

*Lambert
81612*

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY - JANUARY 25, 1999**

*RB
Advice Carla &
x Bob Hammond &
request for volunteers
(Health for volunteers)*

- I. Call to order at the Cumberland Town Hall at 7:00 p.m.
II. Approval of Minutes
a. January 11, 1999
III. Manager's Report
IV. Public Discussion
V. Legislation and Policy
- Next Agenda
- Cemetery
washout*

- 99-06 To hold a Public Hearing to consider amendments to the Zoning Ordinance that defines boarding kennels, and private kennels.
- 99-07 To hold a Public Hearing to consider and act on amendments to Sec. 204.6 and Sec. 204.7 of the Zoning Ordinance. The amendments propose adding the use of "boarding kennels" to the Local Business (LB) district, and the Highway Commercial (HC) district along Route 100.
- 99-08 To hold a Public Hearing to review and consider recommending amendments to the official zoning map.
- 99-09 To hold a Public Hearing to consider an amendment to the Zoning Ordinance regarding day care centers and nursery schools, amendment proposals include, limiting new day care centers and nursery schools in the RR 1, RR 2, MDR and LDR districts to 16 children and allowing existing centers to expand to 30 children.
- 99-10 To hold a Public Hearing to consider and act on an amendment to the Zoning Ordinance regarding the requirement that 25% of the multiplex units in the northern Office Commercial (OC) district be affordable. (Sec. 204.8.1.5.1). This is a technical amendment that updates the reference to a state law that has been repealed.
- 99-11 To consider and act on new application for Victualer's license for Joseph R. Wallace d/b/a Log Cabin Store.
- 99-12 To consider and act on new application for Victualer's license for Gail Terison d/b/a Viking Grill at Val Halla.

- L.D. 25
man portion*
- VI. Workshop - Budget
VII. Correspondence
VIII. New Business
IX. Adjourn
- Pool Issue*
- let COB do it*

MEMBERS OF THE TOWN COUNCIL

John Lambert, Jr. (Chair)	781-5282	Harland Storey	829-3939
Peter Bingham	829-5713	James Phipps	846-6274
Phillip Gleason	781-3787	Stephen Moriarty	829-5095
Mark Kuntz	829-6482		

**TOWN OF CUMBERLAND
MEETING MINUTES OF THE TOWN COUNCIL
MONDAY - JANUARY 11, 1999**

Present: John Lambert, Peter Bingham, Philip Gleason, Mark Kuntz, Harland Storey, James Phipps, Stephen Moriarty

I. The meeting was called to order at Town Hall by Chairman Lambert at 7:05 p.m.

II. Approval of Minutes

a. December 14, 1998

Councilor Moriarty moved to approve the minutes of the meeting of December 14, 1998 as written.

Seconded by Councilor Kuntz.

VOTE: IN FAVOR: 5

ABSTAIN: 2 (Bingham & Lambert)

b. December 21, 1998

Councilor Bingham moved to approve the minutes of the meeting of December 21, 1998 as written.

Seconded by Councilor Kuntz.

VOTE: IN FAVOR: 6

ABSTAIN: 1 (Phipps)

III. Manager's Report

None

IV. Public Discussion

None

V. Legislation and Policy

- 99-01 To hear presentation of CMP Natural Gas Company regarding installation of natural gas lines in Cumberland.

Roy Lane, Manager of Community Relations of CMP*NATURAL*GAS, a distribution company, outlined CMP's plans to build a natural (methane) gas distribution system in Maine, part of which will go through Cumberland. David S. Miller, III, Manager of Gas Operations and Tim D. Kelley, President & Chief Executive Officer gave a brief overview of the Company, outlined the various benefits of natural gas, its impact in the community, the schedule for service and first area's to be targeted (Winn Road to Route 9 to Cumberland Center, and the Route 1/88 corridor) and answered various questions of the Council and public.

- 99-02 To hold a Public Hearing to consider Planning Board recommendation for a moratorium on new residential subdivisions.

Chairman Lambert gave a comprehensive report on the background of this issue. He outlined the Planning Board's recommendations, the reasons for concern, the various corrective options, and the need for a 90-day building moratorium to give the Town an opportunity to seriously study this issue, develop an ordinance and process to implement a more orderly system of development that would, in the long run, be of a tremendous benefit to the Town and its taxpayers.

Chairman Lambert opened the Public Hearing.

There was much discussion, pro and con, from about 20 residents and other's concerned about this issue.

Chairman Lambert closed the Public Hearing.

Councilor Gleason moved the following Resolution:

THE TOWN OF CUMBERLAND adopts a Moratorium Ordinance as follows:

WHEREAS, the Town of Cumberland adopted a new Comprehensive Plan on June 22, 1998; and

WHEREAS, the Comprehensive Plan identified the protection and preservation of open space, recreation areas and agricultural land as being significant to the character of the Town; and

WHEREAS, 30-A.M.R.S.A. § 4326 has identified the protection of agricultural and open space land as an important element of municipal comprehensive land use plans; and

WHEREAS, the Town is subject to development pressure in all areas of the Town that will reduce open space, recreation areas and agricultural land in the absence of amendments to the Zoning Ordinance and other Town Ordinances; and

WHEREAS, the application of existing land use ordinances and other ordinances and regulations is inadequate to prevent serious public harm resulting from continued development of new residential subdivisions in the Town and the resulting decrease of open space, recreation areas and agricultural land in the Town;

WHEREAS, the Planning Board has held a public Hearing on this proposed Moratorium Ordinance at which there was support for this Ordinance; and

WHEREAS, the Town will need at least 90 days to develop and implement the necessary amendments to zoning and other ordinances and regulations to resolve these development pressures; and

WHEREAS, in the judgment of the Town, these facts create an emergency within the meaning of 30-A.M.R.S.A. § 4356(1)(B) and require the following Moratorium Ordinance as immediately necessary for the preservation of the public health, safety and welfare;

NOW, THEREFORE, the Town of Cumberland hereby ordains that a moratorium is hereby imposed, effective immediately and applicable, to the maximum extent permitted by law and subject to the severability clause below, to all proceedings, applications and petitions not pending within the meaning of 1 M.R.S.A. § 302 as of December 15, 1998, on any new construction or use of such residential subdivisions until the effective date of the necessary amendments to the zoning and other ordinances and regulations or until 90 days after the date of adoption of this Ordinance by the Town Council, whichever occurs first;

BE IT FURTHER ORDAINED, that the Planning Board, Board of Appeals, all Town agencies and all Town employees shall neither accept nor approve applications, plans, permits, licenses, and/or fees for any new construction or development of residential subdivisions or for any amendments to previously approved residential subdivisions that would result in the creation of new lots within such subdivisions, for said period of time; provided, however, that nothing in this Ordinance shall prohibit the issuance of building permits and certificates of occupancy for single-family homes located in subdivisions approved prior to the adoption of this Ordinance or upon individual lots that do not require subdivision approval;

BE IT FURTHER ORDAINED, that to the extent a court of competent jurisdiction deems any provision of this Moratorium Ordinance invalid, the balance of the Moratorium Ordinance shall remain valid.

EFFECTIVE DATE/APPLICABILITY:

In view of the emergency cited in the preamble, this Moratorium Ordinance shall take effect immediately upon passage by the Town, as provided by Article II, Section 11(c) of the Town Charter, and shall apply, to the maximum extent permitted by the law but subject to the severability clause above, to all proceedings, applications and petitions as defined herein and not pending as of December 15, 1998.

Seconded by Councilor Bingham.

VOTE: IN FAVOR: 6

OPPOSED: 1 (Storey)

- 99-03 To set date for Public Information Meeting - Brown Tail Moth control.

Councilor Bingham moved to set the date of February 8, 1999 for the Public Information Meeting on Brown Tail Moth control.

Seconded by Councilor Kuntz.

VOTE: UNANIMOUS (7)

- 99-04 To authorize Town Manager to execute Police and Public Works Union contracts.

Councilor Kuntz moved to authorize the Town Manager to execute the Police and Public Works Union contracts with a 2% increase.

Seconded by Councilor Gleason.

VOTE: UNANIMOUS (7)

- 99-05 Nominating Committee appointments.

Councilor Bingham moved to appoint the following to the Ad Hoc Committee to Prioritize Open Spaces: Open Space Committee:

Chair: Phil Gleason
Bob Vail, Planning Board
Mark Kuntz, Town Council
Jeff Daigle, Planning Board
Beth Howe, Chebeague resident
William Stiles, Cumberland resident
George Turner, Board of Adjustment & Appeals

Seconded by Councilor Storey.

VOTE: UNANIMOUS (7)

VI. Correspondence

- (1) Bernstein, Shur, Sawyer & Nelson, P.A., re: CMP petition for Gas Service
- (2) Graph of Cumberland 1988-1998 Building permits issued
- (3) James Guidi, re: Building Moratorium ordinance issue
- (4) ME Dept of Conservation, re: Brown Tail moth survey report
- (5) William Belvin, re: thank you & request for continued Brown Tail Moth spraying
- (6) Dept. of Building Inspection, re: December 1998 Building permit report
- (7) Joan M. Conroy, re: letter to Governor King on Homestead Exemption, etc.
- (8) Town Forest Board 12/03/98 meeting minutes
- (9) M.S.A.D. #51 December/January agenda's and meeting minutes
- (10) Cumberland County Commissioner's meeting minutes of 11/23 & 12/14/98

VII. New Business

VIII. Adjourn

The meeting adjourned at 9:50 p.m.

A handwritten signature in cursive script that reads "Klara M. Norton".

Klara M. Norton
Town Clerk

MEMO

DATE: January 21, 1999
TO: Town Council
FROM: Bob Benson

RE: Agenda for January 25, 1999 Town Council Meeting

ITEM

99-06 – 99-09 The first four items are covered by memorandums from the Town Planner on these subjects.

99-10 Please refer to the memorandum from the Town Planner.

99-11 & 99-12 These items are self-explanatory. We'll have a recommendation for you at the meeting.

I would like to have a very brief budget workshop. I plan to present you with a no tax increase budget on Monday night.

TOWN OF CUMBERLAND
Planning Department

January 20, 1999

TO: Town Council
FROM: Donna Larson
RE: Items 99-06 and 99-07, boarding kennels

This zoning amendment is the result of a request from a West Cumberland resident, Ms. Randi Smith (see attached memo dated 9/29/98). Currently boarding kennels are allowed as a special exception use in the RR 1, RR 2, and the IR districts. Ms. Smith's property is in the Local Business (LB) district (along Route 100) and the RR2 district; therefore, if her boarding kennel were located 300' back from the centerline of Route 100 (or the extent of the LB district), it would then be in the RR2 portion of her property and allowed as a special exception. Ms. Smith would like to use an existing barn and fenced area for her kennel and that structure is located in the LB district portion of her property.

The Planning Board, in reviewing the request, decided that if the boarding kennel is allowed in residential districts, then it would be appropriate in a commercial district. In addition, a portion of Route 100 is in the Highway Commercial (HC) district. The Planning Board recommended that this use, boarding kennels, be allowed in the highway commercial district along Route 100 also.

As a special exception use, approval from the Board of Adjustment and Appeals is required. All uses, except private residences, in the LB and HC districts require Site Plan Review approval by the Planning Board.

At the November 23, 1998 Council meeting, 2 residents in the area expressed opposition to the addition of the use. In response the Council asked for a definition of a boarding kennel. The Planning Board at their 12/15/98 meeting, made a recommendation to amend the Zoning Ordinance to include the following two definitions:

Item 98-137 99-06

boarding kennel - any place, building, tract of land or abode in or on more than three privately owned dogs or other pets, or both, are kept at any one time for their owners in return for a fee.


private kennel - any premises used for the harboring of more than three dogs under one ownership that are more than 6 months old. (Adoption of this definition would replace the existing definition of "kennel")

to add boarding kennels as a use the following amendment are required:

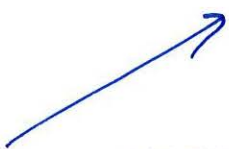
204.6 Local Business District (LB)

The purpose of the Local Business District is to allow a limited range of local business and professional services for residential and rural areas within the Town. Site Plan Review is required for all uses and special exceptions, with the exception of single-family dwellings, bed & breakfast inns with three or fewer guest bedrooms, and day care homes. [Amended, effective 12/13/89]

204.6.2 The following uses are allowed as special exceptions in the LB District requiring the approval of the Board of Adjustment and Appeals:

- .1 Home Occupations
- .2 Single-family dwelling
- .3 Accessory structures of public utilities
- .4 Above ground utility transmission lines not located within public ways
- .5 The sale of gasoline and diesel fuel as an incident to the business of a retail store
- .6 Residential Care Facilities (see Sec. 432) [Effective 9/14/88]
- .7 Day care centers and nursery schools, subject to the provisions of Sec. 408A and Site Plan Review; [Amended, effective 12/13/89]
-  .8 Boarding kennels
- .8 Uses and buildings accessory to those above.

204.7 Highway Commercial District (HC)

 The purpose of the HC District is to allow a wide range of business and professional uses that provide town-wide service, as well as roadside service for through traffic on major arterials. The HC district along Route 100 is also intended to allow boarding kennels. Site plan review and approval by the Planning Board is required, with the exception of single-family dwellings, bed & breakfast inns with three or fewer guest bedrooms, and day care homes. [Amended, effective 12/13/89]

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

- .1 Accessory structures of public utilities;
- .2 Warehousing and wholesale distribution related thereto, but exclusive of junk yards and salvaging operations;
- .3 Transportation termini;
- .4 Above ground utility transmission lines not located within public ways;
- .5 Light manufacturing, as defined;
- .6 Home occupations; [Amended, effective 12/13/89]
- .7 Day care centers and nursery schools, subject to the provisions of Sec. 408A and Site Plan Review; [Amended, effective 12/13/89]
- .8 Boarding kennels
- .8.9 Uses and buildings accessory to those above.

TOWN OF CUMBERLAND
Planning Department

January 20, 1999

TO: Town Council
FROM: Donna Larson
RE: Item 99-08 Official zoning map

Over the past few years the town's various map have been converted to a digital format. Most recently that conversion was made to the zoning ordinance. In the process of making this switch, some minor changes are proposed to both zoning and shoreland zoning.

The changes to the zoning map are minor. Whenever possible property lines have been used as zoning districts. When this was not possible, a distance was added to the map so that there is no confusion as to where one district begins and another one ends. All of the property owners effected by this change have been contacted.

The shoreland zoning changes are much more dramatic. Most of the Resource Protection (RP) district is gone. This is the result of the merging our digitized parcel base to the new digitized flood information. The DEP then reviewed the map and suggested that most of the RP district could be removed because the coastline meets the department's definition of "built-up". Therefore, on the mainland coast and Chebeague Island the RP districts have been removed with the exception of the Payson property on the mainland, and Johnson's Cove, Rose Point, the area around Jenk's Rd. and a small section of Chandler's Cove on Chebeague Island.

This change significantly simplifies shoreland zoning. Currently, the extent of the RP district has to be scaled off the map, with the changes the RP district is 75' from the high water mark. As no residential or commercial structures are allowed in this district, its location is important. In addition, the district is based on floodplain information which is highly inaccurate. Landowners have the option to challenge the map; however, this cost both time and money.

The wetland symbol has also been added to wetlands determined to be of high value by Inland Fisheries and Wildlife and stream wetlands. The symbol is illustrative only and does not add any regulations. Currently, the 250' around these areas are regulated and the map would suggested that the wetland itself is able to be built on. This changes will help to clarify this problem.

TOWN OF CUMBERLAND
Planning Department

January 20, 1999

TO: Town Council

FROM: Donna Larson

RE: Item 99-09, day care centers and nursery schools

The Comprehensive Plan recommended that the Planning Board review day care centers and nursery schools with regard to their location. This recommendation was based on an application for a 60 child day care center on Tuttle Road that was submitted a few years ago. The application was denied which prompted the board to reconsider the use.

Over the past few months the board has been discussing this issue and decided that new day care centers and nursery schools should be limited to 16 children in residential district and that existing facilities in the residential districts could expand to 30 children. Large centers and schools would still be allowed in the commercial districts. No changes are proposed on Chebeague Island.

The proposed amendments to the Zoning Ordinance are underlined:

204.1.1 Rural Residential District 1 (RR1) [Effective 5/15/89]

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

204.1.1.2 The following uses are allowed as special exceptions in the RR1 district, requiring the approval of the Board of Adjustment and Appeals:

- .1 Home occupations;
- .2 Private kennels;
- .3 Animal husbandry on a site of three (3) acres or less;
- .4 Above ground utility lines not located within public ways;
- .5 Excavation of land, subject to the provisions of Sec. 410;
- .6 Temporary sawmills, subject to the provisions of Sec. 427;
- .7 Municipal uses and buildings, subject to Site Plan Review;
- .8 Accessory structures of public utilities subject to Site Plan Review;
- .9 Cemeteries, subject to Site Plan Review;
- .10 Religious institutions, subject to Site Plan Review;
- .11 Private schools, subject to Site Plan Review;
- .12 Boarding kennels, subject to Site Plan Review;
- .13 Riding stables and schools, subject to Site Plan Review;
- .14 Extraction and/or bulk storage of groundwater or spring water subject to the provisions of Sec. 430;
- .15 Residential care facilities [see Sec. 432]; [Effective 9/14/88]
- .16 Day care centers and nursery schools for no more than 16 children, subject to the provisions of Section 408A and Site Plan Review. Notwithstanding the above language, a facility approved and in operation prior to the date of the amendment of this section [amendment dated] may expand the number of children served to no more than 30 children. Any such expansion shall be subject to the provisions of Section 408A and Site Plan Review. [Amended, effective 12/13/89, amended, effective]

.17 Uses and buildings accessory to those above.

204.1.2 Rural Residential District 2 (RR2)

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

204.1.2.2 The following uses are allowed as special exceptions in the RR2 district, requiring the approval of the Board of Adjustment and Appeals:

- .1 Home occupations;
- .2 Private kennels;
- .3 Animal husbandry on a site of three (3) acres or less;
- .4 Above ground utility lines not located within public ways;
- .5 Excavation of land, subject to the provisions of Sec. 410;
- .6 Temporary sawmills, subject to the provisions of Sec. 427;
- .7 Municipal uses and buildings, subject to site plan review;
- .8 Accessory structures of public utilities, subject to site plan review;
- .9 Cemeteries, subject to site plan review;
- .10 Religious institutions, subject to Site Plan Review;
- .11 Private schools, subject to Site Plan Review;
- .12 Boarding kennels, subject to Site Plan Review;
- .13 Riding stables and schools, subject to Site Plan Review;
- .14 Extraction and/or bulk storage of ground water or spring water subject to the provisions of Sec. 430;
- .15 Residential care facilities (see Sec. 432); [Effective 9/14/88]
- .16 Day care centers and nursery schools for no more than 16 children. subject to the provisions of Section 408A and Site Plan Review. Notwithstanding the above language, a facility approved and in operation prior to the date of the amendment of this section [amendment dated] may expand the number of children served to no more than 30 children. Any such expansion shall be subject to the provisions of Section 408A and Site Plan Review. [Amended, effective 12/13/89, amended, effective]
- .17 Outdoor recreational facility, subject to Site Plan Review; [Adopted: 4/28/97]
- .18 Uses and buildings accessory to those above.

204.2 Low Density Residential District (LDR)

204.2.2 The following uses are allowed as special exceptions in the LDR district requiring the approval of the Board of Adjustment and Appeals.

- .1 Home occupations;
- .2 Above ground utility lines not located within a public way;
- .3 Excavation of lands, subject to the provisions of Sec. 410;
- .4 Temporary sawmills, subject to the provisions of Sec. 427;
- .5 Municipal uses and buildings, subject to Site Plan Review;
- .6 Accessory structures of public utilities, subject to Site Plan Review;
- .7 Cemeteries, subject to Site Plan Review;
- .8 Religious institutions, subject to Site Plan Review;
- .9 Riding stables and schools, subject to Site Plan Review;
- .10 Private schools, subject to Site Plan Review;
- .11 Extraction and/or bulk storage of ground or spring water, subject to the provisions of Section 430;
- .12 Residential Care Facilities (see Sec. 432); [Effective 9/14/88]

- .13 Day care centers and nursery schools for no more than 16 children, subject to the provisions of Section 408A and Site Plan Review. Notwithstanding the above language, a facility approved and in operation prior to the date of the amendment of this section [amendment dated] may expand the number of children served to no more than 30 children. Any such expansion shall be subject to the provisions of Section 408A and Site Plan Review. [Amended, effective 12/13/89, amended, effective]
- .14 Uses and buildings accessory to those above.

204.3 Medium Density Residential District (MDR)

204.3.1 The following uses are permitted in the MDR district:

- .1 Single family detached dwellings
- .2 Duplex dwellings and multiplex dwellings, so long as each such dwelling is connected to sewer facilities, and provided that multiplex dwellings are subject to the provisions of Sec. 406B. [Effective 5/15/89]
- .3 Timber Harvesting
- .4 Sewer pumping stations, subject to the provisions of Sec. 420.4;
- .5 Uses and buildings accessory to those above.

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

- .1 Home occupations;
- .2 Above ground utility lines not located within public ways;
- .3 Accessory structures of public utilities, subject to Site Plan Review;
- .4 Municipal uses and buildings, subject to Site Plan Review;
- .5 Religious institutions, subject to Site Plan Review;
- .6 Cemeteries, subject to Site Plan Review;
- .7 Private schools, subject to Site Plan Review;
- .8 Extraction and/or bulk storage of ground water or spring water, subject to the provisions of Sec. 430;
- .9 Residential Care Facilities (see Sec. 432); [Effective 9/14/88]
- .10 Day care centers and nursery schools for no more than 16 children, subject to the provisions of Section 408A and Site Plan Review. Notwithstanding the above language, a facility approved and in operation prior to the date of the amendment of this section [amendment dated] may expand the number of children served to no more than 30 children. Any such expansion shall be subject to the provisions of Section 408A and Site Plan Review. [Amended, effective 12/13/89, amended, effective]
- .11 Uses and buildings accessory to those above.

TOWN OF CUMBERLAND
Planning Department

January 20, 1999

TO: Town Council

FROM: Donna Larson

RE: Item 99-10, affordable housing in the OC district

The northern Office Commercial district allows for multiplex housing. The standards require that at least 25% of the units be "affordable" as defined in 30 M.R.S.A. §4960-B(1). That section was repealed and replaced with 30-A M.R.S.A. §4301. At the October 20, 1998 Planning Board meeting, the board discussed whether the section that requires affordable housing should be omitted, or whether it should be amended to cite the correct section of state law. The Board made the recommendation that the section be amended to reference 30-A M.R.S.A. §4301. The amendment is underlined.

- .5 Multiplex dwellings in the more northerly of the two Office Commercial Districts shown on the Town's Zoning Map enacted May 15, 1989, subject to the provisions of Sec. 406B, except that for purposes of this use in this District, those provisions shall be modified as follows:
 - .1 The minimum lot size shall be 10,000 square feet per dwelling unit;
 - .2 At least 25% of the multiplex dwelling units proposed as part of any multiplex development on a particular tract or parcel hereunder shall meet the definition of affordable housing contained in 30-A M.R.S.A. §4301 ~~30 M.R.S.A. §4960-B(1)~~ as amended from time to time. Deed restrictions and/or other means shall ensure that the cost of the affordable housing units for subsequent occupants continues to meet the State affordable housing cost guidelines. [Amended, effective 12/13/89]
 - .3 No more than 40% of a tract or parcel developed hereunder shall be required to be reserved as open space. [Effective 5/15/89]



MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

ANGUS S. KING, JR.
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

December 14, 1998

Councilors
Town of Cumberland
290 Tuttle Road
Cumberland, Maine 04021

re: Merrill Family House ("Ridgeland"), 66 Winn Road
(Barbara Berkovich, Owner)

Dear Councilors:

We are pleased to inform you that the above property will be considered by the Maine Historic Preservation Commission for nomination to the National Register of Historic Places. The National Register is the Federal government's official list of historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our Nation's heritage. Enclosed is a copy of the criteria under which properties are evaluated as well as a fact sheet which discusses the effects of listing.

Owners of private properties nominated to the National Register have an opportunity to concur in or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing may submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property and objects to the listing. Each owner or partial owner of private property has one vote regardless of what part of the property that party owns. If a majority of private property owners object a property will not be listed; however, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register for a determination of the eligibility of the property for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of his property, the notarized objection must be submitted to Earle G. Shettleworth, Jr., S.H.P.O., Maine Historic Preservation Commission, 55 Capitol Street, 65 State House Station, Augusta, Maine 04333-0065, by January 28, 1999.

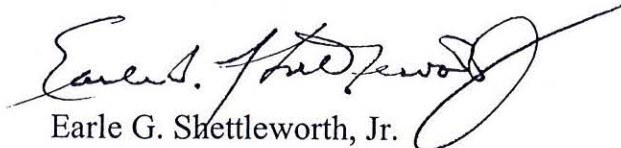


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-2-

If you wish to comment on whether the property should be nominated to the National Register, please send your comments to the S.H.P.O. before the Maine Historic Preservation Commission considers this nomination at its meeting to be held on January 29, 1999. You are cordially invited to attend this meeting, which will be held at the the planning conference room, Maine Department of Transportation building, Capitol Street, Augusta, Maine, beginning at 10:30 a.m. A copy of the nomination and information on the National Register and Federal tax provisions are also available from the above address upon request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Earle G. Shettleworth, Jr.", with a large, stylized flourish extending from the end of the signature.

Earle G. Shettleworth, Jr.
State Historic Preservation Officer

Enc.

EGS/slm



Earle G. Shettleworth, Jr.
Director

MAINE HISTORIC PRESERVATION COMMISSION
55 Capitol Street
65 State House Station
Augusta, Maine 04333

Telephone:
207-287-2132

THE NATIONAL REGISTER OF HISTORIC PLACES

What are its effects?

- A. Listing in the National Register gives official recognition to the historic and cultural importance of a property as part of the Nation's heritage which ought to be preserved.
- B. Properties listed in the National Register or deemed eligible for such listing are afforded protection from adverse impact by projects funded, licensed, or executed by the Federal Government, since Federal projects which affect such properties are subject to review by the State Historic Preservation Officer and, if necessary, the Advisory council on Historic Preservation in Washington, D. C.
- C. Depreciable properties in the National Register can qualify for certified rehabilitation tax credit incentives under the historic preservation provisions of the Tax Reform Act of 1986.
- D. Control and authority over the use and disposition of a property listed in the National Register or deemed eligible for such listing remain solely with the owner unless he has applied for and received a matching grant or other Federal funding, or is participating in a rehabilitation tax credit project. Listing in the National Register does not mean that limitations will be placed on the property by the Federal government. Public visitation rights are not required by the owner.



Earle G. Shettleworth, Jr.
Director

MAINE HISTORIC PRESERVATION COMMISSION

55 Capitol Street
65 State House Station
Augusta, Maine 04333

Telephone:
207-287-2132

NATIONAL REGISTER CRITERIA

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, material, workmanship, feeling, and association, and:

- A. that are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. that are associated with the lives of persons significant in our past; or
- C. that reflect in an outstanding manner the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. that have yielded or may be likely to yield information important in prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the last 50 years shall not be considered for the National Register. Such properties will qualify if they are integral parts of districts that meet the criteria or if they fall within the following categories:

- A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or
- D. a cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. a property achieving significance within the past 50 years if it is of exceptional importance.



Joseph J. Charron
Chief

CUMBERLAND POLICE DEPARTMENT

290 Tuttle Road
Cumberland, Maine 04021

"To Protect and Serve"

Emergency
829-3120

Business
829-6391

Fax
829-4214
829-2211

Mr. Peter Robbins
9 Town Landing Rd.
Cumberland Fsd., Maine 04110

January 18, 1999

Dear Mr. Robbins,

I can't thank you enough for your generous contribution to the Cumberland Police D.A.R.E. program. As in the past several years your generosity makes it possible for us to provide children in the community with activities such as Camp P.O.S.T.C.A.R.D., Seadog's and Pirate's tickets, as well as several summer trips.

As you know John Dalbec has done an outstanding job as D.A.R.E. officer for the department. John has expanded the program to include approximately twenty high school role models that assist him in the various programs and activities. The role models reinforce the message that you can have fun without the use of drugs and alcohol. To show our appreciation for their hard work, this years edition of the C.P.D. cop cards will feature a picture of those role models on a card with a calendar on the back.

I had learned early this fall that a high school student was coming into school very early in the morning and staying late after sports activities in order to use a computer to complete homework assignments. John and I discussed purchasing a computer and printer with the proceeds from our C.P.D. Red Sox game last summer. I can only tell you that the emotion shown by this young lady was so overwhelming when presented with the computer equipment that we had to excuse ourselves from the principals office.

Because of your continued generosity you make these types of things possible. Again thank you very much, it's individuals like you that help us do more.

Sincerely,

Joseph J. Charron
Chief of Police

January 18, 1998

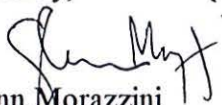
John Lambert,
Council Chairman
Town of Cumberland

Dear Mr. Lambert:

I was disappointed in your response to CMP Natural Gas coming to Cumberland. I think every effort should be made to encourage them. It may prove cheaper and is a cleaner energy than wood or oil. I have asthma and clean heat is very important in my home. My only alternatives are electric and propane, both expensive. I currently use the latter but would welcome being able to choose from another gas source. Also, any new public building, such as a new school may be cleaner and cheap to heat with natural gas. Let's have that option, please.

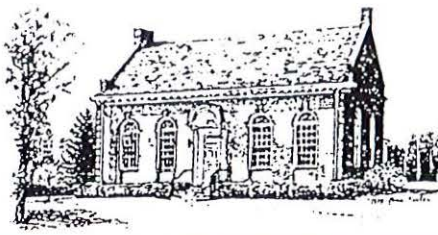
I trust that in the future you will work with CMP Natural Gas for the good of Cumberland the way you have thoughtfully with other development issues.

Sincerely,



Glenn Morazzini
15 Meadow Lane
Cumberland, Me. 04021
829-4138

Prince Memorial Library
266 Main Street
Cumberland, Maine
04021-9754



Tel: (207) 829-2215
Fax: (207) 829-2221
www.princememorial.lib.me.us
inquiry@princememorial.lib.me.us

To: Library Advisory Board
From: Thomas Bennett, Library Director
Date: January 14, 1999
Re: January 13, 1999, Library Advisory Board meeting with Chebeague Island Library

In attendance: Bill Hayes, Carl McPherson, Linda Putnam, Carolyn Sloat (Prince Memorial Library Advisory Board); Herb Maine, Al Traina (Chebeague Island Library); Thomas Bennett, Director, Prince Memorial Library

Discussions included:

- Internet training for Chebeague Island Library staff
- Exploring ways for Chebeague Island Library to access Prince Memorial Library catalog (via modem, a website, or an off-site Winnebago catalog software license)
- Expanding exchange program (Chebeague Island Library currently sends videos to Prince Memorial Library; Prince Memorial Library plans to send audiotapes and Large Print books to Chebeague)
- Examining ways to pursue joint lectures and book discussion groups
- Pursuing the creation of a genealogy database
- Posting each library's events in the other library's newsletters and on their bulletin boards

Immediate actions:

- Schedule Internet training for Chebeague Island Library staff
- Send Prince Memorial Library audiobook and Large Print listings to Chebeague Island Library; send materials after selections are made
- Maintain channels of communication

Cc: Bob Benson, Town Manager
Steve Moriarty, Town Council liaison
Martha Hamilton, Chebeague Island Library

Town of Cumberland
Town Forest Board

January 7, 1999

Chairperson Sally Stockwell called the meeting to order at 7:00 p.m. with Anne Maher, George Hyde and Betty Surgi attending. After much discussion it was decided that members present would be responsible to complete the following projects:

1. Sally to check with the Maine Municipal Association in search for previously developed ordinances of other municipalities seeking to protect and preserve said town's public lands.
2. Anne to complete new map of the Forest.
3. Sally to complete new brochures.
4. Anne and Sally to contact Mr. Voss, Principal of the North Yarmouth Memorial School, relative to the various instructional opportunities available for students while on field trips to the Forest.
5. All Board members must review the Long Term Management Plan of October 1977 in order to proceed with developing an ordinance with intent to protect and to provide a management plan for Cumberland's Town Forest as well as other Town public lands used for recreational and educational purposes.

The next meeting will be on Thursday, February 4, 1999 at 7:00 p.m.

Betty Surgi, Secretary