

AGENDA

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, February 22, 2021

6:00 P.M. Workshop with Bicentennial Committee

7:00 P.M. Call to Order

I. CALL TO ORDER

II. APPROVAL OF MINUTES

February 8, 2021

III. MANAGER'S REPORT

IV. PUBLIC DISCUSSION

Public discussion is for comments on items that are not on the agenda. Comments are limited to 5 minutes per person. Rebuttal comments will be limited to 2 minutes. Public discussion topics may be brought up again under New Business for further Council discussion.

V. LEGISLATION AND POLICY

21 – 015. To hold a Public Hearing to consider and act on a Class I and Mobile Auxiliary Liquor License renewal for Rachel's On the Green for the period of March 29, 2021 – March 29, 2022.

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

21 – 017. To authorize the Town Manager to execute a Memorandum of Understanding for the Southern Maine Public Works Mutual Aid Compact.

21 – 018. To consider and act on accepting a trail easement located at 31 Farwell Avenue, as recommended by the Lands and Conservation Commission.

21 – 019. To set a Public Hearing date of March 8th to consider and act on a zone change request from Michael Record and Andrew Hagerty to change up to 70,000 square feet of the lot located at 222 Gray Road, Tax Assessor Map U20, Lot 66, from the Village Center

Commercial (VCC) zone to the Village Office Commercial I (VOCI) zone, as recommended by the Planning Board.

21 – 020. To set a Public Hearing date of March 8th to consider and act on proposed amendments to Chapter 229 (Site Plan Review) to add agriculture related language, as recommended by the Planning Board.

21 – 021. To hear a report from the Town Manager re: FY2022 Budget.

VI. NEW BUSINESS

Finance Committee Budget Workshop Dates:

Every Monday, from March 1st thru April 5th @ 5:30 p.m.

Saturday, April 10th beginning at 8:00 a.m. until budget review is complete

VII. BUDGET REPORT

VIII. EXECUTIVE SESSION pursuant to 1 M.R.S.A., § 405(6)(C) re: real property.

IX. ADJOURNMENT

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

MONDAY, February 8, 2021

7:00 P.M. Call to Order

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

Excused: Councilor Edes

I. APPROVAL OF MINUTES

Motion by Councilor Storey-King, seconded by Councilor Copp, to accept the January 25, 2021 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

II. MANAGER'S REPORT

Town Manager Shane introduced State Representative, Steve Moriarty, who gave a legislative update. Representative Moriarty said that this is an extraordinary time, and the Legislature is in session, but they have not been together as a body since December 2nd, when they were sworn in at the Augusta Civic Center. Committees began holding Public Hearings last week via Zoom. With the remote participation capability, there is a larger number of people taking part than there was in the past. This new process and technology work remarkably well.

Town Manager Shane said that Cumberland is the only area in Cumberland County that is affected by brown tail moth infestation. He has asked Dave MacDonald from Whitney Tree to look at the area and determine if the roadside spraying method that we had done in the past would be effective. Mr. MacDonald said that he did not feel that it would be at all effective. Right now, we have no budget or plans for spraying. He will speak with the State Entomologist to find out what people can do when the problem is in the backs of homes or in the woods where ariel spraying is the only option to reach those areas.

The racing commission has granted the Cumberland Farmer's Club 56 dates for horse racing at the fairgrounds. His understanding is that the racing will take place in the daytime and not at night. This will be good for the fairgrounds.

Councilor Vail asked the Manager for an update on the new school that is proposed to be built.

Town Manager Shane said that the School Board met recently and discussed a new 68,000 sf school to be built on the land adjacent to the Superintendent's office, which they will purchase from Mr. Campbell. The school has a conceptual plan from their architect and the School Board has supported the plan. The project would require the existing Sweetser House, where the Superintendent's office is currently, to be moved or demolished. This is all the news he has at this point.

Councilor Vail said that he strongly disapproves of this project going forward. The building is an acre and a half in size, and we have a congestion issue now. Putting a building of that size on that campus, is shortsighted at best. He can think of 15 properties in the Towns of Cumberland or North Yarmouth where the school could be placed. He would like to see some homework done and ask these large landowners if they are interested in selling their property for the new school instead of throwing another school on a congested piece of property in the center of our Town. It's poor urban planning.

Town Manager Shane responded that that criticism is a bit unfair toward the School. They have reached out to some landowners and the interest to sell just isn't there.

III. PUBLIC DISCUSSION

None

IV. LEGISLATION AND POLICY

21 – 012 To hold a Public Hearing to consider and act on amendments to Chapter 84 (Fees and Fines), Section 32 (Yard Waste Facility) of the Cumberland Code, as recommended by the Ordinance Committee.

Town Manager Shane presented the following amendments to the yard waste facility fees:

**Chapter 84
Fees and Fines
Article I
Fee Schedule**

§ 84-32 **Yard waste facility.**

- A. Brush/trees/slash/leaves/grass clippings and other landscape trimmings. Brush/trees/slash is considered any hard or soft wood less than 12 inches in diameter. Lengths up to 12 feet will be accepted. Stumps and wood over 12 inches in diameter will not be accepted.

Residential Passes

- B. Cars, pickup trucks, single axle trailers **\$5 \$10 Per Load** Very few sold
- C. Rack-body trucks, one ton dump trucks and Dump Trailers: **\$5 \$25 PER DAY**
- D. One-day pass for all cars, pick-ups, trailers less than 8' (non-dump trailers) **\$10 \$15** Most sold
- E. Motor oil ~~and car batteries: must see attendant;~~ no fee. **At Town Garage**
- F. Residential annual pass ~~(April to 4th Saturday in November)~~ **\$ 25 \$40**

Commercial Passes *

- G. Commercial annual pass ~~(April to 4th Saturday in November)~~ **\$250 \$500**
*Cumberland yard waste only.
- H. **Day Pass - \$100 – ALL Commercial Vehicles**
- I. **Larger than a 1 TON Truck dump trucks: Small, six-wheeled dump trucks \$25 \$50 per load**

Larger loads (wheelers and tri-axle dump trucks) will not be accepted.

CURRENT HOURS

June - October	May & November
Tuesdays 11 – 3	Tuesdays 11 – 3
Saturdays 9-12:30	Saturdays 9 - 3:00

PROPOSED HOURS

SUMMER	REGULAR
Last two Weeks in June through Sept.	APRIL – 2 nd Saturday in June <u>Oct & Nov</u>
Tuesdays 10:30- 2:30	Tuesdays 10:30- 2:30
Thursdays 10:30 – 2:30	Thursdays 10:30 – 2:30
Fridays 10:30 – 2:30	Fridays 10:30 – 2:30
Saturdays 9 - 12:30	Saturdays 9 - 3:00

Chairman Gruber opened the Public Hearing.

No public discussion.

Chairman Gruber closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Turner, to amend Chapter 84 (Fees and Fines), Section 32 (Yard Waste Facility) of the Cumberland Code, as recommended by the Ordinance Committee and Town Manager.

VOTE: 6-0

UNANIMOUS

21 – 013 To authorize the Town Manager to execute a lease agreement with Hyundai Capital America for the lease of 2 electric vehicles.

Town Manager Shane explained that we have been exploring the use of electric vehicles for Town use and this opportunity will allow us to try it, while encouraging the use of electric vehicles by having charging stations available at Town Hall. These vehicles will be used by Town staff for business related errands and the Police Captain will use the other one. With all the rebates available, the monthly lease fees will be under \$50 per month. These vehicles will reduce or eliminate the mileage reimbursement to employees who use their personal vehicles for Town business.

Councilor Copp said that this seems to be a no-brainer, but he is curious how much the charging stations will cost to install. He also has concerns that if everybody switches to electric cars, how will we fix our roads if the gas tax revenue is reduced? This is something that the State will have to consider.

Chairman Gruber opened the Public Hearing.

No public discussion.

Chairman Gruber closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Vail, to authorize the Town Manager to execute a lease agreement with Hyundai Capital America for the lease of 2 electric vehicles.

VOTE: 6-0 UNANIMOUS

21 – 014 To set a Public Hearing date of February 22nd to consider and act on a Class I Liquor License renewal for Rachel's On the Green for the period of March 29, 2021 – March 29, 2022.

Chairman Gruber asked for public comment.

No public comment.

Motion by Councilor Turner, seconded by Councilor Copp, to set a Public Hearing date of February 22nd to consider and act on a Class I Liquor License renewal for Rachel's On the Green for the period of March 29, 2021 – March 29, 2022.

VOTE: 6-0 UNANIMOUS

V. NEW BUSINESS

Councilor Storey-King – condolences to the Foster family on the passing of Herb Foster. She grew up hearing about “Herbie” Foster, as he was known in the 60’s and 70’s. Hope Foster used to be a substitute teacher. They both embodied the community and still continue to do so through their sons.

The Library Committee meeting last month was postponed. The Library is open and people should call ahead to request their materials.

The Bicentennial Committee will meet this Wednesday. They are a very busy committee.

Councilor Vail – condolences to the Foster family. Herb’s wife was just as important to this community as Herb was. He was in the Lion’s Club with Herb, and Hope was always in the kitchen. They were devoted to this community and to public service. They were both great people.

Fred Jensen also passed away recently. Fred started Ledgewood Assisted Living on Route One.

Chairman Gruber – the Food Pantry served 60 families last week. Thank you to the volunteers who work so hard every week.

The tie that he is wearing this evening was made by Madeline Young. Madeline’s husband Roger was one of his best friends. Thank you, Madeline.

Councilor Foster – she married into the wonderful Foster family and Herb was always there with a smile and a hug. He will be missed. A celebration of Herb’s life will take place at a later date. Herb was a die-hard Greely girls basketball fan, a builder, a fireman, and a Veteran.

Councilor Turner – condolences to the Foster family.

Councilor Copp – condolences to the Foster on the passing of Herb Foster. The Foster’s are a great family and Herb was a good man.

Condolences to Janene Gorham and her family on the untimely passing of their son.

VI. ADJOURNMENT

Motion by Councilor Vail, seconded by Councilor Copp, to adjourn.

VOTE: 6-0 UNANIMOUS

TIME: 8:21 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary

ITEM

21-015

To hold a Public Hearing to consider and act on a Class I Liquor License
renewal for Rachel's On the Green for the period of
March 29, 2021 – March 29, 2022



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

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

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

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

Legal Business Entity Applicant Name (corporation, LLC): <u>RACHELS ON THE GREEN</u>	Business Name (D/B/A): <u>RACHELS ON THE GREEN</u>
Individual or Sole Proprietor Applicant Name(s): <u>LIONID SMITH</u>	Physical Location: <u>60 VAL HALLA CUMBERLAND, ME 04021</u>
Individual or Sole Proprietor Applicant Name(s): <u>CELESTE ROSS</u>	Mailing address, if different: <u>SAME</u>
Mailing address, if different from DBA address: <u>[REDACTED] GRAM, ME 04039</u>	Email Address: <u>[REDACTED]</u>
Telephone # Fax #: <u>207-446-8448</u>	Business Telephone # Fax #: <u>207-829-2225 EXT. 4</u>
Federal Tax Identification Number: <u>27-5380444</u>	Maine Seller Certificate # or Sales Tax #: <u>1149663</u>
Retail Beverage Alcohol Dealers Permit: <u>N/A</u>	Website address: <u>RACHELS ON THE GREEN . COM</u>

1. New license or renewal of existing license? ☐ New Expected Start date: _____
 ☒ Renewal Expiration Date: 3/29/21

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
 Food: 242503.00 Beer, Wine or Spirits: 199906.00 Guest Rooms: N/A

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

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

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

- ☒ Restaurant (Class I, II, III, IV) ☐ Class A Restaurant/Lounge (Class XI) ☐ Class A Lounge (Class X)
- ☐ Hotel (Class I, II, III, IV) ☐ Hotel – Food Optional (Class I-A) ☐ Bed & Breakfast (Class V)
- ☒ Golf Course (included optional licenses, please check if apply) (Class I, II, III, IV) ☒ Auxiliary ☒ Mobile Cart
- ☐ Tavern (Class IV) ☐ Other: _____
- ☐ Qualified Caterer ☐ Self-Sponsored Events (Qualified Caterers Only)

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

60 VAL HALLA RD. CUMBERLAND, ME 04021

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

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

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

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

☐ Yes ☒ No

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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

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

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

Name of Business	License Number	Complete Physical Address

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

Full Name	DOB	Place of Birth
LLOYD SMITH		WINTERHAVEN FLA
CELESTE ROSS		AUGUSTA ME
PATTY DUNN		PORTLAND, ME

Residence address on all the above for previous 5 years

Name	Address:
LLOYD SMITH	NORTH YARMOUTH ME
Name	Address:
CELESTE ROSS	GRAY, ME
Name	Address:
PATTY DUNN	PORTLAND, ME
Name	Address:

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

☐ Yes ☒ No

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

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

TOWN OF CUMBERLAND 290 TUTTLE RD, CUMBERLAND, ME 04021

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

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

RESTAURANT & BAR AREA

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: GREEN HILL SCHOOL

Distance: 1.5 MILES

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 1/29/21



Signature of Duly Authorized Person

CELESTE ROSS

Printed Name Duly Authorized Person



Signature of Duly Authorized Person

Wayne Smith

Printed Name of Duly Authorized Person

Patricia Dunn
Patricia Dunn

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <https://www.maine.gov/dhsos/liquor/>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.



Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008
(207) 624-7220

Application for an Auxiliary License

Please clearly complete this form in its entirety.

1. Type of Application: ☐ Golf Course ☒ Golf Course with a mobile service bar
☐ Ski Area

Application Fee: \$100.00 each. Please make check payable to the Treasurer, State of Maine.

2. Licensee Information:

Legal Name: RACHELS ON THE GREEN

Doing business as: RACHELS ON THE GREEN

License Number: 7551

Mailing Address: 60 VAL ITALIA RD CUMBERLAND, ME
04021

Physical Location Address: SAME

Telephone Number: 207-829-2225 EXT. 4 Fax: _____

Email address: _____

3. Describe auxiliary premise and the location at the ski area or golf course: (include diagram)

4. Name, address & telephone number of Property Owner (include copy of lease / rental agreement):

TOWN OF CUMBERLAND 290 TUTTLE RD CUMBERLAND ME 04021

Signature of Owner

Printed Name

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

For use by Municipal Officers and County Commissioners only:

Note: This application must be approved by the Municipal Officers of the municipality of the applicant or if the applicant is in an unincorporated place, by the County Commissioners. Please complete the following certification:

State of Maine, County of _____

The undersigned being: ☐ Municipal Officers ☐ County Commissioners

for _____, Maine.
(Name of Municipality)

Dated this _____ day of _____, 20____ at _____, Maine.

Signature of Officials	Printed Name and Title

Please include a copy of the receipt paid to the County Commissioners – if applicable.

Submit Completed Forms To: Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: maine.liquor@maine.gov

For Office Use Only:

Date Filed: _____ ☐ Approved ☐ Not Approved

Date Issued: _____ Issued By: _____

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: RATHEL'S ON THE GREEN
2. Doing Business As, if any: RATHEL'S ON THE GREEN
3. Date of filing with Secretary of State: _____ State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

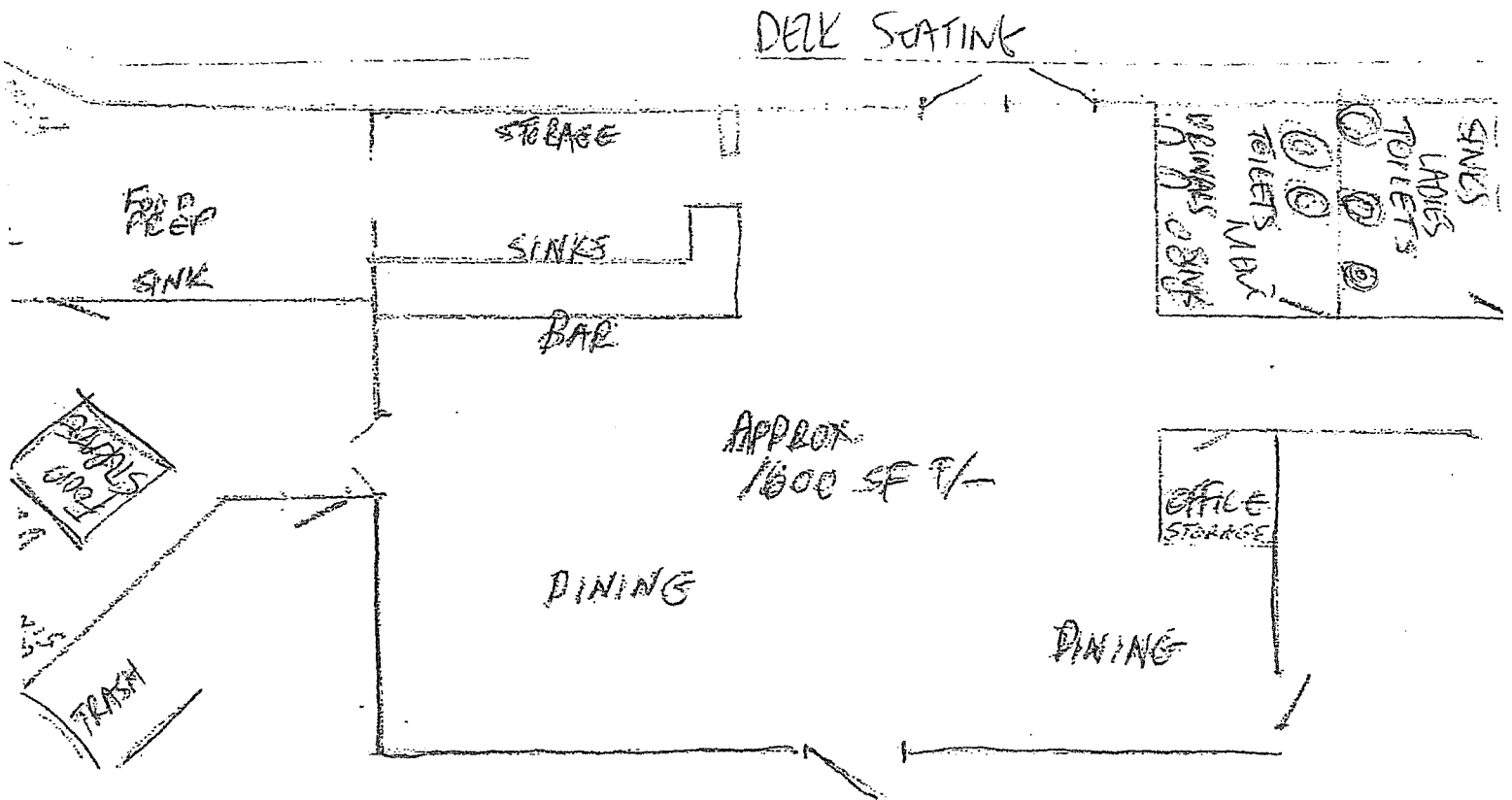
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
LLOYD SMITH	NORTH YARMOUTH, ME	[REDACTED]	OWNER	50%
CELESTE ROSS	GREY, ME	[REDACTED]		25%
PATTY DUNN	FREETPORT, ME	[REDACTED]	—	25%

(Ownership in non-publicly traded companies must add up to 100%.)

RACHELS ON THE GREEN
60 VAL HALLA RD.
CUMBERLAND, ME 04021
LICENSE # 7551

PREMISE DIAGRAM

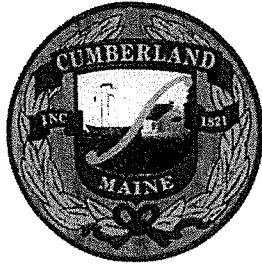


01/27/20

ITEM

21-016

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



FARM BASED SPECIAL EVENTS LICENSE

Chapter 81 of Town of Cumberland Code

Application

Name: Joanne Fryer (Mowfield Farm)
Address: 111 Bruce Hill, Cumberland
Email: joanne@mowfieldfarm.com
Telephone: (207) 829-8430
PB Site Plan Approval Date: ? 12-20-2017

Submission Requirements

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

License Fee-\$50

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

Notice of Decision

Date: December 20, 2017

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

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

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

Findings of Fact: See Below

Waivers granted: None

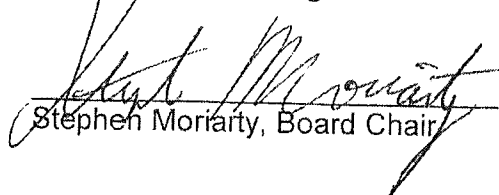
Waivers Denied: None

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

Conditions of Approval:

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

Cumberland Planning Board


Stephen Moriarty, Board Chair

Chapter 229 – SITE PLAN REVIEW

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

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

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

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

10.2 Traffic, Circulation and Parking

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10.2.5 Building and Parking Placement

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

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

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

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

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

10.3 Stormwater Management and Erosion Control

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

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

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

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

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

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

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

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

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

10.3.2 Erosion Control

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

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

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

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

10.4 Water, Sewer, Utilities and Fire Protection

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

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

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

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

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

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

10.5 Water Protection

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

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

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

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

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

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

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

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

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

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

The site is not located within a floodplain.

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

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

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

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

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

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

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

10.9 Buffering and Landscaping

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

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

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

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

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

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

10.11 Storage of Materials

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

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

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

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

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

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

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

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

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

10.13 Design and Performance Standards

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

Chapter 81

Farm-Based Special Events Licensing

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

§ 81-1 Title.

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

§ 81-2 Purpose.

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

§ 81-3 Definitions.

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

FARM-BASED SPECIAL EVENT

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

§ 81-4 License required; application procedure.

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

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

§ 81-5 License standards.

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

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

[2] Two traffic lanes: 24 feet.

[3] Parallel parking lanes: seven feet.

- (c) Adequate parking space shall be provided, which means that there shall be at least one parking space to every three persons, and the density shall not exceed 100 passenger cars or 30 buses per usable acre.
- (6) At least 10 square feet per person shall be provided on the site for a large outdoor event with assigned seating; at least 15 square feet shall be provided for a large outdoor event with festival seating; and no overnight assemblage shall be permitted.

C. Water supply.

- (1) An adequate, safe supply of potable water, meeting the requirements of the State Department of Health and Human Services, Division of Environmental Health, shall be provided and common cups shall not be used. Service buildings or rooms housing required plumbing fixtures shall be constructed of easily cleanable, nonabsorbent materials; the buildings, service rooms, and required plumbing fixtures located therein shall be maintained in good repair and in a clean and sanitary condition.
- (2) Transported water shall be obtained from an approved source, stored and dispensed in an approved manner. "Approved" as used in this subsection means in compliance with standards adopted by the State Department of Health and Human Services, Division of Environmental Health.

D. Sanitation.

- (1) Where water is distributed under pressure and flush toilets are used, the water system shall deliver water at a normal operating pressure (20 pounds per square inch minimum to all fixtures at the rate of at least 30 gallons per person per day).
- (2) When water is not available under pressure, and nonwater carriage toilets are used, at least three gallons of water per person per day shall be provided for drinking and lavatory purposes.
- (3) Where water under pressure is not available, equivalent facilities shall be provided and installed in accordance with the requirements of the Department of Health and Human Services, Bureau of Health, Mass Gathering Rules and Informational Guidelines.
- (4) Sanitary facilities shall be provided at the rate of one for each 200 persons. Any other proposal for providing sanitary facilities must be in accordance with the requirements of the Department of Health and Human Services, Bureau of Health, Mass Gathering Rules and Informational Guidelines.
- (5) The required sanitary facilities shall be conveniently accessible and well defined.
- (6) Each toilet shall have a continuous supply of toilet paper.
- (7) Service buildings or rooms housing required plumbing fixtures shall be constructed of easily cleanable, nonabsorbent materials; the buildings, service rooms, and required plumbing fixtures located therein shall be maintained in good repair and in a clean and sanitary condition.

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

E. Refuse disposal.

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

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

G. Safety.

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

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

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

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

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

§ 81-7 Permits; blackout dates.

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

§ 81-8 Inspections.

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

§ 81-9 Suspension or revocation of event license.

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

§ 81-10 Denial of event license; appeals.

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

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

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

§ 81-11 Rules and regulations.

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

§ 81-12 Violations and penalties.

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

§ 81-13 Waivers.

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

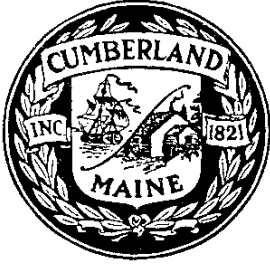
§ 81-14 Transfer of license.

Licenses issued hereunder shall not be transferable or assignable.

ITEM

21-017

To authorize the Town Manager to execute a Memorandum of Understanding for the Southern Maine Public Works Mutual Aid Compact



MEMORANDUM

Town of Cumberland, Maine
290 Tuttle Road
Cumberland, ME 04021
Telephone (207) 829-2205 • Fax (207) 829-2214

To: Town Council
From: William R. Shane, Town Manager
Date: February 17, 2021
Re: Item 21-017

Many Town Managers throughout Southern Maine have been working to develop effective cost sharing and equipment sharing ideas. The attached agreement is a result of Public Works Directors working together for non-emergencies, as well as emergencies. Towns are signing up weekly and participation is voluntary. Many of our neighbors have signed up and I believe it would be beneficial for us to participate, although I do not see many instances where we would be able to help. We are down one plow truck and most of our equipment is fast approaching “salvage”, not replacement. Several of our plow trucks are in very good shape, but if it is snowing and we are all plowing, we may be able to help with some adjacent streets, but giving up a truck or front-end loader would be very difficult. We will always find a way to help our neighbors if need be. This agreement, while hard for us to help now, we hope in the future we will be able to participate.

Southern Maine Public Works Mutual Aid Compact
Memorandum of Understanding

The Town of Cumberland, Maine agrees to join and participate in the Southern Maine Public Works Mutual Aid Compact (the "Compact") for the purpose of enabling the public works departments (or their local equivalent), including water and wastewater operations, acting through their individual community's emergency management authority, to request and provide assistance to other participating communities' public works departments on an "as needed, as able" basis, pursuant to the authority granted to local emergency management organizations by 37-B M.R.S.A. §784-A to call for and employ assistance for emergency management activities.

Member of the Compact hereto agree as follows:

Section 1. Definitions

The following terms shall be defined for the purposes of the Compact as follows:

- A. "Compact" – the Southern Maine Public Works Mutual Aid Compact
- B. "Requesting Party" – the municipality requesting aid from the Assisting Party.
- C. "Assisting Party" – the municipality furnishing aid to the Requesting Party.
- D. "Participating Municipality" – a city or town participating as a member of the Compact.
- E. "Authorized Representative" – an employee of a municipality authorized by that municipality to request, offer, or provide assistance under the terms of the Compact.
- F. "Work or Work-Related Period" – any period in which either the personnel and/or equipment of the Assisting Party are being used by the Requesting Party to provide assistance and for which the Requesting Party will reimburse the Assisting Party. This period is defined as beginning with the departure of any personnel and/or equipment of the Assisting Party from any point for the purpose of traveling to the location of the Requesting Party to provide assistance. It ends upon the return of all personnel and equipment of the Assisting Party, after providing the assistance requested, to their resident or regular place of work, whichever occurs first.

Section 2. Rights and Responsibilities

Each Participating Municipality shall, in the event of a disaster, severe labor shortage due to pandemic or epidemic conditions, or other emergency, provide sufficient personnel, equipment, materials, and supplies, as reasonably available as determined by the Assisting Party to fulfill their commitments to other Participating Municipalities and accomplish the purpose of the Compact. It is hereby understood and agreed that all personnel furnished pursuant to this joint undertaking shall be considered to be and remain employees of their respective municipalities for all purposes and shall enjoy all privileges and immunities afforded them by law; further, that all equipment furnished pursuant to this joint undertaking shall remain the property of and be the sole responsibility of the Participating Municipality providing such equipment.

In the event of a severe or widespread emergency that results in the activation of local, county, or state emergency operations centers pursuant to the Maine First Responders State-Wide Mutual Aid Agreement, any request or deployment of resources shall take precedence over any request or provision of assistance under this Compact.

Section 3. Procedures

The following procedures shall be followed to request mutual aid from another municipality:

- A. The Requesting Party shall contact the authorized representative of one or more Participating Municipalities and provide them with the following information:
 1. A general description of the assistance requested;
 2. Identification of the part of the infrastructure system for which the assistance is needed and the type of work assistance needed;
 3. The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed;
 4. The present weather conditions and the forecast for the next twenty-four hours or other conditions relevant to the request for assistance;
 5. A specific time and place for a representative of the Requesting Party to meet the personnel and equipment of the Assisting Party; and
 6. The recommended route between the Requesting and Assisting Parties' locations and the travel conditions along that route, based on the best information available.
- B. When contacted by a Requesting Party, the authorized representative of a Participating Municipality shall assess their municipality's situation to determine whether it is capable of providing assistance. If the authorized representative determines that the municipality is capable of and willing to provide assistance, they shall so notify the Requesting Party and provide reasonable estimates of the following:
 1. A complete description of the personnel, equipment, materials, and supplies to be furnished to the Requesting Party;
 2. The length of time the personnel, equipment, materials, and supplies will be available;
 3. The areas of experience and abilities of the personnel and the capability of the equipment to be furnished;
 4. The name of the person or persons to be designated as supervisory personnel; and
 5. The estimated time when the assistance provided will arrive at the location designated by the authorized representative of the Requesting Party.
- C. The assignment and supervision of personnel and equipment shall be agreed upon by both the Assisting Party and the Requesting Party at the onset of, or prior to, the assistance.
- D. The Assisting Party may, in its sole discretion, withdraw its assistance, in whole or in part, at any time after giving notice to the Requesting Party.
- E. The Requesting Party shall be responsible for providing food and housing for the personnel of the Assisting Party from the time of their arrival at the designated location to the time of their departure, if required.
- F. The Requesting Party shall be responsible to provide for the health and sanitation protection of the personnel of the Assisting Party including, but not limited to maintenance of social distancing, sanitization of work environments, tools and equipment, and provision of necessary PPE.

- G. The Requesting Party shall be responsible for providing communications between the personnel of the Assisting Party and the Requesting Party.
- H. The Requesting Party shall complete a written agreement regarding the Assistance to be rendered, setting forth the terms agreed upon with the Assisting Party, and shall transmit the agreement by the quickest practical means to the Assisting Party for approval. The Assisting Party shall acknowledge the written agreement by executing and returning a copy to the Requesting Party by the quickest practical means and retaining a copy for its files.

Section 4. Reimbursable Expenses

The terms and conditions governing reimbursement for any assistance provided under this Compact shall be in accordance with the following provisions unless otherwise agreed upon by the Parties and specified in the written agreement executed in accordance with paragraph 3.G., above.

- A. Personnel – During the work-related period, the Assisting Party shall continue to pay its employees according to its then prevailing ordinances, rules, regulations, contracts, and collective bargaining agreements. The Requesting Party shall reimburse the Assisting Party for all direct and indirect payroll costs and expenses incurred during the work-related period, including, but not limited to, employee pensions and benefits, unless otherwise mutually agreed by the Parties.
- B. Equipment – The Assisting Party shall be reimbursed for the use of its equipment during the work-related period according to either a pre-established hourly rate or according to the actual fuel and oil replacement, labor costs, and other previously agreed expenses. The Assisting Party shall be responsible for providing equipment in safe and operable condition. In the event of any unforeseen breakdowns during operations while providing assistance, the Requesting Party shall reimburse the Assisting Party for damages or breakdowns that were incurred as a result.
- C. Materials and Supplies – The Assisting Party shall be reimbursed for all materials and supplies furnished by it and used or damaged during the work-related period unless such damage is caused by gross negligence, willful or wanton misconduct, intentional misuse, recklessness, or destruction by the Assisting Party's personnel. The Assisting Party's personnel shall use reasonable care under the circumstances of an event in the operation and control of all materials and supplies used by them during the work-related period. In the alternative, the involved Parties may agree that the Requesting Party will replace, with like kind and quality as determined by the Assisting Party, the materials and supplies used or damaged.
- D. Record Keeping – The Assisting Party shall maintain records and submit invoices for reimbursement by the Requesting Party using formats recommended by FEMA publications, if applicable.
- E. Payment – Unless otherwise mutually agreed in the written agreement executed in accordance with paragraph 3.G., above, or a subsequent written addendum to the agreement, the Assisting Party shall issue an itemized invoice to the Requesting Party for all reimbursable expenses not later than sixty (60) days following the work-related period; the Requesting Party shall pay the invoice in full not later than thirty (30) days following the billing date.

Section 5. Withdrawal from the Compact

Any Participating Municipality may withdraw from and cease its participation in the Compact at any time, with or without cause, with written notice from its authorized representative to the Greater Portland Council of Governments and the Cumberland County Emergency Management Agency, as identified in Section 6, below.

Section 6. Records of the Compact

Copies of executed memoranda of understanding of Participating Municipalities joining the Compact, requests for assistance, written agreements and any written addenda, final reports of assistance provided and costs reimbursed, and notices of withdrawal from and cessation of participation in the Compact shall be delivered to and maintained by the Greater Portland Council of Governments and the Cumberland County Emergency Management Agency.

GPCOG

Attn: Dir. of Municipal Collaboration
970 Baxter Boulevard, Suite 201
Portland, ME 04103

CCEMA

Attn: EMA Director
22 High Street
Windham, ME 04062

Participating Municipalities also should provide current listings of authorized personnel, as well as personnel, equipment, materials and supplies generally available, to be provided upon request.

Section 7. Effective Dates

This Compact shall become effective upon the receipt of executed memoranda of understanding by the Greater Portland Council of Governments and the Cumberland County Emergency Management Agency from at least two (2) Participating Municipalities. Memoranda of understanding shall remain in effect for one year from the date signed and shall renew automatically for successive one-year terms unless a Participating Municipality issues a notice of withdrawal. The Compact shall terminate when there are no longer at least two (2) Participating Municipalities.

Participating Municipality : _____

Dated : _____

By : _____

Its Duly Authorized : _____

ITEM

21-019

To set a Public Hearing date of March 8th to consider and act on a zone change request from Michael Record and Andrew Hagerty to change up to 70,000 square feet of the lot located at 222 Gray Road, Tax Assessor Map U20, Lot 66, from the Village Center Commercial (VCC) zone to the Village Office Commercial I (VOCI) zone, as recommended by the Planning Board

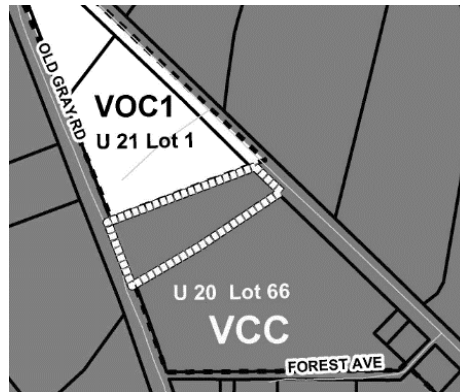
Notice of Decision

Date: February 18, 2021

To: William Shane, Town Manager

From: Carla Nixon, Town Planner

Re: Public Hearing for a recommendation to the Town Council on a zone change request from Michael Record and Andrew Hagerty to change a 59,600 square foot portion of the lot located at 222 Gray Road, Tax Assessor Map U20, Lot 66 from the Village Center Commercial (VCC) zone to the Village Office Commercial I (VOCI) zone.



Gray shaded area outlined in white is proposed to change from VCC to VOC1

This is to advise you that on Tuesday, February 16, 2021, the Planning Board conducted a Public Hearing on a request to provide a recommendation to the Town Council on a zone change request from Michael Record and Andrew Hagerty to change a portion of the lot located at 222 Gray Road, Tax Assessor Map U20, Lot 66 from the Village Center Commercial (VCC) zone to the Village Office Commercial I (VOCI) zone. The Town Manager noted that the area proposed for rezoning is approximately 70,000 square feet in size. There were no public comments. The Planning Board voted unanimously to recommend that the Town Council to approve the zone change request from Michael Record and Andrew Hagerty to change up to 70,000 square feet of the lot located at Tax Assessor Map U20, Lot 66 from the Village Center Commercial Zone to the Village Office Commercial Zone.

Cumberland Planning Board

Paul Auclair, Chairman

ITEM

21-020

To set a Public Hearing date of March 8th to consider and act on proposed amendments to Chapter 229 (Site Plan Review) to add agriculture related language, as recommended by the Planning Board

Notice of Decision

Date: February 17, 2021

To: William Shane, Town Manager

From: Carla Nixon, Town Planner

Re: Public Hearing for a recommendation to the Town Council on proposed amendments to Chapter 229 (Site Plan Review) to add agriculture related language.

Please be advised that on February 16, 2021 the Planning Board conducted a Public Hearing for a recommendation to the Town Council on proposed amendments to Chapter 229 (Site Plan Review) to add agriculture related language. There were no public comments. The Planning Board recommended the amended language in 229-2-C.4 be changed from "over 6,000 sf" to "a new structure that is over 6,000 sf in size". The Board also recommended changes under 229-11 to allow for the Town Planner to grant unlimited one-year extensions to the period to commence or complete a project for approved agriculture-related projects instead of a proposal for agriculture related projects to have 5 years to commence and 10 years to complete.

Cumberland Planning Board

Paul Auclair, Chairman

Planning Board's recommended amendments to Chapter 229- Site Plan Review

§ 229-1 Title, purpose and authority.

A. Title. This chapter shall be known and cited as the "Site Plan Ordinance of the Town of Cumberland, Maine."

B. Purpose. The site plan review provisions are intended to protect public health and safety, promote the general welfare of the community, and conserve the environment by assuring that all development is designed and constructed in a manner which assures that adequate provisions are made for traffic, utilities, stormwater, erosion and sedimentation, wildlife habitat and fisheries, and historic and archaeological resources. Site plan review will also serve to minimize any adverse impacts on neighboring properties and to ensure that new developments will fit in harmoniously to the fabric of the community. while honoring the historical roots of the Town's agriculture-based economy and providing for less costly and time-consuming review of agriculture-related businesses.

C. Review and approval authority. The Town Planner is authorized to review and approve projects classified as "staff review." However, the Town Planner may refer a staff review project to the Planning Board when the nature of the application warrants a public hearing or poses the potential for significant impacts on municipal facilities or natural resources. ~~The Planning Board is authorized to review all other projects.~~



§ 229-2 Classification levels.

A. There are ~~three~~ four classification levels of site plan review:

(1) Minor staff review.

(2) Agriculture- related staff review

~~(2-3)~~ Major staff review.

~~(3-4)~~ Planning Board site plan review.

B. The Town Planner shall classify each project to determine the level of review required based on the applicability standards set forth in this section. Staff review is designed for the review of smaller projects, while larger projects will be reviewed by the Planning Board. When calculating square footage as referenced below, include the total area, in square feet, of all floors of the building as measured from the interior faces of the exterior walls, excluding unfinished attics and unfinished basements.

C. The Town Planner shall classify each project to determine the level of review required based on the applicability standards set forth in this section. Staff review is designed for the review of smaller projects, while larger projects will be reviewed by the Planning Board. When calculating square footage as referenced below, include the total area, in square feet, of all floors of the building as measured from the interior faces of the exterior walls, excluding unfinished attics and unfinished basements.

Type of Activity		Minor Staff Review Required Subject to § 229-1C	Major Staff Review Required Subject to § 229-1C	Planning Board Site Plan Review Required
1.	The construction of a new structure (other than single-family and duplex) that contains any of the following:		Between 1,000 and 3,000 sq. ft.	Over 3,000 sq. Over 1,000 cubic yards of fill or excavation
a.	The expansion of a nonresidential building or structure, including accessory buildings, that increases the total floor area by: the total area, in square feet, of all floors of a building as measured from the interior faces of the exterior walls, excluding unfinished attics and unfinished basements	Less than 1,000 sq. ft.	Between 1,000 and 3,000 sq. ft.	Over 3,000 sq. ft.
b.	The construction of an impervious surface such as a support pad or paved or gravel parking area:	Less than 1,000 sq. ft.	Between 1,000 and 3,000 sq. ft.	Over 3,000 sq. ft.
c.	The conversion of existing approved buildings or structures from one approved use to another without enlargement of gross floor area or increase in required parking	X		
2.	Excavation or fill involving over 1,000 cubic yards of material for any type of development or site work that is not otherwise subject to site plan or subdivision review, including but not limited to single-family and duplex development			X

Type of Activity	Minor Staff Review Required Subject to § 229-1C	Major Staff Review Required Subject to § 229-1C	Planning Board Site Plan Review Required
3. Site preparation activities related to any type of development, including single-family or duplex development, consisting of over 1 acre of disturbed area, including clearing, grubbing, grading and the construction of driveways, entrances, and the installation of driveway culverts. Site plan review will not be required for any subdivision that includes the site preparation activities as part of its approval.	Less than 5 acres.		Greater than 5 acres.

4. Any of the above activities that are for an agriculture-related use shall be subject to Minor Staff Review unless the project includes a new structure that is over 6,000 sf in size, in which case the Planning Board shall conduct the review. As per Section 229-1C, the Town Planner may refer a staff review project to the Planning Board when the nature of the application warrants a public hearing or poses the potential for significant impacts on municipal facilities or natural resources.

§ 229-11 Expiration of approval.

Construction of the improvements covered by any site plan approval, except for agriculture-related projects, must be substantially commenced within 12 months of the date upon which the approval was granted. If construction has not been substantially commenced within 12 months of the date upon which approval was granted, the approval shall be null and void. If construction has not been substantially completed within 24 months of the date upon which approval was granted or within a time period as specified by the Planning Board, the approval shall be null and void. The applicant may request an extension of the deadline to commence or complete construction prior to expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two one-year extensions to the period if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

Construction of the improvements covered by any site plan approval for agriculture-related projects must be substantially commenced within 12 months of the date upon which the approval was granted. If construction has not been substantially commenced within 12 months of the date upon which approval was granted, the approval shall be null and void. If construction has not been substantially completed within 24 months of the date upon which approval was granted or within a time period as specified, the approval shall be null and void. The applicant may request an extension of the deadline to commence or complete construction prior to expiration of the period. Such request must be in writing and must be made to the Town Planner. The Town Planner may grant an unlimited number of one-year extensions to the period if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

02/18/2021
 11:41:32

TOWN OF CUMBERLAND
 HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
 glactrpt

FOR PERIOD 08 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
130 Administration	415,768.33	415,051.36	431,607.69	369,040.41	616,244.00
140 Assessor	53,806.99	72,378.46	66,711.64	71,094.52	112,471.00
150 Town Clerk	136,823.91	158,772.11	177,610.75	144,040.54	275,187.00
160 Technology	150,975.91	140,726.63	178,811.34	197,118.85	212,517.00
165 Elections	3,094.00	5,701.69	7,530.43	5,666.78	14,241.00
170 Planning	42,081.81	41,846.50	40,860.03	36,924.13	73,137.00
190 Legal	36,819.91	30,476.30	38,266.83	36,945.90	47,500.00
210 Police	868,628.95	856,592.46	915,092.02	898,318.42	1,472,754.00
220 Fire	590,259.41	601,216.06	630,770.45	634,481.03	1,070,962.00
240 Code Enforcement	90,656.88	89,268.15	93,933.39	96,842.08	143,113.00
250 Harbor Master	5,079.13	3,961.64	12,012.04	14,154.76	25,226.00
260 Animal Control	24,139.62	22,103.53	24,221.95	35,013.19	35,412.00
310 Public Works	823,182.38	805,220.22	817,282.83	709,774.30	1,269,713.00
320 Waste Disposal	311,404.44	327,233.21	352,860.03	333,013.02	592,696.00
350 Valhalla-Club	23,278.85	23,184.89	17,278.41	19,140.14	27,231.00
360 Valhalla-Course	318,383.01	339,756.53	357,325.98	363,891.25	515,427.00
370 Valhalla-Pro Shop	170,859.78	205,195.73	154,740.63	136,903.15	238,467.00
410 Recreation	655,549.67	704,298.15	769,756.90	483,317.96	914,018.00
420 Aging in Place	.00	17,181.71	63,951.48	62,479.52	85,105.00
430 Parks	198,891.18	216,305.20	206,500.61	220,520.38	318,355.00
440 West Cumberland Rec	4,064.18	3,708.83	3,569.47	3,403.33	8,204.00
450 Library	282,673.32	317,850.65	338,545.86	318,174.89	516,000.00
470 Historical Society Building	3,458.71	5,419.81	4,317.30	186.00	8,964.00
580 General Assistance	21,034.87	20,045.25	28,690.53	17,293.58	35,000.00
590 Health Services	12,533.85	12,533.85	16,533.85	.00	3,875.00
620 Cemetery Association	26,700.00	28,450.00	26,700.00	26,700.00	26,700.00
630 Conservation	2,937.68	5,598.52	2,327.69	4,202.07	13,000.00
650 Debt Service	692,833.99	528,987.24	383,488.71	300,580.47	1,157,320.00
750 Insurance	182,001.17	253,432.62	240,176.06	293,456.31	277,823.00
800 Fire Hydrants	44,318.27	45,686.76	47,960.36	48,840.87	81,686.00
810 Street Lighting	25,717.66	20,568.32	24,899.28	45,000.00	45,000.00
830 Contingent	.00	2,907.19	2,722.00	59,248.51	100,000.00
840 Municipal Building	53,909.27	67,045.98	56,225.18	71,043.26	105,160.00
850 Abatements	22,712.23	23,670.91	34,592.46	5,327.14	1.00
860 MSAD #51	11,472,071.52	12,460,180.56	12,625,171.28	13,403,202.53	20,104,804.00
890 County Tax	813,904.00	878,954.00	910,761.00	938,569.00	938,569.00
910 Capital Reserves	693,000.00	699,300.00	771,061.00	180,000.00	180,000.00
TOTAL General Fund	19,273,554.88	20,450,811.02	20,874,867.46	20,583,908.29	31,661,882.00
TOTAL EXPENSES	19,273,554.88	20,450,811.02	20,874,867.46	20,583,908.29	31,661,882.00
GRAND TOTAL	19,273,554.88	20,450,811.02	20,874,867.46	20,583,908.29	31,661,882.00

02/18/2021
11:45:53

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 1
glactrpt

FOR PERIOD 08 OF 2021

ACCOUNTS FOR:	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
001 General Fund					
<hr/>					
010 Property Taxes					
0010 0326 Tax Commitment	-23,003,722.86	-24,521,615.82	-25,380,076.34	-26,258,074.17	-26,262,619.46
0010 0327 Homestead State Reimb	-286,191.00	-374,499.00	-403,918.00	-563,093.00	-703,373.00
TOTAL Property Taxes	-23,289,913.86	-24,896,114.82	-25,783,994.34	-26,821,167.17	-26,965,992.46
011 Other Tax Revenues					
0011 0303 Motor Vehicle Excise Tax	-1,379,629.91	-1,426,915.98	-1,495,192.12	-1,531,916.70	-1,735,000.00
0011 0304 Boat Excise Tax	-4,059.74	-3,465.00	-3,494.30	-4,298.60	-14,000.00
0011 0325 Supplemental Taxes	.00	.00	-38,940.00	.00	.00
0011 0328 Outer Islands Property Tax	-21,887.03	-22,020.50	-23,513.74	-22,947.69	-46,000.00
0011 0329 Payment in Lieu of Taxes	-15,344.00	-15,959.00	-16,061.48	-18,903.00	-33,000.00
TOTAL Other Tax Revenues	-1,420,920.68	-1,468,360.48	-1,577,201.64	-1,578,065.99	-1,828,000.00
012 Licenses & Permits					
0012 0311 Hunting/Fishing Lic Agent Fees	-264.50	-293.25	-280.75	-230.00	-541.00
0012 0312 Marriage Lic & Vital Records	-1,443.60	-1,807.60	-1,827.00	-1,916.00	-2,436.00
0012 0313 Birth Certificates	-1,101.80	-968.80	-1,095.40	-866.60	-1,361.00
0012 0314 Death Certificates	-1,230.80	-1,278.20	-1,331.20	-1,116.60	-1,713.00
0012 0315 Clerk Licenses	-2,350.00	-2,370.00	-1,760.00	-1,260.00	-4,608.00
0012 0316 Shellfish Licenses	-335.19	-474.92	-483.26	-629.63	.00
0012 0317 Conservation Fees	-54.81	-115.08	-76.74	-140.37	.00
0012 0334 Snowmobile Reg. Agent Fees	-194.00	-216.00	-223.00	-254.00	.00
0012 0361 Motor Vehicle Reg. Agent Fees	-13,652.00	-13,672.00	-19,109.00	-20,742.00	-21,406.00
0012 0362 Boat Reg. Agent Fees	-148.00	-158.00	-188.00	-186.00	-1,098.00
0012 0366 Building Permits	-43,233.89	-53,117.88	-49,544.31	-84,814.95	-75,000.00
0012 0367 Electrical Permits	-19,319.75	-13,284.80	-14,806.55	-21,454.54	-21,634.00
0012 0368 Plumbing Permits	-13,067.50	-10,573.50	-9,832.50	-15,512.50	-18,789.00
0012 0369 Other Permits	-422.00	-720.00	-446.00	-401.00	-1,751.00
0012 0383 ATV Reg. Agent Fees	-42.00	-69.00	-71.00	-59.00	-37.00
0012 0390 Misc. Revenue	.00	.00	.00	-100.00	.00
0012 0398 Application Fee	-1,350.00	-3,400.00	-1,250.00	-450.00	-1,300.00
0012 0401 Dog Reg. Clerk Fees	-868.00	-860.00	-809.00	-601.00	-2,800.00
0012 0404 Commercial Haulers License	.00	.00	.00	-100.00	-500.00

02/18/2021
11:45:53

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 2
glactrpt

FOR PERIOD 08 OF 2021

ACCOUNTS FOR: 001 General Fund	PRIOR YR3 ACTUALS	PRIOR YR2 ACTUALS	LAST YR ACTUALS	CURRENT YR ACTUALS	CY REV BUDGET
TOTAL Licenses & Permits	-99,077.84	-103,379.03	-103,133.71	-150,834.19	-154,974.00
013 Intergovernmental Revenues					
0013 0331 State Revenue Sharing	-308,566.37	-314,563.09	-513,481.29	-486,008.36	-500,000.00
0013 0335 DOT Block Grant	-69,136.00	-68,644.00	-71,480.00	-66,876.00	-71,480.00
0013 0341 North Yarmouth Recreation Shar	-16,688.00	-9,460.00	1,742.50	-4,546.00	-18,184.00
0013 0342 North Yarmouth Library Share	-77,712.00	-80,036.00	-84,680.42	-45,848.25	-183,393.00
0013 0347 North Yarmouth Channel 2	-1,474.00	.00	.00	.00	.00
0013 0348 ACO Sharing Payments	.00	.00	.00	-112.95	.00
TOTAL Intergovernmental Revenue	-473,576.37	-472,703.09	-667,899.21	-603,391.56	-773,057.00
015 Other Revenues					
0015 0305 Interest & Penalties	-9,999.62	-12,362.66	-24,314.29	-9,337.38	-30,000.00
0015 0306 Over/Short	844.09	5,105.60	572.03	789.17	-100.00
0015 0364 Growth Permits	-2,100.00	-2,300.00	-2,000.00	-2,600.00	-2,000.00
0015 0365 Board of Appeals	-200.00	-100.00	-200.00	.00	.00
0015 0390 Misc. Revenue	-35,895.23	-39,961.09	-31,976.27	-32,313.66	-25,000.00
0015 0399 Staff Review Fee	-18,100.00	-9,250.00	-9,025.00	-4,350.00	-14,117.00
0015 0403 Mooring Fees	-1,450.00	-2,021.92	-2,846.00	-126.00	-1,500.00
0015 0410 Private Ways	-200.00	-600.00	.00	-200.00	-400.00
0015 0508 Impact Fees	-35,595.00	-58,932.30	-58,209.20	-72,046.80	-60,000.00
TOTAL Other Revenues	-102,695.76	-120,422.37	-127,998.73	-120,184.67	-133,117.00
210 Police					
0021 0337 State Grant revenue	.00	-965.00	-1,846.00	-951.30	.00
0021 0351 Police Issued Permits	-987.00	-1,670.00	-7,734.00	-670.00	-2,000.00
0021 0353 Police Insurance Reports	-412.00	-356.00	-390.00	-250.00	-500.00
0021 0390 Miscellaneous Police Revenue	-309.15	-753.00	-177.00	-51.00	-648.00
0021 0427 Parking Tickets	-565.00	-325.00	-575.00	-225.00	-100.00
0021 0536 Dog Licenses ACO Revenue	-2,368.00	-2,104.00	-2,851.00	-1,277.00	-1,800.00
0021 0540 MSAD #51 SRO Reimbursement	-24,000.00	-24,500.00	.00	.00	.00
0021 0546 Court Reimbursements	-1,143.04	46.00	-3,492.28	-119.02	-2,200.00

02/18/2021
11:45:53

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT

PAGE 3
glactrpt

FOR PERIOD 08 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
<hr/>					
TOTAL Police	-29,784.19	-30,627.00	-17,065.28	-3,543.32	-7,248.00
220 Fire					
<hr/>					
0022 0390 Misc. Revenue	-300.00	.00	-15.00	.00	.00
0022 0504 Rescue Billing	-118,785.40	-114,762.73	-96,561.77	-54,942.59	-160,000.00
0022 0505 Non Emergency Transports	-6,765.06	.00	.00	.00	.00
0022 0507 Paramedic Intercepts	-300.00	.00	.00	-300.00	.00
0022 0617 Donations Received	.00	.00	-1,000.00	-4,196.00	.00
0022 0617 COVID Donations Received	.00	.00	.00	206.99	.00
TOTAL Fire	-126,150.46	-114,762.73	-97,576.77	-59,231.60	-160,000.00
310 Public Works					
<hr/>					
0031 0390 Misc. Revenue	-234.00	-3,140.00	-5,976.00	-3,557.00	-20,500.00
0031 0391 Field Usage Fees	-7,416.20	-5,383.20	-4,031.80	.00	-5,000.00
0031 0517 Bags/Universal Waste	-225,612.50	-207,547.50	-152,681.50	-80,527.50	-295,015.00
0031 0539 Brush Passes	-1,907.00	-1,820.00	-1,717.00	-6,249.00	-8,277.00
0031 0617 Twin Brooks Donations	-118.00	.00	-100.00	-1,885.00	-92.00
TOTAL Public Works	-235,287.70	-217,890.70	-164,506.30	-92,218.50	-328,884.00
350 Valhalla-Club					
<hr/>					
0035 0329 Payment in Lieu of Taxes	.00	.00	-9,000.00	.00	-6,000.00
0035 0378 Soda Sales	-1,644.50	-2,039.60	-1,594.40	-2,085.40	-2,500.00
0035 0560 Rental Income	-13,227.66	-10,276.25	-6,750.00	-6,750.00	-14,000.00
0035 0565 Cell Tower Land Lease	-14,400.00	-14,400.00	-14,400.00	-15,480.00	-21,600.00
TOTAL Valhalla-Club	-29,272.16	-26,715.85	-31,744.40	-24,315.40	-44,100.00
370 Valhalla-Pro Shop					
<hr/>					
0037 0306 Over/Short	.98	-7.24	506.47	-3.89	.00

02/18/2021
11:45:53

TOWN OF CUMBERLAND
HISTORICAL ACTUALS COMPARISON REPORT
PAGE 4
glactrpt
FOR PERIOD 08 OF 2021

ACCOUNTS FOR:	PRIOR YR3	PRIOR YR2	LAST YR	CURRENT YR	CY REV
001 General Fund	ACTUALS	ACTUALS	ACTUALS	ACTUALS	BUDGET
0037 0357 Golf Memberships	-96,858.00	-117,410.40	-93,154.48	-123,701.55	-230,000.00
0037 0358 Greens Fees	-87,265.95	-99,893.75	-80,082.44	-125,666.61	-120,000.00
0037 0359 Golf Cart Rentals	-67,304.21	-56,108.29	-52,915.45	-72,911.19	-82,000.00
0037 0416 Practice Range	-7,191.50	-4,911.75	-1,248.25	-6,478.97	-7,000.00
0037 0417 VH Program Revenues	-27,491.52	-46,365.70	-42,284.00	-50,811.63	-64,715.00
0037 0419 Advertising Sales	-800.00	-5,681.50	.00	.00	-23,500.00
0037 0522 Outing Golf	-36,180.00	-41,978.43	-66,487.00	-36,038.00	-46,430.00
0037 0617 Donations Received	-845.00	.00	.00	.00	.00
TOTAL Valhalla-Pro Shop	-323,935.20	-372,357.06	-335,665.15	-415,611.84	-573,645.00
410 Recreation					
0041 0440 41100 After School Programs	-200,208.50	-197,522.09	-223,123.50	-144,964.00	-270,000.00
0041 0441 41110 Youth Enrichment Programs	-77,993.90	-100,843.70	-117,886.07	-13,329.50	-175,000.00
0041 0442 41120 Youth Sports Programs	-54,612.00	-56,399.25	-60,503.00	-3,911.00	-115,000.00
0041 0443 41130 Skiing Programs	-50,715.00	-53,362.00	-57,274.00	-295.00	-45,020.00
0041 0444 41140 Day Camps	-33,700.18	-29,100.65	-30,108.43	-71,445.50	-175,000.00
0041 0445 41150 Swimming Programs	-19,126.00	-20,567.29	-20,171.00	-1,040.00	-22,500.00
0041 0446 41160 Adult Enrichment Revenue	-30,784.94	-30,730.43	-32,691.26	-500.00	-30,000.00
0041 0447 41170 Adult Fitness Revenue	-45,202.34	-44,574.33	-43,060.20	-12,334.00	-60,000.00
0041 0448 41190 Special Events/Trips Reven	-2,899.00	-3,260.00	-3,481.00	.00	.00
0041 0449 41190 Recreation Programs	-2,714.00	-1,056.00	-5,984.28	.00	.00
0041 0570 41190 Rec Soccer Revenue	-16,190.00	-18,175.00	-20,190.00	-9,123.00	-23,000.00
0041 0571 41190 Rec Ultimate Frisbee Reven	-4,490.00	-5,419.00	-6,890.00	.00	-14,000.00
0041 0606 41190 CPR/First Aid Revenues	.00	5.00	-575.00	835.00	-250.00
TOTAL Recreation	-538,635.86	-561,004.74	-621,937.74	-256,107.00	-929,770.00
450 Library					
0045 0392 Library Fines	-2,272.68	-2,001.30	-2,995.02	-613.59	-3,500.00
0045 0394 Misc. Library Revenue	-826.00	-796.10	-885.20	-428.67	-1,000.00
TOTAL Library	-3,098.68	-2,797.40	-3,880.22	-1,042.26	-4,500.00
TOTAL General Fund	-26,672,348.76	-28,387,135.27	-29,532,603.49	-30,125,713.50	-31,903,287.46
TOTAL REVENUES	-26,672,348.76	-28,387,135.27	-29,532,603.49	-30,125,713.50	-31,903,287.46
GRAND TOTAL	-26,672,348.76	-28,387,135.27	-29,532,603.49	-30,125,713.50	-31,903,287.46