk-MDMA)</th>
<th>MDPV</th>
<th>TFMPP</th>
</tr>
</thead>
<tbody>
<tr>
<td>50g $340</td>
<td>25g $355</td>
<td>100g $250</td>
</tr>
<tr>
<td>100g $590</td>
<td>50g $640</td>
<td>500g $750</td>
</tr>
<tr>
<td>500g $1600</td>
<td>100g $1270</td>
<td>1000g $1200</td>
</tr>
<tr>
<td>1000g $3130</td>
<td>500g $4535</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MDAI</th>
<th>JWH-250</th>
</tr>
</thead>
<tbody>
<tr>
<td>100g $800</td>
<td>10g $350</td>
</tr>
<tr>
<td>500g $2500</td>
<td>25g $800</td>
</tr>
</tbody>
</table>

**BULK**
Produced mostly in labs in SE Asia (China)

From there it goes through Europe to USA. Sometimes via Canada

What is MDPV?
The term ‘bath salts’ refer to commercially available products that have as part of their composition a stimulant called

3, 4-Methylenedioxyxpyrovalerone, or MDPV.

MDPV reportedly has four times the potency of Ritalin and Concerta (ADHD drugs, stimulants. Basically a legal form of methamphetamine.

The effects of MDPV are usually compared to amphetamines or other stimulants.

Interview in Bangor:

The high gives a person energy. The energy is not like a Ritalin high but similar. Snorting or “bumping” Ritalin gives a high where a person can get on task and complete it – like clean the house. The bath salts high on the other hand gives a very “scatter brained” high.

The most common users of the monkey dust are those that typically abused Ritalin or Adderall. Typical users are usually drug addicts or abusers.

MDPV aka
Mephedrone aka
Methylene aka
Methedrone aka
Naphyrone aka
4-Fluoromethcatinhone aka
Butylone aka
Ritalin & Adderall

These are some of the most commonly abused drugs today by young adults.

This is due to the high rate of prescription to young adults with learning disorders such as ADHD.

These drugs are frequently taken orally or snorted after being crushed.

When abused the effect is described as a “very productive” stimulant effect. The chemicals in these drugs are essentially speed or (meth)amphetamine.

As of June 8, 2011,

30 states have legislatively banned synthetic cannabinoids (aka fake pot, Spice, K-2 and JWH-018). Sometimes also marketed as incense) – should be illegal in Maine by July 1, 2012 - LD 914. LD 914 would make synthetic cannabinoids a schedule Z drug and a class E crime to possess. Currently, a Federal ban went into effect March 21, 2011. Ban is good for 1 year.

As of Sep 30th, 2011 – 31 States have a law against synthetic cathinones aka "bath salts" and the previously discussed stimulant and hallucinogenic drugs.

July 6th, 2011 Maine enacted emergency law to ban "bath salts" and 21 other hallucinogenic or stimulant drugs.

Calls to poison centers about exposures to bath salts:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>303</td>
</tr>
<tr>
<td>2011</td>
<td>2,237 as of May 12</td>
</tr>
<tr>
<td></td>
<td>4,137 as of July 31</td>
</tr>
</tbody>
</table>

Updated August 2, 2011
Ingestion
Swallowed
Snorting (most common)
Injection

Smoking – with a crack pipe
Smoking – soaked cigarette
Smoking – Off foil

Onset and Duration
Effects begin 5 – 15 minutes after use
“Euphoric” effect can last 20 minutes to over 3 hours
Impairment remains long after the euphoria is gone
12-72 HRS or MORE!!!

Duration
Those flashbacks can happen for the next 72 hours.

Baths salts usage is cutting across all ages, demographics and backgrounds according to Dr. Busko. “We’re seeing as young as early teens and up to early 60’s.”

**Effects**

Very similar signs and symptoms as CNS stimulants such as cocaine, MDMA and amphetamines.

Many stimulant users prefer these substances because they are cheaper and the effects last much longer.

**More serious effects**

- Muscle spasms
- Increased BP
- Hallucinations
- Aggression
- Severe paranoia
- Panic attacks
- Sharp increase in body temps
- Kidney failure or risk of
- Strong drive to use the substance despite the harmful effects and frequent repeat dosing

renal failure

- Muscle damage
- Loss of bowel control
- Potential for self harm
- Confusion

**Effects**

- Altered mental status
- Increased heart rate
- Agitation
- Diminished requirement for sleep
- Lack of appetite
- Increased alertness and awareness
- Anxiety
- Fits and delusions
- Nosebleeds

**Hallucinations**

To the drug user the hallucinations ARE REAL!!!

Their paranoia can be directed at you, intentionally or mistakenly

Their agitation will build if you contradict them
These people are paranoid and may be hallucinating, often about people trying to harm them or chase them.
They may exhibit classic “fight or flight” posturing.
Stay alert.
They will converse and understand and reason with you – have patience.

Avoid confrontation
Talk in a calm voice & identify yourself.
Avoid arguing/debating about the delusions.
If they are sure of something – agree.
Your actions may increase stresses.
Emotions may cycle. If they’re agitated then wait a few seconds and ask a different line of questions.

They’re typically alert, responsive & listening.
Offer to get them to a “safe” place.
If the hospital sounds like a safe place to them - bring them.
Find a responsible babysitter if possible.

Recognizing Behaviors
- Believe they are being chased.
- Bizarre, violent, aggressive behavior.
- Violence toward objects, attacking/break glass (windshield and mirrors).
- Overheating/excessive sweating or very dry leading to public disrobing - partial or full (cooling attempt).
- Extreme paranoia.
- Incoherent shouting (animal noises or loud pressured speech).
- Unbelievable strength.
- Undistracted by any type of pain - including broken bones and damaged limbs.
- Irrational physical behavior.
- Fight or flight behavior (Subject perceives attempts to restrain as threat to his existence. It is a primal sympathetic nervous system response).
- Hyperactivity.
- “Bug Eyes” (They look “nuts”).
Drug Detection

As of September 2011, the Maine Health Environmental testing last has had approximately 12 samples during a urinalysis for a drug evaluation where MDPV has been confirmed. One of these was a DRE performed by Ofc. Ryan Martin for an OUI crash that took place in Portland.

HETL will attempt to confirm the presence of a “Bath Salt” compound in urine or drug sample if suspected. If they can’t confirm the agency may consider forwarding to Redwood for additional screening.

We now have field test kits for testing suspected Bath Salts

Original July 2011 Bath Salt Law in Maine

made synthetic cathinones illegal 22 MRSA §2390

1. First violation was a civil violation with a fine of not more than $350
2. Second violation (after having been previously adjudicated of violating this section) commits a civil violation with a $500 fine
3. Third offense - Class E crime

The DEA has now, as of the end of September, used its emergency measure ban measure that is good for a year.

NEW Bath Salt Bill Effective Sept. 28th, 2011

- AUGUSTA, Maine —legislation aimed at strengthening Maine’s laws on synthetic cathinones took effect Sept. 28th. Some in the legislature would like to make it a Felony to Possess (1st offense) but the predicted costs for incarceration of offenders is causing a problem for state budgeting.

- There are no presumptive levels to turn an offense from a Possession into a Furnishing or Trafficking like there is for other drugs. The states what statistics on arrest/convictions prior to instituting levels.

How we as Police Respond

- Get EMS on the way prior to contact if possible
- Avoid confrontation if at all possible – VERBAL JUDO
- Attempt to contain/isolate the subject without confrontation
- Attempt verbal de-escalation
EMS treatments are vital
Excited delirium is a medical emergency
Patients exhibiting signs of excited delirium require supportive care immediately:
- Sedation ASAP (benzodiazepines such as Midazolam/Veredit, Lorazepam/Alvitin, Diazepam/Valeum or Haldol or Ketalar)
- External cooling to fight hyperthermia
- Intravenous fluids (for Rhabdomyolysis which is the breakdown of muscle fibers resulting in the release of muscle fiber contents (myoglobin) into the bloodstream which causes kidney damage and fluid dehydration)
- Maintain on cardiac and respiratory monitor (especially if meds were given)
- Continued treatment in ER for above and Rhabdomyolysis and Hyperkalemia (high levels of potassium in the blood), metabolic acidosis.

Do everything possible to not have to restrain and at the very least due not restrain in a prone or hogtied fashion

http://www.exciteddelirium.org

Bath Salt Signs and Symptoms
- Tachycardia, hypertension, hyperthermia, palpitations, chest pains
- Dyspnea, tachypnea
- Perfuse sweating
- Psychosis, hallucinations, erratic behavior including paranoia, depression, agitation and possibly suicidal or homicidal

Reality
- Bizarre/violent behaviors most often will require confrontation and restraint
- Without restraint this medical emergency can not be treated
- Get the fight over quickly (i.e. TASER, swarm)
- Pain compliance techniques will not work

Goal
- Ultimately goal is to chemically restrain and have comfortable peaceful transport
- Give time in a safe place for drug effects to wear off
Thank you

r martin@cumberlandmaine.com
893-2810

Much of the information for this presentation was gathered from Bangor PD, LT Thomas Reagan.
ITEM
11-187

To hear a report from the Cumberland Energy Advisory Committee re: Home Energy Efficiency.
INSULATING AND SEALING YOUR HOUSE

Presented by Cumberland Energy Advisory Committee

Recap of 1st presentation

- Last time we assessed the houses overall efficiency, now it's time to talk about actual improvements
- Find the lowest hanging fruit first
- Heating is king in Maine
- With this in mind, we will cover Sealing & Insulation first
"R" Value

- "R" Value is a measure of thermal resistance
- It gets very complex, but essentially a bigger number is better
- A single pane window is .9 R, double insulating 1.5-3 R, and so on
- R value exists for individual parts of the home, and the home as a whole

Sealing! Sealing! Sealing!

- Proper sealing is far more important than insulation!
Percentage heat loss from...
- **Infiltration / Air Leakage: 35%**
  - Windows and Doors: 18%-20%
  - Floors & Below Grade Space: 15%-18%
  - Walls: 12%-14%
  - Ceilings: 10%
Examples of Air leaks

- Attic vents left open or not insulated
- Drier & other vents left open
- Laundry chases
- Bathroom vents
- Fireplace flues
- Unsealed or detached siding
- Recessed lighting
Windows & Doors

- You don't have to buy all new windows
- Look at what you have for obvious defects
- A simple homemade window insert will double the R value
- Expanding foam also works well
A window insert in place

Minimum Airflow

- Don't go too far!
- Minimum airflow is still needed to avoid mold & rot, and avoid indoor air contamination
Insulation

- Not as big as sealing, but still very important
- This is where an energy audit will show poorly insulated areas
- Still a lot of bang for buck here
- R value and cost varies by type
- Usage will vary depending on conditions

Insulation Types - Many Options

- Fiberglass
- Rockwool
- Styrofoam (Hard & Soft)
- Liquid sprayed Styrofoam

➤ Each type has its own best use
Infrared cameras are useful

Relative insulation by area
- Attic: R 38 to 49
- Walls: R 13 to 18
- Floor: R 25 to 30
- Crawl space wall: R 19 to 25
- Basement wall interior: R 19 to 25
Sill Joists

- Area between basement and house is often very poorly insulated

Additional Areas to consider

- Basements are generally poorly insulated
- Cinderblock & Cement basements are essentially uninsulated (R1)
- Generally no insulation between basement and 1st floor
- ¼ to 1/3 improvement possible with basement insulation
How much will all this save me?

- How much will it cost?
- What percentage will it save?
- What is a possible break-even? (use the Spend O' Matic)
- Also consider the comfort value
- PACE program, federal rebates can help

## How does MY house match up?

<table>
<thead>
<tr>
<th></th>
<th>My use</th>
<th>Average KWh</th>
<th>% of Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electricity Yearly</td>
<td>7750</td>
<td>7386.36</td>
<td>105%</td>
</tr>
<tr>
<td>Electric % of cost</td>
<td>19%</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Fuel Yearly</td>
<td>1425</td>
<td>1272.73</td>
<td>112%</td>
</tr>
<tr>
<td>Fuel Oil % of cost</td>
<td>81%</td>
<td>80%</td>
<td></td>
</tr>
</tbody>
</table>

- Average yearly cost $5,562.50
- My yearly cost $6,150.00
- Yearly savings at average usage $587.50
- Savings at 90% of average usage $1,143.75
- Savings at 75% of average usage $1,978.13
What's next?

- Heating systems
- Alternate sources
- Other tips & tricks

Questions?

- This presentation and the home efficiency calculator are available on the Cool Cities page of the town website
- Any other questions, feel free to contact Bill Kenny or Alex Kimball at 829-2205.
- E-mail: akimball@cumberlandmaine.com
  or
  bkenny@maine.rr.com
ITEM
11-188

To hear a report from the Lands & Conservation Commission re: selective harvesting in the Town Forest.
MEMORANDUM

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: December 7, 2011
Re: Conservation Commission recommendation - Harvest Plan - Town Forest

The attached map depicts the 96 acre parcel of land that comprises the Town Forest. 10 acres of this parcel is developed, the remainder is in some form of a forested state with very little work on the parcel over the past decade.

The Conservation Commission received a grant to fund a Forest Management Plan for the Town Forest. Jay Braunscheidel (Rines Forest Forester) will present an overview of the plan at your meeting. Sam York, Chair of the Conservation Commission, will present the Commission’s recommendation.

Very Quick Summary:
3 Areas to Be Cut:
   Area 2 – 2 of the 7 acres to be harvested
   Area 4 – 15 of the 38 acres to be harvested
   Area 5 – 4 of the 10 acres to be harvested
19 Acres of the 96-acre parcel will receive some type of treatment
Buckthorn removal will paid for from the revenue generated from the harvest ($6,000 +/-)
Herbicide treatment to cut buckthorn to take place in the Fall, we may be able to use our licensed applicators for this process (if not anticipate an additional $15,000 expense).
Area 4 – 38 Acres - 40% = 15 Acre Cut
Area 2 – 7 Acres – 30% = 2 Acre Cut
Area 5 - 10 Acres – 40% = 4 Acre Cut
Town of Cumberland
Town Forest
Forest Management Plan

By:
Jay Braunscheidel, LPF #3283
Jeremy Stultz, LPF #3311
Aaron Drake
August - 2011
Scope of Plan

This Forest Management Plan contains detailed characteristics and prescriptions for the Town of Cumberland’s Town Forest. This lot equals 96 acres, plus or minus and varies in forest cover type, topography and soil and site makeup. Approximately 10 acres is not included in this plan as it is non-forested portion of the property that is the site of the former town landfill, now capped.

This plan aims to document the current parameters of each stand and make recommendations on how each stand is to be managed through the next 10 years. Silvicultural activities will be outlined for each stand for the initial entry, with recommendations beyond based on likely harvesting results. Following initial entry these stands should be reevaluated to ensure they are on track to meet health and productivity goals initiated in the first entry. Second entry silviculture will depend slightly on how each stand performs following the first entry and may need to be adjusted based on anticipated, versus planned results. Recognizing that each stand is unique will dictate how that stand is managed and inputs such as vegetation types, soils, wildlife habitats, and topography will all be duly considered when making recommendations.

The Town has outlined the follow as management goals for the property:

- Influence forest stands to enhance habitat to the extent that is possible by maintaining and expanding mature portions of the forest while adding balance by creating some early successional habitat in small forest openings.

- Protect biological features and functionality intrinsic to the property (i.e. riparian zones and wetlands, forest structure, etc.).

- Manage and realistically maximize the biological diversity.

- Make every reasonable effort to control invasive plant species.

- Implement exemplary forest management that is certified to the highest globally accepted standard, Forest Stewardship Council (FSC).

- Manage the Town Forest as a model of a well managed forest with sustainable and quality timber production and revenue generation over the long-term.
Plan Methodology

The following pages contain the detailed stand descriptions, silvicultural recommendations and rationale for each forest stand as depicted on the forest type map. These pages represent my conclusions and are based on significant thoughtful analysis. The details of some of this analysis can be found in the appendix to this plan and include:

- Forest typing including GPS’d stand boundaries, see map section, page 19.

- Exploration of the history, origins and past treatments conducted on the Rines Forest, see Appendix 1, page 22.

- Analysis of the current soils found on the forest including discussion of the most relevant types, their influence on productivity and species composition and operability, see Appendix 2, page 23.

- Details of the resource inventory cruise, see Appendix 3, page 28.

- A copy of the site review prepared by the Maine Natural Areas Program (MNAP), see Appendix 4, page 29.

- A copy of the site review prepared by the Maine Historical Preservation Commission (MHPC), see Appendix 5, page 36.

- Synthesis of the most critical and readily applied management concepts for enhancing biodiversity in the forests of Maine, adapted from: Biodiversity in the Forests of Maine: Guidelines for Land Management (Flatebo, Foss & Pelletier, 1999), see Appendix 6, page 39.

- An Integrated Pest Management (IPM) plan for control of invasive plants including Buckthorn, and other invasive species found on the forest, see Appendix 7, page 48.

- Also contained in the appendix to this plan is a more detailed definition/discussion of the silvicultural methods prescribed for the Town Forest, see Appendix 8, page 49.
### Table 1.
**Next Entry Stand Schedule**

<table>
<thead>
<tr>
<th>Stand</th>
<th>Type</th>
<th>Description</th>
<th>Acres</th>
<th>Next Treatment</th>
<th>Approx. % Removal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>H4B3</td>
<td>Young Hardwood</td>
<td>6</td>
<td>Grow</td>
<td>0%</td>
</tr>
<tr>
<td>2</td>
<td>S4A4</td>
<td>Red Pine/ Norway Plantation</td>
<td>7</td>
<td>1st Entry, Long Shelterwood</td>
<td>30%</td>
</tr>
<tr>
<td>3</td>
<td>WP4C5</td>
<td>Open Limby White pine</td>
<td>6</td>
<td>Weeding</td>
<td>0%</td>
</tr>
<tr>
<td>4</td>
<td>SH4B5</td>
<td>Mixedwood; Hemlock &amp; Red Maple</td>
<td>38</td>
<td>2nd Entry, Long Shelterwood</td>
<td>45%</td>
</tr>
<tr>
<td>5</td>
<td>S4B5</td>
<td>Mixed softwood plantation</td>
<td>10</td>
<td>2nd Entry, Long Shelterwood</td>
<td>45%</td>
</tr>
<tr>
<td>6-11</td>
<td>XXX</td>
<td>Non-Forested</td>
<td>30</td>
<td>No Treatment</td>
<td>0%</td>
</tr>
</tbody>
</table>

---

**Stand 1: H4B3**

This stand is roughly 6 acres in size and is located in the northwestern corner of the property. The stand is a mix of classic northern hardwoods with some eastern white pine scattered throughout. The hardwood component is dominated red maple at nearly 51% of the total stocking while paper birch, sugar maple, red oak, white ash and yellow birch are present in order of decreasing abundance. Eastern white pine was the only softwood specie tallied. Important to note from a biodiversity standpoint that shagbark hickory was observed in the stand but was not tallied during the inventory process.

The stocking chart shows that this stand is overstocked if optimal stand growth is the goal. The stand is generally even aged and of good quality and growth. The stand also has good stocking and composition in the pole-size classes. No advanced signs of pest or pathogen activity were noted other than normal occurrence of beech scale.

Detailed volume information can be found in the inventory summary supplemental to this plan. A brief summary of that report includes a gross sawtimber volume of 392 bf/acre, all of which is yellow birch, and a gross pulpwood volume of 23 cords/acre, with a gross total volume for this stand equal to 24 cords/acre. 100% of the sawlog volume is derived yellow birch.

This stand is even-aged with good overall composition and complexity and is well above the B line on a hardwood stocking chart. However, given the low volume per acre and the small diameter size, this stand should be allowed to grow over the next ten year period. Exceptions would include removing scattered individual trees near the border of Stand 2 while a machine in the area.
Stand – 1: H4B3

Total Basal Area (per/acre) 105 sqft
Total Stems per acre 315
Mean DBH 7.2 inches (Medial = 10.3")
Quadratic Mean DBH 7.8 inches
Prescription Grow
Stand 2: S4A4

This stand is roughly 7 acres in size and is located in the northeastern corner of the lot. The stand is a primarily composed of softwood with 46% of the stocking as planted red pine and 35% as planted Norway spruce. The minor hardwood component includes red maple, gray birch, and poplar in respectively smaller quantities. These hardwood trees opportunistically regenerated naturally where planted trees failed.

The stocking chart shows that this stand is just below full A-line stocking. The stand is generally even-aged (as most of the stand was planted) and of fair growth and vigor. Overall stem quality is fair with many dead limbs (black knots in sawn wood) remaining on the trees as the largest detriment to sawlog quality. No advanced signs of pest or pathogen activity observed.

Detailed volume information can be found in the inventory summary supplemental to this plan. A brief summary of that report includes a gross sawtimber volume of 7.40 Mbf/acre and a gross pulpwood volume of 27 cords/acre, with a gross total volume for this stand equal to 43 cords/acre. Red pine and Norway spruce combined make up over 93% of the total sawlog volume for the stand.

This stand is generally even-aged, nearly over stocked, and is lacking understory development with the exception of invasive shrubs. Additionally, the stand is reaching financial maturity and managing both the crop trees as well as establishing the next generation is advised. However, given the proximity to the trailhead for the hiking trail and the heavy traffic of the municipal offices a lighter entry may be more appropriate, therefore, a first entry of a long shelterwood is recommended for this stand. The long shelterwood system is one that, over three successive harvests spaced approximately 10 to 15 years apart establishes new, young growth under the “shelter” of an overstory. The first entry is intended as a preparatory cut; in this harvest 25 to 35% of the standing volume should be removed. The harvesting should focus on removing the poorest quality stems throughout the stand so as to improve the growth and value of the residual overstory. Measures to control or eradicate the buckthorn stems and other invasive plant should be undertaken concurrently with the shelterwood harvest. Also see Integrated Pest Management (IPM) plan in Appendix 7 of this plan on page 47, for details on next actions for controlling invasives. If this invasive species becomes a dominant understory shrub, it will be nearly impossible to regenerate desirable species in the subsequent shelterwood entries.
Stand – 2: S4A4

TPA by Diameter & Species: Town Forest - Stand #2

- Total Basal Area (per acre) 156 sqft
- Total Stems per acre 307
- Mean DBH 9.3 inches (Median = 10.7")
- Quadratic Mean DBH 9.7 inches
- Prescription 1st Entry, Long Shelterwood
Stand 3: WP4C5

This stand is roughly 6 acres in size and is found at the eastern edge of the old landfill site. The composition of this stand is over 85% white pine with red pine, black cherry, poplar, and white ash also tallied during the inventory in successively smaller quantities.

The stocking chart shows that this stand is just barely above the C-line stocking. Although this puts the stand squarely in the "understocked" category, the last entry appears to have been a shelterwood removal where the goal was more focused on regenerating and growing the understory than maximizing growth of the residual overstory. The pine that forms the overstory is even-aged and generally not of good quality with many stems having forked tops and excessive (in size and number) black knots. The understory is of special concern as it is currently dominated by the invasive species of buckthorn, likely making up 80 to 90% of the understory stem count. Also present in this sapling layer is young poplar, white pine, red maple and other scattered hardwood species as well as balsam fir.

No advanced signs of pest or pathogen activity observed. The stand appears to be growing fairly well, however, quality issues in the pine as mentioned above will be the largest limiting factor to sawlog tally. Also the buckthorn growth, if continued unattended, will likely take over the stand, preventing native species from developing.

Detailed volume information can be found in the inventory summary supplemental to this plan. A brief summary of that report includes a gross sawtimber volume of 8.06 Mbf/acre and a gross pulpwood volume of 25cords/acre, with a gross total volume for this stand equal to 43cords/acre. The highest sawlog volume is found in the white pine, which makes up 93% of all sawlog volume for the stand.

This stand is two-aged with a heavy infestation of buckthorn in the understory. It is strongly recommended that the buckthorn be removed from the stand to the highest degree possible as soon as is practical. Also see Integrated Pest Management (IPM) plan in Appendix 7 of this plan on page 47, for details on next actions for controlling invasives. The overstory trees should be left to grow so as to provide a potential seed source and a shelter for regenerating the stand to native and desirable species once the buckthorn is under control.
Stand – 3: WP4C5

Total Basal Area (per acre)  128 sqft
Total Stems per acre        112
Mean DBH                    13.1 inches (Medial = 18.2”)
Quadratic Mean DBH          14.5 inches
Prescription                Weed understory, grow overstory
Stand 4: SH4B5

This stand is 38 acres in size and is the largest stand on the parcel, encompassing most of the southern half of the lot. The stand is truly mixedwood with 47% of the basal area as softwood, 53% hardwood. Softwood species, in order of dominance include, hemlock, white pine, balsam fir, red spruce and red pine. Hardwood species include red maple, red oak, poplar, white ash, paper birch, black ash, yellow birch, ironwood and sugar maple in respective dominance.

The stocking chart shows that this stand is very close to full stocking. The majority of this stand is generally even-aged, and although exhibiting a range of diameters, the smaller trees are generally the more suppressed stems in the stand, as the larger trees are those that are more dominant. There are a few gigantic stems of red oak and white pine that may actually be older than the rest of the stand. However, they are too few and too scattered to be managed as a separate age class. Some of these trees at a minimum should be retained during the next harvest entry. Regeneration is sparse throughout and limited to isolated areas where there has been a disturbance. The northeastern tail of the stand is much more poorly drained and has less stocking. This area is generally small red maple and balsam fir with heavy reeds growing throughout. The drainage characteristics of this portion of the stand may very well have been affected by the additional run-off created by the landfill. This small area (≈5 acres) will not be included in the treatment area prescribed for this stand.

No signs of major insect pest or pathogen activity were observed. The stand appears healthy, but vigor is a bit suppressed due mainly to the somewhat poorly drained soils throughout. Windthrow and trees dying due to senescence are common in the stand as evidenced by standing snags and coarse woody debris.

Detailed volume information can be found in the inventory summary supplemental to this plan. A brief summary of that report includes a gross sawtimber volume of 6.88 Mbf/acre and a gross pulpwood volume of 29 cords/acre, with a gross total volume for this stand equal to 44 cords/acre. Roughly one-third of the total sawlog volume comes from hemlock.

This stand is predominately even-aged with a general lack of quality regeneration throughout. Goals of the next harvest should be to continue to improve residual quality, regenerate species in a manner consistent with current species mix and improve the overall growth of the stand. A second entry shelterwood system should be employed within the next 3 years to achieve the previously mentioned goals. Total stocking currently is about 160 sqft/acre and a removal of about 40 to 45% of the total standing volume is recommended. This entry is intended to create conditions more favorable to the regeneration of white pine and oak, not necessarily to optimize continued growth of the residual trees (although growth will be improved). With that in mind, high risk trees (those in danger of senescence or death within the 10 years following the harvest) and those of poor form or vigor should be targeted for removal first. Residual crop trees should be well spaced, wind-firm and of good quality. Residual composition will still be
predominately hemlock and those smaller stems with potential to reach the sawlog size class should be left presuming they are of good quality. This stand has a strong component of the invasive buckthorn in the understory which will need to be weeded and further treated as part of this entry. If possible, this harvest should also take place on dry ground and preferably during a strong white pine and red oak seed year. This will help provide adequate conditions for establishment in the understory.
Stand – 4: SH4B5

TPA by Diameter & Species: Town Forest - Stand #4

- Total Basal Area: 160 sqft
- Total Stems per acre: 244
- Mean DBH: 10.0 inches (Medial = 14.1"")
- Quadratic Mean DBH: 11.0 inches
- Prescription: 2nd Entry, Long Shelterwood
Stand 5 S4B5:

This stand is 10 acres in size and is located along the southern half of the eastern boundary line. This stand is nearly all planted softwood with black cherry, poplar and red maple making up a combined 5% of the basal area. Softwood species in order of dominance include white pine, red pine, scotch pine, Norway spruce, larch and balsam fir.

The stocking chart shows that this stand sits about half-way between the A and B lines when plotted on a white pine chart. A white pine stocking chart may not be appropriate for a mixed softwood stand like this, but no chart exists for the assortment of trees that were planted on this site. A white pine chart is the most conservative softwood chart and since white pine is a component it seemed like a logical choice. The stand is generally even aged with a well stocked overstory of mixed softwood (dominated by white pine) sawlog sized trees and a pole-sized component that is likely the same age as the larger trees and is of similar composition. Very little regeneration is occurring in the stand for two main reasons. The first of which is the overstory has reached crown-closure and thus very little sunlight reaches the forest floor. Second, where there are openings in the canopy allowing young growth, the invasive buckthorn plants are out-competing the native vegetation.

No major insect pest and pathogen activity was observed and the stand appears healthy and productive growing on a good site.

Detailed volume information can be found in the inventory summary supplemental to this plan. A brief summary of that report includes a gross sawtimber volume of 14.10 Mbf/acre and a gross pulpwood volume of 29 cords/acre, with a gross total for this stand equal to 59 cords/acre. Just over 50% of the total sawlog volume comes from the white pine. The red pine and Scotch pine together account for about 4.57 Mbf per acre of the sawlog component of this stand. Although these stems indeed meet traditional sawlog specifications for softwood, it is difficult to realize a market for them here in Maine and they are often sold as pulpwood. Some specialty markets exist, but are volatile; nonetheless these markets will be looked into prior to any timber sale occurring on the property. Another option may be to consider having the logs prepared by a local sawyer for use on a municipal project.

This stand is even aged, with healthy sawlog and pole-sized age classes present. The stand is not at full A-line stocking, nor is it understocked, however, given the crown closure, the health and productivity of the stand could be improved by a moderate shelterwood harvest. The stocking guide suggests that stands such as these will grow best from about 130 square feet per acre of basal area (currently it is about 187). The shelterwood harvest is recommended not to encourage regeneration in the understory, but to remove poor quality stems currently in the stand, allowing the better “crop trees” more room to grow and add value. Those trees of the poorest form and vigor should be targeted for removal first with the goal of leaving a well-spaced stand of mixed softwood. Trees left should be healthy, with good crowns and windfirm and the residual stand
should resemble the relative composition of the current stand. This entry represents a roughly 40% removal.
Stand – 5: S4B5

**TPA by Diameter & Species: Town Forest - Stand #5**

- **Total Basal Area (per acre)**: 188 sqft
- **Total Stems per acre**: 229
- **Mean DBH**: 11.4 inches (Medial = 14.6”)
- **Quadratic Mean DBH**: 12.3 inches
- **Prescription**: 2nd Entry, Long Shelterwood
Non Forested

There are six areas typed out as non-forested areas that are not covered in this plan. They are as follows:

- Stand 6 XBL; This 2.6 acre area is the site of the current municipal buildings
- Stand 7 XCL; This 10.1 acre area cleared area is the site of the capped landfill
- Stand 8 XWL; This 2.8 acre area is a forested wetland
- Stand 9 XSS; This 7.4 acre area is scrub/shrub
- Stand 10 XBL; This 6.2 acre area is the building site of the historic Drowne Road school and includes the current baseball diamonds
- Stand 11 XWL; This 0.5 acre area is a forested wetland

Aesthetics

Managing the property for aesthetics is an important goal of the Town and the recommendations made in the Wildlife Habitat and Biodiversity section should be implemented to ensure these goals are met. Other important concepts include keeping structural diversity intact throughout the lot, meaning trees of multiple age and height classes present throughout the stands. Also, it will important to maintain visual continuity throughout the lot as viewed from differing vantage points, meaning the avoidance of large openings in the canopy (greater than 1 acre) and creation of even-aged stands.

Additional recommendations to maintain aesthetics on the ground include chopping logging slash so it lies flat during and following logging activity. Also trails should turn and curve, especially those leading directly from the landing area, to avoid long straight sight lines through the piece. Large openings will be avoided to help maintain a more uniform and well spaced stand. Following any harvesting, skid trails will be closed out with waterbars installed where necessary, and landings will be cleaned, seeded and mulched.

Recreation

The main recreational use of the property is hiking along the Ernest A. Rand Nature Trail that loops through the property. There are several issues surrounding it’s use including the current travel surface and the lack of maintained signage or route markers. This represents an opportunity for the town to upgrade the trail. There is also a marked snowmobile trail that bisects the southern half of the property. This too seems to receive only minimal maintenance. There may be opportunities to work in conjunction with local snowmobile clubs to address trail maintenance issues if this portion of the forest is to continue to be used in this manner.
The property is also used seasonally for hunting despite its close proximity to homes and the municipal buildings. This is evidenced by several non-identified (against the law) tree stands.

**Forestry Regulations**

Several state and municipal laws regulate forestry and forest products harvesting operations on forestland in Maine. This plan will provide a brief overview of some of the more pertinent regulations. Prior to beginning any timber harvesting or any other alteration to the current use of a woodlot, checks should be made to ensure that they are in compliance with all State and local laws and ordinances.

Prior to harvesting a “Notification of Intent to Harvest” form must be filed with the Maine Forest Service, Department of Conservation. Prior to January 31 of the year following a harvest, a stumpage report must be filed with the State. This report states volumes harvested and stumpage prices paid to the landowner. On harvest operations that cover ten acres or more, and occur within 200 feet of the boundary, the boundary lines must be clearly identified. The above regulations are, by law, the responsibility of the landowner. These responsibilities can be transferred to a second party such as a forester or managing agent by contractual agreement.

Following a harvest no slash can remain within fifty feet of a town road or twenty-five feet of a boundary line. Slash cannot be deposited in a stream channel, or below the high water mark of a waterway. It is unlawful to deposit silt in a watercourse.

In addition to the laws mentioned above, there are a number of laws that deal with clearcuts beginning at five acres in size. Another law establishes a “trip ticket” system used when transporting wood. Additional information can be obtained through the Maine Forest Service.

The Town of Cumberland has a fairly sophisticated set of requirements for Shoreland Zoning. Before any harvesting is to begin these municipal regulations need to be checked to ensure compliance. These regulations will limit harvesting activities near certain ponds, rivers and streams.
Best Management Practices (BMP’S)

Best Management Practices are strategies and actions that, when properly applied, help protect water and soil quality through all phases of timber harvesting. A detailed examination of current accepted BMP’s can be found in Best Management Practices for Forestry: Protecting Maine’s Water Quality. A publication released by the Maine Forest Service, Maine Department of Conservation in 2004.

These BMP’s include practices such as water-barring of completed skid trials to prevent or minimize soil erosion, building proper bridges or fords when crossing brooks with equipment and constructing landings and roads to standards that minimize long term impact, to name a few. It is recommended that these BMP’s be implemented wherever and whenever possible to maintain water quality while operating on the Town of Cumberland property.
# Key To Forest Types

<table>
<thead>
<tr>
<th><strong>OVERSTORY TYPE</strong></th>
<th><strong>Density - % Crown Closure</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>H - Hardwood (mixed)</td>
<td>A - &gt;81%</td>
</tr>
<tr>
<td>S - Softwood (mixed)</td>
<td>B - 61-80%</td>
</tr>
<tr>
<td>HS - Hardwood/Softwood mix</td>
<td>C - 31-60%</td>
</tr>
<tr>
<td>SH - Softwood/Hardwood mix</td>
<td>D - &lt;30%</td>
</tr>
<tr>
<td>BF - Balsam Fir</td>
<td></td>
</tr>
<tr>
<td>RS - Red Spruce</td>
<td></td>
</tr>
<tr>
<td>WP - White Pine</td>
<td></td>
</tr>
<tr>
<td>HE - Hemlock</td>
<td></td>
</tr>
<tr>
<td>TH - Tolerant Hardwood</td>
<td></td>
</tr>
<tr>
<td>IH - Intolerant Hardwood</td>
<td></td>
</tr>
<tr>
<td>RM - Red Maple</td>
<td></td>
</tr>
<tr>
<td>RO - Red Oak</td>
<td></td>
</tr>
<tr>
<td>B - Birch (white or yellow)</td>
<td></td>
</tr>
<tr>
<td>A - Aspen</td>
<td></td>
</tr>
</tbody>
</table>

**first two overstory species or groups make up 75% of stand**

<table>
<thead>
<tr>
<th><strong>Tree Size</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Seedlings 0 - 0.9in</td>
</tr>
<tr>
<td>2 Saplings 1.0 - 4.4in</td>
</tr>
<tr>
<td>3 Poles 4.5 - 8.0in</td>
</tr>
<tr>
<td>4 Small Saw 8.1 - 12.0in</td>
</tr>
<tr>
<td>5 Large Saw &gt;12in</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Tree Height (total)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 0-15ft</td>
</tr>
<tr>
<td>2 - 16-30ft</td>
</tr>
<tr>
<td>3 - 31-60ft</td>
</tr>
<tr>
<td>4 - &gt;60ft</td>
</tr>
</tbody>
</table>

**Sample Type:** WPTH3B3 = 75% of overstory composition is white pine and tolerant hardwood with a total height of 31 to 60 feet, between 61 and 80% crown closure and pole size in average diameter.
Appendices
Appendix 1
Lot Location and History

The Town Forest is located at the corner of Tuttle Road and Drowne road in the Town of Cumberland, Maine. The property was donated in 1891 by Elizabeth Drowne and was one of the original colonial Proprietor's Lots. The lot was once entirely forested but portions have been carved out over the past decades. Most notably are former town landfill (now capped), the former Drowne road school, and more recently baseball fields and the current municipal offices located on Tuttle road. The balance of the property or about 67 is currently forested.

A forester by the name of Earnest A. Rand was in charge of stewardship of the property during the early part of the 20th centuries. During his tenure, he established several softwood plantations on the property including some of the chic European softwoods like Scotch (Scotch) Pine and Norway spruce. The property has seen only light forest management since with a thinning in the 1960's in the southern half of the ownership and then again in the late 1980's in the northern portion nearest Tuttle Road. Evidence of additional past forest management activities exists throughout the property in the form of old skid trails and healed logging damage.

There are two access points for the property. The first is from the municipal building parking area and is for foot traffic only. Any harvest operation would need to consider coming in from the second access point at the end of Drowne road. There is evidence of an old log landing just off of the paved road although this area is currently very wet and would need to be accessed in during frozen conditions.
Appendix 2
Soils

Soil Characteristics (from the USDA Soil Survey; Cumberland County, Maine)

There are several soils types that influence the vegetative characteristics, productivity, operability, and habitat available on the Town Forest. In some instances the forest types mirror a particular soil type, while elsewhere a particular forest type spans several different soils. For that reason, I will consider soils here separately. Please refer to the included soils map for a better understanding of the location and distribution of the soils that make up the Town Forest. The list of soils found on the Town Forest is as follows and is ranked in order of relative abundance:

- Sn, Scantic silt loam
- BuB, Buxton silt loam, 3 to 8 percent slopes
- EmB, Elmwood fine sandy loam, 0 to 8 percent slopes
- BuC2, Buxton silt loam, 8 to 15 percent slopes, eroded
- WmB, Windsor loamy sand, 0 to 8 percent slopes
- HnC, Hinckley-Suffield complex, 8 to 15 percent slopes
- Minor components (1 acre or less in size):
  - BgB, Belgrade very fine sandy loam, 0 to 8 percent slopes

I will provide some further details on the most abundant types as described by Natural Resource Conservation Service. These details can be somewhat technical, but should shed some light on where to focus treatments, as well as seasonality and timing. They also shed light on composition and allow us to know if we are growing the right trees on a particular acre.

**Map unit:** BgB - Belgrade very fine sandy loam, 0 to 8 percent slopes

**Component:** Belgrade (85%)

*The Belgrade component makes up 85 percent of the map unit. Slopes are 0 to 8 percent. This component is on lakebeds on lake plains. The parent material consists of coarse-silty glaciolacustrine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 24 inches during January, February, March, April, May, November, December. Organic matter content in the surface horizon is about 4 percent. Nonirrigated land capability classification is 2e. This soil does not meet hydric criteria.*

**Map unit:** BuB - Buxton silt loam, 3 to 8 percent slopes

23
Component: Buxton (87%)

The Buxton component makes up 87 percent of the map unit. Slopes are 3 to 8 percent. This component is on coastal plains. The parent material consists of glaciolacustrine deposits derived from siltstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat poorly drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 12 inches during January, February, March, April, May, June, November, December. Organic matter content in the surface horizon is about 6 percent. Nonirrigated land capability classification is 3w. This soil does not meet hydric criteria.

Map unit: BuC2 - Buxton silt loam, 8 to 15 percent slopes, eroded

Component: Buxton (90%)

The Buxton component makes up 90 percent of the map unit. Slopes are 8 to 15 percent. This component is on coastal plains. The parent material consists of glaciolacustrine deposits derived from siltstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 24 inches during January, February, March, April, May, November, December. Organic matter content in the surface horizon is about 6 percent. Nonirrigated land capability classification is 4e. This soil does not meet hydric criteria.

Map unit: EmB - Elmwood fine sandy loam, 0 to 8 percent slopes

Component: Elmwood (88%)

The Elmwood component makes up 88 percent of the map unit. Slopes are 0 to 8 percent. This component is on stream terraces on river valleys. The parent material consists of coarse-loamy glaciolacustrine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 27 inches during January, February, March, April, May, November, December. Organic matter content in the surface horizon is about 5 percent. Nonirrigated land capability classification is 2w. This soil does not meet hydric criteria.

Map unit: HnC - Hinckley-Suffield complex, 8 to 15 percent slopes

Component: Hinckley (60%)

The Hinckley component makes up 60 percent of the map unit. Slopes are 8 to 15 percent. This component is on outwash terraces. The parent material consists of sandy-skeletal glaciofluvial deposits derived from granite and gneiss. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is very low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 4 percent. Nonirrigated land capability classification is 4e. This soil does not meet hydric criteria.
Component: Suffield (25%)

The Suffield component makes up 25 percent of the map unit. Slopes are 8 to 15 percent. This component is on coastal plains. The parent material consists of fine glaciolacustrine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 24 inches during January, February, March, April, May, November, December. Organic matter content in the surface horizon is about 6 percent. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Map unit: Sn - Scantic silt loam

Component: Scantic (85%)

The Scantic component makes up 85 percent of the map unit. Slopes are 0 to 3 percent. This component is on coastal plains. The parent material consists of fine glaciolacustrine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is very low. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 6 inches during January, February, March, April, May, June, October, November, December. Organic matter content in the surface horizon is about 6 percent. Nonirrigated land capability classification is 4w. This soil meets hydric criteria.

Map unit: WmB - Windsor loamy sand, 0 to 8 percent slopes

Component: Windsor (85%)

The Windsor component makes up 85 percent of the map unit. Slopes are 0 to 8 percent. This component is on outwash terraces. The parent material consists of sandy glaciofluvial deposits derived from granite and gneiss. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 4 percent. Nonirrigated land capability classification is 3s. This soil does not meet hydric criteria.
### Forestland Productivity

**Cumberland County and Part of Oxford County, Maine**

#### Potential productivity

<table>
<thead>
<tr>
<th>Map symbol and soil name</th>
<th>Common trees</th>
<th>Site index</th>
<th>Cu ft/ac</th>
<th>Trees to manage</th>
</tr>
</thead>
<tbody>
<tr>
<td>BgB:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Belgrade</td>
<td>Eastern white pine</td>
<td>75</td>
<td>172</td>
<td>Eastern white pine, European larch,</td>
</tr>
<tr>
<td></td>
<td>Northern red oak</td>
<td>70</td>
<td>57</td>
<td>Norway spruce, White spruce</td>
</tr>
<tr>
<td></td>
<td>Sugar maple</td>
<td>65</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>BuB:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buxton</td>
<td>Balsam fir</td>
<td>55</td>
<td>114</td>
<td>Black spruce, Eastern arborvitae,</td>
</tr>
<tr>
<td></td>
<td>Eastern white pine</td>
<td>65</td>
<td>114</td>
<td>Eastern white pine</td>
</tr>
<tr>
<td></td>
<td>Paper birch</td>
<td>58</td>
<td>57</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Red maple</td>
<td>58</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Red spruce</td>
<td>45</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sugar maple</td>
<td>50</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td></td>
<td>White spruce</td>
<td>55</td>
<td>129</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yellow birch</td>
<td>50</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>BuC2:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buxton</td>
<td>Balsam fir</td>
<td>55</td>
<td>114</td>
<td>Eastern white pine, White spruce</td>
</tr>
<tr>
<td></td>
<td>Eastern white pine</td>
<td>62</td>
<td>114</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Northern red oak</td>
<td>60</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Paper birch</td>
<td>57</td>
<td>57</td>
<td></td>
</tr>
<tr>
<td></td>
<td>White spruce</td>
<td>55</td>
<td>129</td>
<td></td>
</tr>
<tr>
<td>EmB:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elmwood</td>
<td>Eastern white pine</td>
<td>66</td>
<td>114</td>
<td>Eastern white pine, European larch,</td>
</tr>
<tr>
<td></td>
<td>Northern red oak</td>
<td>70</td>
<td>57</td>
<td>Red pine, White spruce</td>
</tr>
<tr>
<td></td>
<td>Sugar maple</td>
<td>62</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td>HnC:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hinckley</td>
<td>Eastern white pine</td>
<td>62</td>
<td>114</td>
<td>Eastern white pine, European larch,</td>
</tr>
<tr>
<td></td>
<td>Red pine</td>
<td>52</td>
<td>86</td>
<td>Red pine</td>
</tr>
<tr>
<td></td>
<td>Red spruce</td>
<td>39</td>
<td>86</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sugar maple</td>
<td>61</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td></td>
<td>White spruce</td>
<td>52</td>
<td>114</td>
<td></td>
</tr>
<tr>
<td>Scantic</td>
<td>Balsam fir</td>
<td>60</td>
<td>114</td>
<td>Balsam fir, Black spruce, Eastern arborvitae,</td>
</tr>
<tr>
<td></td>
<td>Eastern white pine</td>
<td>58</td>
<td>100</td>
<td>Eastern white pine, Red spruce, Tamarack, White spruce</td>
</tr>
<tr>
<td></td>
<td>Red maple</td>
<td>55</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td></td>
<td>White ash</td>
<td>67</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td></td>
<td>White spruce</td>
<td>60</td>
<td>143</td>
<td></td>
</tr>
<tr>
<td>WmB:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Windsor</td>
<td>American beech</td>
<td>---</td>
<td>0</td>
<td>Eastern white pine, European larch,</td>
</tr>
<tr>
<td></td>
<td>Eastern hemlock</td>
<td>---</td>
<td>0</td>
<td>Red pine</td>
</tr>
<tr>
<td></td>
<td>Eastern white pine</td>
<td>66</td>
<td>114</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sugar maple</td>
<td>61</td>
<td>43</td>
<td></td>
</tr>
</tbody>
</table>
## Appendix 3
### Inventory Summary

<table>
<thead>
<tr>
<th>Species</th>
<th>Veneer (Mbf) (1/4&quot; Int.)</th>
<th>Sawlog (Mbf) (1/4&quot; Int.)</th>
<th>Pallet (Mbf)</th>
<th>Pulpwood (Cords)</th>
<th>Total Cords</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Softwood</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eastern White Pine</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>518</td>
<td>21%</td>
</tr>
<tr>
<td>Eastern Hemlock</td>
<td>-</td>
<td>142</td>
<td>-</td>
<td>-</td>
<td>454</td>
<td>15%</td>
</tr>
<tr>
<td>Red Pine</td>
<td>-</td>
<td>83</td>
<td>-</td>
<td>-</td>
<td>314</td>
<td>13%</td>
</tr>
<tr>
<td>Norway Spruce</td>
<td>-</td>
<td>-</td>
<td>89</td>
<td>-</td>
<td>153</td>
<td>6%</td>
</tr>
<tr>
<td>Sootho Pine</td>
<td>-</td>
<td>-</td>
<td>24</td>
<td>-</td>
<td>65</td>
<td>3%</td>
</tr>
<tr>
<td>Red Spruce</td>
<td>-</td>
<td>21</td>
<td>-</td>
<td>-</td>
<td>62</td>
<td>3%</td>
</tr>
<tr>
<td>Balsam Fir</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>9</td>
<td>0%</td>
</tr>
<tr>
<td>Tamarack</td>
<td>-</td>
<td>2</td>
<td>2</td>
<td>-</td>
<td>8</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Softwood Volume</strong></td>
<td>-</td>
<td>393</td>
<td>907</td>
<td>-</td>
<td>1,580</td>
<td>65%</td>
</tr>
<tr>
<td><strong>Hardwood</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Red Maple</td>
<td>-</td>
<td>88</td>
<td>338</td>
<td>-</td>
<td>463</td>
<td>10%</td>
</tr>
<tr>
<td>Bigtooth Aspen</td>
<td>-</td>
<td>28</td>
<td>-</td>
<td>63</td>
<td>111</td>
<td>5%</td>
</tr>
<tr>
<td>Northern Red Oak</td>
<td>-</td>
<td>20</td>
<td>-</td>
<td>51</td>
<td>98</td>
<td>4%</td>
</tr>
<tr>
<td>White Ash</td>
<td>-</td>
<td>9</td>
<td>28</td>
<td>-</td>
<td>43</td>
<td>2%</td>
</tr>
<tr>
<td>Paper Birch</td>
<td>-</td>
<td>6</td>
<td>21</td>
<td>-</td>
<td>31</td>
<td>1%</td>
</tr>
<tr>
<td>Black Cherry</td>
<td>-</td>
<td>8</td>
<td>-</td>
<td>12</td>
<td>23</td>
<td>1%</td>
</tr>
<tr>
<td>Black Ash</td>
<td>-</td>
<td>4</td>
<td>-</td>
<td>13</td>
<td>21</td>
<td>1%</td>
</tr>
<tr>
<td>Quaking Aspen</td>
<td>-</td>
<td>2</td>
<td>11</td>
<td>-</td>
<td>15</td>
<td>1%</td>
</tr>
<tr>
<td>Yellow Birch</td>
<td>-</td>
<td>2</td>
<td>-</td>
<td>8</td>
<td>11</td>
<td>0%</td>
</tr>
<tr>
<td>Sugar Maple</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>11</td>
<td>11</td>
<td>0%</td>
</tr>
<tr>
<td>Gray Birch</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>6</td>
<td>6</td>
<td>0%</td>
</tr>
<tr>
<td>American Elm</td>
<td>-</td>
<td>1</td>
<td>3</td>
<td>-</td>
<td>5</td>
<td>0%</td>
</tr>
<tr>
<td>Hophornbean</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>4</td>
<td>4</td>
<td>0%</td>
</tr>
<tr>
<td><strong>Hardwood Volume</strong></td>
<td>-</td>
<td>157</td>
<td>568</td>
<td>-</td>
<td>841</td>
<td>35%</td>
</tr>
<tr>
<td>Total Volume</td>
<td>-</td>
<td>550</td>
<td>1,476</td>
<td>-</td>
<td>2,421</td>
<td>-</td>
</tr>
<tr>
<td>Total Volume (Cords)</td>
<td>-</td>
<td>945</td>
<td>1,476</td>
<td>-</td>
<td>2,421</td>
<td>0%</td>
</tr>
<tr>
<td>% of Total Cord Volume</td>
<td>0%</td>
<td>35%</td>
<td>0%</td>
<td>61%</td>
<td>100%</td>
<td>-</td>
</tr>
<tr>
<td>Cords/Forest. Acre</td>
<td>-</td>
<td>14</td>
<td>22</td>
<td>-</td>
<td>36</td>
<td>-</td>
</tr>
<tr>
<td>Cords/Total Acre</td>
<td>-</td>
<td>10</td>
<td>15</td>
<td>-</td>
<td>25</td>
<td>-</td>
</tr>
</tbody>
</table>

**Basal Area/Acre** 158  +/- 11% at 90% CI

**Average Merchantable DBH** 10

**# of 15 BAF Plots** 46

1 Volumes based upon summer 2011 inventory cruise by Integrated Forest Management. Inventory volume data comprised from 46 plots, and resulted in a Standard Error of +/- 18% at 90% CI for all sawlog volume, and +/- 12% for total volume, all products combined.
May 4, 2011

Aaron Drake
adrake@rfinigt.com

Re: Forest Management Plan Review

Dear Mr. Drake:

In response to your request received on May 6, 2011, I have searched our data system for information on rare or unique botanical features, rare animal populations, and essential or significant wildlife habitats in the vicinity of the property on Tuttle Rd. in Cumberland.

For individual parcel reviews, we use a simple checklist that summarizes our findings. The enclosed checklist includes our review of several data sets, some of which are maintained by MNAP and others that are maintained by the Maine Department of Inland Fisheries and Wildlife (MDIFW), and the U.S. Fish and Wildlife Service (USFWS). If a parcel intersects with a data set maintained by MDIFW or USFWS, please contact the appropriate biologist indicated on the checklist for additional information.

This property contains habitat for the New England Cottontail, an endangered species in the state of Maine.

Thank you for using the MNAP in the forest management planning process. If you have questions about the MNAP, or if you would like more information about this site, please feel free to contact me. You can also visit us on the web at http://www.maine.gov/doc/inr/nm/mnap/.

Sincerely,

Shannon Scott
Assistant Ecologist
Maine Natural Areas Program
17 Elkins Lane, 93 State House Station, Augusta, ME 04333
maine.nap@maine.gov
Phone: (207) 287-8044, Fax: (207) 287-8040

Enclosure
cc: Scott Lindsay, MDIFW Biologist
## Forest Management Plan Review

**Forester:** Aaron Drake  
**Landowner:**  
**Lot Name:** Tuttle Rd. property  
**Town:** Cumberland  
**County:** Cumberland  
**MDIFW Region:** A  

### PLANT, ANIMAL, AND HABITATS

<table>
<thead>
<tr>
<th>Category</th>
<th>YES</th>
<th>NO</th>
<th>Contact the following biologist to discuss conservation considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plants: rare, threatened and/or endangered</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, see attached summary table.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural Communities: rare and/or exemplary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, see attached summary table.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animals: rare, threatened, or endangered</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, see attached summary table.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mapped Essential Wildlife Habitats:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roseate tern</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Piping plover and Least tern</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mapped Significant Wildlife Habitats:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deer wintering area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inland waterfowl and wading bird habitat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tidal waterfowl and wading bird habitat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Significant vernal pool</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shorebird roosting area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wild brook trout habitat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Atlantic Salmon:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salmon watershed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salmon habitat: General</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rearing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spawning</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canada lynx: Does the site occur within a town which may provide habitat for lynx?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### LANDSCAPE CONTEXT

<table>
<thead>
<tr>
<th>Question</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does parcel intersect with a Beginning with Habitat Focus Area?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Focus Area Name:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the parcel adjacent to state-owned land?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ownership type: Fee, Easement, Area Name</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the parcel within an area identified by MNAP as a potential inventory site for undocumented rare plants or exemplary natural communities? If so, MNAP will contact the landowner for permission prior to any inventory work.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Review completed by: JRS  
Date: 5/6/2011  
MNAP #: 2011_05_06_JS_01
### Summary Table: Plants, natural communities, and animals documented to occur at the site

<table>
<thead>
<tr>
<th>Feature Name</th>
<th>Last Seen</th>
<th>State Status</th>
<th>State Rank</th>
<th>Global Rank</th>
<th>EO Rank</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>New England Cottontail (Sylvilagus transitionalis)</td>
<td>12/27/2000</td>
<td>E</td>
<td>S2</td>
<td>G3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* State Status
  - **E**: Endangered; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
  - **T**: Threatened; Rare and, with further decline, could become endangered; or federally listed as Threatened.
  - **SC**: Special concern; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered (non-legal status).

* State Rank (State Rarity Rank)
  - **S1**: Critically imperiled in Maine because of extreme rarity or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
  - **S2**: Imperiled in Maine because of rarity or because of other factors making it vulnerable to further decline.
  - **S3**: Rare in Maine.
  - **S4**: Apparently secure in Maine.
  - **S5**: Demonstrably secure in Maine.
  - **SU**: Under consideration for assigning rarity status; more information needed.
  - **SNR**: Not yet ranked.
  - **SNA**: Rank not applicable.
  - **S**?: Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

* Global Rank (Global Rarity Rank)
  - **G1**: Critically imperiled globally because of extreme rarity or because some aspect of its biology makes it especially vulnerable to extinction.
  - **G2**: Globally imperiled because of rarity or because of other factors making it vulnerable to further decline.
  - **G3**: Globally rare.
  - **G4**: Apparently secure globally.
  - **G5**: Demonstrably secure globally.
  - **GNR**: Not yet ranked.

* EO Rank (Element Occurrence Rank)
  - Ranks range from A-E, where A indicates an excellent example of the community or population and D indicates a poor example of the community or population. A rank of E indicates that the community or population is extant but there is not enough data to assign a quality rank.
Disappearing rabbit trick
Why would a rabbit, the epitome of prolific breeding, be considered for protection under the Endangered Species Act? The New England cottontail is in just this predicament. Its population numbers are declining. As recently as 1960, New England cottontails were found east of the Hudson River in New York, across all of Connecticut, Rhode Island and Massachusetts, north to southern Vermont and New Hampshire, and into southern Maine. Today, this rabbit’s range has shrunk by more than 75 percent. Its numbers are so greatly diminished that it can no longer be found in Vermont and has been reduced to only five smaller populations throughout its historic range.

Where the bunnies are
The New England cottontail prefers early successional forests, often called thickets, with thick and tangled vegetation. These young forests are generally less than 25 years old. Once large trees grow in a stand, the shrub layer tends to thin, creating habitat that the New England cottontail no longer finds suitable.

Active at dawn and at dusk or night, the New England cottontail feeds on grasses and plant leaves in spring and summer and eats bark and twigs in winter. Home ranges vary from one-half to 8 acres, with adult males having larger home ranges than females. Research has shown that New England cottontails on patches of habitat larger than 12 acres are healthier than those on patches less than 7 acres. Presumably, rabbits on small patches of habitat deplete their food supply sooner and have to eat lower quality food, or may need to search for food in areas where there is more risk of being killed by a predator.

Why are their numbers declining?
Biologists believe the reduced extent of thicket habitat is the primary reason for the decline in numbers and range of New England cottontails. Prior to European settlement, New England cottontails were probably found along river valleys where floods and beavers created the disturbances needed to generate its preferred habitat. Forest insect outbreaks, large storms like hurricanes and ice storms, and wild fire also created disturbances in the forest that promoted thicket growth. During colonial times, much of the New England forest was cleared for agriculture and then subsequently abandoned during the early 1900s. This abandoned farmland allowed for a great deal of early successional habitats to develop. Today, these habitats are aging while others have been developed and are no longer suitable for the New England cottontail.

The introduction of exotic invasive species, such as multiflora rose, honeysuckle bush and autumn olive, in the last century has changed the type of habitat available to New England cottontails. These plants form the major component of many patches where cottontails can be found. It may be that stands dominated by non-native species do not provide rabbits with the food resources that native plant species do.

Today white-tailed deer are found in extremely high densities throughout the range of New England cottontails. Deer not only eat many of the same plants but also affect the structure and density of many understory plants that provide thicket habitat for New England cottontails.
Introduced competitor
In the early 1900s until the 1980s, hunting clubs and some eastern states introduced another species of rabbit, the eastern cottontail, into New England. Eastern cottontails appear able to thrive in a greater variety of habitats than New England cottontails through its ability to detect predators sooner. This helps eastern cottontails forage more safely in relatively open cover, while New England cottontails risk predation whenever they leave the security of their dense thicker habitats. The slightly better ability to avoid predators enables eastern cottontails to live in more diverse habitats, such as fields, farms and forest edges, and they are gradually replacing New England cottontails in many habitat patches.

Identity is more than skin deep
It is nearly impossible to distinguish a New England cottontail from an eastern cottontail by looking at them. The minor differences of ear length, body mass, and presence or absence of a black spot between the ears and a black line on the front of each ear are subtle enough to be missed and are not 100 percent accurate. Scientists used to rely on examining the rabbits' skulls for positive identification, but now use DNA analysis of fecal pellets. Since rabbits drop fecal material all around their territory, the extracted DNA from pellets collected throughout the region can provide a picture of where the New England cottontail is found.

Helping the cottontail
The New England cottontail is the subject of research and habitat management in New York and the New England states. Halting the decline of scrub and brushland habitat is paramount, as is identifying potential habitat free of competing eastern cottontail to which New England cottontails could be restored. The U.S. Fish and Wildlife Service shares the concern for the future of New England's only native cottontail. Working together, states and federal agencies may help improve the chances of survival for the New England cottontail.

Northeast Region
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA 01035
413/253 8200
http://northeast.fws.gov

Federal Relay Service for the deaf and hard-of-hearing
1 800/877 8339

U.S. Fish & Wildlife Service
1 800/344 WILD
http://www.fws.gov

August 2006

35
Appendix 5
Maine Historical Preservation Commission Review
ARCHAEOLOGY AND HISTORIC RESOURCES REVIEW
FORESTRY PLAN

MHPG #  F104-11  Date Received  5/11/2011
Township  CUMBERLAND  Forester  INTEGRATED FOREST MANAGEMENT
Parcel  CUMBERLAND TOWN FOREST; TUTTLE RD

*****This worksheet was completed for informational purposes only*****

Prehistoric (Native American) Archaeology (for further information: arthur.spiess@maine.gov)
☒ No prehistoric archaeological sites known. Based on location, soils and topography, none are expected.
☐ No prehistoric archaeological sites known because no survey has been conducted. However, the following area is archaeologically sensitive:

☐ The property includes known sites of archaeological importance. (See attached info)

Historic Archaeology (e.g. 1800s farms, etc.) (for further information: leith.smith@maine.gov)
☒ No sites are known, and none are expected (based on historic maps and documents); ☐ ☐
☒ There are possible sites from former houses, barns, and outbuildings shown on maps from 1850 to 1920, now possibly recognizable as foundations or cellar holes. (See attached map.)
☐ The property contains known sites of archaeological importance. (See attached info)

Historic Buildings or Structures (for further information: robin.stancampiano@maine.gov)
☐ No historic buildings or structures are known or expected on the property (based on 7.5' USGS topographic maps and MHPG records).
☒ Buildings or structures may exist on the property that have not been evaluated for National Register eligibility. Our office will provide an assessment if a request letter, photos of any buildings over fifty years of age that are on the subject parcel, and a 7.5' USGS topographic map with all photos keyed to it are submitted to our office.
☒ Buildings or structures exist on the property that are either listed in or eligible for nomination to the National Register of Historic Places. (See attached info)

The information on this worksheet is being provided for Forestry Management Planning purposes only.

If any construction or ground disturbing activities on these properties will utilize federal funding, permitting or licensing, initiation of Section 106 review with the Maine Historic Preservation Commission is required pursuant to the National Historic Preservation Act of 1966.
Appendix 6
Wildlife Habitat and Biodiversity

This section contains a series of broad-based management ideas, principles and philosophies regarding the management of woodlands for the preservation or enhancement of biodiversity. Species biodiversity pertains to the broad array of organisms found throughout our forests from the smallest single celled types to the largest mammals. In managing a diverse forest structure, we inherently manage for a diverse wildlife population creating a healthy ecosystem that offers a wide array of habitats.

These principles are not site specific instructions on how to manage the forest, but concepts that, if applied appropriately and with proper planning, will enhance the long-term diversity, health and richness of the forests we manage. The application of these principles will also vary greatly with landowner objectives. These ideas are adapted from Biodiversity in the Forests of Maine: Guidelines for Land Management (Fratebo, Foss & Pelletier, 1999), and a more thorough explanation of these practices and their rationale may be found there.

As each of these topics pertains to this particular woodlot, a brief narrative follows each section describing whether or not field observations confirm the adequacy of said concepts. These narratives can be found in red following each topic.

Vertical Structure and Crown Closure

Diversity in vertical structure provides an integrated habitat from the forest floor to the canopy for a wide variety of species. Additionally, openings in the canopy regulate light, heat, and other variables throughout the forest further adding to the range of microclimates key to maintaining and enhancing species biodiversity in a stand. Bearing these principles in mind, the following guidelines will help create and/or maintain a vertical structure during forest management activities that will, in turn, help promote a diverse forest.

- When harvesting, attempt to thin trees from all layers of the strata. Maintain a healthy herb, shrub, understory and overstory structure for maximum richness whenever possible.
- Retain tress of differing species, size and age, balancing each group appropriately throughout the stand.
- Promote softwood areas in hardwood stands and vice versa.
- Encourage varying vertical structure at the landscape level as well as the stand level to ensure a diverse structure beyond the immediate area.

CURRENTLY ADEQUATE
Native Tree Species Composition

Recognizing that differing habitats exist within and around different tree species, it is important to maintain healthy tree diversity throughout a stand. Furthermore, recognizing the native species composition and its influence on the characteristics of the whole forest is essential to maintaining and promoting rich, healthy forest stands. To help promote these ideas:

✓ Rare or uncommon species should be identified and retained in stands where they are found. Additionally, make conditions more suitable for their regeneration where appropriate.
✓ Avoid converting stands from their natural composition and age structure or eliminating any species from a stand where it is found.
✓ Naturally uniform stands occurring because of soil or site conditions may be valuable to maintain over the landscape.

Currently adequate. However, the plantations contain non-native tree species and natural regeneration should be considered during the next rotation. Also, any trees at the northern edge of their range should be retained. For instance, the shagbark hickory present in stand 1.

Downed Woody Material, Snags and Cavity Trees

Standing and downed woody material provides essential habitat for many of our smaller plants and animals including insects, mosses, lichens and liverworts to name a few. Additionally, downed woody debris, snags and cavity trees provide a special area for hundreds of species to rest, nest, den, forage, perch, display and bask. The breakdown of woody material provides nutrients to the soil and aquatic component of the forest as well as serving as important function in the structure of streams and brooks. The following guidelines can help to promote downed woody debris, snags and cavity trees during management activities.

✓ Allow downed woody material to remain on site following harvesting. Also avoid damaging existing downed woody debris.
✓ Logs greater than 12in diameter and 6ft in length are especially rare and should be left or possibly created wherever practical.
✓ Snags should be left where possible, especially those currently being used as nesting or den sites. Also leave trees that will become snags and consider leaving a retention area around snags and potential snags.

Currently adequate: Consider leaving larger woody debris throughout harvesting operations, especially if whole tree chipping is chosen.
Mast

Mast, defined as nuts, seeds, berries or fruit produced by trees, plants or shrubs, is a critical food source for many wildlife species. Of particular value is what is known as hard mast; highly nutritional nuts produced by about 16 of Maine’s trees. In order to promote species diversity it is critical to maintain plants that produce the wide range of food source these creatures depend on. To promote the production of mast in forest stands:

✓ Promote a variety of mast producing trees and shrubs in stands as they are managed to create an equal variety of actual mast.
✓ Oak and Beech are the most common mast producers and mature trees should be retained during thinnings to continue mast production. Select healthy trees to leave as they will likely produce healthy, mast producing offspring in the future.
✓ Black cherry and apple trees are rare and should be managed carefully to encourage the production of fruit and potentially offspring.
✓ Small openings to encourage pin cherry, raspberry and a productive herb layer are a good idea.

Red oak, beech and black cherry found throughout the lot. Retain healthy black cherry and mature oaks as well as beech. CURRENTLY ADEQUATE

Forest Soil, Forest Floor and Site Productivity

Soil health is the keystone to ensuring a healthy and productive forest. Recognizing soil types, drainage characteristics and subsurface biological activities will help to understand site productivity as well as guide management to enhance or preserve soil health. We must recognize that more fertile soils will generally lend to a more diverse forest (at all vertical levels) while more infertile soils may harbor rarer species. Some guidelines to help protect soil quality, quantity and productivity are listed below. Additionally please refer to the “Soil Characteristics” section of this management plan for a more detailed analysis of soils and soil types found on these lots. Additionally, note the connection between soils management and Best Management Practices.

✓ Understand soil types and conditions on site through inspections and soil maps.
✓ Promote the appropriate harvesting equipment for soil conditions and time of year for all harvests. For instance, more poorly drained soils should be harvested during frozen conditions to avoid rutting, compaction and general disturbance.
✓ Use current harvesting technology to protect the organic layer and reduce mineral soil exposure whenever practical.
✓ Consider leaving brush and slash on-site, especially on less productive soils.
✓ Avoid conditions that lead to erosion or potential erosion (like rutting or skidding long distances parallel with grades) over the entire site.
Soil types promote good site indices for species currently present. Ensure harvest timing and equipment used is appropriate for site conditions.

The following considerations refer to site-specific conditions where “Special Habitats and Ecosystems make unique contributions to biodiversity.”

Riparian and Stream Ecosystems

Riparian areas are some of the most productive and species rich areas in the landscape. They serve to buffer aquatic plants and animals from disturbance and well as offer protection to wetlands and water quality. To ensure the function and integrity of riparian areas is protected:

✓ Establish buffer areas around streams, ponds, lakes and wetlands where limited harvesting maintains more continuous forest cover. This helps promote shade for forest streams as well as ensuring a supply of organic matter into water bodies essential to aquatic food chains. Additionally, these buffer areas will serve as filter strips protecting water quality and wetland health.

✓ Buffer strips should vary in size and take into account the size and structure of the riparian area.

✓ Stream and wetland crossings should be limited to as few as possible. Use careful harvest layout to establish this and use Best Management Practices before, during and following harvesting activities to ensure the least possible impact.

✓ Avoid disturbing the mineral soils wherever possible in these areas.

Riparian areas are present on this woodlot and the above recommendations should be followed during timber harvesting.

Vernal Pools

Vernal pools qualify as a significant habitat as they are essential to the reproduction of several types of amphibians, reptiles and invertebrates. These pools further add to biodiversity by providing foraging habitat for a number of animal species. Recommendations to support vernal pool habitats and the pools themselves include:

✓ Identify and document vernal pools in the spring when they contain water and wildlife. The presence of indicator species (tree frogs, yellow spotted salamander etc.) helps to identify and differentiate vernal pools from other aquatic ecosystems.

✓ Maintain a buffer around the pool with a deep litter layer, plenty of downed woody material and shade in and around the pool itself.
✓ Avoid depositing slash and other logging debris in the pool, disturbing the organic layer and water flow systems of the pool and disturbing the pool floor or depression.

None observed or documented to be on-site. Keep a lookout for these habitats during additional scouting or layout activities.

**Beaver Influenced Ecosystems**

Flowages created by beavers are home to a great variety of plant and animal diversity. The natural cycle or progression of these systems is in itself a diverse ecosystem as it changes from newly formed ponds, to meadow to forested wetland and beyond. To help protect, maintain or even encourage beaver habitat and ecosystems:

✓ Determine the limits of acceptable flooding within a watershed based on historical activity and outline potential sites that may be more acceptable for both Beaver and the landowner.
✓ Use water control devises to control flooding where excessive tree mortality or road damage may become a concern.
✓ Design and construct new roads and plan other management activities away from potential flood areas.

Maine’s Department of Inland Fisheries and Wildlife is an excellent source of information for Beaver control and mitigation.

None observed or documented to be on-site.

**Woodland Seeps and Springs**

Seeps and springs can provide a unique feature and are valuable to many species of wildlife in several ways. Areas that remain unfrozen in the winter provide a water source for many animals and may serve as a hibernation area for small amphibians. Additionally, these areas may allow for green vegetation earlier in the spring as well as support insect and invertebrate populations important to mammals and migrating birds.

✓ Identify seeps and springs in the spring or early summer when they are more apparent and easier to differentiate.
✓ Maintain a 50-ft buffer to limit equipment around the edge of seeps and springs wherever possible.
✓ Avoid depositing brush and slash in seeps and springs
✓ Consider using seeps and springs as the focal point of retention areas and further limiting disturbance to the subsurface flow to the extent.
These features are present on this woodlot and the above recommendations should be followed during timber harvesting.

Nesting Areas for Colonial Wading Birds

Maine is host to some eight species of tree-nesting colonial wading birds, seven of which are near or at their northern limit for breeding. These birds form an important link between terrestrial and aquatic ecosystems and represent a unique component of bird diversity. To help protect these populations:

- Map known locations of wading-bird colonies on stand maps and consult abutters and MDIFW biologists when working within 1500-ft of nests.
- Avoid human activity within 330-ft of active heron colonies during the breeding season.

This parcel does not have any area that intersects with the Maine Department of Inland Fisheries and Wildlife’s maps of Inland Wading-bird and Waterfowl habitat.

Deer Wintering Areas

Deer Wintering Areas (DWAs) are essential to the survival of white-tailed deer during the winter months of deep snow. These areas additionally provide important habitat to other species including fisher and over 40 bird species, five of which are rare or uncommon in Maine and 12 that require softwood forests.

- LURC maps and zoning maps are excellent sources for identifying current DWAs and should be used to identify these areas on the ground.
- Identify additional DWAs through scouting and cruising and designate them on stand maps.
- MDIFW biologists should be consulted when planning harvests in DWAs to help develop a collaborative plan that takes all needs and objectives into account.
- There are many considerations when harvesting in DWAs, including protecting softwood regeneration, protecting riparian travel corridors and leaving an intact softwood overstory through at least one-half the area of deer habitat.
- Schedule harvests in DWAs in the winter months whenever possible.

Not present according to MDIF&W files. Note that this area is not identified as a DWA but does see heavy seasonal traffic by white tailed deer and maintenance of their habitat should be considered during the next harvest.
Nest Sites for Woodland Raptors

There are several species of raptors that nest and breed in Maine, including hawks, owls, eagles, falcons and vultures. These birds are important members of the ecosystem and may have particular nesting needs within a forest for successful breeding. In order to help maintain suitable nesting sites across the forest and protect nesting pairs:

✓ Consult MDIFW for recent maps of bald eagle nest sites and further consult biologists with the department if planning forest management activities near bald eagle nests.
✓ Retain trees with large stick nests and inspect suitable trees (large white pine and some hardwoods) for additional nesting sites when cruising or scouting.
✓ Avoid forest management activities within a quarter-mile of known nesting raptors during the breeding season (February to July).
✓ Leave an uncut buffer of about 66-ft around known raptor nest trees and additionally, maintain about 75% crown closure within 200-ft of nests in closed canopy forests.
✓ Leave large "supercanopy" trees in clearcuts and along rivers and ponds as recruitment trees for future nest building.

None observed, but possible present. Keep a lookout for nests during scouting and layout activities.

Old Growth and Primary Forest

Old growth, primary and late successional forests offer a unique habitat that is not only uncommon, but important to many species of flora and fauna. A great deal of research has been done and continues to be done to understand the complex relationships that may occur in these areas and how they may differ from conditions in more managed stands. While defining an old growth stand may remain up for debate, some ideas to help identify and protect old growth, primary and late successional forests include:

✓ Use scouting and any old land records that may be available to help identify old growth areas on your ownership and consider a no-management option in areas that are identified on your land.
✓ Smaller stands with old growth conditions should be buffered with larger stands of mature forest wherever possible.
✓ Identify areas that may be good candidates for restoring old growth conditions. Areas near existing old growth stands are more likely to experience successful transition as species migrate.

None observed.

Rare Plants or Animal Sites
Plants and animals that occur rarely in Maine are intrinsically valuable to biological diversity. Areas where rare plants and animals occur should be considered for protection as they may be especially vulnerable to changes in the landscape. Helping to protect rare plant and animal communities starts with the ability to recognize and identify them.

- The MDIFW and MNAP are excellent sources of information to help identify sites where known rare plants and animals exist, and can further assist in developing management plans that may protect or enhance these areas.
- Become familiar with rare plants and animals to the extent possible and keep an eye out for them when scouting and cruising.

This parcel does intersect with potential habitat for New England Cottontail rabbits. The New England Cottontail is listed as “imperiled in Maine” (S2). See MNAP review as part of the management Plan for more information.

**Rare Natural Communities**

Maine has several natural community types that occur throughout the state. These communities are areas that represent defined criteria which make them unique in their own way. The Maine Natural Areas Program (MNAP) lists 10 closed-canopy (of 25) and 7 (of 9) partial-canopy community types as rare or very rare. Conservation at the community level helps preserve and protect all biological functions and interaction in that particular ecosystem, thus helping to preserve the natural biodiversity of the site.

- The MNAP is an excellent source of information in helping to identify these rare or uncommon natural communities as well as a source of maps depicting known communities on the ground.
- Become familiar with these rare community types and contact MNAP for management ideas and identification tips.

**NOTE:** This lot does not contain rare natural communities according to MNAP records. However, practitioners should be mindful of the indicator species while working on the property as the MNAP database is not all inclusive.

**Wildlife Habitat and Presence**

Forest types on this lot are not uncommon to the area and likely support an array of wildlife one would expect to find. This property is excellent habitat for white tailed deer and turkey with cover types ranging from dense mixed-woodlands to open field (the old landfill site). A complex array of wetland areas also forms unique habitat beneficial to deer as well woodcock and many other animals. The transitional, or edge, areas are considered important for many species of woodland raptors as they hunt small birds and mammals in the fields and forest edges. Owls, as well as coyotes and foxes may well use
these transitional zones for the same purposes. These edge habitats as well as fields and nearby building areas will support a vibrant population of small mammals critical to supporting the food chain.

The habitat diversity across the lot also attracts a large diversity of migratory songbirds. The wetland areas with thick vegetation provide good habitat for common yellowthroat, yellow warblers, northern waterthrush and possibly Canada warblers. The old landfill site is now a grassland area that would be preferred by bobolinks, meadowlarks and several species of sparrows. Interior forest stands attract birds that prefer more structure and diversity such as thrushes, northern parula, ovenbirds and black throated blue and green warblers. Lastly the ball-fields and landscaped portions nearer the building areas, one would expect to find phoebes (and other flycatchers), robins, catbirds, cardinals and various sparrows. Managing a forest for structural and species diversity should continue to offer these habitat types to a wide variety of birds.

The Maine Natural Areas Program has identified a significant portion of this parcel as potential habitat for the New England Cottontail rabbit. This species is considered imperiled in Maine, mainly due to a loss of early successional habitat across its range, which includes southern Maine. Most of the suitable habitat on the parcel that could be considered suitable (thick, brushy and early successional) is dominated by invasive species such as buckthorn and honeysuckle. Although suitable cover, this can actually cause increased problems for the cottontail as the cover is suitable, which attracts the animal, but does not provide the adapted food source. Although the cottontail is State Imperiled there are no state regulations regarding forest management for or around its potential range. Thus, managing for additional early successional habitat is purely one of choice. Dealing with the invasive species problems on the parcel may in itself, help improve overall habitat for the cottontail.

By following the recommendations made in the previous section while implementing prescriptions, this lot may continue to support a healthy forest with a broad wildlife offering.
Appendix 7
Integrated Pest Management Plan (IPM)

Field observations have confirmed the presence the following invasive upland plants:

- Japanese Barberry (*Berberis thunbergii*)
- Asiatic Bittersweet (*Celastrus orbiculata*)
- Shrubby Honeysuckle(s) (*Lonicera species*)
- Japanese Knotweed (*Fallopia japonica* or *Polygonum cuspidatum*)
- Phragmites (Common Reed) (*Phragmites australis*)
- Common buckthorn (*Rhamnus cathartica*) or glossy buckthorn (*Frangula alnus*)

Of those listed above the most established and problematic is that of common buckthorn (*Rhamnus cathartica*) or glossy buckthorn (*Frangula alnus*). Very similar to the Rines Forest infestations, this invasive shrub has completely taken over large portions of the understory, choking out all other species. The outbreaks seem to be associated both with soil condition (wet areas) and light treatment. Given the widespread nature of this infestation a significant, multi-measure control plan should be considered at this time. Currently, there are no known biological control measures available for buckthorn control as is the case for Purple Loosestrife.

The control plan should include a means of mechanically cutting the well established stems, some of which are 20' tall. Plants this tall cannot be adequately controlled, and increases the risk of applying chemicals off target, if a chemical approach is selected.

**IPM Action Plan**

- Mechanically remove as much buckthorn as possible as part of harvest plan (winter 2012)
- Treat by hand those stems that were missed during harvest (summer 2013)
- Chemically treat sprouts with a quality sub-contractor (fall 2013)
- Hand pull remaining individual (summer 2014)
- Monitor and hand pull, retreat chemically as needed (ongoing)

Please note that the IPM is a living document and will be completed in conjunction with an independent vegetation control expert.
Appendix 8
Definitions

Advance Regeneration:
Seedlings and saplings present in the understory.

Basal Area:
An estimate of the cross-sectional areas of trees at 4.5 feet above the ground.

Canopy/Overstory:
The uppermost layer of a forest (includes branches and leaves/needles). Trees with tops reaching into this layer are referred to as “canopy trees”.

Cohort:
a group of individuals or vital statistics about them having a statistical factor in common, such as age class. A group of trees developing after a single disturbance, commonly consisting of trees of similar age.

Conservation: Wise, disciplined and sustainable use of natural resources to meet the objectives of the landowner.

Epicormic Branching:
A type of branching that occurs when dormant buds embedded in the trunk of a tree are exposed to light conditions favorable to growth. Epicormic branches can reduce the commercial value of a tree by creating knots.

Even aged Stand:
A stand of trees composed of a single age class in which the range of tree ages is usually +/- 20 percent of rotation.

Forestland:
State of Maine def: land used primarily for growth of trees to be harvested for commercial use; may be seedlings, pole timber, or sawlog stands. Forestland does not include ledge, marsh, open swamp, bog, water and similar areas that are unsuitable for growing a forest product of for harvesting for commercial use even though these areas may exist within forestlands.

Hardwood Stand:
State of Maine def: forests in which maple, birch, beech, oak, elm, basswood, aspen and ash, singularly or in combination, comprise 75% or more of the stocking.

Mast:
The fruiting bodies of plants (e.g., nuts, acorns, and berries). A major source of food for many wildlife species.

**Mixedwood Stand:**
State of Maine def: forests in which neither hardwoods or softwoods comprise 75% of the stand but are a combination of both.

**Overstory (Overwood):** That portion of the trees forming the uppermost canopy in a two-aged forest.

**Preservation:** an area of the forest that will remain forever wild with not management at any time for any reason.

**Regeneration:**
The offspring of mature trees. Trees can be regenerated by seeding into an area, or new trees may sprout from existing stumps or root systems.

**Rotation:**
In even aged systems, the period between regeneration establishment and final cutting.

**Shelterwood System:** an *even aged* method of regenerating forest stands where the overstory is removed in intervals roughly 15 years apart.

Long shelterwood method- a forest is regenerated in three entries:

- First entry is designed to tend the stand, removing at risk and poorly formed trees. Crop trees are identified, retained, and thinned around to focus site resources on the best growing stock. This is a fairly light entry removing about 1/3 of the growing stock. The establishment of regeneration is not an objective.

- The Second Entry is designed to initiate regeneration by removing about ½ of the stand volume. This can be accomplished evenly throughout the stand, or in small groups that vary in size relative to the stand conditions and species composition.

- The last entry, some 15 or so years after the Second Entry, is designed to release the regeneration established during the second entry. This entry is often referred to as an overstory removal as the balance of the mature stand is harvested. Some overwood can be retained to facilitate habitat or structural objectives of the landowner.
Short Shelterwood method: a method whereby the forest is regenerated in two entries, basically the second entry, and overstory removal entry described above under Long shelterwood method.

Softwood Type:
State of Maine def: forests in which pine, spruce, fir, hemlock, cedar and larch, singularly or in combination, comprise 75% or more of the stocking.

Stand:
A contiguous area where the species, size, age, and general condition of the trees is uniform enough to be distinguished from adjacent areas (Beattie et al., 1993).

Stocking Chart/Guide:
Visual representation indicating growing space occupancy relative to a pre-established standard; showing basal area and number of trees per acre and quadratic mean stand diameter.

- **A-Line**: fully stocked condition; generally undisturbed stand.
- **B-Line**: target stocking after thinning; max. growth potential of residuals.
- **C-Line**: minimum stocking of stand.

Succession:
the gradual supplanting of one community of plants by another. **Early successional habitat** is the first community to become established after a disturbance.

Understory:
Generally the shrub layer beneath a taller layer (also includes regenerating trees).

Uneven aged Stand:
a stand with trees of three or more age distinct age classes, either intimately mixed or in small groups.

Uneven aged Management:
a planned sequence of treatments (single tree selection to group selection or a combination) designed to establish and maintain a forest stand with at least three distinct age classes.

- Single tree selection: individual trees of all size classes are removed more less uniformly throughout the stand to promote the growth of the remaining trees and to provide space for regeneration.
• Group Selection: trees are removed and new age classes are established in small groups.
ITEM 11-189

To authorize the Town Manager to enter into a lease and lease/purchase agreement for Val Halla equipment.
To: William Shane  
From: Alex Kimball  
Subject: Val Halla equipment leases  
Date: 11/27/2011  
CC: Toby Young

Attached are proposed lease documents and an explanation of these expenses from Toby Young, the Val Halla course superintendent. The course would like to enter into a lease purchase and a lease, both using 5 year payment options. The yearly payments from these purchases would take the place of the existing lease purchase agreement which expired in July of this year. The prior payment was $33,400, and the yearly payments from these new purchases are expected to be roughly $31,000, commencing July 1, 2012. The pieces of equipment are as follows, including deductions for the trade in of older equipment.

From Turf Products Corporation, lease purchased through Gorham Savings Bank:

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toro Reelmaster 5210 Fairway Mower</td>
<td>$40,172</td>
</tr>
<tr>
<td>Toro Sand Pro 5040 Bunker Rake</td>
<td>$22,159</td>
</tr>
<tr>
<td>Toro Pro Force Blower</td>
<td>$6,812</td>
</tr>
<tr>
<td>Toro Pro Sweep Debris Management System</td>
<td>$12,487</td>
</tr>
<tr>
<td>Foley Accu Spin Reel Grinder</td>
<td>$28,371</td>
</tr>
<tr>
<td><strong>Total Cost</strong></td>
<td><strong>$110,000</strong></td>
</tr>
</tbody>
</table>

From Club Car Enterprises:

2 Club Car Turf 1 and 3 Club Car 252 Electric Utility Vehicles $34,900

Using Gorham Leasing, the Turf Products equipment would get a 3.5% interest rate for 5 years, costing $24,063 each year, with the town owning the equipment at the end of the term. Club Car enterprises would lease the carts for $6,907 over 5 years. Given the rapid pace of change with electric vehicles and the usual wear on these carts, leasing appears a better option than purchasing. Between the two, the yearly cost will be $30,970. The lease from Club Car replaces 5 year old utility vehicles, and the lease purchase from TPC replaces much older equipment.

While allowing the leasing line in the Val Halla budget to lapse back to zero would certainly help the short-term profitability of the course, the town also can not afford to fall behind again on equipment purchases for this asset. A golf course requires a great deal of machinery to run...
effectively, and this machinery takes a beating. By continuing on with this leasing and lease purchase program for the next 5 years, the course can stay on top of their equipment needs, avoiding “catch-up” years in the future.
2011 New Equipment Purchase

Val Halla Golf Course

When choosing new equipment, we often find that we are not comparing apples to apples. While two or more companies may offer a similar product, they are usually vastly different in operation, quality and end results. A good example of this is our irrigation system. We compared both Rain Bird and Toro irrigation systems and while both irrigate, we found the way they irrigated was completely different. The two differed in system designs (one was AC and one was DC) and also the efficacy of the irrigation heads, the ease of maintenance and the flexibility of control.

There are two main issues that my mechanic and I take into consideration when it comes to deciding on new equipment. The first is productivity and the second is maintenance. While Toro tends to be slightly higher in price than other brands (on most pieces of equipment,) we have found that it’s like trying to compare apples to crab apples. Both are apples but one is significantly better.

With Toro’s fairway mower (Reelmaster 5210) it was a no brainer - we already have one. Therefore, we already have a majority of parts in stock and would not need to stock a selection of new parts for another brand. Not only is it incredibly easy to work on and maintain, but my mechanic is very comfortable with how to maintain it. The cutting reels are what is known as DPA’s (Dual Point Adjustment). This means the height of cut is adjusted from both ends of the reel compared to just one side. By adjusting from both ends you get a more accurate adjustment, which is huge when you’re working with fractions of an inch. It also prevents warping and unnecessary stress, allowing for longer life out of reels and bedknives. By having two of the same, it allows us to ‘share’ the workload as apposed to ‘dividing’ the work load. They can work together and move through the course as one, allowing us to stay ahead of play and speed up productivity.

With Toro’s bunker rake (Sand Pro 5040), it was again an easy decision. When we tried a demo, it not only left the sand bunkers with a better finish but it cut the time it takes to do the job by more than half. It comes standard with a larger, more powerful engine. It has the ability to expand its work capabilities with 17 different attachments – John Deere offers 3. It has the same engine as many of our other mowers so once again, parts are already stocked and there is a comfort level there with maintaining it.

Toro’s debris management equipment (blowers and sweepers) are significantly superior. The Pro Force blower has a higher CFM (air volume) than any other single nozzle, turbine-type blower on the market. The Pro Sweep has a wider working width, requiring less passes and increasing productivity. They also have a ‘floating’ head which allows for the brushes to follow the contour and undulations of a putting green better than a fixed head, and a pivoting sub frame to ‘follow’ the head making for a cleaner pass the first time and less need for ‘re-sweeping.’
Foley (632 reel grinder) is an independent company. While it is not made by Toro it is carried by Toro, which means the accessibility of parts is just as good. While our three rough mowers have blades, a majority of our mowers use 8 or 11 bladed reels to get the quality and very low height of cut we need. The Foley will allow us to not only grind our reels the way would normally, but it allows us to put a ‘relief grind’ on the bottom of each individual blade (most reels are 8 or 11 bladed). This lessens the amount of surface area being ‘dragged’ across the bedknifes. In simple terms: your blades stay sharper longer, your bedknives last longer, your cut quality is increased and the number of times you need to sharpen/replace reels and bedknives throughout the year is reduced.

A huge factor in deciding on Toro was the overall ease of getting parts. Toro has always had phenomenal service when it comes to parts. Next day delivery is guaranteed and in the heat of the summer this worth every penny. Hammond Tractor (a John Deere dealership in Maine) was where we got parts for the few older JD pieces we still own. This past fall, Hammond Tractor decided to stop carrying the John Deere Golf line. We still do not know who our dealer and supplier will be. Currently we can contact our representative who can ‘find’ us parts. This leaves a very unsettled feeling about purchasing new John Deere equipment.

When it came to the utility vehicles they too were an easy decision. Country Club Enterprises has always provided us with exceptional service and products. The vehicles themselves have a bulletproof track record. We currently have utility vehicles from numerous manufacturers and the CCE products have held up better and required less maintenance than the others. Our choice to go electric was also simple, as the electric golf carts this year have proved to be much better than the gasoline ones. The average cost per year to maintain them is significantly less than gas and the average cost per year to operate them has proved less as well. By us moving to electric utility vehicles along with the golf carts this past spring, 72% of our fleet of equipment used daily at Val Halla will be zero emissions.

While other brands carry similar pieces of equipment at a cheaper price, we have found that often times they are inferior to Toro and you get what you pay for. John Deere devotes most of its time and energy, research and development and customer service on its biggest market: agriculture. Toro specializes in turf and only turf. They develop better products that are designed better, work better and provide a better result. The service, knowledge and parts availability is unmatched by any other provider and the quality of product is unparallel. These are the same reasons we chose Toro last time we purchased new equipment and the same reason we are choosing Toro now. The equipment we purchased 5 years ago both looks and works like new and will probably go another 10-15 years before we replace those pieces. Just like last time, Toro is worth a little more money upfront for the amount it saves through durability and performance.

Toby S. Young
Golf Course Superintendent
2012 Club Car Turf 1 IQ Plus electric utility vehicle

- 6-8 Volt batteries
- Self-adjusting rack and pinion steering
- Independent leaf spring with dual hydraulic shocks
- Four wheel drum brakes
- **Rustproof Aluminum I-beam frame**
- Armor-Flex front cowl
- 800 lb vehicle capacity
- Automatic, Computer Controller Charger
- Trailer hitch
- Battery warning light
- **Rustproof Aluminum rear body**

2-2012 Turf 1 IQ
3-2012 Turf 252 IQ

Discounted Price $6,950 ea. inc. prep and delivery
$8,500 ea inc. prep and delivery

Club Car ranked #1 Utility Vehicle by your GCSAA ten years straight!

<table>
<thead>
<tr>
<th>Trade Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>(3) 2003 CC Carryall Turf Vehicles - $900.00 each</td>
</tr>
<tr>
<td>(1) 2001 EZGO</td>
</tr>
<tr>
<td>(1) 2000 JD Gator</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
</tr>
</tbody>
</table>

Purchase Summary

<table>
<thead>
<tr>
<th>Purchase Price:</th>
<th>$39,400.00 Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less Trades:</td>
<td>(4,500.00)</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>$34,900.00</strong></td>
</tr>
</tbody>
</table>
5 Year Lease

CCE will deliver Two (2) 2012 Club Car Turf 1 Electric and Three(3) 2012 Club Car 252 Electric Utility Vehicle on or before March 30, 2012. ValHalla Golf Club will Lease these vehicles over the term of Five (5) years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Monthly Payments</th>
<th>Payment Months</th>
<th>Yearly Payments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$1,151.10</td>
<td>May – October</td>
<td>$6,906.60</td>
</tr>
<tr>
<td>2013</td>
<td>$1,151.10</td>
<td>May – October</td>
<td>$6,906.60</td>
</tr>
<tr>
<td>2014</td>
<td>$1,151.10</td>
<td>May – October</td>
<td>$6,906.60</td>
</tr>
<tr>
<td>2015</td>
<td>$1,151.10</td>
<td>May – October</td>
<td>$6,906.60</td>
</tr>
<tr>
<td>2016</td>
<td>$1,151.10</td>
<td>May – October</td>
<td>$6,906.60</td>
</tr>
</tbody>
</table>

5 Year Finance

CCE will deliver Two (2) 2012 Club Car Turf 1 Electric and Three(3) 2012 Club Car 252 Electric Utility Vehicle on or before March 30, 2012. ValHalla Golf Club will Finance these vehicles over the term of Five (5) years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Monthly Payments</th>
<th>Payment Months</th>
<th>Yearly Payments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$1,308.09</td>
<td>May – October</td>
<td>$7,848.54</td>
</tr>
<tr>
<td>2013</td>
<td>$1,308.09</td>
<td>May – October</td>
<td>$7,848.54</td>
</tr>
<tr>
<td>2014</td>
<td>$1,308.09</td>
<td>May – October</td>
<td>$7,848.54</td>
</tr>
<tr>
<td>2015</td>
<td>$1,308.09</td>
<td>May – October</td>
<td>$7,848.54</td>
</tr>
<tr>
<td>2016</td>
<td>$1,308.09</td>
<td>May – October</td>
<td>$7,848.54</td>
</tr>
<tr>
<td>Qty</td>
<td>Model Number</td>
<td>Description</td>
<td>Unit Price</td>
</tr>
<tr>
<td>-----</td>
<td>--------------</td>
<td>------------------------------------------------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>5</td>
<td>03660</td>
<td>Reelmaster 5210</td>
<td>$40,171.68</td>
</tr>
<tr>
<td>5</td>
<td>03661</td>
<td>8 Blade Cutting Unit</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>03668</td>
<td>Rear roller rotating brush 2011 year, used by New England Patriots for the season, approx. 200 hours Cutting units to be sharpened</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>08705</td>
<td>Sand Pro 5040</td>
<td>$22,158.77</td>
</tr>
<tr>
<td>1</td>
<td>08712</td>
<td>Front Lift Frame ASM</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>08713</td>
<td>Flex Blade</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>08731</td>
<td>Mid-Mount ASM</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>08732</td>
<td>Weeder Tine Toolbar</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>106-8496</td>
<td>Leveling Blade</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>08751</td>
<td>Tooth Rake</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>08781</td>
<td>Rear Remote Hydraulics</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>44538</td>
<td>Pro Force</td>
<td>$6,811.90</td>
</tr>
<tr>
<td>1</td>
<td>07066</td>
<td>Pro Sweep</td>
<td>$12,486.65</td>
</tr>
<tr>
<td>1</td>
<td>07316</td>
<td>High Flow Hydraulic Kit</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>106-9899</td>
<td>Trailer Jäck (Adjustable)</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>6320911</td>
<td>Foley 632 Accu spin reel grinder</td>
<td>$28,371.00</td>
</tr>
</tbody>
</table>

Net total includes trade of Reelmaster 5200 and Groundsmaster 228

<table>
<thead>
<tr>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equipment Total</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

The Toro equipment is priced per the state contracts in place with states of Ct. and Mass.
November 17, 2011

Town of Cumberland
290 Tuttle Road
Cumberland Center, Maine 04021

Attn: Mr. Alex Kimball
Via email: akimball@cumberlandmaine.com

MUNICIPAL LEASE PURCHASE PROPOSAL

Lessee: Town of Cumberland

Equipment: Toro grounds-keeping equipment

Cost of equipment: $110,000.

Amount financed: $110,000.

Lease term: 5 years

No. of payments: 5 annual (advance) 5 annual (arrears)

Interest rate: 3.1% fixed 3.519% fixed

Lease factor: .212645 .218755

Payment schedule: $23,391. $24,063. (see amortizations)

Commencement date: Approx. 12-1-11

First payment due: 12-15-11 7-15-12 (see amortizations).

Purchase option: One dollar ($1.00) at end of lease term.

Prepayment: There are no prepayment penalties.

Fee(s): None

Insurance: Prior to delivery of the leased assets, Lessee at its sole cost and expense will provide all-inclusive physical damage and liability insurance in the joint names of the Lessor and Lessee, in amounts satisfactory to Lessor.

Title (if required): Lessee listed as owner and Lessor listed as lien holder.

Non-appropriation: The lease will contain a non-appropriation clause.

Confirmation: The anticipated total borrowing for 2011 will not exceed Ten Million dollars ($10,000,000), making this lease "Bank Qualified".
Type of lease: This lease shall be considered a Municipal Lease/Purchase by all parties. Lessee is a state or a political subdivision thereof, within the meaning of Section 103 of the Internal Revenue Code of 1986.

Advances or deposits: If Lessor advances any deposits or pays any invoices prior to Delivery and Acceptance of the equipment by lessee, interest will accrue at the above rate and be due at closing.

Legal opinion: This lease will not require an Opinion of Counsel. Normally, leases greater than $100,000 require an Opinion of Counsel. The opinion must include a statement that the lease represents a valid and binding obligation of the lessee and further that the lease is a “qualified tax exempt obligation” for the purposes of Section 265 (b) (3) (B) (ii) of the Internal Revenue Code of 1986, as amended.

Financial information: Lessee will provide Gorham Savings Leasing Group LLC with most recent Audited Financial Statements, current year budget, Annual Report, a copy of the meeting minutes or council order approving the transaction and any other supporting data requested during the term of the lease.

Lessor’s proposal: This lease proposal is subject to final credit review and not binding until accepted by lessor. Lessor may withdraw the proposal at any time if any adverse information relating to the lessee’s affairs is discovered prior to any lease closing. Lease rates are subject to change according to the FHLBB daily advance rates.

Expiration of proposal: This lease proposal shall expire if not accepted by a qualified official by 5:00 p.m. on November 30, 2011.

Thank you for the opportunity to present this lease proposal to you. If you are in agreement with the terms of the proposal, please sign and return it with the proper credit information. If you have any questions please contact me at 1-800-924-2948 ext. 8600.

Sincerely,

Toby M. Cook, President
Gorham Leasing Group

AWARD ACKNOWLEDGMENT:

This proposal is accepted and this financing is awarded to Gorham Leasing Group

_________________________________________ Date:

Name and Title
Town of Cumberland

Cor ........ : Annual

Nor .... : 3.519 %

CASH FLOW DATA

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Amount</th>
<th>Number</th>
<th>Period</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Lease</td>
<td>12/01/2011</td>
<td>110,000.00</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Lease Payment</td>
<td>07/15/2012</td>
<td>24,063.00</td>
<td>5 Annual</td>
<td>07/15/2016</td>
<td></td>
</tr>
</tbody>
</table>

AMORTIZATION SCHEDULE - Normal Amortization

<table>
<thead>
<tr>
<th>Date</th>
<th>Lease Payment</th>
<th>Interest</th>
<th>Principal</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lease 12/01/2011</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>110,000.00</td>
</tr>
<tr>
<td>2012 Totals</td>
<td>24,063.00</td>
<td>2,407.65</td>
<td>21,655.35</td>
<td>88,344.65</td>
</tr>
<tr>
<td>1 07/15/2012</td>
<td>24,063.00</td>
<td>2,407.65</td>
<td>21,655.35</td>
<td>67,390.84</td>
</tr>
<tr>
<td>2013 Totals</td>
<td>24,063.00</td>
<td>3,109.19</td>
<td>20,953.81</td>
<td>67,390.84</td>
</tr>
<tr>
<td>2 07/15/2013</td>
<td>24,063.00</td>
<td>3,109.19</td>
<td>20,953.81</td>
<td>45,699.58</td>
</tr>
<tr>
<td>2014 Totals</td>
<td>24,063.00</td>
<td>2,371.74</td>
<td>21,691.26</td>
<td>45,699.58</td>
</tr>
<tr>
<td>3 07/15/2014</td>
<td>24,063.00</td>
<td>2,371.74</td>
<td>21,691.26</td>
<td>23,244.92</td>
</tr>
<tr>
<td>2015 Totals</td>
<td>24,063.00</td>
<td>1,608.34</td>
<td>22,454.66</td>
<td>23,244.92</td>
</tr>
<tr>
<td>4 07/15/2015</td>
<td>24,063.00</td>
<td>1,608.34</td>
<td>22,454.66</td>
<td>0.00</td>
</tr>
<tr>
<td>2016 Totals</td>
<td>24,063.00</td>
<td>818.08</td>
<td>23,244.92</td>
<td>0.00</td>
</tr>
<tr>
<td>5 07/15/2016</td>
<td>24,063.00</td>
<td>818.08</td>
<td>23,244.92</td>
<td>0.00</td>
</tr>
<tr>
<td>2017 Totals</td>
<td>24,063.00</td>
<td>10,315.00</td>
<td>110,000.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Grand Totals</td>
<td>120,315.00</td>
<td>10,315.00</td>
<td>110,000.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>
Town of Cumberland

Cor : Annual
Nor : 3.100 %

CASH FLOW DATA

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Amount</th>
<th>Number</th>
<th>Period</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Lease</td>
<td>12/01/2011</td>
<td>110,000.00</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Lease Payment</td>
<td>12/15/2011</td>
<td>23,391.00</td>
<td>5</td>
<td>Annual</td>
<td>12/15/2015</td>
</tr>
</tbody>
</table>

AMORTIZATION SCHEDULE - Normal Amortization

<table>
<thead>
<tr>
<th>Date</th>
<th>Lease Payment</th>
<th>Interest</th>
<th>Principal</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lease 12/01/2011</td>
<td>23,391.00</td>
<td>130.78</td>
<td>23,260.22</td>
<td>110,000.00</td>
</tr>
<tr>
<td>1 12/15/2011</td>
<td>23,391.00</td>
<td>130.78</td>
<td>23,260.22</td>
<td>86,739.78</td>
</tr>
<tr>
<td>2012 Totals</td>
<td>23,391.00</td>
<td>130.78</td>
<td>23,260.22</td>
<td></td>
</tr>
<tr>
<td>2 12/15/2012</td>
<td>23,391.00</td>
<td>2,688.66</td>
<td>20,702.34</td>
<td>66,037.44</td>
</tr>
<tr>
<td>2013 Totals</td>
<td>23,391.00</td>
<td>2,688.66</td>
<td>20,702.34</td>
<td></td>
</tr>
<tr>
<td>3 12/15/2013</td>
<td>23,391.00</td>
<td>2,046.95</td>
<td>21,344.05</td>
<td>44,693.39</td>
</tr>
<tr>
<td>2014 Totals</td>
<td>23,391.00</td>
<td>2,046.95</td>
<td>21,344.05</td>
<td></td>
</tr>
<tr>
<td>4 12/15/2014</td>
<td>23,391.00</td>
<td>1,385.35</td>
<td>22,005.65</td>
<td>22,687.74</td>
</tr>
<tr>
<td>2015 Totals</td>
<td>23,391.00</td>
<td>1,385.35</td>
<td>22,005.65</td>
<td></td>
</tr>
<tr>
<td>5 12/15/2015</td>
<td>23,391.00</td>
<td>703.26</td>
<td>22,687.74</td>
<td>0.00</td>
</tr>
<tr>
<td>2016 Totals</td>
<td>23,391.00</td>
<td>703.26</td>
<td>22,687.74</td>
<td></td>
</tr>
<tr>
<td>Grand Totals</td>
<td>116,955.00</td>
<td>6,955.00</td>
<td>110,000.00</td>
<td></td>
</tr>
</tbody>
</table>
ITEM 11-190

To hold a Public Hearing to consider and act on the Greely High School Swimming Pool License renewal for the 2012 calendar year.
TOWN OF CUMBERLAND
APPLICATION TO OPERATE A PUBLIC SWIMMING POOL

Date of Application: 12/01/11
Individual Preparing Application: Suzanne Martelle
Owner of Pool (Licensee): MSAD 51
Premises to be Licensed: Greely High School Pool
Location (Street Address): 303 Main St. Cumberland, ME 04021
Dimensions of Pool: 75' X 35'
Pool Volume: 160,000 gallons
Maximum Depth: 10'

Brief Narrative Description of Nature of Use of Pool: MSAD 51 swim lessons, Cumberland Recreation swim lessons, open swim, adult lap swim, master’s swim practices, aquatic fitness classes, Greely High School and Middle School swim team practices and meets, Seacoast Swim Club practices and meets, and lifeguard training.

Designated Pool Director: Suzanne Martelle

Section 8.1: Source of water supply for pool, drinking fountains, showers, etc.: Portland Water District
Section 8.2: Does pool meet the requirement of this section? Yes
Section 9.1: Does waste disposal system meet the requirements of this section? Yes
Section 9.2: Does pool meet the conditions of this section? Yes
Section 10.1: Does pool meet the construction standards of this section? Yes
Section 10.2: Pool bottom material: Plaster with blue tile lane markings
Section 10.3: Does pool conform to standards of this section? Yes
Section 11.1: Does pool conform to standards of this section? Yes
Section 11.2: Does pool conform to standards of this section? Yes
Section 11.3: Does pool conform to standards of this section? Yes
Section 11.4 Depth, shallow end: 3' 6"
Section 12.1: Is depth marked at or above water line surface on vertical wall of pool? No; on edge of deck? Yes; at maximum and minimum points? Yes; at points of break between the depth and shallow portions not more than 25 feet apart? Yes; and at the diving area? Yes N/A

Section 12.2: Size (height) of depth marking numerals: 6"
Contrasting color to background? Yes
Section 12.3: Width of lane markings: 8"

Section 13.1: Does pool conform to standards of this section? Yes
Section 14.2: Bather capacity as computed under the provisions of this section: 170
Sections 15.1 and 15.2: Does pool conform to requirements of these sections? Yes
Section 16.1: Does pool conform to requirements of this section? Yes
Section 16.2: Does pool conform to requirements of this section? Yes
Section 16.3: Does pool conform to requirements of this section? Yes
Section 16.4: Does pool conform to requirements of this section? Yes
Section 16.5: Does pool conform to requirements of this section? N/A
Section 17.1: Does pool conform to requirements of this section? Yes
Section 17.2: Does pool conform to requirements of this section? There is no way to absolutely separate the spaces used by visitors and spectators from the spaces used by bathers. However, visitors and spectators will either remove street shoes or put shoe covers over their shoes.
Section 17.3: Will the pool operator be required to enforce the provisions of this section? Yes
Section 18.1: Does the pool diving area conform to the requirements of this section? N/A
   Height of diving board(s) in meters: N/A
   Depth of water at end of diving board(s) and 12 feet beyond: N/A
Section 18.2: Free and unobstructed headroom above diving board(s): N/A
Section 18.3: Horizontal separation between diving board and sidewalls of the pool: N/A
Section 19.1: Type of disinfectant feeder: PPG Chlorination System and Ultraviolet Light System (UV System to be installed 11/19/2010). Chlorine residual will still be maintained at no less than 1.0 ppm.
Section 19.2: (Where applicable)
Are the requirements of Section 19.2(a) fulfilled? N/A

Does the chlorinating equipment conform to the requirements of Section 19.2(b)? Yes

19.2 (c) Is chlorine gas used? No. If yes, are gas cylinders securely mounted? Is a valve system wrench maintained on or near the chlorine cylinder? Is a valve protection hood provided? N/A

19.2 (d) In the event of an accident or other drainage to the chlorinating equipment or chlorine supply, would leaking chlorine gas be vented to the out-of-doors? Yes

19.2 (e) Does the equipment conform to the provisions of this section? Yes

19.2 (f) Is a gas mask meeting these standards available? If yes, where? No

19.2(g) Person responsible for operation and installation of chlorinating equipment: Operator: Suzanne Martelle; Installation of UV System and new PPG Chlorinator: South Shore Gunite Pool and Spa, Inc., Chelmsford, MA

Section 20.1: Is underwater lighting used? No. If yes, intensity of underwater lighting:

Section 20.2: Does the lighting of the pool area conform to the requirements of this section: Yes

Section 20.3: Does all electrical wiring conform with the National Electrical Code of the National Underwriters Laboratory and all state and local laws and regulations? Yes

Section 20.4: Are the provisions of this section met? N/A

Section 20.5: Are the requirements of this section met? Yes

Section 20.6: Are all electrical light fixtures protected as required by this section? Yes

Section 20.7: Are the pool, dressing rooms, shower rooms, and toilet spaces adequately ventilated as required by this section? Yes

Section 20.8: Has a directive been issued to the pool director or operators to assure compliance with this section? Yes

Section 21.1: Do the bathhouses (locker rooms) conform to the requirements of this section? Yes

Section 21.2: Do the floors of the locker rooms conform to the requirements of this section? Yes

Section 21.3: Are the requirements of this section met as they apply to the premises to be licensed: Yes

Section 22.1: Do toilet, lavatory, shower facilities and drinking fountains conform to the schedule contained in this section? Yes

Section 22.2: Does the layout of the bathhouse conform to the requirements of this section? Yes

Section 22.3: Do the showers meet the requirements of this section? Yes
Section 22.4: What action has been taken or is contemplated to comply with the intent of this section? Signs posted

Section 23.1: Is the pool continuously disinfected by a chemical? Yes If yes, what is that chemical? Chlorine

Section 23.3: Has a pH testing kit accurate to the nearest 0.2 pH unit been provided for testing purposes? Yes

Section 23.4: Has a total alkalinity test kit been provided for testing purposes? Yes

Section 24.1: How often is visible dirt scheduled to be removed from the pool? Once a week or as needed daily.

Section 24.2 How often is floating matter regularly scheduled to be removed from the pool? Hourly

Section 26.1: Is a telephone for emergency use provided as required by this section? Yes

Section 26.2: Are emergency numbers listed as required? Yes, however we do not list the nearest available physician as the ordinance states.

Section 26.3: How is access to the pool area restricted during non-operating hour? All access doors to the pool including locker room doors are locked.

Section 26.5: What life saving equipment is provided at the pool? Rescue tubes, two shepherd’s crooks, 2 ring buoys

Section 26.6: Is a first aid kit meeting the standards of this section readily available? Yes

Section 26.7: Is life saving equipment mounted and distributed as required by this section? Yes

Section 27.1: Has a procedure for record-keeping been established or at least the specific data elements required by this section? Yes at the pool office

Section 27.2: Where are/will the public swimming pool records be kept? On the top shelf in the pool office.

Other explanations or information which could be helpful to the Town Council in determining whether or not a license should be granted:
Nov. 28, 2011  Inspection for Pool Licensing

My delay with the inspection was due to the illness of Sue Martelle, the pool operator. She had to cancel the appointment twice before. This emphasizes the need I had pointed out last year of having a qualified back-up person for the pool when illness, vacation or other situation does not allow the pool operator to be there.

At present Nat Hunt is filling in and he should be encouraged to pursue certification. I can\'t over emphasize having qualified back-up people to cover for Sue Martelle.

102 Std. First Aid Kit contents as listed in the amended Jan. 26, '04 ordinance.
   A few latex free band aids should be added.
   Efforts to have the school nurse replenish the kit failed, so pool staff is responsible for maintaining the supply.

116.4 The hand rails of the steps on the North side are very loose.

117.2 Separation of visitor space on deck is not possible with the original building of the pool. Visitors are encouraged to cover their shoes with available shoe covers.

17.3 No food or drink on deck except for plastic water bottles.

118 There is no diving board.

119.2 I doubt any pool today would use compressed gas. Greely Pool does not USE.

120.3 On the south wall near the east there is an broken receptacle with duct tape.

123.3 The maintenance of pool chemicals is logged in regularly and maintained at recommended levels.

123.5 The clarity of the water is monitored by looking at the lane markers. If cloudy, it is immediately emptied of swimmers.

123.6 The State Health Lab now only wants quarterly samples. The ordinance should reflect this.
126.1 I have verified with Don Foster that the Red Phone is functional during a power outage. The school phone may not be.

126.5 The life saving equipment is available around the pool.

126.11 Seacoast and lessons have a life guard on deck. The High School Swim Teams do not. The coach has CPR but is busy coaching. The SAD doesn't want to pay for a LG.

126.14 The Virginia Graham Baker law went into effect in '09. At the time of the renovations a VGB compliant drain cover was installed. It was not part of the recall of 10-10-11. The number of the recalls is 866 478 3521. Greely # is R 1216xxx. manufactured by Aqua Star.

127 Record keeping. The Health Officer reviews the operating records at regular intervals.

128 The current pool operator is certified.

126.11 The pool operator recommends that if staff swim as buddies they do not need a LG on deck. They swim laps to keep in shape.

In a discussion with the pool operator after I had seen a teen LG texting it was agreed that this would be prohibited as well as reading during their duty time. Cell phones are to be kept in the pool office.

Last year lit emergency lights were not in the locker rooms. Now approved by the State Fire Marshall we have lit lights over the exit doors which are not easily seen when you are in the locker rooms. There is a floor to ceiling barrier for privacy which just plainly makes them impossible to see for a person who is in that room unless they are near that wall near the corridor. I felt there should be a directional sign pointing to OUT on that wall. I have addressed this with Don Foster and he will talk to SAD. If it was an emergency you could head to many different doors including back to the pool before really exiting.

I invite you to look at this at the pool locker rooms.

Eileen Wyatt
Health Officer
Town of Cumberland
ITEM
11-191

To reappoint members to various Boards/Committees.
# BOARD OF ADJUSTMENTS AND APPEALS

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew</td>
<td>Black</td>
<td>12/31/13</td>
<td>80 Idlewood Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6810</td>
<td>626-8835</td>
<td><a href="mailto:andrew.black@state.me.us">andrew.black@state.me.us</a></td>
</tr>
<tr>
<td>Ronald</td>
<td>Copp</td>
<td>12/31/11</td>
<td>187 Gray Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3966</td>
<td>829-3843</td>
<td><a href="mailto:cpomotors@aol.com">cpomotors@aol.com</a></td>
</tr>
<tr>
<td>David</td>
<td>Joyce</td>
<td>12/13/11</td>
<td></td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td></td>
<td></td>
<td>db <a href="mailto:Joyce@gmail.com">Joyce@gmail.com</a></td>
</tr>
<tr>
<td>Adrian</td>
<td>Kendall</td>
<td>12/31/13</td>
<td>190 Main St</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2769</td>
<td>774-7000</td>
<td><a href="mailto:akendall@nhdlaw.com">akendall@nhdlaw.com</a></td>
</tr>
<tr>
<td>Christian</td>
<td>Lewis</td>
<td>Alternate 12/31/12</td>
<td>19 Mill Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-9349</td>
<td>272-7111</td>
<td><a href="mailto:clewis@hwdlaw.com">clewis@hwdlaw.com</a></td>
</tr>
<tr>
<td>Matthew</td>
<td>Manahan</td>
<td>12/31/13</td>
<td>17 Cottage Farms Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5909</td>
<td>791-1189</td>
<td><a href="mailto:mmanahan@pierceatwood.com">mmanahan@pierceatwood.com</a></td>
</tr>
<tr>
<td>Michael</td>
<td>Martin</td>
<td>12/31/12</td>
<td>232 Foreside Rd</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>829-9115</td>
<td>775-0200</td>
<td><a href="mailto:mmartin@petruccellmartin.com">mmartin@petruccellmartin.com</a></td>
</tr>
<tr>
<td>Scott R.</td>
<td>Wyman</td>
<td>12/31/12</td>
<td>24 Crossing Brook Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3164</td>
<td>874-8100</td>
<td><a href="mailto:rwyma1@maine.rr.com">rwyma1@maine.rr.com</a></td>
</tr>
<tr>
<td>George</td>
<td>Turner</td>
<td>Council Liaison</td>
<td>4 Carriage Rd</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>781-3063</td>
<td>329-4495</td>
<td><a href="mailto:gtturner@cumberlandmaine.com">gtturner@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>William</td>
<td>Longley</td>
<td>Town Staff</td>
<td>829-2206</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:wlongley@cumberlandmaine.com">wlongley@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Pam</td>
<td>Bosarge</td>
<td>Town Staff</td>
<td>829-2206</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:pbosarge@cumberlandmaine.com">pbosarge@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

# BOARD OF ASSESSMENT REVIEW

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert</td>
<td>Crawford</td>
<td>12/31/13</td>
<td>163 Range Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3201</td>
<td>774-1200</td>
<td><a href="mailto:rcrawford@mainelaw.com">rcrawford@mainelaw.com</a></td>
</tr>
<tr>
<td>Jeff</td>
<td>Daigle</td>
<td>12/31/13</td>
<td>228 Foreside Rd.</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04021</td>
<td>853-7245</td>
<td>797-7777 x16</td>
<td><a href="mailto:JeffDaig@aol.com">JeffDaig@aol.com</a></td>
</tr>
<tr>
<td>Jerome</td>
<td>Gamache</td>
<td>12/31/13</td>
<td>32 Powell Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-8182</td>
<td>764-4624</td>
<td><a href="mailto:jgamache@maine.rr.com">jgamache@maine.rr.com</a></td>
</tr>
<tr>
<td>Mark</td>
<td>Stevens</td>
<td>12/31/12</td>
<td>1 Longmeadow Rd</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>781-3494</td>
<td>781-3236</td>
<td><a href="mailto:mrsstevens@msn.com">mrsstevens@msn.com</a></td>
</tr>
<tr>
<td>James</td>
<td>Thomas</td>
<td>12/31/12</td>
<td>45 Longwoods Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-9235</td>
<td>885-4743</td>
<td><a href="mailto:jht@maine.rr.com">jht@maine.rr.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Healey</td>
<td>Town Staff</td>
<td>829-2206</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:bhealey@cumberlandmaine.com">bhealey@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Pam</td>
<td>Bosarge</td>
<td>Town Staff</td>
<td>829-2206</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:pbosarge@cumberlandmaine.com">pbosarge@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>
# BOARD OF SEWER APPEALS

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donald</td>
<td>Fischer</td>
<td>12/31/13</td>
<td>33 York Ledge Drive</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>829-9131</td>
<td></td>
<td><a href="mailto:dfsicher@maine.rr.com">dfsicher@maine.rr.com</a></td>
</tr>
<tr>
<td>Donald H.</td>
<td>McKenna, Jr.</td>
<td>12/31/13</td>
<td>5 Frye Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5154</td>
<td>828-3467</td>
<td><a href="mailto:donm@blackbearmedical.com">donm@blackbearmedical.com</a></td>
</tr>
<tr>
<td>Ralph</td>
<td>Oulton</td>
<td>12/31/12</td>
<td>145 Middle Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5764</td>
<td>774-5961</td>
<td><a href="mailto:ROulton@mcdec.com">ROulton@mcdec.com</a></td>
</tr>
<tr>
<td>Steve</td>
<td>Sloan</td>
<td>12/31/13</td>
<td>367 Main Street</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5889</td>
<td></td>
<td><a href="mailto:sslan2@maine.rr.com">sslan2@maine.rr.com</a></td>
</tr>
<tr>
<td>Eileen</td>
<td>Wyatt</td>
<td>12/31/13</td>
<td>363 Tuttle Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5238</td>
<td></td>
<td><a href="mailto:Elwyatt363@hotmail.com">Elwyatt363@hotmail.com</a></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mike</td>
<td>Crosby</td>
<td></td>
<td></td>
<td>Town Staff</td>
<td></td>
<td></td>
<td>829-2205</td>
<td></td>
<td><a href="mailto:mcsroby@cumberlandmaine.com">mcsroby@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

# COASTAL WATERS COMMISSION

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kathleen</td>
<td>Babeau</td>
<td>12/31/13</td>
<td>28 Hazeltine Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2145</td>
<td>615-3030</td>
<td><a href="mailto:kwb707@gmail.com">kwb707@gmail.com</a></td>
</tr>
<tr>
<td>Paul</td>
<td>Dugas</td>
<td>12/31/13</td>
<td>6 Ebb Tide Drive</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>847-3070</td>
<td></td>
<td><a href="mailto:pjdugas@maine.rr.com">pjdugas@maine.rr.com</a></td>
</tr>
<tr>
<td>Peter</td>
<td>Dion</td>
<td>12/31/12</td>
<td>13 Hedgerow Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5611</td>
<td>761-9116</td>
<td><a href="mailto:padion@mvfairpoint.net">padion@mvfairpoint.net</a></td>
</tr>
<tr>
<td>Lewis</td>
<td>Incze</td>
<td>12/31/13</td>
<td>3 Lanewood Road</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>781-4980</td>
<td>228-1676</td>
<td><a href="mailto:lewisincze@gmail.com">lewisincze@gmail.com</a></td>
</tr>
<tr>
<td>Craig</td>
<td>Kinney</td>
<td>12/31/12</td>
<td>17 Turnberry Dr.</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-8392</td>
<td>671-6108</td>
<td><a href="mailto:kinneycraig@gmail.com">kinneycraig@gmail.com</a></td>
</tr>
<tr>
<td>Jock</td>
<td>McDonald</td>
<td>12/31/13</td>
<td>23 Wildwood Blvd.</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>781-5443</td>
<td>415-9050</td>
<td><a href="mailto:joelmcdonald16@gmail.com">joelmcdonald16@gmail.com</a></td>
</tr>
<tr>
<td>John</td>
<td>Williams</td>
<td>12/31/12</td>
<td>21 Pinewood Dr</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3077</td>
<td>775-0602</td>
<td><a href="mailto:scopewilliams@aol.com">scopewilliams@aol.com</a></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas</td>
<td>Gruber</td>
<td>Council Liaison</td>
<td>88 Foreside Road</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04021</td>
<td>781-4613</td>
<td></td>
<td><a href="mailto:tgruber@cumberlandmaine.com">tgruber@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

Bill Shane  Town Staff  829-2205  wshane@cumberlandmaine.com
Debbie Flanigan  Town Staff  829-5559  dflanigan@cumberlandmaine.com

Rev. 01/25/11
### Cumberland Energy Advisory Committee

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brita</td>
<td>Bonechi</td>
<td>12/31/12</td>
<td>34 Longwoods Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6201</td>
<td></td>
<td><a href="mailto:bbonechi@maine.rr.com">bbonechi@maine.rr.com</a></td>
</tr>
<tr>
<td>David</td>
<td>Kaplan</td>
<td>12/31/13</td>
<td>223 Foreside Road</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>221-6433</td>
<td>252-9408</td>
<td><a href="mailto:davekdi@gmail.com">davekdi@gmail.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Kenny</td>
<td>12/31/14</td>
<td>10 Whaleboat Lane</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>829-8277</td>
<td>409-6075</td>
<td><a href="mailto:bkenny@maine.rr.com">bkenny@maine.rr.com</a></td>
</tr>
<tr>
<td>Matt</td>
<td>Mecray</td>
<td>12/31/13</td>
<td>21 Meadow Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-9242</td>
<td>829-6087</td>
<td><a href="mailto:mmecray@maine.rr.com">mmecray@maine.rr.com</a></td>
</tr>
<tr>
<td>Chelsey</td>
<td>McGee</td>
<td>12/31/13</td>
<td>1 Lanewood Road</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04021</td>
<td>370-4249</td>
<td></td>
<td><a href="mailto:chelse.mcgee@nemoves.com">chelse.mcgee@nemoves.com</a></td>
</tr>
<tr>
<td>Adam</td>
<td>Pitcher</td>
<td>12/31/13</td>
<td>79 Woody Creek Ln</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5286</td>
<td>253-7055</td>
<td><a href="mailto:pitcher.adam@nme.sysco.com">pitcher.adam@nme.sysco.com</a></td>
</tr>
<tr>
<td>Robert</td>
<td>Vail</td>
<td>12/31/13</td>
<td>16 Wild Way</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5393</td>
<td>838-4753</td>
<td><a href="mailto:vailgeneral1@aol.com">vailgeneral1@aol.com</a></td>
</tr>
<tr>
<td><strong>VACANT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ronald</td>
<td>Copp, Jr.</td>
<td>Council Liaison</td>
<td>25 Interurban Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4191</td>
<td>829-3843</td>
<td><a href="mailto:rcopp@cumberlandmaine.com">rcopp@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Alex</td>
<td>Kimball</td>
<td></td>
<td>829-2205</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:akimball@cumberlandmaine.com">akimball@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

### Cumberland Housing Authority

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connie</td>
<td>Bingham</td>
<td>12/31/12</td>
<td>19 Brook Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5713</td>
<td>774-5701</td>
<td><a href="mailto:ccb@macpage.com">ccb@macpage.com</a></td>
</tr>
<tr>
<td>James</td>
<td>Clifford</td>
<td>12/31/11</td>
<td>6 Coveside Road</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>899-2862</td>
<td>828-2005</td>
<td><a href="mailto:jamesclifford@pam4escifordlaw.com">jamesclifford@pam4escifordlaw.com</a></td>
</tr>
<tr>
<td>Joyce</td>
<td>Frost</td>
<td>12/31/11</td>
<td>33 Old Gray Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6175</td>
<td>773-2345</td>
<td><a href="mailto:joyce@homesinmaine.com">joyce@homesinmaine.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Hansen</td>
<td>12/31/12</td>
<td>37 Pinewood Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4765</td>
<td>856-3696</td>
<td><a href="mailto:bbske@myfairpoint.net">bbske@myfairpoint.net</a></td>
</tr>
<tr>
<td>Norman</td>
<td>Maze, Jr.</td>
<td>12/31/13</td>
<td>35 Valley Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2007</td>
<td>874-1080</td>
<td><a href="mailto:nmaze@shalomhouseinc.org">nmaze@shalomhouseinc.org</a></td>
</tr>
<tr>
<td>John</td>
<td>Raeke</td>
<td>12/31/12</td>
<td>229 Range Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5013</td>
<td></td>
<td><a href="mailto:jraeke@maine.rr.com">jraeke@maine.rr.com</a></td>
</tr>
<tr>
<td>Eileen</td>
<td>Wyatt</td>
<td>12/31/13</td>
<td>363 Tuttle Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5238</td>
<td></td>
<td>EW <a href="mailto:Wyatt363@hotmail.com">Wyatt363@hotmail.com</a></td>
</tr>
<tr>
<td>William</td>
<td>Stiles</td>
<td>Council Liaison</td>
<td>226 Range Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6679</td>
<td></td>
<td><a href="mailto:wstiles@cumberlandmaine.com">wstiles@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Carla</td>
<td>Nixon</td>
<td></td>
<td>829-2206</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:cnixon@cumberlandmaine.com">cnixon@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Pam</td>
<td>Bosarge</td>
<td></td>
<td>829-2206</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:pbosarge@cumberlandmaine.com">pbosarge@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

Rev. 01/25/11
# GREELY SCHOLARSHIP COMMITTEE (no defined terms)

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Karen</td>
<td>Finnegan</td>
<td>None</td>
<td>17 Cumberland Commons</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5312</td>
<td>450-2242</td>
<td><a href="mailto:dfinnx@maine.rr.com">dfinnx@maine.rr.com</a></td>
</tr>
<tr>
<td>Terry</td>
<td>Snow</td>
<td>None</td>
<td>PO Box 275</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6689</td>
<td>829-6363</td>
<td><a href="mailto:tnsnowlaw@aol.com">tnsnowlaw@aol.com</a></td>
</tr>
<tr>
<td>Sandra</td>
<td>Wood</td>
<td>None</td>
<td>RR 2 Box 272</td>
<td>Winthrop</td>
<td>ME</td>
<td>04364</td>
<td></td>
<td>846-1156</td>
<td></td>
</tr>
</tbody>
</table>

# LANDS & CONSERVATION COMMISSION

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Penny</td>
<td>Asherman</td>
<td>12/31/11</td>
<td>12 Hemlock</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5315</td>
<td></td>
<td><a href="mailto:pennyas@maine.rr.com">pennyas@maine.rr.com</a></td>
</tr>
<tr>
<td>Ted</td>
<td>Chadbourne</td>
<td>12/31/12</td>
<td>50 Stockholm Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6384</td>
<td>415-2220</td>
<td><a href="mailto:ted.chadbourne@gmail.com">ted.chadbourne@gmail.com</a></td>
</tr>
<tr>
<td>Ellen</td>
<td>Hoffman</td>
<td>12/31/12</td>
<td>35 Val Halla Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4607</td>
<td>846-7000 x2463</td>
<td><a href="mailto:ellenhoffman@maine.rr.com">ellenhoffman@maine.rr.com</a></td>
</tr>
<tr>
<td>Paul</td>
<td>Weiss</td>
<td>12/31/12</td>
<td>314 Blanchard Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4626</td>
<td>756-0776</td>
<td><a href="mailto:weissp@ME.com">weissp@ME.com</a></td>
</tr>
<tr>
<td>R. Samuel</td>
<td>York</td>
<td>12/31/11</td>
<td>1 Fox Run Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4716</td>
<td></td>
<td><a href="mailto:sdcyorks@gmail.com">sdcyorks@gmail.com</a></td>
</tr>
<tr>
<td>David</td>
<td>Young</td>
<td>12/31/12</td>
<td>2 Linden Court</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4667</td>
<td>756-4594</td>
<td><a href="mailto:DWY123@aol.com">DWY123@aol.com</a></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas</td>
<td>Gruber</td>
<td>Council Liaison</td>
<td>88 Foreside Road</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>781-4613</td>
<td></td>
<td><a href="mailto:tgruber@cumberlandmaine.com">tgruber@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Steve</td>
<td>Moriarty</td>
<td>Council Liaison</td>
<td>34 Blanchard Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5095</td>
<td>774-7000</td>
<td><a href="mailto:smoriarty@cumberlandmaine.com">smoriarty@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Shane</td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:wshane@cumberlandmaine.com">wshane@cumberlandmaine.com</a></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# PLANNING BOARD

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter</td>
<td>Bingham</td>
<td>12/31/13</td>
<td>19 Brook Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5713</td>
<td>688-4366</td>
<td><a href="mailto:mcbo@maine.rr.com">mcbo@maine.rr.com</a></td>
</tr>
<tr>
<td>Gerry</td>
<td>Boivin</td>
<td>12/31/14</td>
<td>44 Sturbridge Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-8151</td>
<td></td>
<td><a href="mailto:shackleycaron@yahoo.com">shackleycaron@yahoo.com</a></td>
</tr>
<tr>
<td>April</td>
<td>Caron</td>
<td>12/31/12</td>
<td>130 Gray Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4204</td>
<td>318-5289</td>
<td><a href="mailto:rdillon@maine.rr.com">rdillon@maine.rr.com</a></td>
</tr>
<tr>
<td>Ronald</td>
<td>Dillon</td>
<td>12/31/13</td>
<td>234 Bruce Hill Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4209</td>
<td>650-9948</td>
<td></td>
</tr>
<tr>
<td>John</td>
<td>Ferland</td>
<td>12/31/11</td>
<td>2 Birch Lane</td>
<td>Cumberland Foreshore</td>
<td>ME</td>
<td>04110</td>
<td>781-7307</td>
<td></td>
<td><a href="mailto:jferland@oceanrenewablepower.com">jferland@oceanrenewablepower.com</a></td>
</tr>
<tr>
<td>Chris</td>
<td>Neagle</td>
<td>12/31/12</td>
<td>76 Orchard Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-8390</td>
<td>780-6789</td>
<td><a href="mailto:cneagle@troubheiser.com">cneagle@troubheiser.com</a></td>
</tr>
<tr>
<td>Peter</td>
<td>Sherr</td>
<td>12/31/14</td>
<td>8 Marion Circle</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-9344</td>
<td>772-2891</td>
<td>838-3985</td>
</tr>
<tr>
<td>Steve</td>
<td>Moriarty</td>
<td>Council Liaison</td>
<td>34 Blanchard Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5095</td>
<td>774-7000</td>
<td><a href="mailto:smoriarty@cumberlandmaine.com">smoriarty@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Carla</td>
<td>Nixon</td>
<td>Town Staff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>829-2206</td>
<td></td>
<td><a href="mailto:cnixon@cumberlandmaine.com">cnixon@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Pam</td>
<td>Bosarge</td>
<td>Town Staff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>829-2206</td>
<td></td>
<td><a href="mailto:pfbosarge@cumberlandmaine.com">pfbosarge@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

# PERSONNEL APPEALS BOARD

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Katherine</td>
<td>Brooks</td>
<td>12/31/11</td>
<td>23 Sand Point Lane</td>
<td>Cumberland Foreshore</td>
<td>ME</td>
<td>04110</td>
<td>829-5109</td>
<td>459-7557</td>
<td><a href="mailto:brooks10@mindspring.com">brooks10@mindspring.com</a></td>
</tr>
<tr>
<td>James</td>
<td>Clifford</td>
<td>12/31/11</td>
<td>6 Coveside Road</td>
<td>Cumberland Foreshore</td>
<td>ME</td>
<td>04110</td>
<td>899-2862</td>
<td>828-2005</td>
<td><a href="mailto:jamesclifford@jamescliffordlaw.com">jamesclifford@jamescliffordlaw.com</a></td>
</tr>
<tr>
<td>Michael</td>
<td>Edes</td>
<td>12/31/12</td>
<td>8 Edes Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6557</td>
<td>657-3030</td>
<td><a href="mailto:Sp238@maine.rr.com">Sp238@maine.rr.com</a></td>
</tr>
<tr>
<td>David</td>
<td>Fenderson</td>
<td>12/31/13</td>
<td>17 Stony Ridge Road</td>
<td>Cumberland Foreshore</td>
<td>ME</td>
<td>04110</td>
<td>781-4240</td>
<td></td>
<td><a href="mailto:davidolman@yahoo.com">davidolman@yahoo.com</a></td>
</tr>
<tr>
<td>Randy</td>
<td>Harriman</td>
<td>12/31/12</td>
<td>20 Country Charm Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2106</td>
<td>771-3247</td>
<td><a href="mailto:online@lime.net">online@lime.net</a></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alyssa</td>
<td>Daniels</td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:adaniels@cumberlandmaine.com">adaniels@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Brenda</td>
<td>Moore</td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:bmoore@cumberlandmaine.com">bmoore@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

Rev. 01/25/11
### Prince Memorial Library Advisory Board

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barbara</td>
<td>Chandler</td>
<td>12/31/12</td>
<td>93 Tuttle Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4174</td>
<td></td>
<td><a href="mailto:barbc@maine.rr.com">barbc@maine.rr.com</a></td>
</tr>
<tr>
<td>Thomas</td>
<td>Foley</td>
<td>12/31/11</td>
<td>29 Granite Ridge Rd</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>781-7135</td>
<td></td>
<td><a href="mailto:tomfoptld@yahoo.com">tomfoptld@yahoo.com</a></td>
</tr>
<tr>
<td>Mark</td>
<td>Lapping</td>
<td>12/31/14</td>
<td>12 Acorn Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5521</td>
<td>780-4563</td>
<td><a href="mailto:lapping@usm.maine.edu">lapping@usm.maine.edu</a></td>
</tr>
<tr>
<td>Ralph</td>
<td>McLean</td>
<td>12/31/13</td>
<td>24 Sand Point Lane</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>829-4664</td>
<td></td>
<td><a href="mailto:ralphemclean@comcast.net">ralphemclean@comcast.net</a></td>
</tr>
<tr>
<td>Christopher</td>
<td>Philbrook</td>
<td>12/31/13</td>
<td>12 Lawn Avenue</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>744-5788</td>
<td>622-7501</td>
<td><a href="mailto:cphilbrook@gmail.com">cphilbrook@gmail.com</a></td>
</tr>
<tr>
<td>Eli</td>
<td>Rivers</td>
<td>12/31/14</td>
<td>121 Longwoods Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4017</td>
<td>829-5322</td>
<td><a href="mailto:elriv@aol.com">elriv@aol.com</a></td>
</tr>
<tr>
<td>Stephen</td>
<td>Moriarty</td>
<td></td>
<td>34 Blanchard Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5095</td>
<td>774-7000</td>
<td><a href="mailto:smoriarty@cumberlandmaine.com">smoriarty@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Thomas</td>
<td>Bennett</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>829-2216</td>
<td></td>
<td></td>
<td><a href="mailto:tbennett@princememorial.lib.me.us">tbennett@princememorial.lib.me.us</a></td>
</tr>
</tbody>
</table>

### Recreation/Community Education Advisory Board

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Callie</td>
<td>Chase</td>
<td>12/31/12</td>
<td>37 Hillcrest Dr</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3650</td>
<td></td>
<td><a href="mailto:Chases@maine.rr.com">Chases@maine.rr.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Green</td>
<td>12/31/13</td>
<td>34 Val Halls Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td></td>
<td></td>
<td><a href="mailto:Chases@maine.rr.com">Chases@maine.rr.com</a></td>
</tr>
<tr>
<td>Tara</td>
<td>Hill</td>
<td>12/31/12</td>
<td>59 Orchard Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3060</td>
<td>386-5081</td>
<td><a href="mailto:tmh10@earthlink.net">tmh10@earthlink.net</a></td>
</tr>
<tr>
<td>Pam</td>
<td>Russell</td>
<td>12/31/11</td>
<td>25 Olivia Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4760</td>
<td>829-4815</td>
<td><a href="mailto:pruss@maine.rr.com">pruss@maine.rr.com</a></td>
</tr>
<tr>
<td>Richard</td>
<td>Wolfe</td>
<td>12/31/12</td>
<td>43 Blanchard Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6027</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Heather</td>
<td>Giandrea</td>
<td></td>
<td>143 Cumberland Rd</td>
<td>No. Yarmouth</td>
<td>ME</td>
<td>04097</td>
<td>829-8051</td>
<td></td>
<td><a href="mailto:hrog@maine.rr.com">hrog@maine.rr.com</a></td>
</tr>
<tr>
<td>Dirk</td>
<td>Van Curan</td>
<td></td>
<td></td>
<td>No. Yarmouth</td>
<td>ME</td>
<td>04097</td>
<td>831-9369</td>
<td></td>
<td><a href="mailto:dvancuran@gmail.com">dvancuran@gmail.com</a></td>
</tr>
<tr>
<td>Robert</td>
<td>Vail</td>
<td></td>
<td>School Board Rep</td>
<td>16 Wild Way</td>
<td>Cumberland</td>
<td>04021</td>
<td>829-5363</td>
<td>838-4753</td>
<td><a href="mailto:vailgeneral1@aol.com">vailgeneral1@aol.com</a></td>
</tr>
</tbody>
</table>
| Shirley    | Storey-King|                 | Council Liaison      | 28 Shirley Lane     | Cumberland | 04021    | 829-5006   | 829-4815   | sshorey-
|            |            |                 |                      |                     |        |          |            |            | king@cumberlandmaine.com |
| Robert     | Wood       |                 | No. Yarmouth Council | 116 Milliken Road   | No. Yarmouth | 04097    | 829-5562   |            |            | swood@cumberlandmaine.com |
| Brian      | Bickford   |                 |                      |                      |       |          |            |            | bbickford@cumberlandmaine.com |
| Sarah      | Davis      |                 |                      |                      |       |          |            |            | sdavis@cumberlandmaine.com |

Rev. 01/25/11
### RINES PROPERTY CITIZENS' ADVISORY COMMITTEE

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mitch</td>
<td>Elliott</td>
<td>12/31/11</td>
<td>6 Frye Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>321-1396</td>
<td></td>
<td><a href="mailto:mielliott@maine.rr.com">mielliott@maine.rr.com</a></td>
</tr>
<tr>
<td>Warren</td>
<td>Graumann</td>
<td>12/31/13</td>
<td>3 Surrey Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04110</td>
<td>781-5629</td>
<td>591-1975 x201</td>
<td><a href="mailto:warrengraumann@yahoo.com">warrengraumann@yahoo.com</a></td>
</tr>
<tr>
<td>Robert</td>
<td>Heyner</td>
<td>12/31/11</td>
<td>68 Forest Lake Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6757</td>
<td></td>
<td><a href="mailto:eaglesky@maine.rr.com">eaglesky@maine.rr.com</a></td>
</tr>
<tr>
<td>Lisa</td>
<td>Judd</td>
<td>12/31/11</td>
<td>171 Range Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4647</td>
<td>865-1811</td>
<td><a href="mailto:lisaudd@maine.rr.com">lisaudd@maine.rr.com</a></td>
</tr>
<tr>
<td>Greg</td>
<td>McCarthy</td>
<td>12/31/13</td>
<td>48 Crossing Brook</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6791</td>
<td>650-0057</td>
<td><a href="mailto:gmccarthy@maine.rr.com">gmccarthy@maine.rr.com</a></td>
</tr>
<tr>
<td>Henry</td>
<td>Milburn</td>
<td>12/31/13</td>
<td>186 Range Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5318</td>
<td></td>
<td><a href="mailto:hmilburn@maine.rr.com">hmilburn@maine.rr.com</a></td>
</tr>
<tr>
<td>Sally</td>
<td>Stockwell</td>
<td>12/31/12</td>
<td>163 Range Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3201</td>
<td>781-2330</td>
<td><a href="mailto:sallys@maine.rr.com">sallys@maine.rr.com</a></td>
</tr>
<tr>
<td>Robert</td>
<td>Waterhouse</td>
<td>12/31/11</td>
<td>42 Shaw Farm Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5663</td>
<td></td>
<td><a href="mailto:rwaterh1@maine.rr.com">rwaterh1@maine.rr.com</a></td>
</tr>
<tr>
<td>Jennifer</td>
<td>West</td>
<td>12/31/12</td>
<td>193 Range Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3994</td>
<td>846-3598</td>
<td><a href="mailto:jwest@normandeau.com">jwest@normandeau.com</a></td>
</tr>
<tr>
<td>Bruce</td>
<td>Wildes</td>
<td>12/31/13</td>
<td>379 Blanchard Rd. Ext.</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4085</td>
<td>829-6222</td>
<td><a href="mailto:brucewildes@gmail.com">brucewildes@gmail.com</a></td>
</tr>
<tr>
<td>Stephen</td>
<td>Moriarty</td>
<td>Council Liaison</td>
<td>34 Blanchard Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5095</td>
<td>774-7000</td>
<td><a href="mailto:smoriarty@cumberlandmaine.com">smoriarty@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Shane</td>
<td>Town Staff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:wshane@cumberlandmaine.com">wshane@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Anne</td>
<td>Brushwein</td>
<td>Town Staff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:abrushwein@cumberlandmaine.com">abrushwein@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

### SHELLFISH CONSERVATION COMMISSION

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charles</td>
<td>Adams</td>
<td>12/31/13</td>
<td>17 Dean's Way</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>781-2167</td>
<td></td>
<td><a href="mailto:cadams2@maine.rr.com">cadams2@maine.rr.com</a></td>
</tr>
<tr>
<td>Michael</td>
<td>Brown</td>
<td>12/31/13</td>
<td>26 Mill Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2612</td>
<td>798-7136</td>
<td><a href="mailto:Michaelwbrown9@gmail.com">Michaelwbrown9@gmail.com</a></td>
</tr>
<tr>
<td>Daniel</td>
<td>Holt</td>
<td>12/31/12</td>
<td>2 Hedgerow Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6699</td>
<td>650-7766</td>
<td></td>
</tr>
<tr>
<td>Jessica</td>
<td>Joyce</td>
<td>12/31/12</td>
<td>10 Whaleboat Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-8277</td>
<td>409-6075</td>
<td><a href="mailto:Jessica.j.joyce@gmail.com">Jessica.j.joyce@gmail.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Kenny</td>
<td>12/31/12</td>
<td>37 Maloney's Ridge Way</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5333</td>
<td></td>
<td><a href="mailto:bkenney@maine.rr.com">bkenney@maine.rr.com</a></td>
</tr>
<tr>
<td>Robert</td>
<td>Maloney</td>
<td>12/31/13</td>
<td>45 Middle Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3639</td>
<td>632-2067</td>
<td><a href="mailto:hstorey@maine.rr.com">hstorey@maine.rr.com</a></td>
</tr>
</tbody>
</table>

**VACANT**

| Thomas     | Gruber    | Council Liaison | 88 Foreside Road  | Cumberland      | ME    | 04110    | 781-4613   |            | taruber@cumberlandmaine.com   |
| Bill       | Shane     | Town Staff      |                    |                 |       |          |            |            | wshane@cumberlandmaine.com     |
| Brenda     | Moore     | Town Staff      |                    |                 |       |          |            |            | bmoore@cumberlandmaine.com     |

Rev. 01/25/11
<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Exp.</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>John</td>
<td>Eldredge</td>
<td>12/31/11</td>
<td>214 Pleasant Valley Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-4540</td>
<td><a href="mailto:jeldredge@guidingstars.com">jeldredge@guidingstars.com</a></td>
</tr>
<tr>
<td>Kay</td>
<td>Fowler</td>
<td>12/31/13</td>
<td>168 Greely Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5977</td>
<td><a href="mailto:Kayfowler1@myfairpoint.net">Kayfowler1@myfairpoint.net</a></td>
</tr>
<tr>
<td>John</td>
<td>Leavitt</td>
<td>12/31/12</td>
<td>144 Greely Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5114</td>
<td><a href="mailto:jtleavitt@maine.rr.com">jtleavitt@maine.rr.com</a></td>
</tr>
<tr>
<td>Joseph</td>
<td>Loring</td>
<td>12/31/13</td>
<td>8 Island View Drive</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>846-9660</td>
<td>829-5063</td>
</tr>
<tr>
<td>Theresa</td>
<td>Maloney-Kelly</td>
<td>12/31/13</td>
<td>29 Maloney’s Ridge Way</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>756-3292</td>
<td>846-0716</td>
</tr>
<tr>
<td>Jacqueline</td>
<td>Stowell</td>
<td>12/31/13</td>
<td>385 Greely Road Ext.</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3231</td>
<td>842-7705</td>
</tr>
<tr>
<td>Iwona</td>
<td>Tarling</td>
<td>12/31/13</td>
<td>184 Foreside Road</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>829-4235</td>
<td><a href="mailto:itarling@gmail.com">itarling@gmail.com</a></td>
</tr>
<tr>
<td>Anne</td>
<td>Witte</td>
<td>12/31/12</td>
<td>179 Tuttle Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2154</td>
<td><a href="mailto:awitte2@maine.rr.com">awitte2@maine.rr.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VACANT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas</td>
<td>Gruber</td>
<td></td>
<td>Council Liaison</td>
<td>88 Foreside Rd</td>
<td>Cumberland Foreside</td>
<td>ME</td>
<td>04110</td>
<td>781-4613</td>
</tr>
<tr>
<td>Steve</td>
<td>Moriarty</td>
<td></td>
<td>Council Liaison</td>
<td>34 Blanchard Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5085</td>
</tr>
<tr>
<td>Shirley</td>
<td>Storey-King</td>
<td></td>
<td>Council Liaison</td>
<td>28 Shirley Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5006</td>
</tr>
<tr>
<td>Chris</td>
<td>Bolduc</td>
<td></td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:cbolduc@cumberlandmaine.com">cbolduc@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Laura</td>
<td>Neleski</td>
<td></td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:lneleski@cumberlandmaine.com">lneleski@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Brian</td>
<td>Bickford</td>
<td></td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:bbickford@cumberlandmaine.com">bbickford@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

Rev. 01/25/11
### VAL HALLA GOLF & RECREATION CENTER BOARD OF TRUSTEES

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paul</td>
<td>Dugas</td>
<td>12/31/13</td>
<td>6 Ebb Tide Drive</td>
<td>Cumberland</td>
<td>ME</td>
<td>04110</td>
<td>847-3070</td>
<td>632-9551</td>
<td><a href="mailto:pidugas@maine.rr.com">pidugas@maine.rr.com</a></td>
</tr>
<tr>
<td>Judy</td>
<td>Ingraham</td>
<td>12/31/13</td>
<td>236 Greely Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5789</td>
<td>282-3396x23</td>
<td><a href="mailto:jingraham1@maine.rr.com">jingraham1@maine.rr.com</a></td>
</tr>
<tr>
<td>Tim</td>
<td>Moody</td>
<td>12/31/11</td>
<td>83 Blanchard Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6943</td>
<td>871-8517</td>
<td><a href="mailto:tmoody01@maine.rr.com">tmoody01@maine.rr.com</a></td>
</tr>
<tr>
<td>William</td>
<td>Putnam</td>
<td>12/31/13</td>
<td>16 Phillip Street</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5758</td>
<td>774-5961</td>
<td><a href="mailto:wputnam@maine.rr.com">wputnam@maine.rr.com</a></td>
</tr>
<tr>
<td>Rick</td>
<td>Scott</td>
<td>12/31/12</td>
<td>151 Orchard Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6174</td>
<td>233-8196</td>
<td><a href="mailto:rjscott@parker.com">rjscott@parker.com</a></td>
</tr>
<tr>
<td>Steve</td>
<td>Sloan</td>
<td>12/31/11</td>
<td>367 Main Street</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5989</td>
<td>774-5961</td>
<td><a href="mailto:ssloan2@maine.rr.com">ssloan2@maine.rr.com</a></td>
</tr>
<tr>
<td>Norene</td>
<td>Ward</td>
<td>12/31/12</td>
<td>P.O. Box 38</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2651</td>
<td>329-4495</td>
<td><a href="mailto:nward@maine.rr.com">nward@maine.rr.com</a></td>
</tr>
<tr>
<td>John</td>
<td>Zappia</td>
<td>12/31/11</td>
<td>63 Schooner Ridge</td>
<td>Cumberland</td>
<td>ME</td>
<td>04110</td>
<td>829-4149</td>
<td>772-8112</td>
<td><a href="mailto:jzappia2@maine.rr.com">jzappia2@maine.rr.com</a></td>
</tr>
<tr>
<td>Michael</td>
<td>Perfetti</td>
<td></td>
<td>Council Liaison</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-2859</td>
<td></td>
<td><a href="mailto:mperfetti@cumberlandmaine.com">mperfetti@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>William</td>
<td>Stiles</td>
<td></td>
<td>Council Liaison</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-6679</td>
<td></td>
<td><a href="mailto:westiles@cumberlandmaine.com">westiles@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>George</td>
<td>Turner</td>
<td></td>
<td>Council Liaison</td>
<td>Cumberland</td>
<td>ME</td>
<td>04110</td>
<td>781-3063</td>
<td>329-4495</td>
<td><a href="mailto:gturner@cumberlandmaine.com">gturner@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Alex</td>
<td>Kimball</td>
<td></td>
<td>Town Staff</td>
<td>Cumberland</td>
<td>ME</td>
<td>829-2205</td>
<td>829-2205</td>
<td></td>
<td><a href="mailto:akimball@cumberlandmaine.com">akimball@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Brian</td>
<td>Bickford</td>
<td></td>
<td>Town Staff</td>
<td>Cumberland</td>
<td>ME</td>
<td>829-2205</td>
<td>829-2205</td>
<td></td>
<td><a href="mailto:bickford@cumberlandmaine.com">bickford@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Cindy</td>
<td>Stennett</td>
<td></td>
<td>Town Staff</td>
<td>Cumberland</td>
<td>ME</td>
<td>829-2205</td>
<td>829-2205</td>
<td></td>
<td><a href="mailto:cstennett@cumberlandmaine.com">cstennett@cumberlandmaine.com</a></td>
</tr>
</tbody>
</table>

### VETERAN’S MONUMENT COMMITTEE

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Term Expiration</th>
<th>Address</th>
<th>Town</th>
<th>State</th>
<th>Zip Code</th>
<th>Home Phone</th>
<th>Work Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill</td>
<td>Brown</td>
<td>12/31/11</td>
<td>250 Gray Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-8082</td>
<td>838-4114</td>
<td><a href="mailto:wbrown003@maine.rr.com">wbrown003@maine.rr.com</a></td>
</tr>
<tr>
<td>Linda</td>
<td>Collins</td>
<td>12/31/13</td>
<td>11 Candlewick Lane</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5178</td>
<td>838-4114</td>
<td><a href="mailto:geolinda@maine.rr.com">geolinda@maine.rr.com</a></td>
</tr>
<tr>
<td>David</td>
<td>Joyce</td>
<td>12/13/11</td>
<td>7 Crestwood Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3997</td>
<td>832-2067</td>
<td><a href="mailto:dbjoyce@usdoj.gov">dbjoyce@usdoj.gov</a></td>
</tr>
<tr>
<td>Glen</td>
<td>Hutchins</td>
<td>12/31/11</td>
<td>45 Middle Road</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3939</td>
<td>832-2067</td>
<td><a href="mailto:glennhtc@aol.com">glennhtc@aol.com</a></td>
</tr>
<tr>
<td>Harland</td>
<td>Storey</td>
<td>12/31/11</td>
<td>24 Range Way</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-3951</td>
<td>832-2067</td>
<td><a href="mailto:hstorey@maine.rr.com">hstorey@maine.rr.com</a></td>
</tr>
<tr>
<td>Robert</td>
<td>Storey, Sr.</td>
<td>12/31/11</td>
<td>34 Blanchard Rd</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5095</td>
<td>774-7000</td>
<td><a href="mailto:rstorey@maine.rr.com">rstorey@maine.rr.com</a></td>
</tr>
<tr>
<td>Steve</td>
<td>Moriarty</td>
<td></td>
<td>Council Liaison</td>
<td>Cumberland</td>
<td>ME</td>
<td>04021</td>
<td>829-5095</td>
<td>774-7000</td>
<td><a href="mailto:smoriarty@cumberlandmaine.com">smoriarty@cumberlandmaine.com</a></td>
</tr>
<tr>
<td>Bill</td>
<td>Shane</td>
<td></td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td><a href="mailto:wshane@cumberlandmaine.com">wshane@cumberlandmaine.com</a></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brenda</td>
<td>Moore</td>
<td></td>
<td>Town Staff</td>
<td>829-2205</td>
<td></td>
<td></td>
<td><a href="mailto:bmoore@cumberlandmaine.com">bmoore@cumberlandmaine.com</a></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Rev. 01/25/11
ITEM 11-192

To hold a Public Hearing to consider and act on draft zoning amendments to add Farm Based Retail to Section 104 (Definitions) and as a permitted use in Sections 204.1.1 Rural Residential One (RR1) and Section 204.1.2.1 Rural Residential District Two (RR2), as recommended by the Planning Board.
Bill,

I just had a very brief discussion with Steve about the intent of the language. Based upon that discussion, I am in agreement with him that the second comma should come out since the reference to the RR1 and RR2 is intended to be a limitation upon where the produce comes from, rather than a limitation on where it is sold.

Thanks!

Natalie L. Burns, Esq.
Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, Maine 04112-4510
207-775-7271 or 800-756-1166
Fax: 207-775-7935
nburns@jbgd.com
www.jbgd.com
Date: November 16, 2011

To: William 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 add Farm Based Retail to Section 104 Definitions and as a permitted use in Sections: 204.1.1 Rural Residential One (RR1) and Section 204.1.2.1 Rural Residential District 2 (RR2).

This is to advise you that on November 15, 2011 the Planning Board voted to approve and recommend to the Town Council the draft zoning amendments to add Farm Based Retail to Section 104 Definitions and as a permitted use in Sections: 204.1.1 Rural Residential One (RR1) and Section 204.1.2.1 Rural Residential District 2 (RR2).

Farm-Based Retail: The selling of agricultural produce or products, the majority of which is grown or raised by the landowner on property owned by the landowner within the Rural Residential One (RR1) and Rural Residential Two (RR2) districts.

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 deminimus 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

[Signature]

Christopher S. Neagle, Board Chair
Sec. 104 Definitions. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed", or "arranged to be used or occupied", the word "building" includes the word "structure", and the word "dwelling" includes the word "residence", the word "lot" includes the words "plot" or "parcel". Terms not defined shall have the customary dictionary meaning. Other terms shall be defined as follows:

.51 Family: One or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but no unrelated group shall consist of more than 5 persons, as distinguished from a group occupying a boarding house, lodging house, or hotel.

.51A Farm-Based Retail: The selling of agricultural produce or products, the majority of which is grown or raised by the landowner on property owned by the landowner within the Rural Residential One (RR1) and Rural Residential Two (RR2) districts. [Adopted, effective 12/____2011]

204.1.1 Rural Residential District 1 (RR1) [Amended, effective 5/15/89] [Amended, effective 6/28/10] [Amended, effective 6/24/2011 by referendum]

The RR1 district requires larger minimum lot sizes than does the RR2 district on the basis of the results of the Community Groundwater Study, Cumberland, Maine, March, 1989.

204.1.1.1 The following uses are permitted in the RR1 district: [Amended, effective 6/28/10] [Amended, effective 6/24/2011 by referendum]

.1 Single family detached dwelling;
.2 Duplex dwellings; [Amended, effective 5/15/89]
.3 Multiplex dwellings, subject to the provisions of Sec. 406A; [Amended, effective 5/15/89]
.4 Agriculture;
.5 Animal husbandry on a site greater than three (3) acres;
.6 Timber harvesting; subject to provisions of Section 429
.7 Manufactured housing and mobile homes in the Manufactured Housing overlay zones as delineated on the official Town zoning map; [Amended, effective 1/9/85]
.8 Private airport, personal use, subject to Site Plan Review and to the provisions of Section 418;
.9 Private heliport, personal use, subject to Site Plan Review and to the provisions of Section 418;
.10 Sewer pumping stations, subject to the provisions of Section 419.4;
.11 Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433. [Adopted, effective 12/13/99]
.12 Animal husbandry on a site of three (3) acres or less;
.13 Cemeteries, subject to Site Plan Review;
.14 Religious institutions, subject to Site Plan Review;
.15 Private Schools, subject to Site Plan Review;
.16 Residential care facilities [see Sec. 432]; [Amended, effective 9/14/98]
.17 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]
.18 Day care center adult for no more than 20 persons; subject to Site Plan Review or Special Exception as required.
.19 Boarding kennels, subject to Site Plan Review;
.20 Private kennels;
.21 Riding stables and schools, subject to Site Plan Review;
.22 Extraction and/or bulk storage of groundwater or spring water for Municipal or Quasi Municipal purposes subject to the provisions of Sec. 430; [Amended, effective 5/23/2011]
.23 Outdoor recreational facility, subject to Site Plan Review; [adopted, effective 4/28/97]
.24 Above ground utility lines not located within public ways:
.25 Municipal uses and buildings subject to Site Plan Review:
.26 Accessory structures of public utilities subject to Site Plan Review;
.27 Veterinary Offices; [Amended, effective 5/26/08]
.28 Farm-Based Retail; [Adopted, effective 12/2011]
.29 Uses and buildings accessory to those above;

204.1.1.2 The following uses are allowed as special exceptions in the RR1 district, requiring the approval of the Board of Adjustment and Appeals: [Amended, effective 6/28/10]

.1 Home Occupations
.2 Home Based Occupations; [Amended, effective 2/12/07]
.3 Temporary sawmills, subject to the provisions of Sec. 427;
.4 Uses and buildings accessory to those above;

204.1.1.3 The following lot standards apply in the RR1 district: [Amended, effective 5/15/89]
.1 4 acre minimum lot size, except that the minimum lot size shall be 2 acres for a lot served by sewer;

.2 In the case of duplex or multiplex development, there shall be no less than 2.5 acres of lot area per dwelling unit, except that the minimum lot area per dwelling unit for a lot served by sewer shall be 1 acre;

.3 There shall be no less than 200 feet of lot frontage; [Amended, effective 8/10/98].

204.1.1.4 The following minimum setbacks are required in the RR1 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: 50 feet;
.2 Rear: 75 feet;
.3 Side: 30 feet; combined width at least 75 feet.

204.1.1.5 Notwithstanding the provisions of Section 204.1.1.3, the owners of large parcels located in the RR1 district may create development lots that do not meet the minimum lot size requirement set forth in Section 204.1.1.3, provided that all of the following standards are met: [Amended, effective 4/12/99]

.1 The parcel from which the new development lot will be created shall have no less than twenty-five (25) contiguous acres in the same ownership as of April 12, 1999. Parcels on the opposite sides of a town road or way shall not be considered contiguous for purposes of this section.

.2 The creation of the new development lot does not result in the creation of a subdivision as defined in 30-A.M.R.S.A. Section 4401 and does not require an amendment to an existing subdivision plan recorded in Cumberland County Registry of Deeds.

.3 A development lot shall be at least two (2) acres in size, unless served by public sewer, in which case the development lot shall be at least one (1) acre in size.

.4 The creator of the development lot must create an easement parcel somewhere on the large contiguous parcel to create the development lot. The easement parcel shall be no smaller than the minimum amount of land necessary to meet the minimum lot size required by Section 2.1.1.3 when added to the land area of the development lot.

.5 An easement parcel must meet one or more of the following standards:
- The parcel is active farmland, for purposes of this Section only active farmlands are defined as hayfields, pasture, row crops, orchards.

- The parcel preserves an area with an active trail that can be used by the general public (as shown on the Greenbelt Plan or is an obvious well used trail).

- The parcel provides a connection to an existing trail system that can be used by the general public.

- The parcel preserve a high value wetland, wildlife habitat, or stream, all as determined by the Maine Department of Inland Fisheries and Wildlife.

- The parcel provides access to a water body.

- The parcel includes land included in the Resource Protection District or the Stream Protection District.

- The parcel buffers a piece of land owned by the Town.

- There are no existing structures on the proposed easement parcel, except for non-residential structures that are necessary to an agricultural or forestry use.

.6 The creator of the easement parcel shall restrict the easement parcel so that it cannot be used for development or construction of any type other than non-residential structures that are accessory to agricultural or forestry use. In addition, the easement parcel may not be used for density calculations for or any development purpose other than those provided herein for the development lot. Any paving of the easement parcel shall be restricted either to that necessary for support of agricultural or forestry uses or to trails. The deed creating the easement parcel shall state that it is perpetual and it is created to benefit the development lot, and shall include both the purposes to which the parcel is limited and the development restrictions required by this Ordinance. The deed creating the easement parcel shall explicitly reference the deed for the development lot, and the deed creating the development lot shall explicitly reference the easement parcel. The creator of the easement parcel may hold the easement, or the creator may transfer the easement to the Town, to a qualified land trust, or to some other person or legal entity that will operate the easement parcel for agricultural or forestry purposes. The creator of easement parcel may retain ownership of the fee interest in the easement parcel or may transfer it subject to the provisions of the easement. The owner of the development parcel does not have to own the easement parcel or be the holder of the easement. The
creator of the easement parcel will provide copies of the proposed deeds to the easement parcel and the development lot to the Town for approval by the Town Manager and the Town Attorney prior to the sale of the development lot and will also provide evidence that the proposed holder of the easement has agreed to accept the easement. In no event shall any building permit be issued for a development lot until the applicant can demonstrate compliance with these provisions through the provision of copies of deeds recorded in the Cumberland County Registry of Deeds.

.7 Development lots shall not have frontage on the following roads:

Tuttle Road
Blanchard Road
Greely Road
Greely Road Extension
Range Road
Longwoods Road
Orchard Road

New development lots shall be subject to the backlot provisions Sec. 403 of this Ordinance.
204.1.2.1.1  **Rural Residential District 2 (RR2)**

The RR2 district requires a lesser minimum lot size than does the RR1 district on the basis of the results of the Community Groundwater Study, Cumberland, Maine, March, 1989. [Amended, effective 5/15/89] [Amended, effective 6/24/2011 by referendum]

204.1.2.1  The following uses are permitted in the RR2 district: [Amended, effective 6/28/10] [Amended, effective 6/24/2011 by referendum]

.1 Single family detached dwellings;
.2 Duplex dwellings; [Amended, effective 5/15/89]
.3 Multiplex dwellings, subject to the provisions of Sec. 406 A; [Amended, effective 5/15/89]
.4 Agriculture;
.5 Animal husbandry on a site greater than three (3) acres;
.6 Timber harvesting, subject to provisions of Section 429;
.7 Manufactured Housing and mobile homes in Manufactured Housing overlay zones as delineated on the official Town zoning map; [Amended, effective 1/9/85]
.8 Private airport, personal use, subject to site plan review and to the provisions of Section 418;
.9 Private heliport; personal use, subject to site plan review and to the provisions of Section 418;
.10 Sewer pumping stations, subject to the provisions of Section 419.4;
.11 Antennas as defined in Sec. 100, subject to Site Plan Review, and Section 433; [Adopted, effective 12/13/99]
.12 Extraction and/or bulk storage of ground water: or spring water for Municipal or Quasi Municipal purposes subject to the provisions of Sec. 430; [Amended, effective 5/23/2011]
.13 Cemeteries, subject to site plan review;
.14 Religious institutions, subject to Site Plan Review;
.15 Private schools, subject to Site Plan Review;
.16 Boarding kennels, subject to Site Plan Review;
.17 Private kennels;
.18 Riding stables and schools subject to Site Plan Review;
.19 Residential care facilities (see Sec. 432); [Amended, effective 9/14/88]
.20 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]
.21 Day care center adult for no more than 20 persons; subject to Site Plan Review or Special Exception as required.
.22 Outdoor recreational facilities, subject to Site Plan Review; [Adopted, effective 4/28/97]
.23 Above ground utility lines not located within public ways;
.24 Accessory structures of public utilities, subject to site plan review;
204.1.2.2 The following uses are allowed as special exceptions in the RR2 district, requiring the approval of the Board of Adjustment and Appeals: [Amended, effective 6/28/10]

1 Home Occupations
2 Home Based Occupations; [Amended, effective 2/12/07]
4 Temporary sawmills, subject to the provisions of Sec. 427;
5 Uses and buildings accessory to those above;

204.1.2.3 The following lot standards apply in the RR2 district: [Amended, effective 5/15/89]

1 2 acre minimum lot size, whether or not the lot is served by sewer;
2 In the case of duplex or multiplex development, there shall be no less than 1.25 acres of lot area per dwelling unit except that the minimum lot area per dwelling unit for a lot served by sewer shall be one acre;
3 There shall be no less than 200 feet lot frontage; [Amended, effective 8/10/98]

204.1.2.4 The following minimum setbacks are required in the RR2 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: 50 feet;
2 Rear: 75 feet;
3 Side: 30 feet; combined width at least 75 feet.

204.1.2.5 Notwithstanding the provisions of Section 204.1.2.3, the owners of large parcels located in the RR2 district may create development lots that do not meet the minimum lot size requirement set forth in Section 204.1.2.3, provided that all of the following standards are met: [Amended, effective 4/12/99]

1 The parcel from which the new development lot will be created shall have no less than twenty-five (25) contiguous acres in the same ownership as of April 12, 1999. Parcels on the opposite sides of a town road or way shall not be considered contiguous for purposes of this section.
2 The creation of the new development lot does not result in the creation of a subdivision as defined in 30-A.M.R.S.A. Section 4401 and does not require
an amendment to an existing subdivision plan recorded in Cumberland County Registry of Deeds.

3 A development lot shall be at least two (2) acres in size, unless served by public sewer, in which case the development lot shall be at least one (1) acre in size.

4 The creator of the development lot must create an easement parcel somewhere on the large contiguous parcel to create the development lot. The easement parcel shall be no smaller than the minimum amount of land necessary to meet the minimum lot size required by Section 2.1.1.3 when added to the land area of the development lot.

5 An easement parcel must meet one or more of the following standards:

- The parcel is active farmland, for purposes of this Section only active farmlands are defined as hayfields, pasture, row crops, orchards.

- The parcel preserves an area with an active trail that can be used by the general public (as shown on the Greenbelt Plan or is an obvious well used trail).

- The parcel provides a connection to an existing trail system that can be used by the general public.

- The parcel preserve a high value wetland, wildlife habitat, or stream, all as determined by the Maine Department of Inland Fisheries and Wildlife.

- The parcel provides access to a water body.

- The parcel includes land included in the Resource Protection District or the Stream Protection District.

- The parcel buffers a piece of land owned by the Town.

- There are no existing structures on the proposed easement parcel, except for non-residential structures that are necessary to an agricultural or forestry use.

6 The creator of the easement parcel shall restrict the easement parcel so that it cannot be used for development or construction of any type other than non-residential structures that are accessory to agricultural or forestry use. In addition, the easement parcel may not be used for density calculations for or any development purpose other than those provided herein for the development lot. Any paving of the easement parcel shall be restricted
either to that necessary for support of agricultural or forestry uses or to trails. The deed creating the easement parcel shall state that it is perpetual and it is created to benefit the development lot, and shall include both the purposes to which the parcel is limited and the development restrictions required by this Ordinance. The deed creating the easement parcel shall explicitly reference the deed for the development lot, and the deed creating the development lot shall explicitly reference the easement parcel. The creator of the easement parcel may hold the easement, or the creator may transfer the easement to the Town, to a qualified land trust, or to some other person or legal entity that will operate the easement parcel for agricultural or forestry purposes. The creator of easement parcel may retain ownership of the fee interest in the easement parcel or may transfer it subject to the provisions of the easement. The owner of the development parcel does not have to own the easement parcel or be the holder of the easement. The creator of the easement parcel will provide copies of the proposed deeds to the easement parcel and the development lot to the Town for approval by the Town Manager and the Town Attorney prior to the sale of the development lot and will also provide evidence that the proposed holder of the easement has agreed to accept the easement. In no event shall any building permit be issued for a development lot until the applicant can demonstrate compliance with these provisions through the provision of copies of deeds recorded in the Cumberland County Registry of Deeds.

.7 Development lots shall not have frontage on the following roads:

- Tuttle Road
- Blanchard Road
- Greely Road
- Greely Road Extension
- Range Road
- Longwoods Road
- Orchard Road

New development lots shall be subject to the backlot provisions Sec. 403 of this Ordinance.
ITEM 11-193

To hold a Public Hearing to consider and act on a Fireworks Ordinance.
Bill,

Attached are:

1. The revised motions. These are now set up as independent motions. The Council can adopt any, all or none. They should be done in the order presented, though. Also, I broke the 2-acre lot requirement into a separate amendment from the zoning district limitation. That way, they can adopt either one without the other. And I added the final motion, which of course will depend upon whether there are any amendments adopted.

Also, I made some minor revisions to language. The boat provision now says "in or from" since I could see someone arguing that they could use fireworks "in" as long as they didn't go out of the boat. As discussed, I revised the times in the Ordinance to match up with State law.

2. A listing of the definitions of consumer fireworks from the provision of the Code of Federal Regulations referred to in the statute and the statutory definition (both on the same sheet). The CFR doesn't help much, but it adds a little description to go along with the State list of what is not consumer fireworks.

As we discussed, 8 M.R.S.A. Sec. 223-A(2) requires that a municipality that prohibits or restricts the sale or use of fireworks to provide a copy of the restriction or prohibition to the Office of the State Fire Marshal within 60 days of adoption. The statute does not require approval by the State Fire Marshal, just filing. It doesn't say what happens if a municipality fails to file, but someone could challenge whether the Ordinance is effective.

Let me know if you have any questions.

Thanks,

Natalie

Natalie L. Burns, Esq.
Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, Maine 04112-4510
207-775-7271 or 800-756-1166
Fax: 207-775-7935
nburns@jbggh.com
www.jbggh.com
FIREWORKS ORDINANCE

Sec. XX Use and sale of consumer fireworks prohibited.

(a) A person may not use or sell consumer fireworks, as defined in 8 M.R.S.A. §221-A, in the Town or in or from any watercraft within waters of the Town.

(b) Pursuant to 8 M.R.S.A. §227-B, nothing in this section shall be construed to limit or regulate fireworks displays, as defined in 8 M.R.S.A. § 221-A, or the issuance of permits for fireworks displays by the Maine Commissioner of Public Safety or a designee.

Sec. XX Penalties.

Any person who uses consumer fireworks in the Town of Cumberland in violation of this Ordinance shall be punished by a fine of two hundred dollars ($200.00).

I move to amend the Town of Cumberland’s Fireworks Ordinance as proposed as follows:

I. Revise subsection (a) to read as follows: A person may not use or sell consumer fireworks, as defined in 8 M.R.S.A. § 221-A, in the Town or in or from any watercraft within waters of the Town, except that the use of consumer fireworks shall be permitted pursuant to the state statute effective on January 1, 2012 on the following days:

- July 3rd beginning at 9:00 a.m. and ending at 10:00 p.m.
- July 4th beginning at 9:00 a.m. and ending at 12:30 a.m. on July 5th
- July 5th beginning at 9:00 a.m. and ending at 10:00 p.m.; and,
- December 31st beginning at 9:00 a.m. and ending on January 1st at 12:30 a.m.
- January 1st beginning at 9:00 a.m. and ending at 10:00 p.m.

II. Revise subsection (a) to add the following language at the end of the subsection: “unless a permit application is filed with and approved by the Cumberland Fire Department. Such permit shall cost $_____.”

III. Revise subsection (a) to add the following sentence at the end of the subsection: “Any use of consumer fireworks shall be restricted to lots 2 acres or more in size.”

IV. Revise subsection (a) to add the following sentence at the end of the subsection: “Notwithstanding any other provision of this Ordinance, the use of consumer fireworks shall not be permitted in any of the following zoning districts: MDR, LDR, VMDR, MUZ, VOC2, VOC 1, HC, OC- N, OC- S VMUZ, VCC, or on any lot less than 2 acres in size.

OR Shall only be permitted in the RR1& RR 2 (RI- Middle Road? or I – West Cumberland Pits?).

V. Move to adopt the Fireworks Ordinance (as amended).
27 CFR § 555.11 (excerpt)

*Consumer fireworks.* Any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission, as set forth in title 16, Code of Federal Regulations, parts 1500 and 1507. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive materials. Consumer fireworks are classified as fireworks UN0336, and UN0337 by the U.S. Department of Transportation at 49 CFR 172.101. This term does not include fused setpieces containing components which together exceed 50 mg of salute powder.

State law definition:

8 M.R.S.A. § 221-A

1-A. Consumer fireworks. "Consumer fireworks" has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. "Consumer fireworks" does not include the following products:

A. Missile-type rockets, as defined by the State Fire Marshal by rule;

B. Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and

C. Sky rockets and bottle rockets. For purposes of this paragraph, "sky rockets and bottle rockets" means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.
THE NEW FIREWORKS LAW & THE MUNICIPAL OPTION

Beginning Jan. 1, 2012, the sale, possession and use of consumer fireworks will be legal under Maine law (see Public Law 2011, c. 416). The new law authorizes municipalities, by ordinance, to prohibit or restrict the sale or use of consumer fireworks within the municipality, but before municipalities undertake to do so, we think they should understand what is (and is not) allowed under the statute.

The new law applies only to "consumer fireworks," which are generally smaller and less powerful than commercial display fireworks. Specifically prohibited are missile-type rockets, helicopters and aerial spinners, and sky rockets and bottle rockets.

In order to sell consumer fireworks under the new law, a person must be at least 21 years of age and possess both a federal permit and an annual state license. The state license is subject to an initial fee of $5,000 and a renewal fee of $1,500 for each sales location. State licensees are also subject to strict storage and handling as well as liability insurance requirements. Licensees are prohibited from selling to anyone under 21 years of age or who appears under the influence of alcohol or drugs. Anyone convicted of a violation of state or federal law involving fireworks within the two years prior to application for a state license is ineligible.

The new law also restricts when and where consumer fireworks may be used. Hours are limited to 9 a.m. to 10 p.m. except on July 4 and December 31 and the weekends immediately before and after, when permitted hours are 9 a.m. to 12:30 a.m. the following day. The location is limited to the user’s own property or the property of a person who has consented to the use.

Violations of the new law are punishable as either criminal or civil offenses, depending on the violation. Any state or municipal law enforcement officer, code enforcement officer or fire safety official may petition the Superior Court or District Court to seize or remove, at the licensee’s expense, any fireworks sold, offered for sale, stored, possessed or used in violation of the new law. The Commissioner of Public Safety also may immediately suspend any license for violation of the new law.

Despite all this, a municipality, as noted, has the option of further restricting or banning altogether the sale or use (but not the possession) of consumer fireworks within the municipality. This option may be exercised only by ordinance enacted by the legislative body. Municipalities that do so must provide a copy of the ordinance to the State Fire Marshal within 60 days after enactment. If the ordinance requires a municipal permit for selling consumer fireworks, the State Fire Marshal must be notified at least 60 days prior to the initiation of the permitting program. A municipality may require payment of a reasonable fee for a municipal permit but may not issue a permit unless it complies with the permitting requirements under the statute.

Because there are so many potential variations depending on local policy priorities, no "model" ordinance is available at this time. We encourage interested municipalities to contact the State Fire Marshal for samples as they are filed with that office and to work with local legal counsel to develop an ordinance that adequately addresses local concerns. (By R.P.F.)
<table>
<thead>
<tr>
<th></th>
<th>Date</th>
<th>Time</th>
<th>Location</th>
<th>Action</th>
<th>CFS #</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7/4/2008</td>
<td>2137</td>
<td>Forest Lake Rd</td>
<td>Reported/Investigated</td>
<td>08-16162</td>
</tr>
<tr>
<td>2</td>
<td>7/5/2008</td>
<td>2201</td>
<td>Farwell Ave</td>
<td>Reported/Investigated</td>
<td>08-16195</td>
</tr>
<tr>
<td>3</td>
<td>7/27/2008</td>
<td>0:36</td>
<td>Bruce Hill - Valley Rd</td>
<td>Reported/Investigated</td>
<td>08-16997</td>
</tr>
<tr>
<td>4</td>
<td>8/11/2008</td>
<td>2117</td>
<td>Forest Ln</td>
<td>Reported/Investigated</td>
<td>08-18252</td>
</tr>
<tr>
<td>5</td>
<td>8/29/2008</td>
<td>2208</td>
<td>George Rd</td>
<td>Reported/Investigated</td>
<td>08-19780</td>
</tr>
<tr>
<td>6</td>
<td>9/7/2008</td>
<td>1951</td>
<td>Sturdivant Rd - Foreside Rd</td>
<td>Reported/Investigated</td>
<td>08-20622</td>
</tr>
<tr>
<td>7</td>
<td>7/3/2009</td>
<td>2133</td>
<td>Forest Lake Rd</td>
<td>Reported/Investigated</td>
<td>09-16650</td>
</tr>
<tr>
<td>8</td>
<td>8/7/2009</td>
<td>1912</td>
<td>I-295 Northbound</td>
<td>Reported/Investigated</td>
<td>09-19826</td>
</tr>
<tr>
<td>9</td>
<td>4/3/2010</td>
<td>1510</td>
<td>Forest Ln</td>
<td>Reported/Investigated</td>
<td>10-7493</td>
</tr>
<tr>
<td>10</td>
<td>5/29/2010</td>
<td>2319</td>
<td>Honeycomb Dr</td>
<td>Reported/Investigated</td>
<td>10-12216</td>
</tr>
<tr>
<td>12</td>
<td>8/3/2010</td>
<td>754</td>
<td>Fox Run Rd</td>
<td>Reported/Investigated</td>
<td>10-18013</td>
</tr>
<tr>
<td>13</td>
<td>8/28/2010</td>
<td>2256</td>
<td>Stornoway Rd</td>
<td>Reported/Investigated</td>
<td>10-21037</td>
</tr>
<tr>
<td>14</td>
<td>9/29/2010</td>
<td>1907</td>
<td>Cumberland Fairgrounds</td>
<td>Summons/Confiscated</td>
<td>10-25216</td>
</tr>
<tr>
<td>15</td>
<td>9/29/2010</td>
<td>1941</td>
<td>Cumberland Fairgrounds</td>
<td>Reported/Investigated</td>
<td>10-25221</td>
</tr>
<tr>
<td>16</td>
<td>9/29/2010</td>
<td>1945</td>
<td>Cumberland Fairgrounds</td>
<td>Reported/Investigated</td>
<td>10-25222</td>
</tr>
<tr>
<td>17</td>
<td>9/29/2010</td>
<td>1946</td>
<td>Cumberland Fairgrounds</td>
<td>Reported/Investigated</td>
<td>10-25223</td>
</tr>
<tr>
<td>18</td>
<td>5/29/2011</td>
<td>2204</td>
<td>Stony Ridge Rd</td>
<td>Reported/Investigated</td>
<td>11-17249</td>
</tr>
<tr>
<td>19</td>
<td>6/10/2011</td>
<td>2221</td>
<td>Foreside Rd</td>
<td>Warned</td>
<td>11-18866</td>
</tr>
<tr>
<td>20</td>
<td>6/14/2011</td>
<td>1729</td>
<td>Whitetail Rd</td>
<td>Reported/Investigated</td>
<td>11-19306</td>
</tr>
<tr>
<td>21</td>
<td>7/3/2011</td>
<td>2128</td>
<td>Friar Ln</td>
<td>Reported/Investigated</td>
<td>11-21910</td>
</tr>
<tr>
<td>22</td>
<td>7/21/2011</td>
<td>702</td>
<td>Butterworth Farm Rd</td>
<td>Reported/Investigated</td>
<td>11-24303</td>
</tr>
<tr>
<td>23</td>
<td>8/13/2011</td>
<td>2309</td>
<td>Cumberland Commons</td>
<td>Reported/Investigated</td>
<td>11-27356</td>
</tr>
<tr>
<td>24</td>
<td>8/21/2011</td>
<td>129</td>
<td>Blackstrap Rd - Forest Lake Rd</td>
<td>Summons/Confiscated</td>
<td>11-28225</td>
</tr>
<tr>
<td>26</td>
<td>9/4/2011</td>
<td>2029</td>
<td>Range Rd - Winn Rd</td>
<td>Reported/Investigated</td>
<td>11-30556</td>
</tr>
</tbody>
</table>
2011 State Fireworks Control Laws

46 states plus the District of Columbia allow some or all types of consumer fireworks.


- States that allow some or all types of consumer fireworks permitted by federal regulations. (41 states + DC)
- States that allow only wire or wood stick sparklers and other novelty items. (5 states: IL, IA, ME, OH, VT)
- States that ban all consumer fireworks. (4 states: DE, MA, NJ, NY)

Source: American Pyrotechnics Association
As of June 2011
STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND ELEVEN

H.P. 71 - L.D. 83

An Act To Legalize the Sale, Possession and Use of Fireworks

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 8 MRSA §221-A, sub-§1-A is enacted to read:

1-A. Consumer fireworks. "Consumer fireworks" has the same meaning as in 27 Code of Federal Regulations, Section 555.11 or subsequent provision, but includes only products that are tested and certified by a 3rd-party testing laboratory as conforming with United States Consumer Product Safety Commission standards, in accordance with 15 United States Code, Chapter 47. "Consumer fireworks" does not include the following products:

A. Missile-type rockets, as defined by the State Fire Marshal by rule;

B. Helicopters and aerial spinners, as defined by the State Fire Marshal by rule; and

C. Sky rockets and bottle rockets. For purposes of this paragraph, "sky rockets and bottle rockets" means cylindrical tubes containing not more than 20 grams of chemical composition, as defined by the State Fire Marshal by rule, with a wooden stick attached for guidance and stability that rise into the air upon ignition and that may produce a burst of color or sound at or near the height of flight.

Sec. 2. 8 MRSA §221-A, sub-§3-A is enacted to read:

3-A. Fire safety official. "Fire safety official" means a state or municipal official who has authority to enforce life and fire safety laws, statutes, ordinances, rules or regulations.

Sec. 3. 8 MRSA §221-A, sub-§4, as amended by PL 2011, c. 202, §1, is further amended to read:

4. Fireworks. "Fireworks" means any:

A. Combustible or explosive composition or substance;

B. Combination of explosive compositions or substances;
C. Other article that was prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including blank cartridges or toy cannons in which explosives are used, the type of balloon that requires fire underneath to propel it, firecrackers, torpedoes, skyrockets, roman candles, bombs, rockets, wheels, colored fires, fountains, mines, serpents and other fireworks of like construction;

D. Fireworks containing any explosive or flammable compound; or

E. Tablets or other device containing any explosive substance or flammable compound.

The term "fireworks" does not include consumer fireworks or toy pistols, toy canes, toy guns or other devices in which paper caps or plastic caps containing 25/100 grains or less of explosive compound are used if they are constructed so that the hand can not come in contact with the cap when in place for the explosion, toy pistol paper caps or plastic caps that contain less than 20/100 grains of explosive mixture, sparklers that do not contain magnesium chlorates or perchlorates or signal, antique or replica cannons if no projectile is fired.

Sec. 4. 8 MRSA §223, sub-§1, as amended by PL 2003, c. 452, Pt. C, §3 and affected by Pt. X, §2, is further amended to read:

1. Sale of fireworks prohibited. A Except for the sale of consumer fireworks under section 223-A, a person may not sell, possess with the intent to sell or offer for sale fireworks.

Sec. 5. 8 MRSA §223-A is enacted to read:

§223-A. Sale of consumer fireworks

1. Sale of consumer fireworks. A person may not sell consumer fireworks unless that person is 21 years of age or older and possesses:

A. A federal permit to sell fireworks under 18 United States Code, Section 843;

B. A license under subsection 3; and

C. A municipal permit if required under subsection 2.

2. Municipalities. The legislative body of a municipality may adopt an ordinance to prohibit or restrict the sale or use of consumer fireworks within the municipality. Municipalities that prohibit or restrict the sale or use of consumer fireworks shall provide to the Office of the State Fire Marshal a copy of the relevant restriction or prohibition within 60 days of adoption. A municipality may require that a person obtain a municipal permit for selling consumer fireworks within the municipality. A municipality that chooses to issue municipal permits under this subsection shall notify the Office of the State Fire Marshal at least 60 days prior to the initiation of its permitting program for the sale of consumer fireworks. A municipal permit may not be issued unless:

A. The applicant is 21 years of age or older;
B. The applicant applies for a permit under this subsection on a form prescribed by the commissioner;

C. The applicant possesses the federal permit required under subsection 1, paragraph A;

D. The applicant complies with the provisions of subsection 4; and

E. The application is approved by the municipality's police chief, fire chief and code enforcement officer if those positions exist.

A municipality may require a reasonable fee for a permit issued under this subsection. A person holding a permit issued by a municipality under this subsection may not sell consumer fireworks unless the person satisfies all the requirements of subsection 1.

3. State license. The commissioner may issue a license to sell consumer fireworks to an applicant who:

   A. Is 21 years of age or older;

   B. Possesses the permits required under subsection 1, paragraphs A and C;

   C. Complies with the provisions of subsection 4; and

   D. Has not been convicted of an offense or violated a state, federal or municipal law, rule or regulation involving fireworks or explosives within the 2 years prior to the application.

The commissioner shall charge a fee of $5,000 for the initial license issued to an applicant and $1,500 for each annual license renewal. The term of a license is one year. A separate license is required for each location at which an applicant seeks to sell consumer fireworks. Fees collected under this subsection must be deposited in a nonlapsing account of the Office of the State Fire Marshal to be used for the purpose of enforcing this section.

4. Storage and handling. A person authorized to sell consumer fireworks under subsection 1 may store and sell the fireworks only in a permanent, fixed, stand-alone building dedicated solely to the storage and sale of consumer fireworks in accordance with this subsection.

   A. The building must be constructed, maintained and operated, and all consumer fireworks must be stored, in compliance with the requirements of National Fire Protection Association Standard 1124, as adopted by the Office of the State Fire Marshal, relevant building codes, zoning ordinances and other municipal ordinances.

   B. The building may not be less than 60 feet from another permanent building and may not be less than 300 feet from a structure at which gasoline, propane or other flammable material is sold or dispensed.

   C. Cigarettes, tobacco products or lighters or other flame-producing devices may not be permitted in the building.

   D. A person under 21 years of age may not be admitted to the building unless accompanied by a parent or guardian.
E. Notwithstanding paragraph D, a person at least 18 years of age may handle and sell consumer fireworks if the person is under the direct supervision of a person 21 years of age or older.

5. Insurance. A person authorized to sell consumer fireworks under subsection 1 shall at all times maintain public liability and product liability insurance with minimum coverage limits of $2,000,000 to cover the losses, damages or injuries that might ensue to persons or property as a result of the person selling consumer fireworks.

6. Advertising. A person may not advertise the sale of consumer fireworks in a way that is misleading about the conditions under which consumer fireworks may be purchased or used or about the requirements of this section. An advertisement for the sale of consumer fireworks must contain the words "Check with your local fire department to see if consumer fireworks are allowed in your community" in a conspicuous location and in a consistent font as approved by the commissioner.

7. Civil liability. A person who violates the provisions of this section is liable in a civil action for damages for bodily injury or property damage resulting from violation, and the defenses under Title 14, section 156 or a defense based on assumption of risk may not be used by the person.

8. Restrictions on use of consumer fireworks. The use of consumer fireworks is governed by this subsection.

A. Consumer fireworks may be used between the hours of 9:00 a.m. and 10:00 p.m., except that on the following dates they may be used between the hours of 9:00 a.m. and 12:30 a.m. the following day:

(1) July 4th;

(2) December 31st; and

(3) The weekends immediately before and after July 4th and December 31st.

B. A person may use consumer fireworks only on that person's property or on the property of a person who has consented to the use of consumer fireworks on that property.

A person who violates this subsection commits a civil violation for which a fine of not less than $50 and not more than $500, plus court costs, may be adjudged for any one offense.

9. Enforcement against licensees. The commissioner, a state law enforcement officer, a municipal law enforcement officer, a code enforcement officer or a fire safety official may petition the Superior Court or District Court to seize or remove at the expense of a licensee consumer fireworks, sold, offered for sale, stored, possessed or used in violation of this section. The commissioner may immediately suspend a license granted under subsection 3 for a violation of this section. A person whose license is suspended under this subsection must receive a hearing within 10 days of the suspension under Title 5, chapter 375, subchapter 4. A person whose license is suspended under this subsection may not receive a license under subsection 3 for a period of at least one year from the date of suspension.
10. Disclosures to customers. A person authorized to sell consumer fireworks shall provide to the purchaser at the point of sale written guidelines describing the safe and proper use of consumer fireworks. The guidelines must also include the following statements in a conspicuous location: "MAINE LAW EXPRESSLY PROHIBITS PERSONS UNDER 21 YEARS OF AGE FROM PURCHASING, POSSESSING OR USING CONSUMER FIREWORKS" and "FURNISHING CONSUMER FIREWORKS TO PERSONS UNDER 21 YEARS OF AGE IS A CRIMINAL OFFENSE IN MAINE." Such guidelines must be published or approved by the commissioner prior to distribution.

11. Prohibited acts. This subsection governs prohibited acts.

A. A person may not sell consumer fireworks within the State unless that person holds a valid license or is an employee or agent of a person that holds a valid license.

B. A person licensed to sell consumer fireworks under this chapter may not sell consumer fireworks to a person under 21 years of age or who appears to be under the influence of alcohol or drugs.

C. Except as specifically allowed under subsection 4, paragraph E, a person may not knowingly:

   (1) Procure, or in any way aid or assist in procuring, furnish, give, sell or deliver consumer fireworks for or to a person under 21 years of age; or

   (2) Allow a person under 21 years of age under that person's control or in a place under that person's control to possess or use consumer fireworks.

D. A person under 21 years of age may not purchase, use or possess consumer fireworks within the State or present to a person licensed to sell consumer fireworks any evidence of age that is false, fraudulent or not actually the person's own for the purpose of purchasing consumer fireworks.

It is an affirmative defense to prosecution for a violation of paragraph B or C that the licensee sold consumer fireworks to a person under 21 years of age in reasonable reliance upon fraudulent proof of age presented by the purchaser.

12. Violations. The following penalties apply to violations of subsection 11.

A. A person who violates subsection 11, paragraph A, B or C commits a Class D crime. If the violation involves furnishing consumer fireworks to a minor, a fine of not less than $500 must be imposed in addition to any term of imprisonment the court may impose. If a person violates subsection 11, paragraph A, B or C after having been convicted of violating the same paragraph one or more times within the previous 6-year period, a fine of not less than $1,000 must be imposed in addition to any term of imprisonment the court may impose.

B. A person who violates subsection 11, paragraph D commits a civil violation for which a fine of not less than $200 and not more than $400 must be imposed. If the person has been previously convicted of violating subsection 11, paragraph D one or more times, a fine of not less than $300 and not more than $600 must be imposed.

Fines collected under this subsection must be deposited in a nonlapsing account of the Office of the State Fire Marshal to be used for the purpose of enforcing this section.
13. **Annual report to the Legislature.** Beginning in 2013, the Office of the State Fire Marshal shall submit to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters a written report regarding the sale and use of consumer fireworks in this State. The report must, at a minimum, include information on the issuance and oversight of licenses to sell consumer fireworks, reported consumer fireworks-related injuries, reported consumer fireworks-related fires or other property damage and municipal restrictions or prohibitions on the sale or use of consumer fireworks. The report must be submitted not later than March 1st each year.

Sec. 6. 8 MRSA §236, as enacted by PL 1999, c. 671, §12, is repealed and the following enacted in its place:

§236. **Adoption of rules**

1. **Routine technical rules.** The commissioner may adopt rules concerning the sale, use, storage, transportation and display of consumer fireworks, fireworks and special effect pyrotechnics and to carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

2. **Major substantive rules.** After December 31, 2013, the commissioner may adopt rules governing the reporting of consumer fireworks-related injuries by health care providers. Rules adopted pursuant to this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 7. **Method for reporting data regarding consumer fireworks-related injuries.** The Office of the State Fire Marshal shall work with the statewide associations representing hospitals and physicians to develop a method for health care providers to collect and report voluntarily to the Office of the State Fire Marshal data regarding injuries related to consumer fireworks as defined in the Maine Revised Statutes, Title 8, section 221-A. This data may not include personally identifying information on persons treated, but may include information on the age of the person treated, the type and severity of the injury and, if known, the type of consumer firework involved in the injury.

Sec. 8. **Appropriations and allocations.** The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Fire Marshal - Office of 0327

Initiative: Provides appropriations and allocations for one Public Safety Inspector II position and one Office Associate II position and related costs to inspect entities licensed to sell consumer fireworks.

<table>
<thead>
<tr>
<th></th>
<th>2011-12</th>
<th>2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL FUND</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Services</td>
<td>$12,708</td>
<td>$93,361</td>
</tr>
<tr>
<td>All Other</td>
<td>$15,100</td>
<td>$22,700</td>
</tr>
<tr>
<td>Capital Expenditures</td>
<td>$25,000</td>
<td>$0</td>
</tr>
<tr>
<td>----------------------</td>
<td>---------</td>
<td>----</td>
</tr>
<tr>
<td><strong>GENERAL FUND TOTAL</strong></td>
<td>$52,808</td>
<td>$116,061</td>
</tr>
</tbody>
</table>

**OTHER SPECIAL REVENUE FUNDS**

<table>
<thead>
<tr>
<th>2011-12</th>
<th>2012-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>POSITIONS - LEGISLATIVE COUNT</td>
<td>2,000</td>
</tr>
<tr>
<td>Personal Services</td>
<td>$50,000</td>
</tr>
</tbody>
</table>

| **OTHER SPECIAL REVENUE FUNDS TOTAL** | $50,000 | $40,000 |

**Sec. 9. Effective date.** This Act takes effect January 1, 2012.
In House of Representatives, ................................. 2011

Read twice and passed to be enacted.

.......................................................... Speaker

In Senate, ....................................................... 2011

Read twice and passed to be enacted.

.......................................................... President

Approved ................................................. 2011

.......................................................... Governor
ITEM
11-194

To authorize the Town Manager to accept an anonymous donation of $20,000 to be used for food and fuel assistance.
To: Town Council
From: William R. Shane, Town Manager
Date: December 7, 2011
Re: Authorization to Accept Gifts and Apply to Benevolent Funds

Once again a generous family (wishing to remain anonymous) has donated $20,000 to assist with our General Assistance funding!

I am recommending that you accept this gift of $20,000 and use the monies to help our fuel and general assistance funds. I am also requesting your authorization to issue a gift letter for $20,000 to this family for tax purposes.
ITEM
11-195

To hear a report from the Finance Committee re: FY'13 Budget Meetings.
Town of Cumberland
Finance Committee
9:00 A.M. – Manager’s Office

- Budget transparently, accurately, and fairly
- Increase cash reserves to eliminate the need for annual tax anticipation note borrowing and possible elimination of bonding for capital expenditures such as roads and equipment
- Annually review and make policy recommendations regarding all enterprise funds
- Responsibly grow the commercial and residential tax bases

Agenda – Wednesday, December 7, 2011

I. Val Halla Equipment Lease Purchase

II. Pre-Budget Goals with Town Council
   a. After Council Meeting Workshop? January 9th?
   b. Does the Finance Committee wish to develop preliminary goals for discussion purposes

III. Tentative Budget Schedule:
   a. Dept. Budget due to Manager January 19th
   b. Manager’s meetings and Reviews Jan 23-Feb 3rd
   c. Preliminary Budget Documents to FC – Feb. 10th
   d. First FC Budget Overview- Feb. 20th (holiday) with N. Yarmouth Budget Advisory Committee and Selectmen invited
   e. Budget Books to TC March 9th with Mgr. Overview at TC Meeting 3/12
   f. All Day Council Budget Meeting Saturday, March 17th 8 – 4 PM(+/-)
   g. Public Hearing on Budget March 26th
   h. April 9th second PH on Budget if necessary
   i. August 13th Mil rate set for FY 2013

IV. Other Business

V. Adjournment

Finance Committee FY 2012
Councilor Bill Stiles, Chairman 2014
Councilor Tom Gruber 2014