

usa - time clock 6:30 pm →

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
THURSDAY, May 31, 2001
AGENDA**

- I. Call to order at the Cumberland Town Council Chambers at 7:11 ~~7:00~~ p.m.
- II. Legislation and Policy
- 01-31 To hold a Public Hearing to hear presentation on final plans for Blanchard Road Reconstruction and to consider taking action.
- Gorrill - Palmer Consulting Engineers.
- III. Adjourn
- Adam Ogden

MEMBERS OF THE TOWN COUNCIL

ABSENT Stephen Moriarty (Chair)	829-5095	James Phipps	846-6274 ABSENT
ABSENT Mark Kuntz	829-6482	Harland Storey	829-3939
ABSENT John Lambert, Jr.	781-5282	Peter Bingham	829-5713
Jeffrey Porter	829-4129		

Town of Cumberland web site: www.cumberlandmaine.com

**TOWN OF CUMBERLAND
PUBLIC HEARING OF THE TOWN COUNCIL
MAY 31, 2001**

Present: Stephen Moriarty, Peter Bingham, Jeffrey Porter, and Harland Storey
Excused: Mark Kuntz, John Lambert, and James Phipps

I. The meeting was called to order by Chairman Moriarty at Cumberland Town Hall at 7:11 p.m.

II. Legislation and Policy

01-31 To hold a Public Hearing to hear presentation on final plans for Blanchard Road Reconstruction and to consider taking action.

Approximately 15 members of the community attended.

Gorrill-Palmer Consulting Engineers presented the "Preliminary Opinion of Probable Cost for Blanchard Road Improvements" of \$951,973, including a 15% contingency to reach Bruce Hill Road. Engineers explained the project, the scope of work, how it will affect abutters and issues regarding the Portland Water District waterlines. The public comments focused on traffic concerns and safety of bikers and pedestrians. Public Works Director, Adam Ogden, said that the State DOT Division 6, is committed to making Blanchard Road more accessible and safe for motorists, bikers and pedestrians alike, however, the initial matching funds are not sufficient to complete reconstruction to Bruce Hill Road. The Town Manager recommended deferring the project until additional state funds become available.

Chairman Moriarty suggested that no bids for any portion be executed. He also suggested that the Town meet with the State to develop a plan for funding. Chairman Moriarty requested to discuss this further with findings in another meeting to be held in four to six weeks.

III. Correspondence

- Gorril-Palmer Consulting Engineers Inc. Fax dtd 5/31/01 "Preliminary Opinion of Probable Cost of Blanchard Road Improvements" spreadsheet.
- Draft Assessment of Impact Fees Ordinance
- Cumberland Commons Gazebo Planting Proposal dtd 5/29/01 by Carla Nixon
- Falmouth/Cumberland Chamber of Commerce Annual Meeting Notice.

IV. Adjourn

Chairman Moriarty moved to adjourn the meeting at 8:10 p.m.

Respectfully Submitted,

Lisa Brown
Administrative Assistant

Portland
Peter
PW District -

Peter - issues with Schools Roads Piers -
Capital Improvement plans / bond

DOT Div 6 - committed to help further road
Jeff projects - this as a 3 year

Steve - no bid portion yet
puggers - proceed
meet w / state, develop plan for funding
state projects revenue
Have another meeting - hope 4-6 weeks

Peter - need to develop Capital Plan
with state matching

Fawn Herma - Fairgrounds \Rightarrow Bikers respect

Harland - go with Original Plan
to the fairgrounds and stop
Peter agrees

8:10 pm

Councilors Workshop

Bruce Hill & Main St - Reconstruct first

11 ft travel lanes

4 ft shoulders

closed drainage & open w/ drainage
ditches

Waterlines are currently about 5' under
surface. Water district requires 4'

Blanchard Pond Brook \Rightarrow increase flow

Mark
Concerns of increased school traffic

Bikeways - Comprehensive plan in late
80's early 90's

TC Voted on.

Brian Cook \Rightarrow slope lines to properties

Driveway impacted disturbed
will be taken
care of with pavers & aprons

Adam - Build

Recommend put out bids
State needs to approve plan - look at \$\$\$
figured again - refine #'s

Bob - 15% contingency fund

wants to at least get to Bruce Hill
Waterline @ fairgrounds - Water District
decision

Probable Costs -

Ma

Paving \$29.02 per Ton - Paving

* Improve pipe lines

Waterline ^{Portland Water} issue - fill in crests - bring roadway up

Peter Bingham - has spoke up of disappointment
Engineering

Bob \$300K - state match
state - 2nd year funding available 7.25pm
Bob: Continue - defer it to next year

\$75,000 file

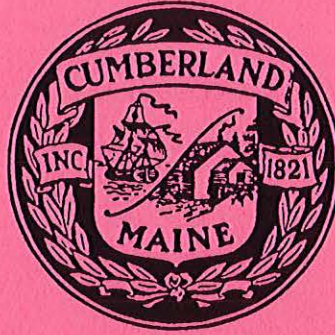
Brucehill to
1.3 million to 1.8 million 60% State funded

2:100
State Cumberland State not committed to
Cost estimates yet but
State is committed to fixing Blanchard.

Deck -

Committed 150,000 - No

Project - Killings Rd not in scope - 2nd year



PUBLIC HEARING

TOWN OF CUMBERLAND

TOWN COUNCIL

PUBLIC HEARING

The Cumberland Town Council will hold a Public Hearing to hear presentation on final plans for Blanchard Road Reconstruction and to consider taking action. This Public Hearing will take place at 7:00 pm on Thursday, May 31, 2001 in the Council Chambers at the Cumberland Town Offices, 290 Tuttle Road, Cumberland Center.

- Stephen Moriarty, Council Chairman

GORRILL-PALMER CONSULTING
ENGINEERS INC.

PO BOX 1237
GRAY, MAINE 04039

TELEPHONE # 207-657-6910 FAX # 207-657-6912
EMAIL - GPCEI@MAINE.RR.COM

FACSIMILE TRANSMITTAL SHEET

To:

Fax:

Bob Benson

829-2224

From: Ralph Norwood

Pages: 2

Re: Blanchard Road

Date: May 31, 2001

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ For Your Information

Sheet 10 Main Street to Log Cabin Store
Sheet 9 Log Cabin Store to 300 feet east of Blanchard Pond Brook
Sheet 8 300 feet east of Blanchard Pond Brook to Frye Drive
Sheet 7 Frye Drive to Mill Brook
Sheet 6 Mill Brook to 1500 feet east of Bruce Hill Road
Sheet 5 1500 feet east of Bruce Hill Road to Bruce Hill Road

DRAFT

For Town Council Discussion Purposes ONLY – 31 May 2001

ASSESSMENT OF IMPACT FEES ORDINANCE OF THE TOWN OF CUMBERLAND, MAINE

ARTICLE I. GENERAL PROVISIONS

1.1 Authority

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Maine Constitution and Title 30-A, MRSA, Section 3001 and Section 4354.

1.2 Short Title

This Ordinance shall be known and may be cited as the "Assessment of Impact Fees Ordinance of the Town of Cumberland, Maine", and will be referred to herein as "this Ordinance".

1.3 Purpose

The general purposes of this Ordinance are to maintain the Town's financial capacity and to provide adequate public services. The specific purposes of this Ordinance are to establish a fair and equitable process to enable the Town to provide for the needs of its present and future residents in regards to the retirement of the Twinbrook Recreation Facility debt and the acquisition and development of land for the future use and enjoyment of the town's residents.

1.4 Applicability

- A. This Ordinance shall apply to the issuance of any building permit for a new structure within the Town of Cumberland, including additions to existing structures where such additions will contain a bedroom or bedrooms.
- B. No building permit shall be granted for any activity described herein that requires payment of an impact fee under this Ordinance until the impact fees hereby required have been paid.

1.5 Definitions

Impact fees are charges or assessments imposed by the Town of Cumberland against new construction to help finance the retirement of the Twinbrook Recreation Facility debt, and to help the Town of Cumberland with its acquisition and development of land for the future use and enjoyment of the town's residents

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For Town Council Discussion Purposes ONLY – 31 May 2001

Developer is a person who has received an approval under either the subdivision or site plan Ordinance, or a person who has otherwise applied for a building permit for any activity described herein.

Gross floor area shall include the floor area measured from the outside of exterior walls, including all interior partitions and spaces whether finished or not, but shall exclude garage areas intended for the storage of automobiles, but shall include any finished or unfinished area on a floor above a garage. Gross floor area may be measured by calculating the area of the foundation footprint and multiplying any portions thereof by the number of stories above.

1.6 Payment of fees

- A. The impact fees required by this Ordinance shall be paid to the Town of Cumberland prior to the issuance of a building permit
- B. All funds collected shall be segregated from the Town's general revenue and be deposited in appropriate funds, and shall be used solely for the purposes specified in this article.

1.7 Use of funds

- A. Fees paid under this Ordinance shall be used to maintain the Town's financial capacity and to provide adequate public services.
- B. Of each fee collected by the Town of Cumberland 50% shall be deposited in a Twinbrook Recreation Facility Debt Retirement Fund and 50% shall be deposited in a Town of Cumberland Land Acquisition Fund.
- C. The Town Manager, Town Council and Town Planner will establish an administrative, capital improvement planning and accounting system sufficient to meet the requirements of this Ordinance.

1.8 Refund of fees

- A. If a building permit is surrendered or expires without commencement of construction, the developer shall be entitled to a refund, without interest, of the impact fee paid as a condition of its issuance, except that the Town shall retain five percent (5%) of the sum to offset a portion of the costs of collection. The developer must submit to the Town an application for such a refund not later than thirty (30) days after the expiration of the building permit.
- B. If the funds collected annually are not expended for their intended purpose after a period of ten (10) years, the prorated share of the funds shall be returned to those from whom the funds derived, provided that the developer submits to the Town an application for a refund within one hundred eighty (180) days of the expiration of the ten (10) year period.

1.9 Calculation of fees

The impact fee shall be assessed at the time of issuance of a building permit for the construction of any structure or building within the Town of Cumberland. The schedule of assessment shall be as follows:

Residential Buildings or Buildings Accessory to Residential Buildings:

Mobile home only:

Flat fee

\$250.00*

DRAFT

For Town Council Discussion Purposes ONLY – 31 May 2001

Up to and including 1500 sq. ft. of gross floor area:

Flat fee \$500.00*

1501 sq. ft. gross floor area and greater:

First 1500 sq. ft., flat fee \$500.00*

Plus 1501 sq. ft. and greater \$ 1.00/sq. ft.*

Non-residential Buildings:

Gross floor area \$ 0.50/sq. ft.*

Additions to existing structures that include a bedroom or bedrooms:

For additions that include bedrooms, the impact fee shall be calculated on the rate applicable to the total gross floor area of the building (including the addition) times the gross floor area of the addition.

* NOTE: All dollar amounts are provisional, pending a complete fiscal analysis.

ARTICLE II. ADMINISTRATIVE PROVISIONS

2.1 Validity and Severability

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

2.2 Conflict with Other Ordinances

Should any section, phrase, sentence or portion of this Ordinance be found to be in conflict with other local, state or federal Ordinances or regulations, the more stringent section or provision shall prevail. Existing provisions for building permit fees are to be held separate from the impact fees described herein and are not affected by this Ordinance.

2.3 Amendments

These regulations may be amended by the Town Council of the Town of Cumberland at an annual or special town meeting. A public hearing shall be held prior to the adoption of any amendment. Notice of such public hearing shall be in accordance with state and local requirements.

2.4 Effective Date

This Ordinance shall take effect upon its adoption by a majority of the eligible voters present at the (date) Town Council Meeting. The effective date of this Ordinance is (date).

DRAFT - TOWN OF CUMBERLAND

31 May, 2001 - Impact Fee Schedule and Sample Worksheet*

SCHEDULE OF FEES:

Residential Buildings or Buildings Accessory to Residential Buildings:

Mobile home only:	
Flat fee	\$250.00
Up to and including 1500 sq. ft. of gross floor area:	
Flat fee	\$500.00
1501 sq. ft. gross floor area and greater:	
First 1500 sq. ft., flat fee	\$500.00
Plus 1501 sq. ft. and greater	\$1.00/sq. ft.

Non-residential Buildings:

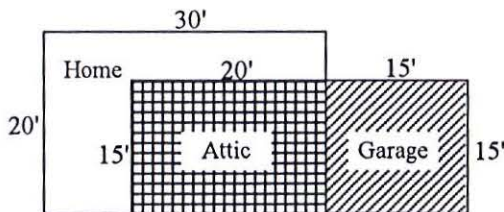
Gross floor area	\$0.50/sq. ft.
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Additions to existing structures that include a bedroom or bedrooms:

For additions that include bedrooms, the impact fee shall be calculated on the rate applicable to the total gross floor area of the building (including the addition) times the gross floor area of the addition.

Definition of Gross Floor Area: includes the floor area measured from the outside of exterior walls, including all interior partitions and spaces whether finished or not, but shall exclude garage areas intended for the storage of automobiles, but shall include any finished or unfinished area on a floor above a garage. Gross floor area may be measured by calculating the area of the foundation footprint and multiplying any portions thereof by the number of stories above.

EXAMPLE: A two story home with a full basement, garage and an unfinished attic:



	1 story home =	20' x 30' = 600 s.f. x 3 stories =	1,800 s.f.
	w/ full basement	(includes basement)	
	1 story garage =	15' x 15' = 225 s.f. x 1 story =	excluded
	unfinished attic =	15' x 20' = 300 s.f. x 1 story =	300 s.f.

Gross Floor Area = 2,100 s.f.

Please provide sketch
and gross floor area
calculations on back

1500 s.f. = Flat Fee	=	\$500 .00
600 s.f. x \$1.00 / s.f.	=	\$600 .00
1,725 s.f. total		

TOTAL IMPACT FEE = \$1,100 .00

* NOTE: All dollar amounts are provisional, pending a complete fiscal analysis.

Cumberland Commons Gazebo Planting Proposal
May 29, 2001

Proposal:

- For the Town to provide funding for materials and some labor to install a perennial flower garden and flowering fruit trees around the gazebo.

Background:

- The Town of Cumberland gained ownership of three parcels of land in 1991 when the Cumberland Commons subdivision was approved. The first parcel is 2.18 acres in size and contains an intermittent pond that is to remain as open space. The second is a 5.3 acre parcel to be reserved for civic use. The third parcel is 4.9 acres in size and was to become the Town Common; this is the parcel of land under consideration in this proposal.
- The original concept was that the Town would gain a "Town Center" by creating an inviting place for residents to gather for special events such as the Memorial Day celebration and occasional acoustic music concerts. It was also envisioned to be a place for passive recreation, and in fact, pick-up games of soccer and baseball occur frequently, as well as the occasional kite flying.
- This proposal will provide a substantial perennial garden around the gazebo, as well as the planting of 12 flowering fruit trees for color and shade. We also hope to offer to the public the opportunity to purchase memorial benches to be placed around the perimeter of the garden.
- This proposal will fulfill the Town's obligation to create an inviting area in the town center. As the Council will recall, the gazebo was constructed in large part by volunteers and without the use of town funds. The creation of this garden will be an investment in the community that will be enjoyed by generations to come.

How Accomplished:

- Through a combination of volunteer and staff effort. (Staff: Carla Nixon, Bill Landis, Phil Wentworth; Volunteers: Mary Dickenson-Wood, Cub Scouts, neighbors).

Time Frame:

- The project is awaiting approval from the Town Manager/Town Council. Once approval is provided, lumber and bed materials can be ordered and the beds constructed. The Portland Water District needs to install the necessary materials to provide water to the site, also irrigation (Rainmaker Irrigation) needs to be installed (this piece can be done in 1-2 days). Once water is available, Mary will select/order the plants and notify residents of the Cumberland Commons to ask for assistance with the actual planting.

Proposed Timeline:

Week of May 28: Town Manager/Town Council Approval

Week of June 4: Water District and irrigation work done; beds constructed; plants selected/ordered.

Weeks of June 11-18: Beds installed; soil delivered; plants delivered and planted.

Project Costs:

Water: To get water to the site will involve the Portland Water District running a line to the gazebo area, then irrigation will need to be installed. Total cost for water: not to exceed **\$2,500**.

Plan: Mary has provided a detailed planting plan. This has been prepared at no cost to the Town and is part of Mary's educational requirements for receiving her Master Gardener designation.

Plants: Mary has designed a plan that calls for 87 plants on each of the 6 sides of the Gazebo. If plants are obtained at a cost of \$6.00 each, total cost for plants would be **\$3,132**. (This is a discounted cost for the plants).

Flowering Fruit Trees: 12 @\$104 = **\$1,248**. (These are also discounted 20%. This part of the project could be funded and done next year if needed).

Bed Frames: Beds will be constructed by a local Cub Scout troop. Total Cost: Estimated at **\$500** for materials (lumber and bolts). Hancock Lumber will provide us these materials at their cost-\$500 figure may be reduced.

Total Project Cost: \$7,380 (or \$6,132 without trees)

Council
NY
5-31-01

Falmouth/Cumberland Chamber of Commerce Annual Meeting

Tuesday, June 19, 2001

Noon - 1:30 p.m.

The Woodlands Club

39 Woods Road

Falmouth, Maine



Keynote address: Ann Littlefield of the Dead River Company

She will discuss the master plan for development at Exit 10 in Falmouth.

At this meeting we will also elect new officers and directors of the Board.

- Share information on your business with other chamber businesses • Bring your business cards to display & swap • Network and meet new friends •
- Enjoy a delicious meal prepared by The Woodlands Club culinary team •

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Falmouth/Cumberland Chamber Annual Meeting – June 19

Pre-registration is necessary by June 13. Cost is \$20 per person.

Name(s) _____

Company _____

Phone _____ Email _____

Please return to: Greater Portland Chambers of Commerce
60 Pearl Street

To register by phone:

Portland, ME 04101

772-1196, ext. 228

To register by fax:

fax: 772-1179

We require at least 48 hours notice for cancellations or your payment is necessary.

FACSIMILE COVER PAGE

To : Robert Benson

From : Paula Fowler Kilby

Sent : 5/30/01 at 10:19:34 AM

Pages : 3 (including Cover)

Subject : Falmouth/Cumberland Chamber's Annual Meeting - June 19

The Chamber's Annual Meeting is June 19. Details are on page 2. Please mark your calendar, make your reservation, and join us!

Handwritten: *Main Street End ----->>>>>*

Plan Sheet 10

↑
\$109.00
Per Lin Fk

Site
line
Restriction
values