

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JUNE 11, 2001**

- I. Call to order at the West Cumberland Community Hall at 7:00 p.m.
- II. Approval of Minutes
 - a) March 21, 2001
 - b) May 10, 2001
 - c) May 23, 2001
 - d) May 31, 2001
- III. Manager's Report
- IV. Public Discussion
- V. Legislation and Policy
 - 01-32 To approve planting program – Cumberland Commons Gazebo
 - 01-33 To issue Commercial Haulers License
 - 01-34 To set date for Public Hearing – Impact Fee Ordinance
 - 01-35 To set date for Workshop – Revaluation
- VI. Correspondence
- VII. New Business
- VII. EXECUTIVE SESSION:
 - a) Land Acquisition
- VIII. Adjourn

MEMBERS OF THE TOWN COUNCIL

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

Town of Cumberland web site: www.cumberlandmaine.com

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MONDAY, JUNE 11, 2001**

DRAFT

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

I. The meeting was called to order at the West Cumberland Community Hall at 7:10 p.m.

II. Approval of Minutes

a) March 21, 2001

Councilor Bingham moved to adopt March 21, 2001 minutes.

Seconded by Councilor Porter

VOTE: UNANIMOUS (5)

b) May 10, 2001

Councilor Bingham moved to adopt May 10, 2001 minutes.

Seconded by Councilor Storey

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Porter

c) May 23, 2001

Councilor Porter moved to adopt May 23, 2001 minutes.

Seconded by Councilor Storey

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Bingham

d) May 31, 2001

Councilor Bingham moved to adopt May 31, 2001 minutes.

Seconded by Councilor Porter

VOTE: IN FAVOR (4)

ABSTAINED (1)

Councilor Kuntz

III. **Manager's Report**

Town Manager announced a Planning Board Workshop to discuss site-planning issues for the new middle school on June 21, 2001 at 7:00 pm. Architect Stephen Blatt will be making the presentation.

IV. **Public Discussion**

Blanche Hutchins presented personal notes regarding alleged contamination of her property from the Cumberland Auto Salvage Yard, 40 Blackstrap Road, West Cumberland. She provided no legal documentation to back up her claims.

Councilor Lambert arrived.

Ms. Hutchins stated that D.E.P. conducted tests however she had no documentation to prove so. She also claimed that she had to relocate from her Cumberland home due to the toxic nature and hasn't visited the house since 1985.

Chairman Moriarty recommended that Ms. Hutchins present the legal documents that backup her claim so the Town could look into it further. No action was taken.

V. Legislation & Policy

01-32 To approve planting program – Cumberland Commons Gazebo

Assistant Town Manager Carla Nixon and Mary Dickinson Ward presented the Cumberland Commons Gazebo planting proposal. The Council directed them to send out the proposal to the Cumberland Commons residents. Councilor Moriarty asked the Town Manager which budget this will be appropriated from; Town Manager said that it come out of the 2001-01 budget. Chairman Moriarty set a Public Hearing date of June 25, 2001 to consider and act on the proposal.

Note: At this point in the meeting, Assistant Town Manager Carla Nixon addressed the Greater Portland Council of Governments (GPCOG) 'Coastal Corridor Coalition Concept' issue to the Council. The Council briefly discussed the traffic flow concerns throughout the town and the assessments of certain roads traveled. Councilor Lambert addressed the Route 1 to I295 not being a great concern for such studies. It was agreed that roads such as Blanchard Road and Route 26/100 have much greater concerns regarding speed, pedestrians and bicyclists, and much needed site studies. Ms. Nixon said that the information of this discussion will be taken to the next GPCOG meeting for further review.

01-23 To issue Commercial Haulers License

Councilor Lambert moved to issue Commercial Haulers Licenses to Pine Tree Waste, Inc., Reynolds & Sons Disposal, Inc., Troiano Waste Services, Inc., and Waste Management of Maine, Inc.
Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

01-34 To set date for Public Hearing – Impact Fee Ordinance

Chairman Moriarty announced a Town Council Workshop to discuss the adoption of an Impact Fee Ordinance on Monday, June 18, 2001 at 7:00 p.m. in the East Conference Room at the Cumberland Town Offices.

Councilor Bingham moved to set date for a Public Hearing to consider and act on the adoption of an Impact Fee Ordinance on Monday, June 25, 2001 at 7:00 pm in the Council Chambers at the Cumberland Town Offices.
Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

01-35 To set date for Workshop – Revaluation

Councilor Bingham moved to set a date for a Workshop to discuss the Revaluations on June 25, 2001 at 6:00 pm in the Council Chambers.
Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

VI. Correspondence

- ◆ Cumberland Commons Gazebo Planting Proposal and diagram dtd 5/29/01
- ◆ Commercial Hauler's Licenses 2001/2002
- ◆ Town Planner Impact Fee Draft Proposal
- ◆ GPCOG "Coastal Corridor Coalition Concept Paper"
- ◆ Memo to Town Manager fm Town Clerk RE: Election Info
- ◆ Chebeague Long Range Planning Committee minutes of 5/19/01
- ◆ Chebeague Long Range Planning Committee minutes of 4/28/01 & packet
- ◆ Meeting on Home Heating Oil Tank Replacement Program summary 5/1/01
- ◆ Board of Adjustment & Appeals Public Hearing Notice 6/14/01
- ◆ Planning Board Meeting Agenda 6/19/01
- ◆ MSAD 51 Minutes 5/23/01
- ◆ MSAD 51 Agenda 6/4/01
- ◆ April 2001 Building Permit Summary
- ◆ May 2001 Building Permit Summary
- ◆ Portland Press Herald news article dtd 5/30/01 "County.....to local taxpayers"
- ◆ Commissioners' Meeting Minutes of 5/14/01
- ◆ Financial Reports
- ◆ Solid Waste to RWS Report
- ◆ Blanche Hutchins personal documentation of alleged toxicity in her home.
- ◆ Vision Letter (See Bob)

VII. New Business

Chairman Moriarty complimented the Town regarding the split rail fence installed at Twin Brook Recreation Area.

Councilor Lambert commended Councilors Bingham and Porter on a great job putting together the Candidates Night Forums that were aired numerous times on Cumberland's Channel 2.

Chairman Moriarty expressed appreciation to Councilor Jim Phipps for his 6 years of service to the Town Council and service to the town. Gift suggestions were made.

Councilor Kuntz recommended that the Cemetery Association look into the conditions of the available plots and to consider taking action to clean them up making them presentable and readily available. A workshop is being considered.

Councilor Storey suggested that the Town focus some of the Town's beautification funds to the cemeteries.

VIII. EXECUTIVE SESSION

Councilor Lambert moved to go into Executive Session to discuss Land Acquisition.
Seconded by Councilor Bingham

VOTE: UNANIMOUS (6)

Councilor Kuntz moved to hold a Public Hearing to discuss a proposal for the Housing Authority to purchase nine (9) acres on Greely Road for future Senior Housing.
Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

Councilor Lambert moved to come out of Executive Session at 9:06 pm.
Seconded by Councilor Bingham.

VOTE: UNANIMOUS (6)

VIII. Adjourn

No further business was conducted.
Councilor Kuntz moved to adjourn meeting at 9:07 pm. Seconded by Councilor Lambert.

VOTE: UNANIMOUS (6)

Respectfully submitted,

Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MARCH 21, 2001**

Present: Stephen Moriarty, Mark Kuntz, John Lambert, Peter Bingham, Jeffrey Porter, Harland Storey

Excused: James Phipps

- I. The meeting was called to order by Chairman Moriarty at the Cumberland Town Council Chambers at 7:05 p.m.

II. Legislation Policy:

01-08 To hold a Public Hearing to consider the design proposal for the proposed reconstruction of Blanchard/Skillin Roads

A Public Hearing was held regarding the reconstruction project of the Blanchard Road and Skillin Road. Approximately 40 members of the community were present to hear the presentation.

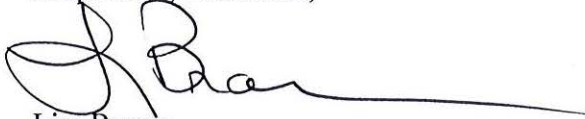
Public Works Director, Adam Ogden and Gorrill-Palmer Consulting Engineers presented a typical cross-section of the work and showed a plan of the proposed improvements. The projected plan begins at the intersection of Blanchard Road and Main Street (Route 9) in Cumberland Center and extends to the northwest past Bruce Hill Road to Skillin Road and then to Route 26/100 in West Cumberland. The project will provide a reconstruction of the existing travel lanes and provide new paved shoulders in lieu of the existing gravel shoulders. Drainage will be improved and will likely be a combination of open and closed systems. Underdrain is anticipated in curbed areas. The horizontal alignment is not anticipated to change; however changes in the vertical alignment may be required in areas to address sight distance deficiencies.

The public raised questions about driveway and property reconfigurations, tree removals and replacements, relocation of utility poles and associated costs that will be project driven. The town engineers stated that any reconfigurations of such will be paid for by the town and will result in equal or better than their original state.

III. Adjourn

No further business was conducted. Chairman Moriarty motioned to adjourn at 8:30 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Lisa Brown', with a long horizontal flourish extending to the right.

Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
SPECIAL MEETING OF THE TOWN COUNCIL
MAY 10, 2001 7:00 PM
Minutes**

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

I. The meeting was called to order by Councilor Bingham at Cumberland Town Hall at 7:04 p.m.

II. Legislation and Policy

01-22 To hold Public Hearing on the proposed 2001-02 Budget

Councilor Bingham explained the FY2001-2002 proposed municipal budget reflects the Town Council's directive that there be no increase in the tax rate due to the municipal budget.

Councilor Bingham opened the Public Hearing.

Mark Robinson, Safety Officer of the Cumberland Fire Department, voiced his concerns on fire apparatus, vehicle replacements, employee retention, training allotments, etc.

No other public comments.

Councilor Bingham closed the Public Hearing.

Councilor Bingham announced the municipal budget will be adopted on May 14, 2001.

III. Adjourn

No further business conducted. Motion to adjourn at 7:25 p.m.

Respectfully submitted,



Lisa Brown
Administrative Assistant

**TOWN OF CUMBERLAND
MEETING OF THE TOWN COUNCIL
MAY 23, 2001**

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

- I. The meeting was called to order by Chairman Moriarty at Cumberland Town Hall at 7:10 p.m.

II. Manager's Report

None

III. Public Discussion

None

IV. Legislation and Policy

- 01-29 To set date to hear presentation on final plans for Blanchard Road Reconstruction Project and to consider taking action.

Councilor Lambert moved to set date May 31, 2001 to hold a Public Hearing to hear presentation on final plans for the Blanchard Road Reconstruction Project and to consider taking action.

Seconded by Councilor Porter.

VOTE: IN FAVOR
UNANIMOUS (5)

- 01-30 To hold a Workshop on Impact Fees

Town Planner Andy Fillmore, Town Attorney Ken Cole and Town Councilors held a general discussion regarding various options of implementing impact fees. The Council directed the Town Planner to submit a second draft of the Impact Ordinance to them on May 31, 2001. Council also directed Town Planner to engage the services of Planning Decisions to research the connection between impact of residential development and the proposed impact fees. Council has requested Planning Decisions results by June 11, 2001 and a final draft of the Ordinance to vote at the June 25, 2001 meeting.

V. Correspondence

- Town Planner Workshop #2 Impact Fee Presentation
- Letter from Blanchard Road residents dtd 04-11-01
- Letter from Norman Magoon dtd 05-11-01 RE: North Yarmouth rescue issues
- Letter to Cumberland Mutual Fire Insurance Co dtd 05-01-01 RE: Donation
- Cumberland Planning Board 04-17-01 Meeting Minutes
- Letter from Chebeague Long Range Planning Committee 04-16-01 RE: Peddler's Ordinance & Food Carts
- Chebeague Long Range Planning Committee 04-14-01 Meeting Minutes
- M.S.A.D. #51 School Board: 05-03-01 Meeting Agenda
- M.S.A.D. #51 School Board: 05-05-01 Meeting Agenda
- M.S.A.D. #51 School Board: 05-03-01 Meeting Minutes
- M.S.A.D. #51 School Board: 05-05-01 Meeting Minutes
- M.S.A.D. #51 School Board: 05-07-01 Meeting Minutes
- M.S.A.D. #51 School Board: 05-21-01 Meeting Agenda
- Letter from Jeanne Rapone & Rt 26/100 residents dtd 05-11-01 RE: Speed Zones
- Cumberland County Commissioner's 04-09-01 Meeting Minutes
- Cumberland County Commissioner's 04-23-01 Meeting Minutes
- Letter from Cumberland County Manager dtd 04-10-01 RE: Cumberland County Tax Assessment
- Cumberland County Municipal & County Officials Forum Invitation
- The Archangel Committee letter – Sister City Relationship
- Email forwarded from Councilor Porter RE: Residents viewpoints on Middle School proposed locations
- Letter from Stretch Madore (See Bob)
- Growth Management Ordinance

VI. New Business

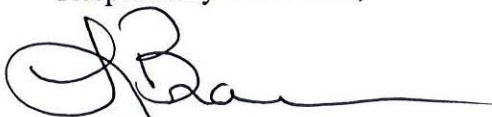
Chairman Moriarty set a date of June 25, 2001 to review the Growth Management Ordinance.

VII. Adjourn

Councilor Kuntz moved to adjourn the meeting at 7:50 p.m.
Seconded by Councilor Storey

VOTE: UNANIMOUS (5)

Respectfully Submitted,



Lisa Brown
Administrative Assistant

**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,

A handwritten signature in black ink, appearing to read 'Lisa Brown', with a long horizontal line extending to the right.

Lisa Brown
Administrative Assistant

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:

<u>Week of May 28:</u>	Town Manager/Town Council Approval
<u>Week of June 4:</u>	Water District and irrigation work done; beds constructed; plants selected/ordered.
<u>Weeks of June 11-18:</u>	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)

9

Planning Board Workshop - June 21 7pm
Mr Black's representative

IV. Public Discussion

Branch Hutchins - Blanchard Rd
EPA Site - Chemicals in her backyard
Steve - 10-12 years DEP test Results
test pnts -

upper methodist decreasing levels
(Read Bob's packet)

DEP did air tests
Nothing on paper that shows
Wally Hunkley - junkyard
O'Connor junkyard

Bob - No town involvement

Test Results
Been out of house for 18 years
Mark - cleaner of basement walls

Hutchins will be having an electrician
to turn power on.

Steve - ^{Town} get in touch w/ Hunkley
He recommended for this also

Mark - DEP ^{should pay} ~~paid~~ it should be on
the list

Steve - bring in paperwork - Hutchins

Mark - his work is tested
200 yds from Blanche
Test would be Goose Pond road to

Peter - questions if its an active site

Blanche
Hutchins 829-9346

V. Legislation & Policy

01-32 To approve planting program - Cumberland Commons Gazebo

Motion by _____
Seconded by _____

VOTE: UNANIMOUS (#____)

Carla handed out diagram
Cub plants - making Beets

Peter - Cumberland Commons have not had
formal discussions with this

John - neighbors should be made
of the proposal and considered

Steve - ~~was~~ recommends Maryland to
present proposal to neighbors are
set another date to discuss further

Public Water - Carla said they thought
water would have been done more
Carla will double check on water

* June 25th meeting - Put on Agenda

Steve questioned the placement of trees
not to obstruct the front of gazebo

Steve - a Bob said
Current Budget

Jeff stated this is a public process

CG - Carla explained

Put together coalition - Coastal Corridor

John - High Speed pass from Rt 100 to 295
Concept of Coastal Corridor - extends into
Cumberland because of Cumberland's location
(between Gray, Pawnee, etc)
Regional Problem.

Ped/Bicycle issue on 88

Mark - Rt 100 speed study / into studies

01-23 To issue Commercial Haulers License

Motion by John
Seconded by Peter

VOTE: UNANIMOUS (# 6)

\$100 fee each - haul waste out

01-34 To set date for Public Hearing – Impact Fee Ordinance

Motion by _____
Seconded by _____

VOTE: UNANIMOUS (# _____)

workshop

Public Hearing June 25
↳ 2 weeks

Peter → John Unanimous (6)

→ Town Council
Workshop
on 18th

Public Hearing
on 25th

Reval Public Hearing 6-25-00

Televised Workshop 6:00 – 7:00 pm

Peter → John
Unanimous
(6)

see Union letter from Bob

full fair review → do not measure
houses – they use records we have

Agenda
Workshop
Impact
Fees
June 18th
4th AB
Election
of
Officers

01-35 To set date for Workshop – Revaluation

Motion by Peter
Seconded by John

VOTE: UNANIMOUS (# 6)

6-25-04

see previous page

VI. Correspondence

- ◆ Cumberland Commons Gazebo Planting Proposal dtd 5/29/01
- ◆ Commercial Hauler's Licenses 2001/2002
- ◆ Town Planner Impact Fee Draft Proposal
- ◆ GPCOG "Coastal Corridor Coalition Concept Paper"
- ◆ Memo to Town Manager fm Town Clerk RE: Election Info
- ◆ Chebeague Long Range Planning Committee minutes of 5/19/01
- ◆ Chebeague Long Range Planning Committee minutes of 4/28/01 & packet
- ◆ Meeting on Home Heating Oil Tank Replacement Program summary 5/1/01
- ◆ Board of Adjustment & Appeals Public Hearing Notice 6/14/01
- ◆ Planning Board Meeting Agenda 6/19/01
- ◆ MSAD 51 Minutes 5/23/01
- ◆ MSAD 51 Agenda 6/4/01
- ◆ April 2001 Building Permit Summary
- ◆ May 2001 Building Permit Summary
- ◆ Portland Press Herald news article dtd 5/30/01 "County.....to local taxpayers"
- ◆ Commissioners' Meeting Minutes of 5/14/01
- ◆ Financial Reports
- ◆ _____
- ◆ _____
- ◆ _____

VII. New Business

split rail fence at Twin Brook - Steve looks great
John - TV - Great Candidates night
Steve - Jim Phlips 6 years service to
town - express appreciation
Picture
Carla & I take care of that

Mark Huntz - Relook at Cemetery asssn
condition of
cleaning up and removing Brush

Harland - ~~###~~ Maintenance \$ for Cemetery
from town \$6000 for 7 caretakers.

Requests Workshop

VIII. EXECUTIVE SESSION

Motion to discuss Land Acquisition:

John

8:20

Second By:

Peter

(6)

Motion to come out of Executive Session

Second By: _____

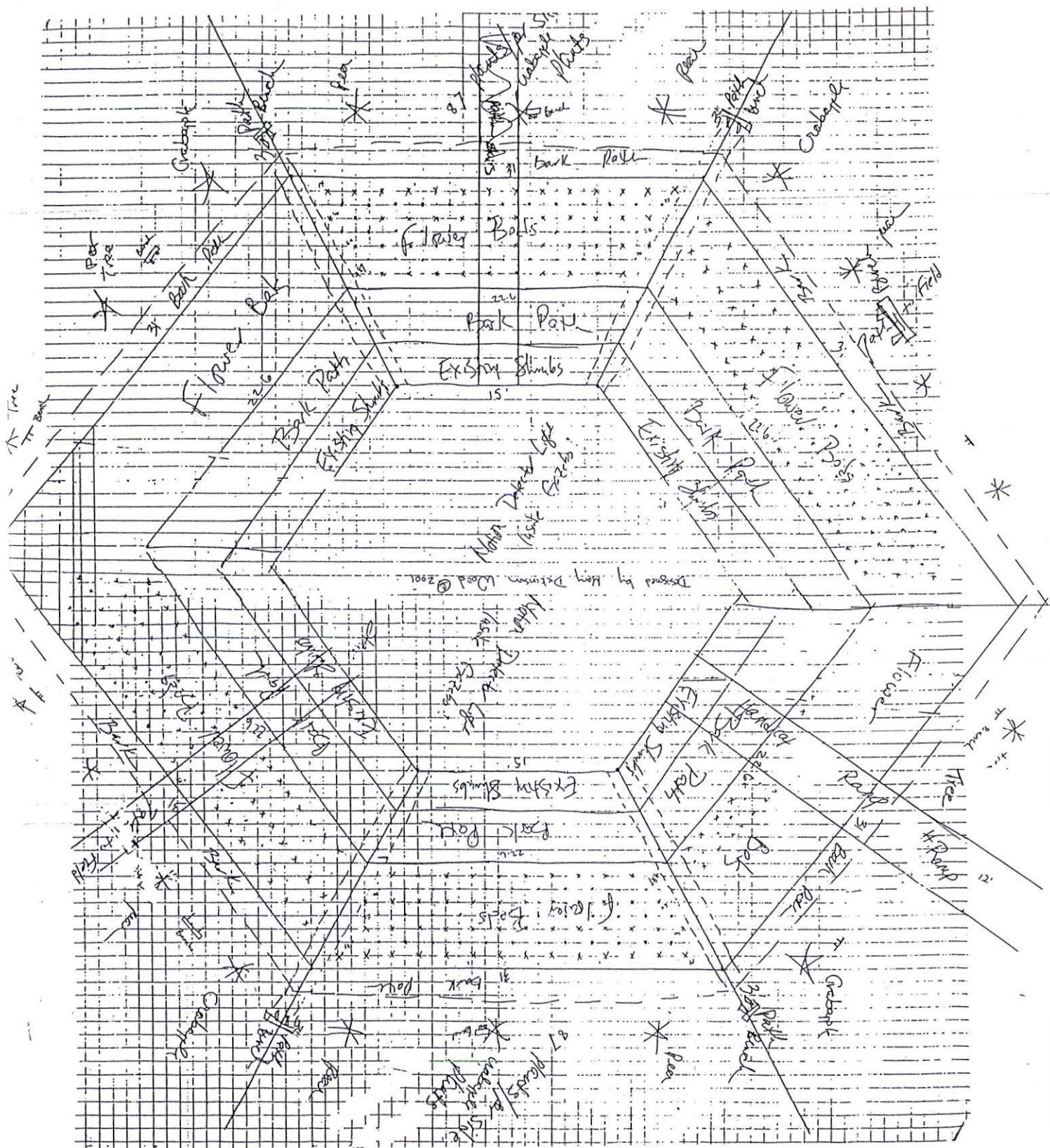
VIII. Adjourn

No further business was conducted: motion to adjourn at _____ p.m.

Motion: _____

Second by: _____

UNANIMOUS (#_____)



01JUNE

**COMMERCIAL HAULER'S LICENSES
2001/2002**

The following have submitted completed applications and
the required fee for Commercial Hauler's Licenses for
the 01/02 license year:

\$ 100 fee each

Pine Tree Waste, Inc.
33 Rigby Road, So. Portland, ME 04106

Reynolds & Sons Disposal, Inc.
PO Box 1092, Portland, ME 04104

Troiano Waste Services, Inc.
PO Box 3541, Portland, ME 04104

Waste Management of Maine, Inc.
2000 Forest Ave., Portland, ME 04103

MEMORANDUM: IMPACT FEES

Date 11 June, 2001

To Town Council
Bob Benson, Town Manager
Barbara McPheters, Town Code Enforcement Officer
Ken Cole, Town Attorney
Mark Eyerman, Planning Decisions

From Andy Fillmore, Town Planner

Subject Ongoing Impact Fees Discussion

At our last Impact Fee workshop, the planning department was directed to retain the services of Mark Eyerman of Planning Decisions to expand upon the work he did in his 2000 "Fiscal Impact of Residential Development" report. The intent of this new work was to assign a dollar amount to the impact of residential development, thereby satisfying the State's enabling legislation and allowing Cumberland to safely enact an Impact Fee Ordinance. I am pleased to report that Mr. Eyerman's work achieves its intent and makes a strong link between residential "impact" and "fee."

Planning Decisions' research also reveals that exacting impact fees on non-residential construction is much harder to support, and would therefore be much more susceptible to legal challenge. The planning department shares this view as exacting commercial impact fees is contradictory of the Town's stated goal of attracting commercial development along the Route One corridor. As such, the current draft of the ordinance excludes exactions for non-residential construction, and the fee burden is borne solely by new residential construction and by additions to existing buildings that contain bedrooms.

This is still a draft ordinance and it, along with the other attached materials, are strictly for discussion purposes only.

Attached materials:

- *Cover letter (e-mail) from Mark Eyerman outlining the documents he has prepared*
- *"Overview of Impact Fees" prepared by Planning Decisions*
- *"Impact Fee Methodology" prepared by Planning Decisions*
- *Current draft of Impact Fee Ordinance reflecting the new research*
- *Previous draft of Impact Fee Ordinance as reviewed by Council on 31 May, 2001*

Respectfully submitted,



Andy Fillmore, Town Planner

Andy Fillmore

From: Mark Eyerman [meyerman@maine.rr.com]
Sent: Wednesday, June 06, 2001 3:52 PM
To: afillmore@cumberlandmaine.com
Subject: Re: attachment detached



01-182 Impact Fee
Methodology ...



~~01-182 Impact Fee
Methodology ...~~



01-182 Overview of
Impact Fees...



~~01-182 Overview of
Impact Fees...~~

Andy,

Here are the files for the overview and the methodology. In the methodology, the impact fee is calculated on a per capita basis. In some work on impact fees that we have looked at, there seems to be some agreement that this is the most appropriate for these types of facilities. I have used the SCORP per capita ratio and the existing per capita supply of open space as the benchmarks for determining future need. I feel this is defensible. I then used some average costs for developed recreational areas and open space acquisition to get a cost per person. This is then discounted to reflect the decreasing population in the older housing stock to get a proposed per capita fee. This fee can then be applied on a per bedroom or per square foot basis. You should review this. I consider this a draft subject to further discussion and refinement if necessary.

Mark

OVERVIEW OF IMPACT FEES CUMBERLAND RECREATIONAL FACILITIES AND OPEN SPACE

This overview discusses impact fees and how they can be used in Cumberland to offset the costs of the development of additional recreational facilities and the preservation of open space required to meet the needs of a growing population.

1. What is an impact fee?

An impact fee is a one time charge paid by new development to cover a share of the costs for new or expanded facilities needed to service the development. It is a fee and not a tax. The impact fee shifts some or all of the cost of providing facilities needed to service new development from the general property taxpayer to the development creating the need for the new facilities.

2. What can impact fees be used for?

The use of impact fees is governed by state law. Impact fees can only be used for municipal or school infrastructure. The state law lists facilities such as waste water facilities, water facilities, solid waste facilities, fire protection facilities, roads, parks, open space, schools, etc.

Impact fees can be used to pay for facilities that have already been built or for facilities that are planned to be built in the future as long as they create capacity to service new development.

3. What can impact fees not be used for?

Impact fees cannot be used for maintenance or operations. They cannot be used to replace existing facilities unless there is an expansion in the capacity of the facility and then only the cost of the increased capacity is appropriate for fees. Impact fees cannot be used to correct existing deficiencies.

4. What limits does the state place on the use of impact fees?

State law in Maine is reasonably restrictive in terms of how impact fees can be used. The limits include:

- the fee must be related to the cost of an improvement necessary to serve the development
- the fee must be proportionate to the share of the new or expanded capacity used by a development
- the fee must be used for specific identified improvements
- the fee must go into a separate account and be used only for the purpose collected
- the improvement for which the fee is collected must be made in a timely manner in accordance with the Town's Capital Improvement Plan

- the impact fee must be refunded if the improvement is not constructed within a reasonable period typically ten years

5. What are the key tests for the legal use of impact fees?

The use of impact fees must generally meet three key tests:

1. ***The fee must be used to pay for capacity that is needed to accommodate growth and development.*** For example, an impact fee to pay for the development of a new recreational area to accommodate growing demand for youth league fields due to increased participation as a result of residential development is probably appropriate but a fee to build a parking lot and concession stand/rest rooms at an existing recreational area that does not expand the capacity of the facility probably is not.
2. ***The amount of the fee must be proportionate to the share of the capacity used by the development.*** If the Town used impact fees to say upgrade a sewer pump station to increase its capacity from 10 cfs to 20 cfs, a development that used 1 cfs of this additional capacity should pay 10% of the cost of the upgrade since it is using 10% of the new capacity.
3. ***The development paying the impact fee must benefit from the improvement made with the fee.*** If a subdivision on the Foreside pays an impact fee for recreation facilities, the improvement must be of benefit to them. For example, a townwide facility such as a sports fields or a recreation complex would probably be OK but a playground on Chebeague would probably not meet this benefit test.

6. Does the Town have to base the impact fee on the full cost of the improvement?

No, but the fee needs to be proportionate to the share of the improvement capacity used by the use paying the fee. If there is a clear, direct relationship between the development and the need for and use of the improvement, basing the fee on the full cost is probably reasonable. If, however, the relationship is less direct, basing the fee on a portion of the cost may be appropriate.

7. Who should pay an impact fee?

The basic principle of impact fees is that the development activity that is creating the need for the new or expanded capacity should pay the impact fee. For example, an impact fee to pay for expanded school capacity should be paid by residential uses but not by non-residential uses. And residential uses such as elderly housing that do not generate school enrollments should probably not be subject to such a school impact fee. An impact fee for an upgraded sewer pump station should be paid by any development that generates new or increased sewage flows that would go through the pump station but a development that has an on-site disposal system or is located on the other side of town and does not use the pump station should not. In the case of recreational facilities and open space, any residential development that does not provide an equivalent amount of recreational area or open space should pay the fee.

8. How can Cumberland use impact fees to help fund the expansion of recreation facilities and the preservation of open space?

The need for community recreation facilities and open space is a function of the size of the community's population. As the community grows, it needs more recreation land, fields, facilities, playgrounds, natural areas, and open spaces. The City's adopted Comprehensive Plan identifies the need to expand the supply of recreational facilities and open space to serve a growing population and suggests exploring impact fees for this purpose. To some extent, need can also be a function of the demographics of the community – a family population creates a need for more fields and playgrounds while an older population creates different needs. The Town can use impact fees to raise money to be used for expanding the supply of recreational facilities or for acquiring open space. To meet the tests outlined above, these impact fees probably need to be used for community-wide facilities unless only development in a certain area is charged the fee. The attached impact fee methodology lays out a possible approach for calculating a recreational facility and open space impact fee.

File: 01-182 Overview of Impact Fees 6-6-01.wpd

METHODOLOGY - PREPARED BY PLANNING DECISIONS

Draft June 6, 2001

TOWN OF CUMBERLAND RECREATIONAL FACILITIES AND OPEN SPACE IMPACT FEE METHODOLOGY

This methodology sets out the procedure for determining the impact fee that should be paid by development for recreational facilities and open space. In developing the fee, we looked at the potential need for new or expanded infrastructure to meet the need for recreation and open space to identify possible areas for the creation of impact fees. For each area, we looked at whether there is a need for expanded capacity to accommodate growth resulting from development, if so, the type of new or expanded facilities that would be needed, the possible cost of the expanded capacity, the share of the capacity available to accommodate growth, who should pay an impact fee, and how the fee should be calculated. Here is a summary of that analysis:

1. **The Need for Expanded Facilities** – The need for community recreation facilities and open space is a function of the size of the community's population. As the community grows, it needs more recreation land, fields, facilities, playgrounds, natural areas, and open spaces. The Town's adopted Comprehensive Plan identifies the need to expand the supply of recreational facilities and open space to serve a growing population and proposes the use of impact fees to fund some of this cost. This is repeated in the Town's Open Space Plan and in the Long Range Plan for Chebeague Island.

The state's most recent State Comprehensive Outdoor Recreation Plan (SCORP) reports that the typical Maine community with a population of more than 2,500 residents had 14-15 acres of municipal recreational areas per 1,000 residents or approximately 0.015 acres per capita. This ratio serves as a reasonable basis for estimating future needs for recreational facilities created by population growth in Cumberland. A population growth of 1,000 residents will create a need for 15 acres of additional municipal recreation facilities.

There is no state or national standard for the amount of open space that is appropriate for a community. In Cumberland, there are a number of sources of permanent open space including Town owned conservation land and easements, the Town forest, state conservation land/easements, and conservation land and easements owned by the land trust. Cumberland currently has approximately 600 acres of permanent open space or 0.084 acres per capita based upon a 2000 population of 7,159. This ratio serves as a reasonable standard for additional open space as the Town's population grows.

2. **The Estimated Cost for Expanded Facilities** – The development costs for recreational facilities can range from \$20,000 per acre to \$100,000 per acre

depending on the type of facility and the site with an average cost of \$50,000 per acre. The estimated cost for acquiring open space land based upon recent acquisitions in Southern Maine is \$2,000 - \$3,000 per acre assuming that some portion of the land acquired is developable.

3. The Share of Need Attributable to Growth – The existing housing stock accommodates a relatively stable population although decreasing household size appears to be reducing this population somewhat. Turnover in the existing housing stock is unlikely to increase the Town's population. New residential development is, however, adding to the population that must be served with recreational facilities and open space. This growth is partially offset by the declining population in the existing housing stock thereby reducing the effective need for additional recreational facilities and open space. Therefore, residential development is responsible for the only a portion of the need for increased recreational facilities based upon the acreage per person standard. Between 1990 and 2000, the population of Cumberland grew by 1,323 while the number of households increased by 527. The survey of new households conducted in 1999 suggests that these new households have an average of 3.6 people. This means that the new households added approximately 1,900 residents. This was offset by a decline in the population living in the pre 1990 housing stock of 574 residents. Therefore only 70% of the new residents generate a need for additional recreational and open space with the balance offset by decreases in the occupancy of the pre-existing housing stock. To account for this, the impact fee should be established at 70% of the fee that would apply using the per capita basis and estimated costs.

4. Who Should Pay The Fee – Any residential development activity that does not include an equivalent amount of improved recreational area and/or open space as part of the development should pay this impact fee based upon the expected population of the project considering typical occupancy rates. Based upon national studies of occupancy levels of various types of housing in the northeast and the Town's housing survey, the following occupancy factors should be used as a base with the ability of the developer to present other data:

Single family dwelling with:

- | | |
|----------------------------|-----------------|
| a. three or fewer bedrooms | 3.4 people/unit |
| b. four or more bedrooms | 3.8 people/unit |

Dwelling unit in a two-family or multi-family dwelling including condos with:

- | | |
|---------------------------|-----------------|
| a. one bedroom | 1.2 people/unit |
| b. two bedrooms | 2.0 people/unit |
| c. three or more bedrooms | 3.0 people/unit |

Dwelling unit in elderly housing	1.2 people/unit
----------------------------------	-----------------

There does not appear to be any justification for charging non-residential development an impact fee for recreation and open space facilities. Typically, non-residential uses do not generate a direct demand for these types of facilities and thus, should not be charged a fee.

5. Calculation of the Fee – The recreational facilities and open space impact fee should be the sum of the per capita cost of providing additional recreational facilities and the per capita cost of providing additional open space adjusted by 70% to account for the share of the need created by new residential development multiplied by the anticipated number of residents in the project.

The recreational facilities portion of the fee should be calculated by multiplying the average estimated development cost per acre of recreational facilities or \$50,000/acre by 0.015 acres per capita for a base per capita fee of \$750. This base fee should be adjusted by the 70% need factor resulting in an adjusted per capita recreational facilities fee of \$525. Any residential unit that is not part of a development that has provided an equivalent amount of recreational facilities should be subject to this fee.

The open space portion of the fee should be calculated by multiplying the estimated average per acre cost of acquiring open space or \$2,500/acre by 0.084 acres per capita for a base per capita fee of \$210. This base fee should be adjusted by the 70% need factor resulting in an adjusted per capital open space facilities fee of \$147. Any residential unit that is not part of a development that has provided an equivalent amount of open space would be subject to this fee.

Combining the two portions of the fee results in an impact fee of \$672 per capita. With this fee, a new, three bedroom single family home that has not provided recreational facilities or open space would be charged a fee of approximately \$2,285 (\$672/person X 3.4 persons/unit) while a four bedroom home would be charged \$2,554 (\$672/person X 3.8 persons/unit). A unit in an elderly complex would be charged about \$806 (\$672/person X 1.2 persons/unit).

The proposed fee could be charged on a per bedroom basis reflecting typical occupancy or the fee could be translated into a per square foot fee based upon the average size of new single-family homes built in the community.

6. Handling and Use of the Fee – The two portions of the fee should be accounted for separately and should be credited to the appropriate impact fee account and used for the purposes set forth in the ordinance.

DRAFT

For Town Council Discussion Purposes ONLY – 11 June, 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 purpose of this Ordinance is to establish a fair and equitable process by which to enable the Town to provide for the needs of its present and future residents with regard to the acquisition and development of additional recreation lands and facilities and for the acquisition and preservation of open space 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 residential 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 residential construction 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 residential construction to help with the acquisition and development of additional recreation lands and facilities and for the acquisition and preservation of open space for the future use and enjoyment of the town's residents.

DRAFT

For Town Council Discussion Purposes ONLY – 11 June, 2001

Developer is a person who has received an approval for residential construction under either the subdivision or site plan ordinance, or a person who has otherwise applied for a residential 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. Each fee collected by the Town of Cumberland shall be deposited in an account separate from the town's general fund to be used solely for the acquisition and development of additional recreation lands and facilities and for the acquisition and preservation of open space.
- 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. 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 residential structure within the Town of Cumberland. The schedule of assessment shall be as follows:

[IN PROGRESS: This schedule of fees can either be based on bedroom count as outlined by Planning Decisions, or can be translated into a "per square foot" fee based upon the average size of new single-family homes built in the community.]

DRAFT

For Town Council Discussion Purposes ONLY – 11 June, 2001

Non-residential Buildings:

[Omitted from fee exaction per Planning Decisions' 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

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

DRAFT

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:

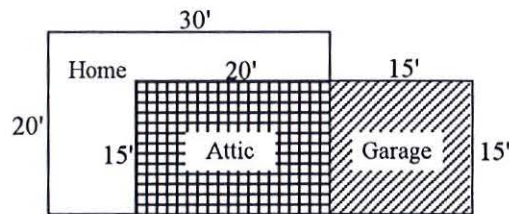
Gross floor area	\$0.50/sq. ft.
------------------	----------------




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.



THE GREATER PORTLAND COUNCIL OF GOVERNMENTS

May 29, 2001

To: Robert Benson, Cumberland Town Manager
J. Douglas Harris, Falmouth Town Manager
Dale Olmstead, Freeport Town Manager
Nathaniel Tupper, Yarmouth Town Manager

From: Neal W. Allen, Executive Director

Cc: Carl Croce, MDOT Director of Planning, Research and Community Development, David Willauer, GPCOG Transportation Director.

Subject: Coastal Corridor Coalition Concept Paper

At the last meeting on May 9 at the Yarmouth Log Cabin, representatives from Cumberland, Falmouth, Freeport and Yarmouth asked GPCOG staff to draft a concept paper outlining tasks around the idea of a corridor coalition. MDOT Planning Director Carl Croce was in attendance and indicated there may be funds available to support such an effort.

Attached you will find a draft Concept Paper for your review, outlining the need to form a corridor coalition, prepare a corridor inventory and to develop short and long term recommendations for future infrastructure and coordinated corridor development.

We will be happy to schedule a meeting to review this with you or if you feel comfortable with the concept and budget, we will forward the proposal directly to MDOT for funding consideration. Please advise accordingly.

I look forward to this opportunity to work together on this corridor initiative.

Coastal Corridor Coalition
Cumberland, Falmouth, Freeport, Yarmouth
May 29, 2001 Concept Paper

CONCEPT

The coastal corridor communities of Cumberland, Falmouth, Freeport and Yarmouth seek funding from Maine DOT for planning support in the development and work of a coastal corridor coalition. The primary goals of this coalition are to work together to identify goals and objectives, inventory corridor elements, and develop short and long term recommendations for future infrastructure and coordinated corridor development.

Note: Some of the following tasks and products may be combined with the work of the Interstate-95 Corridor Study as appropriate if and when MDOT begins the study.

TIMEFRAME

July 2001 to June 2003

TASKS

- Develop mission, goals and objectives
- Compile summary of related studies and plans
- Inventory corridor elements:
 - Proposed transportation improvement projects
 - High crash locations
 - Bicycle and pedestrian proposed projects
 - Truck Routes
 - Commuter Bus/Rail routes
 - Train Station siting options
 - Park and Ride Lots
 - Interstate interchange issues
- Identify opportunities for access management along the corridor
- Coordinate Route 1 Development Guidelines
- Explore opportunities for street inter-connectivity
- Develop short and long term recommendations by element by town

PRODUCTS

Technical Memorandum: Corridor Inventory including maps (Year 1)
Short term: Proposed projects for 2004-2005 BTIP (Year 2)
Long term: Proposed elements for inclusion in I-95 Corridor Study

BUDGET

Task	Hours	Rate	Total
Labor			
Project Manager ¹	50	\$61/hour	\$3,050
Planner	275	\$36/hour	\$9,900
Support Staff	40	\$25	\$1,000
Cartographer	110	\$30/hour	\$3,300
Materials			
Maps, printing, reports			\$800
Postage			\$300
Mileage			\$500
20 meetings and one trip between each, 30 miles/month			
Total Budget			\$20,000

¹ GPCOG Executive Director will also participate in this effort at no expense to the towns.

FUNDING SOURCES	MDOT RTAC Contract	100% (no match)	\$5,000
	MDOT Planning:	80% (Fed amount)	\$12,000
	Municipal Match	20% (local amount)	\$2,400
	Amount per town	5%	\$600

PROPOSED STUDY ELEMENTS BY TOWN

Freeport

- Route 1 Improvements and access management
- Commuter bus/rail service
- South Freeport development
- East Coast Greenway connections
- Extension of Beth Condon Memorial Walkway from Yarmouth
- Vision 2010: transportation elements
 - Train Station Development
 - Parking/ park and ride lots and shuttle bus circulation
 - Pedestrian and bicycle facilities and connections

Yarmouth

- Route 1 Improvements and access management
- Commuter bus/rail service
- East Coast Greenway connections
- Village pedestrian connections
- Train station siting options as needed
- Extension of Beth Condon Memorial Walkway to Freeport
- Access to Interstate, Exits 16 and 17

Cumberland

- Route 1 Improvements and access management
- Corridor pedestrian and bicycle connections
- East Coast Greenway connections

Falmouth

- Route 1 Improvements and access management
- East Coast Greenway connections
- Falmouth Village pedestrian connections
- Access to Interstate and Maine Turnpike Spur

Add ? : Put into Proposal
• Rt. 9
• Rt. 115
• Rt. 100
Also for Cumberland

MEMO

DATE: May 30, 2001
TO: Robert Benson, Town Manager
FROM: Klara M. Norton, Town Clerk

This is to notify you that everything is in place for the June 12th Municipal and Portland Water District Election.

I am not expecting a large turnout, hopefully at least 1,500 voters!

The Election Warden for the Mainland polls is Lavinia Hughes, and the Election Warden for Chebeague Island polls is Martha Hamilton.

As usual, the polls open at 7:00 a.m. and close at 8:00 p.m.

Please note, I will have the election results on Lisa's desk and her e-mail to have posted on our web site first thing in the morning!

If you should have any questions, please let me know.

A handwritten signature in blue ink, appearing to read "Klara".

Council
6.11.01
NY

Minutes of the Chebeague Long-Range Planning Committee meeting of May 19, 2001 at 9:00 at the Public Safety Building.

Members present: Sam Ballard, Donna Damon, Jean Dyer, Jane Frizzell, Nancy Adams, Martha Hamilton, Beth Howe.

Absent: Jim Phipps Mabel Doughty, Ann Thaxter, Ernie Burgess, Sylvia Ross, Phil Jordan, Al Traina, Michael Porter, Carol White.

Others present: Joan French

Next meeting on lowering property assessments Tuesday May 22 at 7:00 pm at the Public Safety Building.

Beth said that she was going to do an article for the Calendar about the home heating oil tank replacement program. Martha said she thought it would be useful to say also that we are still working after a year and hope people will attend our meetings. Also, Sam had some wording about the septic pumping proposal. Beth also asked if she should continue to develop the food cart legislation. Everyone said yes. She added that there are two issues on this not related to us. One is that Barbara McPheters wants to have provisions on door to door salesmen, and the other is that there may be interest in allowing food carts on the mainland.

Sam said that the issue of the Stone Wharf Committee has gotten very active. Wink Houghton and Andrew Todd have both said that they would be interested in chairing the committee. Sam asked how he should proceed with constituting a committee. Donna said she thought it was important to have all the stakeholders on the committee. There is a petition at the store signed by a lot of people to get the Stone Wharf fixed. She said that such a committee should be set up by the Council – they should advertise the charge of the committee and ask for volunteers. Sam said that he thought going to the Council on each issue like the Stone Wharf separately would take too much time. He wants the Council to say how the LRPC should proceed in general.

Beth said she could add to the Calendar piece a call for volunteers for a new Stone Wharf Committee, and in the meantime the Council could set the charge for it.

Sam said that was not the issue. The Town Council has not responded to or adopted our plan since it was proposed last summer. In that we asked them to give the LRPC a mandate and set up a generic process. Beth said that maybe a generic process would work for smaller issues, but the Stone Wharf is a major issue and the Council should appoint the committee. Donna said that people are already concerned about where the LRPC got its power. Benson told Houghton and Todd to contact Sam about the committee and they were surprised. Sam said that Benson had contacted him as well about them. But should the LRPC not have any power? Donna said it should be advisory to the Council. The Council should advertise the formation of a new Stone Wharf Committee.

Jean said that all types of users of the wharf should be on the committee. Also there was a past Stone Wharf Committee, and maybe some of them would want to be involved. The committee

should then chose its own chairman. Donna said that the people who had signed the petition about the Stone Wharf should be involved.

Sam read the language in the Long Range Plan about the role of the committee vis a vis the Council. Beth said that even if the Council adopted a generic process for the LRPC to follow in bring up issues and appointing committees, it would not bind future Councils and that we have to accept that they will want to be involved on important issues. Donna said that we want the Council to accept the plan and to base ordinances on it. But Sam wants to go farther and allow the LRPC to act autonomously.

Sam said what he wants a mandate that the Council will be comfortable with. Let's use the Stone Wharf Committee as an example for other issues of how the Council would provide working autonomy to the LRPC..

Jane asked whether this would mean that a new Stone Wharf Committee would be a new committee set up by the Council, or a subcommittee of the LRPC? Sam said it should not be a subcommittee. It will have to develop proposals for things like Town expenditures. Donna said that once the committee had been set up, the LRPC would be out of the picture.

Beth asked what this would mean, exactly? Several people summarized: The LRPC has identified a problem in its plan and wants the Town to take action on it (for example the Stone Wharf). The Town would then ask for volunteers for a comprehensive committee that would consider all the issues related to use of the wharf. Donna said that she thought there should be at least one LRPC member on the new committee to serve as liaison. Also she thought the Chebeague Councilperson and Planning Board member should serve ex officio. Then the other people should represent fishermen, boaters, the Golf Club, the CTC, commuters, and general users. Someone also suggested abutting property owners.

Sam had to leave to take the 10:00 ferry. He said that the other items listed on the agenda about the tax reassessment would be taken up at the meeting on Tuesday at 7:00 in the Public Safety Building. He wants to involve Bill Belvin because he is experienced in dealing with the state legislature in New Hampshire. He said he has also asked Michael Porter to come. Donna said we might also want to get Jim Springer involved since he had been so effective on the building cap issue.



Council
MS
5-

Minutes of the Chebeague Long-Range Planning Committee April 28, 2001, 9:00 at the Public Safety Building.

Members present: Sam Ballard, Jean Dyer, Mabel Doughty, Nancy Adams Martha Hamilton, Beth Howe.
Absent: Jim Phipps, Ernie Burgess, Donna Damon, Jane Frizzell, Phil Jordan, Michael Porter, Sylvia Ross, Ann Thaxter, Al Traina, Carol White.

Others present: Cynn timer Sheketoff, Dick Bowen, Robert Libby, Jonathan KomLosy, Pommy Hatfield, Helen Chabot.

Sam said the agenda for the meeting included his exchange of emails on the assessment increase with Bill Healey, the Town assessor. The question is what can we do as individuals and as a community about the increase. We may need to go to Augusta because the framework is set by State law. The LRPC will have a meeting on May 10 where this is likely to come up, and there is a Council hearing on May 14. Should we present our views at the Town hearing?

Pommy asked whether Chebeague people should talk with people from Cumberland Foreside. Sam said that was a good idea but they don't have the same issues since they don't have a fishing community that needs access to the shore.

Beth showed a map of the properties that are being reassessed. She said that the State has determined that people on the shore have been underassessed. This means that people in other parts of the Island and the mainland have been paying more than their share.

Sam said that his research had shown that what the Island gets from the Town is "fair" or proportionate to what we pay in. It is relative to the school district that there is an inequality – we have few children in school and pay proportionately much more in taxes. Beth said she was not in favor of thinking about school costs as if parents should pay all the costs. She thinks it is a good thing to live in a community with good public schools, where all residents, whether they have children in the school system or not, share the school costs. Jean said that our children also go to the mainland for junior and senior high school, so just looking at what is spent on the Island school is not realistic. Jon said that we don't get our fair share from the school district because they provide extra bus service in the afternoons to other parts of the town, but not Chebeague. Several people said that they thought there is extra bus service now to afternoon ferries so kids can stay for after school activities.

Beth said that we should think about what we could propose to help people who can't afford to pay the additional taxes. For example, we can encourage people with shorefront property to take advantage of the State open space program to reduce assessments. If the LRPC developed a more specific open space plan, this would help the Town evaluate and approve such applications. Sam said that if we do pursue that option, we should restrict access to people from Cumberland.

Dick Bowen said that up and down the coast the increasing value of shorefront property was an issue. The Etnier constitutional amendment was one response to this. We should work with the State and people in the Legislature like Chellie Pingree. Beth said maybe we should also make an effort to change the minds of voters in the northern part of the State who voted against the Etnier amendment. Sam said we should press our representatives.. Jean said it would be better to ask, not pressure.

Bob Libby said that in York County, Biddeford Pool had been assessed very high and citizens argued for

an abatement. The issue they came down to was whether market values had been used in the reassessment. He said the key is to assess fairly across the whole town. Sam said that he thought Healey had done a thorough study, has sale prices of properties, and was going "by the book".

Mabel said that we could get help from the Maine Coast Heritage Trust about having people use easements to reduce property values. Sam said he had talked to Bill Belvin about being a liaison to set up a meeting with them. He suggested that Mabel and Ernie (and maybe Sue) might talk to the fishermen about who would be interested in easements and then have MCHT and the Cumberland Mainland and Island Trust come to the Island for a public meeting. Pommy said that one problem with easements is that many people who live on the shore don't have a lot of land to provide an easement on. Sam asked what would the LRPC do at the Council Meeting on May 14?

Jonathan said that he had to leave for the 10:00 boat and wanted to make some observations before he left. The LRPC is having meetings and making proposals. They should have a bulletin board. People on Chebeague don't know what is going on on the mainland. They didn't know about the meeting last week on food carts. Committees come and go but there needs to be a mechanism for expanding voices on the Island in order to reach consensus. Sam agreed and said that if he were elected to the Council he hoped to make the Committee more of an Island forum. Jean said that often people don't come to meetings. Jon said that was just the issue. Beth said that we try to give notice of meetings as we did in the Calendar for this one. Often we don't know the agenda when the notice is put in the Calendar. Sometimes issues come up like the reassessment or the food carts that have to be dealt with by an extra meeting. Jon had to leave.

Sam asked Jean what the circuit breaker was and whether it would help people with increasing assessments. She said it is a program that provides a rebate on property taxes for low-income people. She also said that the income level has recently gone down. Pommy explained that it usually changes several times a year. Robert said this was because of budget ups and downs at the State level.

Cynn timer asked about the homestead credit. Beth said that there is one in Maine but it is not very large. It could be larger. Florida has a large homestead credit for year-round residents, shifting some of the tax burden to winter residents.

Pommy said that we need to have more information and education on options for people so they can make their own choices. For example, people can transfer land to their children, but some people don't like to do this. Jean said the State is making this harder because of Medicaid. Pommy explained that some people transfer property in order to be able to apply for Medicaid and meet the property limitations but still keep the property in the family. The State only accepts this as legitimate if the transfer takes place three years or more before the Medicaid application is made.

Beth asked what was going to be said at the May 10 meeting about the septic pumping proposal. Sam said he still has to see Benson about it, but that the figure for the yearly cost is sensitive to the frequency of the pumping. Beth said people may object to having a mandatory tax. Jean said we should call it a fee. And Mabel said that at the meeting we should make the case for the importance of septic pumping to the groundwater.

Agenda LRPC 4/28/01
Property taxes on Chebeague - What can be done - Who will do it

What can be done:

1. By the individual?
2. By the island community?
3. What can be done in Augusta?

1. The individual

The recent letter from the the assessor summarizes current statutes with regard to property tax adjustments. There is little we can do as a group. Each property owner is on their own to get what ever abatement or reduction possible. We should list these with recommendations as to how to pursue them.

2. What can be done as an island community with in Cumberland?

- a. Use of conservation easements. Initiate a dialog with candidate property owners to identify those who would be willing to participate in an extended easement/conservancy by potentially reducing the resale value of their property by placing conservation restrictions on it. Bill Belvin has volunteered to work as the off island person to gather information from the Maine Coast Heritage Trust as to what options are available.
- b. Investigate, tree growth and open space programs.
- c. Pusue programs being considered by Cumberland to control growth and retain open space including purchase of development rights, purchase or lease of easements, and town-acquired rights of first refusal on land.
- d. Use of the new constitutional amendment on historic houses and scenic views.

3. What can be done in Augusta.

- a. Pressuring the Cumberland delegation, Senator Karl Turner and Rep. Gerald Davis and Terrance McKenny to get legislation allowing fisherman's property to by taxed on current use basis as may be done with agricultural property.
- b. Seek increased state funding for a mechanism such as the circuit-breaker program.
- c. Use homestead exemption.



TOWN OF CUMBERLAND, MAINE

290 Tuttle Road

Cumberland Center, Maine 04021-9321

Telephone (207) 829-5559 • Fax (207) 829-2214

-2204

Dear Cumberland Resident

During the annual state mandated sales ratio study, inequities were found in assessment to sale ratios in certain areas of town. The assessment to sales ratio, which is a percentage determined by dividing the assessed value of a home by its sale price, is utilized by the state to verify the quality and equity of a municipality's assessments. Residential oceanfront property on the mainland and Chebeague Island, most Foreside property and homes in a couple of newer subdivisions showed sales prices considerably higher than their assessments creating an inequity in the distribution of the tax burden. As Assessor I am charged by state statute to make sure that no property owner pays more or less than their fair share of property taxes. Therefore, adjustments need to be made to the aforementioned properties to bring them in line with the rest of the Town.

This letter is to inform you that your property falls within the group of properties requiring adjustments. The Town Council will be holding a public hearing on May 14, 2001 to explain the process and answer any questions you may have. Residents who prefer can meet with me at any time to discuss their assessments.

Sincerely,
William H. Healey, CMA
Assessor
Town of Cumberland

Bill, We would like to have the data for the other three areas, That is for:

2. Just back

3. Further back

4. Interior

How many sales for each and how did assessment relate to sales value. You only did neighborhoods where the ratio was below 80%. If areas 3 and 4 were greater than 80%, would they not be due a rebate? I believe it is important to have an answer for this.

Sam

Reply from Healey

The following is a summarization of the sales studies done for Island Neighborhoods 2,3 and 4;

N2 - I02/54 63 Rose Point Road sold 4/14/00 for \$284,400 and was assessed for \$214,800. The ratio for that one sale was 76%. Not enough info to make a determination.

N3 - I01/61 8 Bennett Cove Road sold 11/23/98 for \$180,000 and was assessed for \$92,300. The ratio for this sale was 51%.

I04/28A 3 Hilltop Lane sold 7/6/98 for \$110,000 and was assessed for \$85,500. The ratio for this sale was 78%.

I04/14 16 North Road sold 6/15/99 for \$48,000 and was assessed for \$38,100. The ratio for this sale was 79%.

I03/4 62 North Road sold 9/10/98 for \$125,000 and was assessed for \$120,400. The ratio for this sale was 96%.

I02/10 388 South Road sold 9/15/00 for \$69,000 and was assessed for \$75,300. The ratio for this sale was 109%.

After quartiling the sales and using the mid quartile sales, the ratio for this group was 84%.

N4 - I03/115 6 Shermans Road sold 2/17/98 for \$146,000 and was assessed for \$86,000. The ratio for this sale was 59%.

I03/130C 28 Littlefield Road sold 9/20/99 for \$172,500 and was assessed for \$128,100. The ratio for this sale was 74%.

I05/14D 466 North Road sold 10/10/00 for \$130,000 and was assessed for \$113,400. The ratio for this sale was 87%.

I05/14A 444 North Road sold 10/27/00 for \$115,000 and was assessed for \$117,700. The ratio for this sale was 102%.

I06/20 304 North Road sold 6/26/98 for \$56,500 and was assessed for \$71,400. The ratio for this sale was 126%.

After quartiling the sales and using the mid quartile sales, the ratio for this group was 88%.

Exchanges with Bill Healey, Assessor 4/25/01 - 4/27/01

Bill,

Here is my understanding of your recent letter on taxes:

The Department of Revenue Services informed you that the Island was taxed in the last assessment at 70% of market value.

Cumberland has divided the Island into four tax zones. Would you give me a little more information as to how these are categorized.

1. Water front
2. Just back (with view and access?)
3. Further back (view but no access?)
4. Interior (neither view nor access?)

Cumberland mainland is taxed at 85%. The purpose of your letter is to have Chebeague taxed at the same rate.

So water front is to be increased from 63% to 85%. It is not clear why your readjustment is only for the water front. Do not all four areas need be adjusted?

You stated on the phone that interior property was valued at 100%. Is that correct? Or do you mean, 70, or 85%?

Healey's reply:

The last Sales Ratio Analysis completed by the State in September of 2000 using sales from the previous 18 months, indicated a combined Town wide assessment to sale ratio of 84%. The ratio for the entire Island was 78% and for the Mainland was 85%. Using the technology I have available to me, I performed my own study using 546 sales that took place between January 1, 1998 and December 31, 2000. I found the combined Town wide ratio in my study to be 85%. I knew something needed to be done to get our assessments closer to market value. With all of the talk recently of an economic slowdown, I decided against a full Town wide revaluation which would have brought all property assessments to approximately 100% of market value. I wanted to have some flexibility if the Real Estate Market were to reverse directions. The town of Cumberland is broken up into 28 separate Neighborhoods for assessing purposes and my software allows me to analyze sales within each Neighborhood. I decided to adjust the assessments of properties in the Neighborhoods where the ratio was below 80% to bring them more in line with the 85% ratio. I found 6 Neighborhoods consisting of 498 properties that needed adjusting. There were 139 Improved Oceanfront Island Properties and 359 Improved Mainland Properties (primarily Oceanfront and Foreside).

The Island is broken into four Neighborhoods which are 1.Oceanfront, 2.Direct View, 3.Good Location (Some View and Nearer the Water) and 4.Average Location (Interior).

The purpose of the letter was to have all Cumberland properties closer to the 85% ratio.

My study indicated that Island Oceanfront was at approximately 63% of market value on average. I only had a couple of sales in the Direct View Neighborhood which compromised the validity of that analysis. The other 2 Neighborhoods were above 80% which was my threshold for any adjustments to assessments.

I hope this information helps. If you have any other questions or need additional information, please don't hesitate to contact me.

Bill

Summary of meeting on Home Heating Oil Tank Replacement Program.

Meeting at Town Office, May 1, 2001. People who were there: George Seal, Peter Moulton and someone else from the State; Carol White, Beth Howe, Sam Ballard and Pommy Hatfield from Chebeague; Andy Fillmore (the new Town planner), Adam Ogden and Barbara McPheters from the Town and Peter Mahar (and Carol) from Sevee Mahar.

This was a useful meeting but there are a fair number of issues that need to be settled before the program can be up and running.

Statewide about one heating tank per day fails and there were more this year because of the heavy snow. The Maine DEP has been focusing on off-shore islands and Harpswell because they have sole source aquifers. Also, rocky areas, more common on the coast, are more likely to have bad pollution from failed tanks than other areas.

State DEP is giving the Town a grant of \$50,000 for this year (ending June 2002) for actual work on tanks, plus \$4000 for administrative costs. It costs about \$1300 per tank for replacement, so that means about 40 tanks. Carol said she thinks, from the preliminary survey she and the State people did last year, that there may be 40 to 50. Any above-ground tank, outdoors or in a cellar is eligible. Both the tank and the piping are replaced with a high-quality new tank and double walled piping. High risk tanks are the focus, but usually inspections of tanks find a number of ones that are obviously high risk and then a number that are "maybes". Tanks that are within 300 feet of a public drinking water well – such as at the school or the Hotel – are also a higher priority.

The program is voluntary and the tank is free. In 2003 a law now on the books will go into effect requiring all outdoor tanks to be upgraded. A law to require replacement of inadequate piping has already gone into effect. The state is not sending out the oil tank police on this, but it is an incentive to get people to participate, since if they don't participate in the program they have to pay for a new tank themselves.

Recently the State Legislature added another criterion for giving out the money – whether it is a financial hardship for the resident to replace a tank. In 2003 there will be an income cutoff but at the moment this is not a hard-and-fast rule. Priority is also supposed to be given to year-round residents and businesses. If we chose, we could make full grants to some people and have others pay part of the cost. But we would have to develop a fair and practical way to make this decision.

The Town people had not had any previous discussion about what role they would play in the program. Adam Ogden assumed that the Town would run it; but Barbara McPheters, who would be the person to do the initial inventory of existing tanks and inspect the final work, was not sure she could really take this much on. On other islands, there was a local contractor who served as the contact person with the State, filled out the state paperwork, ordered the tanks from the mainland, did the work of building concrete platforms for the new tanks and installed them. There does have to be a licensed oil burner technician to do the actual installation and piping, but

the rest could be done by someone else. Les Winters and Dick Clark are the LOBTs who work on Chebeague and Clark did the work on the program for Long Island. There is no State requirement for competitive bidding for the work; only what the Town requires.

The State people said that the contact person does not have to be a Town employee. They are willing to train someone to identify tanks that need replacing and to check the work on the first batch to catch any problems. Sevee Mahar included funding in the water quality study that was approved by the Town to identify tanks that need replacing.

Overall, the State people seem willing to bend over backwards to make the program a success. This is the first time they have worked with an island where the Town is larger than the island and where mainland Town officials might be involved. The Town employees have not thought this through yet, and Andy said there would have to be another meeting on this. I talked to Tom Calder and Roy Jackson informally about being the contact person. Roy said no and Tom said maybe. Other people also suggested Chuck Varney and Bill Calthorpe. Island contractors seem to be pretty busy. We would need someone like Dick Clark to do the technical part of the work.

Carol said she would arrange for the State people to come down to Chebeague for a public meeting, probably toward the end of June. There were several people at the public meeting that were interested in participating. We could have a piece in the June Calendar about the program and the public meeting on it.

Revised Checklist - November 2000

for DEP Home Heating Oil Supply Tank and Piping Upgrade Project

Tank:

- ☐ Is the tank a UL 80 tank? Does the tank have an Underwriters Laboratory (UL) label?
- ☐ Concrete pad for outside, vertical tank must be at least 60" x 27". (Legs should be 2 -3" from the edges, not right on the edge.)
- ☐ Is the concrete pad on a gravel base? (You should be able to see gravel on all sides of pad.)
- ☐ Is horizontal tank on solid concrete blocks? (Minimum of 16"L x 8"W x 4"H and solid.)
- ☐ Is tank (both horizontal and vertical) straight and level? (Tank should tip neither away from house nor towards it.) Is tank pitched 1/4" per foot toward the bottom outlet?
- ☐ Inside tanks need solid concrete blocks if floor is dirt.
- ☐ Is tank "capped" (meets specifications) as opposed to "crimped"? See pictures on back.
- ☐ Have all scratches in paint or primer been touched-up on both inside and outside tanks? Is outside tank painted a light color? (Sherwin Williams System 4000 Industrial and Marine Coatings color Slate Gray [SW 4026, LRV 36%] or a lighter color)

Accessories:

- ☐ Fill Cap
- ☐ Vent
- ☐ Gauge
- ☐ Vent-alarm or whistle. Often the gauge is combined with the vent-alarm. You should be able to find a pipe fitting with the word "alarm" on it.
- ☐ Are the fill pipe and the vent pipe the same size?

Copper Tubing:

- ☐ Is oil filter protected by a filter protector? (Required on outside tanks when filter is at the tank.)
- ☐ Does the oil filter have a swing joint? (Required on all tanks when filter is at the tank.)
- ☐ How many thermal shutoff valves are there? Look for "knurled" aluminum handle on brass valve. 2 are required on inside tanks. One at the tank, one at the furnace. 3 are required on outside tanks. One at the tank, one at the furnace, and one in the basement where copper tubing enters the basement.
- ☐ Is the copper tubing sleeved?
- ☐ Do the ends of the sleeve extend 2" above the floor (or ground) on both ends? Can you see the end of the sleeve from inside the house or mobile home?
- ☐ Was any Teflon®-type tape used to seal threads? No tape should have been used.

HEATING OIL SUPPLY TANK AND PIPING UPGRADE PROJECT REPORTING FORM

Form Filled Out By: _____

Agency or Town: _____

SECTION 1: Property Owner Information (To be filled out for all systems inspected):

Name of Property Owner: _____

Town Where Located: _____

Mailing Address: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Tax Map/Lot Number: _____ / _____
(Optional)

Telephone: _____

SECTION 2: Existing Tank Information (To be filled out for all systems inspected-circle):

1. Tank Location: Outside Basement Sheltered

7. Is the tank patched? Yes No

1. Non-Conforming Tank (eg. Drum): Yes No

8. Is the filter protected? Yes No

3. Tank Size (gals): _____

9. Is the piping buried underground? Yes No

4. Tank Base: _____ Stable Unstable

10. Is the piping buried under floor? Yes No

5. Is the tank leaning? Yes No

11. Piping secondary containment? Yes No

6. Is the tank pitted? Yes No

12. Piping protected from falling ice/snow: Yes No

SECTION 3: Site Information (To be filled out for all systems inspected- circle applicable answer):

14. Property's drinking water supply: Private well Public water

15. Number of wells within 300 feet of tank fill pipe? _____

16. Are there visible signs of oil spillage or leakage? Yes No

17. Spill Reported To DEP? Yes No DEP Staff Name: _____

SECTION 4: Upgrade Work Performed

Funding Available (circle)? Yes No (If no, stop here)

Landowner permission granted for upgrade work: _____

(If permission not granted by owner signature, stop here)

(owner signature)

Name and OSFB # of supervising master oil burner technician for the work:

_____ OSFB License #: _____

Company Name: _____ Phone Number: (207): _____

Mailing Address: _____ City: _____ ME Zip _____

System components replaced or upgraded and cost:

Cost of Materials: \$ _____

Cost of labor for replacement work: \$ _____

Cost of Tank Disposal: \$ _____

Total cost of replacement work: \$ _____

[REMINDER: ATTACH APPROVED INVOICES TO THIS REPORT FORM]

Describe any problems encountered with the replacement here:

Comments:

BOARD OF ADJUSTMENT AND APPEALS

Municipal Center Council Chambers

290 Tuttle Road

Cumberland Maine 04021

(207) 829-2207

Public Hearing

Thursday, June 14, 2001

7:30 PM

Randy Tukey requests a special exception for an accessory apartment at 147 Route One on Map U5A Lot 34A in the Low Density Residential District.

Eleanor Andersen requests a special exception for a mudroom attached to a single-family dwelling at 259 Gray Road on Map U21 Lot 14 in the Local Business District.

Karen M. Andersen requests a special exception for a sunroom attached to a single-family dwelling at 21 Gray Road on Map U15 Lot 7A in the Local Business District.

Scott and Ellen Grant request a special exception for an accessory apartment at 171 Harris Road on Map R3 Lot 20E in the Rural Residential 1 District.

Mary Dickinson Wood requests a special exception for a master gardener and pet therapy home occupation and sign at 285 Main Street on Map U11 Lot 30 in the Medium Density Residential District.

Andrew Sarapas, Esq., agent for Joanna S. Landsman requests a special exception for an accessory apartment at 26 Pinewood Drive on Map U13 Lot 13 in the Medium Residential/Setback Overlay 2 Districts.

Terry N. Snow, P.A., agent for Scott and Tracey Stone, requests a variance of two feet from the fifty (50) foot front setback requirement for a single family dwelling at 13 Stirling Way on May R2 Lot 33 in the Rural Residential 2 District.

ANYONE WISHING TO BE HEARD ON ANY MATTER CONCERNING THE ABOVE
REQUEST SHOULD BE PRESENT

George Turner, Chair

**Town of Cumberland
Planning Board Meeting**

**Tuesday, June 19, 2001
Council Chambers of the Town Offices
290 Tuttle Road, Cumberland Center
7:00 PM**

A. Call to Order

B. Roll Call

C. Minutes of Prior Meeting

May 15, 2001

D. Consent Calendar

E. Hearings and Presentations

1. Public Hearing – Preliminary Review - Major 18 lot subdivision – West Branch Subdivision, Blanchard Road Ext. 68.5 acres, Tax Assessor Map R07, Lots 93A, 93B, 93C and a portion of Lot 93. RR2 zoning, Chase Custom Homes, applicant, Northeast Civil Solutions, Inc. representative.

2. Public Hearing - Site Plan Review - Greely High School, Greely Jr. HS, to relocate one existing portable classroom and to add one new portable classroom, Tax Assessor Map U11, Lot 1, MSAD # 51, owner.

3. Public Hearing – Minor Site Plan Review – Dental Office at 194 Gray Road, Tax Assessor Map U20, Lot 1B, Highway Commercial District, MaineLand Dental, applicant, John McKnight owner, Pinkham & Greer Engineers, representative.

F. Adjournment

MAINE SCHOOL ADMINISTRATIVE DISTRICT #51
CUMBERLAND / NORTH YARMOUTH
P. O. Box 6A
Cumberland Center, ME 04021
Web site: www.msad51.org – Phone: 829-4800

Board of Directors

Minutes

Wednesday

May 23, 2001

7:00 PM

Greely High School Auditorium

-
1. **Call to Order** - by MSAD #51 Board of Directors Chairperson, Mary Schendel at 7:12 p.m.

Attendance:

Board of Directors: John Aromando, Maryellen Fitzpatrick, Polly Haight Frawley, Henry Kennedy, Audrey Lones, Mary Schendel, Kim True, Bob Vail

Administrators: Robert Hasson, Pat Palmer, Scott Poulin, Susie Robbins, Scott Smith

2. **Items for Action**

- a) Vote to approve middle school site

Motioned 2nd ed

Voted: To select the Greely High School site as the location for the District's proposed new middle school. (Voted: 8-0)

3. **Adjourn Meeting 9:30 PM**

received
5-31-01

Upcoming Meetings/Events

5/22/01 – NYMS Band Concert, 7:00 PM
5/23/01 - Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
5/23/01 – Design Team Retreat, 3:15 PM
5/24/01 – Steering Committee, GHS Library, 7:00 PM
5/24/01 – Policy Comm. Meeting, Central Office Conf. Room, 4:30 PM
5/24/01 – Chebeague Island School Art Night, CIS, 6:00 PM
5/24/01 - Volunteer Recognition, GHS Library, 9 – 10 AM
5/28/01 – Memorial Day
5/28/01 – Memorial Mile, GHS Memorial Day Parade Performance
5/30/01 – Full Day of School
5/31/01 – NYMS Chorus Concert, 6:00 PM
5/31/01 – GJHS Awards Night, 7:15 PM
5/31/01 – Middle School Building Committee, GJHS, 7:00 PM
5/31/01 – Class Day, GHS, 12:15 PM
6/1/01 – GHS Candlelight Ceremony, 8:00 PM
6/3/01 – GHS Graduation, 2:30 PM
6/4/01 – Finance Committee, Central Office Conference Room, 5:45 PM
6/5/01 – PTO Meeting, MIW, 7:00 PM
6/5/01 – GJHS Renovation, 7:00 PM, GHS Library
6/6/01 – Staff Recognition, Val Halla, 3:00 PM
6/6/01 – Step-Up Day, Grades 6-12
6/6/01 - Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
6/8/01 – Full Day of School (no Teacher In-service day)
6/13/01 – Full Day of School
6/14/01 – Last Day of School: Early Release, Grades 7-12 @ 11:15 PM, Grades K-6 @ 12:15 PM
6/15/01 – Teacher In-Service Day
8/30/01 – Drowne Rd. Multi-age Picnic
9/5/01 – Grade 4 Open House
9/6/01 – Grade 6 Open House, 7:00 PM
9/6/01 – MIW Cookout, 5:30 PM
9/10/01 – Grade 5 Open House
9/11/01 – Kindergarten Open House, 6:30 – 8:30 PM
9/13/01 – Grade 1 Open House
9/19/01 – Grade 3 Open House
9/20/01 – GHS Open House
9/24/01 – Grade 2 Open House

Remaining Board Meetings:

• **June 4, 2001**, Board of Directors Meeting at Cumberland Town Hall Council Chambers, 7:00 PM

• **June 18, 2001**, Board of Directors Meeting at Cumberland Town Hall Council Chambers, 7:00 PM

MAINE SCHOOL ADMINISTRATIVE DISTRICT #51

CUMBERLAND / NORTH YARMOUTH

P. O. Box 6A

Cumberland Center, ME 04021

Web site: www.msad51.org - Phone: 829-4800

Board of Directors

Agenda

Monday

June 4, 2001

7:00 PM

Cumberland Town Hall Council Chambers

1. Call To Order - by MSAD #51 Board of Directors Chairperson, Mary Schendel

2. Approval of Minutes

3. Presentations

4. Committee Reports

- a) Chairperson – Discuss meeting schedule
- b) Superintendent's report
- c) Finance Committee
 - Pownal Tuition Update
- d) Policy Committee
- e) Negotiation Committee
- f) Design Team
- g) Steering Committee

5. Items for Action

- a) Appointment of individuals to teaching positions for the 2001-2002 school year
- b) Vote to appoint co-curricular support system stipend for 00-01
- c) Executive Session – Personnel, approximately 8:00 PM
- d) Executive Session – Personnel
- e) Vote to authorize Chairperson to extend Superintendent contract.

6. Communications

7. Adjourn Meeting _____ PM

received
5-31-01

MSAD #51 Mission

The mission of MSAD #51 is to guide all students as they acquire enthusiasm for learning, assume responsibility for their education, achieve academic excellence, and discover and attain their personal bests.

To accomplish this mission, the MSAD #51 community will collaborate to:

- Use effective instructional practices and provide professional development to assure that all students meet or exceed the District's benchmarks and outcomes;
- Ensure a safe and respectful environment where all feel a sense of belonging; and
- Promote parental participation as fundamental to each student's success.

Board Goals for 2000-2001

1. Support the District's work in curriculum, assessment, instruction and professional development through:
 - Promoting educational programming based on student learning needs;
 - Measuring the District's progress towards achieving our mission, including the certification that all students meet the State's Learning Results by 2003; and
 - Effectively communicating the results of our District's work.
2. Execute the Resolution on Facilities Planning by ensuring the timely completion of the Charges made to the Building Committees, and support measures to relieve constraints due to conditions created by our current facilities.
3. Promote sound resource management through:
 - Supporting measures to use time more effectively, such as one or more measures identified in the Time Task Force Report;
 - Developing long-term strategies to ensure that future leadership and personnel needs are met;
 - Involving the Board in the budget planning process; and
 - Effectively communicating to the public the District's resource needs.

MSAD #51 Board of Directors

John Aromando	829-6861	jaromando@pierceatwood.com
Maryellen Fitzpatrick	829-4657	efitzpa486@aol.com
Polly Haight Frawley	657-2373	PHFraw@aol.com
Audrey Lones	829-4171	audrey@alum.mit.edu
Henry Kennedy	829-6979	hrk@kieve.org
Mary Schendel	781-3787	mlschendel@unum.com
Kim True	829-3209	ktrue1@maine.rr.com
Bob Vail	829-5393	

6/4/01

Upcoming Meetings/Events

5/31/01 – NYMS Chorus Concert, 6:00 PM
5/31/01 – GJHS Awards Night, 7:15 PM
5/31/01 – Middle School Building Committee, GJHS, 7:00 PM
5/31/01 – Class Day, GHS, 12:15 PM
6/1/01 – GHS Candlelight Ceremony, 8:00 PM
6/3/01 – GHS Graduation, 2:30 PM
6/4/01 – Finance Committee, Cumberland Town Office Conference Room, 5:45 PM
6/5/01 – PTO Meeting, MIW, 7:00 PM
6/5/01 – GJHS Renovation, 7:00 PM, GHS Library
6/6/01 – Staff Recognition, Val Halla, 3:00 PM
6/6/01 – Step-Up Day, Grades 6-12
6/6/01 – Early Release, Grades 7-12 @ 1:15 PM, Grades K-6 @ 12:15 PM
6/8/01 – Full Day of School (no Teacher In-service day)
6/11/01 – Step-up Day for K-3, MIW, 9:00 – 11:00 AM and 1:00 – 1:30 PM
6/13/01 – Full Day of School
6/14/01 – Last Day of School: Early Release, Grades 7-12 @ 11:15 PM, Grades K-6 @ 12:15 PM
6/15/01 – Teacher In-Service Day
8/30/01 – Drowne Rd. Multi-age Picnic
9/5/01 – Grade 4 Open House
9/6/01 – Grade 6 Open House, 7:00 PM
9/6/01 – MIW Cookout, 5:30 PM
9/10/01 – Grade 5 Open House
9/11/01 – Kindergarten Open House, 6:30 – 8:30 PM
9/13/01 – Grade 1 Open House
9/19/01 – Grade 3 Open House
9/20/01 – GHS Open House
9/24/01 – Grade 2 Open House
9/26/01 – GJHS Open House

Remaining Board Meeting:

- **June 18, 2001**, Board of Directors Meeting at
Cumberland Town Hall Council Chambers, 7:00 PM

Master Summary Report

Monthly Building Permits			April, 2001
Addition	4	\$92,796.00	\$272.00
Demolition	1	\$0.00	\$10.00
Garage	2	\$90,000.00	\$366.40
Gazebo	1	\$1,000.00	\$0.00
House	1	\$60,000.00	\$273.60
Pier	1	\$8,500.00	\$75.00
Renovation	13	\$207,270.00	\$723.40
Retaining Wall	1	\$148,000.00	\$75.00
Shed	1	\$1,500.00	\$10.00
Temp. Structure	1	\$0.00	\$25.00
Totals	26	\$609,066.00	\$1,830.40

YTD Building Permits			
Addition	6	\$160,438.00	\$473.00
Alterations	3	\$41,500.00	\$163.00
Barn	1	\$10,000.00	\$201.60
Demolition	2	\$0.00	\$20.00
Garage	4	\$145,000.00	\$640.80
Gazebo	1	\$1,000.00	\$0.00
House	15	\$3,145,835.00	\$7,397.90
Pier	1	\$8,500.00	\$75.00
Renovation	18	\$294,970.00	\$1,047.20
Retaining Wall	1	\$148,000.00	\$75.00
Shed	1	\$1,500.00	\$10.00
Temp. Structure	1	\$0.00	\$25.00
	54	\$3,956,743.00	\$10,128.50

Electrical Permits for April, 2001

<i>Count</i>	<i>Fee</i>
8	\$119.00

YTD Electrical Permits

<i>Count</i>	<i>Fee</i>
36	\$638.00

Plumbing Permits for April, 2001

<i>Count</i>	<i>Fee</i>
8	\$765.00

<i>Count</i>	<i>Fee</i>
46	\$4,341.00



Barbara McPheters
Building Inspector

Master Summary Report

Monthly Building Permits			May, 2001
Addition	9	\$233,510.00	\$688.20
Barn	1	\$1,000.00	\$10.00
Commercial	1	\$500,000.00	\$1,650.00
Conversion	1	\$15,000.00	\$40.00
Deck	7	\$19,660.00	\$122.00
Float	1	\$24,000.00	\$75.00
Garage	2	\$13,000.00	\$136.80
House	3	\$356,400.00	\$1,306.45
Pool	1	\$10,000.00	\$39.20
Renovation	1	\$80,000.00	\$190.00
Shed	3	\$2,800.00	\$37.00
Totals	30	\$1,255,370.00	\$4,294.65

YTD Building Permits

Addition	15	\$393,948.00	\$1,161.20
Alterations	3	\$41,500.00	\$163.00
Barn	2	\$11,000.00	\$211.60
Commercial	1	\$500,000.00	\$1,650.00
Conversion	1	\$15,000.00	\$40.00
Deck	7	\$19,660.00	\$122.00
Demolition	2	\$0.00	\$20.00
Float	1	\$24,000.00	\$75.00
Garage	6	\$158,000.00	\$777.60
Gazebo	1	\$1,000.00	\$0.00
House	18	\$3,502,235.00	\$8,704.35
Pier	1	\$8,500.00	\$75.00
Pool	1	\$10,000.00	\$39.20
Renovation	19	\$374,970.00	\$1,237.20
Retaining Wall	1	\$148,000.00	\$75.00

<i>Shed</i>	4	\$4,300.00	\$47.00
<i>Temp. Structure</i>	1	\$0.00	\$25.00
	84	\$5,212,113.00	\$14,423.15

<i>Electrical Permits for May, 2001</i>		<i>YTD Electrical Permits</i>	
<i>Count</i>	<i>Fee</i>	<i>Count</i>	<i>Fee</i>
20	\$475.00	56	\$1,113.00

<i>Plumbing Permits for May, 2001</i>			
<i>Count</i>	<i>Fee</i>	<i>Count</i>	<i>Fee</i>
14	\$1,305.00	60	\$5,646.00



Barbara McPheters
Building Inspector

Building Permits

May, 2001

<i>Date</i>	<i>Permit</i>	<i>Map/Lot</i>	<i>Owner</i>	<i>Location</i>	<i>Imprvmnt</i>	<i>Est Cost</i>	<i>Fee</i>
05/02/2001	01-055	U07 / 15	Ward, William	128 Longwoods	Addition	\$5,000.00	\$20.00
05/02/2001	01-056	R02 / 16A	Reiman, Philip	82 Ravine Road	Addition	\$52,000.00	\$134.00
05/02/2001	01-057	U14 / 65	Smith, Scott	35 Woodside Dri	Deck	\$4,000.00	\$20.00
05/02/2001	01-058	U14A / 64	Jacobson, Donald	17 Crystal Lane	Shed	\$500.00	\$10.00
05/02/2001	01-059	R01 / 39	DeCoursey, Richa	88 Middle Road	Addition	\$30,000.00	\$90.00
05/03/2001	01-060	U14 / 79	Van Resaller, Stev	7 Woodside Driv	Deck	\$700.00	\$10.00
05/03/2001	01-061SZ	U03 / 16	Scriven, Terry Ann	17 Sea Cove Ro	Float	\$24,000.00	\$75.00
05/04/2001	01-062	U06 / 17	Carron, Dana & S	12 Birch Lane	Addition	\$8,000.00	\$30.00
05/04/2001	01-063	I02 / 35A	Ross, Claire	460 South Road	Addition	\$11,500.00	\$54.00
05/04/2001	01-064	U13A / 26	Goettel, Mark	4 Sparhawk Lan	Deck	\$900.00	\$10.00
05/04/2001	01-065SZ	U06A / 23	Thibodeau, Lee	13 Ledge Road	Renovation	\$80,000.00	\$190.00
05/04/2001	01-066	R05 / 36	Leighton, E. Ronal	505 Range Rd.	Garage	\$5,000.00	\$108.00
05/07/2001	01-067	U21 / 9	Copp, Clayton	260 Gray Rd.	House	\$0.00	\$222.45
05/08/2001	01-068	U12 / 2C	Libby, Curtis	23 Porcupine Ri	Deck	\$10,660.00	\$42.00
05/20/2001	01-080	U14 / 145	Plummer, Joanne	7 Candlewick La	Addition	\$18,000.00	\$66.00
05/22/2001	01-069	U13A / 62	Ashey, Elizabeth	11 Maple St.	Deck	\$600.00	\$10.00
05/22/2001	01-070	R03 / 22D	Wood, Louis & Cy	23 Puddle Duck	Addition	\$25,000.00	\$46.20
05/22/2001	01-071	R07 / 72B	Cyr, Mary	Maloney's Ridge	Garage	\$8,000.00	\$28.80
05/22/2001	01-072	U14 / 69	Byrnes, Steven	27 Woodside Dri	Addition	\$45,230.00	\$140.00
05/22/2001	01-073	R08 / 68E	Wildes, Bruce	379 Blanchard R	Shed	\$500.00	\$12.60
05/23/2001	01-074	R03 / 47A	Curato, Michael	11 Harris Rd.	Deck	\$2,000.00	\$20.00
05/23/2001	01-075	R02 / 35A	Ingraham, Curtis	55 Greely Rd.	House	\$180,000.00	\$628.00
05/23/2001	01-076	R02D / 1A	DST Realty	10 Thomas Drive	Commercial	\$500,000.00	\$1,650.00
05/23/2001	01-077	U14A / 82	Dawson, Michael	5 Philip St.	Addition	\$38,780.00	\$108.00
05/29/2001	01-078	U19 / 29	Usher, David	13 Kathy Lane	Deck	\$800.00	\$10.00
05/29/2001	01-079	R08 / 50B	Weeman, Craig	136 Orchard Ro	Pool	\$10,000.00	\$39.20
05/29/2001	01-081	R08 / 32C	Benger, Bill	36 Sturbridge La	Conversion	\$15,000.00	\$40.00
05/29/2001	01-082	R03A / 24	Bauer, Allen & Gil	22 Muirfield Roa	House	\$176,400.00	\$456.00

<i>Date</i>	<i>Permit</i>	<i>Map/Lot</i>	<i>Owner</i>	<i>Location</i>	<i>Imprvmnt</i>	<i>Est Cost</i>	<i>Fee</i>
05/29/2001	01-083	U19B / 8	Readio, Gary	24 Pond Shore	Shed	\$1,800.00	\$14.40
05/31/2001	01-084	R07 / 92	McAleney, Michae	280 Blanchard R	Barn	\$1,000.00	\$10.00
						\$1,255,370.00	\$4,294.65

The county should answer directly to local taxpayers

● Municipal officials rightly don't like being caught in the middle.

Commissioners and executives from Cumberland County are making the rounds to area municipalities this spring. They're getting an earful, too, about how much more it's costing to maintain the sheriff's department, jail and other county services.

The county's budget is up 11.8 percent over last year, now totalling \$21 million. More than two-thirds of the increase is to cover higher costs at the jail. That's understandable. The county isn't getting as much from the state for housing prisoners. Meanwhile, a guard shortage has sent overtime costs soaring.

Last week, Portland City Councilor Tom Kane and County Commissioner Esther Clenott got into a public spat over the issue, and other municipal officials have expressed concern as well. Dale Olmstead, Freeport town manager, even went so far

as to pose the question: "Do we really need county government?"

The answer is, most emphatically, "Yes." Indeed, with the cost of municipal services rising, county government offers an opportunity to save money by facilitating regional approaches.

Part of the problem here is that local officials have the unenviable job of delivering the bad news when county taxes go up. That's because the county bills towns and cities rather than citizens.

A better approach would be to have the county send out its own tax bills and collect its own taxes. Before computers, this was hard to do because of differing property assessment systems in various towns. That data can easily be managed today, however.

Direct billing will make county government accountable to the citizens. That'll save municipal officials from having to give bad news and free county officials to make their case to the only constituency that matters — the voters.

The County of Cumberland is committed to providing quality services to all citizens equitably, in a responsive and caring manner.

COMMISSIONERS' MEETING

MINUTES

May 14, 2001

The Board of Cumberland County Commissioners, Esther B. Clenott, Richard J. Feeney and Gary E. Plummer, convened a meeting in Courtroom 1 on the above date.

Chairperson Clenott called the meeting to order at 7:01 PM and the following business was conducted.

Minutes of the regular meeting of April 23, 2001 were approved as written.

Robert Devlin, Deputy County Manager, reported that the County Manager was attending a two-day Leadership Seminar through the Maine Development Foundation. He reviewed the successful Legislative Hearing and Luncheon held earlier in Augusta regarding the County's Strategic Planning Committee. He noted that 17 legislators had attended to hear the excellent presentation by Don Gerrish, Chairman of the SPC.

Chairperson Clenott reported that the County was planning another legislative luncheon meeting at the State House on May 25th to discuss several issues of importance to Cumberland County communities, with municipal officials and the Greater Portland Council of Governments participating.

01-35 Summer Contracts for Police Services: Naples, Frye Island and Long Island

Captain Bill Holmes reviewed the staff report, noting that because only 4 of the 20 applicants for summer patrol officers were eligible, the County could only provide one deputy to each town, instead of the usual two. Although unfortunate, this would still meet the contractual responsibilities of the County. He clarified that one of the applicants is already filling a regular patrol vacancy.

Commissioner Plummer expressed his disappointment with the lack of qualified applicants, and that the County would not be able to meet the contractual terms of previous years. Chairperson Clenott noted a small error in the Frye Island contract, which will be corrected. She also requested a detailed report on why 16 of the 20 applicants were not eligible.

Motion by Commissioner Plummer to authorize the Chairperson to sign the summer contract for Long Island for one deputy at a cost of \$9,476.21. Second by Commissioner Feeney, so voted.

Motion by Commissioner Plummer to authorize the Chairperson to sign the summer contract for Frye Island for one deputy at a cost of \$8,698.16. Second by Commissioner Feeney, so voted.

Motion by Commissioner Plummer to authorize the Chairperson to sign the summer contract for Naples for one deputy at a cost of \$7,141.71. Second by Commissioner Feeney, so voted.

01-36 Bid Report, Flooring, Pre-Release Center

Bruce Tarbox, Facilities Manager, reviewed the bid report to replace worn carpeting with vinyl tile flooring, noting that although he ran an ad and listed it with Dodge Reports, only one bid had been received from Capozza Tile Company for \$10,023. He reported that \$17,000 had been set aside in the CIP for this project.

Commissioner Feeney expressed his concerns that there was only one bid received, and suggested that the Facilities Manager make a list of vendors next time, and send out the RFP to them. Commissioner Plummer agreed, and initiated discussion to clarify details regarding the underlayment and warranty on the flooring.

Motion by Commissioner Plummer to award the bid to the low and lone bidder, Capozza Tile Company Inc. in the amount of \$10,023. Second by Commissioner Feeney, so voted.

01-37 Bid Report, Pod Repairs, Jail

Mr. Tarbox reviewed the bid report for building of a security wall and installation of new cabinets in four of the pods. He reported that 3 bids had been received:

K.E. Poirier:	\$3,375.00 per pod
Atlantic Coast Contractors:	\$3,530.00 per pod
Cappelletti Builders Inc.:	\$17,260.51 per pod

Mr. Tarbox noted that \$25,000 was set aside in the CIP for this project, and recommended the bid be awarded to K.E. Poirier for \$13,500 with the remainder of the \$25,000 to be used for paint, cabinetry and plumbing supplies needed to complete the pod renovations.

Motion by Commissioner Feeney to award the bid to the low bidder, K.E. Poirier in the amount of \$13,500. Second by Commissioner Plummer, so voted.

01-38 Bid Report, Chairs, Jail

Captain Wayne Pike reviewed the bid report, noting that earlier in the year he had been approved to spend \$9,200 from the ergonomics account to purchase 15 new chairs for the jail. He noted that there were 45 chairs purchased in 1994 when the jail was completed, and 5 had been replaced last year, leaving 40 older ones that eventually need to be replaced with better ergonomic chairs. He reported that an RFP for chairs had been sent out in April, and that 3 bids were received:

Corporate Express:	\$383 per chair
Pavilion Healthcare:	\$630.70 per chair
Domore Furniture:	\$600 per chair

Captain Pike reported that after the bids were received, he was asked by Captain Breton to see if they could also get 5 chairs to replace the ones in the intake office. Since the bid from Corporate Express was lower than expected, five more chairs could be purchased and still come in under the \$9,200 designated in the ergonomics account, therefore the Sheriff's staff was recommending the bid be awarded to Corporate Express for 20 chairs at a cost of \$7,660. This would only leave 20 chairs to be replaced when additional funds were available.

Mr. Devlin reported that the County Manager did not concur with this recommendation, noting that he would prefer to follow the County RFP process, and in this case only 15 chairs had been asked for in the bid specifications. The County Manager recommended the bid be awarded to the low bidder for 15 chairs at a cost of \$5,745.

Sheriff Dion initiated further discussion, noting that he did not understand the County Manager's opposition to purchasing additional chairs at the lower than expected price.

Motion by Commissioner Feeney to award the bid to Corporate Express for 20 chairs at a cost of \$7,660. Second by Chairperson Clenott. Commissioner Plummer stated that he concurred with the County Manager, and did not approve of changing the bid specifications. Motion fails with two nays, one aye from Commissioner Feeney.

Motion by Commissioner Plummer to award the bid to the low bidder, Corporate Express, for 15 chairs at a cost of \$5,745. Second by Commissioner Feeney, so voted.

01-39 Request for deputy sheriff commissions

The following requests for deputy sheriff commissions was received from Sheriff Dion: William Roberts Jr., John Roma, and Raymond McIntire, CCSO Patrol; Angela Willis, Scott Corey, Darlene Allen, Christopher Todd, Lucas Hare, and Erik Larsen, South Portland PD.

So approved on the motion of Commissioner Plummer and the second of Commissioner Feeney.

01-40 Approval, FOX 51/UPN35 Proposal for Correction Officer Recruitment

Judy Klein-Golden, Human Resources Director, reviewed the staff report, noting that a workshop had been held last week and that there are currently 30 vacancies in the Sheriff's Department. The proposal from FOX51 would give the County a minimum of 329 30-second commercial spots during prime time and they would create a professional 3-minute video for the County to use at job fairs, presentations and even local access channels.

It also includes a listing on their local employment website. This, combined with the regular newspaper and magazine ads, would broaden the base of job searches and increase the number of applicants. The proposal would cover four months at a cost of \$11,775 with the funds to be taken out of the contingency fund. She noted that the County Manager concurred with the recommendation.

Discussion ensued with representatives from FOX51 to ensure that the Commissioners, County Manager, Human Resources Director and Sheriff would have final approval of the commercial and the video before they were shown and that they would receive a schedule of when they would be aired. The Commissioners were assured that there would most likely be more than the minimum of 329 30-second spots, because many spots go unfilled and the County's can be placed at the last minute.

Motion by Commissioner Plummer to authorize the Chairperson to sign a contract with FOX51/UPN35 for the services listed in the proposal, at a cost of \$11,775 to be taken from the contingency account. Second by Commissioner Feeney, so voted.

01-41 Appointments, Human Services Advisory Committee

Mr. Devlin noted that there were currently two vacancies and three individuals whose terms were expiring. He has been able to reach two of them, and have received confirmation of their willingness to continue serving, and nominated them for re-appointment: Jennie Currie of Yarmouth and James Brewster of South Portland. He reported that he is continuing to work to fill the remaining three seats.

Motion by Commissioner Plummer to re-appoint Jennie Currie and James Brewster to 3-year terms on the Human Services Advisory Committee. Second by Commissioner Feeney, so voted.

No further business conducted; motion to adjourn at 7:59M.

ATTEST:



Timothy J. Jarvis
Deputy Clerk

Next regular meeting: Tuesday, May 29, 2001 at 7:00 PM.



June 7, 2001

William Healey
Assessors Office
Town Hall, 290 Tuttle Road
Cumberland, ME 04021

Dear Mr. Healey:

Vision Appraisal Technology is pleased to propose price estimates to the Town of Cumberland for a fiscal year 2002 Update of all real estate values. Services to be provided will be as follows:

- Sales analysis utilizing sales from January 1, 2001 through April 1, 2002.
- Establish new land values.
- New replacement cost base rates for residential and commercial properties.
- Full field review of residential and commercial/industrial properties.
- Income analysis on all commercial/industrial properties.
- Exempt property analysis.
- Mailing of taxpayer notices and conducting 12 days taxpayer interviews.

The estimated cost to provide valuation update services described here for the Town of Cumberland is approximately Seventy Five Thousand Dollars (\$75,000).

We want very much to continue our relationship with the Town of Cumberland and provide the kind of services that the Town both expects and requires. If there are any further questions or more information is necessary please don't hesitate to call me at any time at 877-611-9457 ext 26.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard P. Romano".

Richard P. Romano
Regional Sales Manager



THE GREATER PORTLAND COUNCIL OF GOVERNMENTS

May 29, 2001

To: Robert Benson, Cumberland Town Manager
J. Douglas Harris, Falmouth Town Manager
Dale Olmstead, Freeport Town Manager
Nathaniel Tupper, Yarmouth Town Manager

From: Neal W. Allen, Executive Director

Cc: Carl Croce, MDOT Director of Planning, Research and Community Development, David Willauer, GPCOG Transportation Director.

Subject: Coastal Corridor Coalition Concept Paper

At the last meeting on May 9 at the Yarmouth Log Cabin, representatives from Cumberland, Falmouth, Freeport and Yarmouth asked GPCOG staff to draft a concept paper outlining tasks around the idea of a corridor coalition. MDOT Planning Director Carl Croce was in attendance and indicated there may be funds available to support such an effort.

Attached you will find a draft Concept Paper for your review, outlining the need to form a corridor coalition, prepare a corridor inventory and to develop short and long term recommendations for future infrastructure and coordinated corridor development.

We will be happy to schedule a meeting to review this with you or if you feel comfortable with the concept and budget, we will forward the proposal directly to MDOT for funding consideration. Please advise accordingly.

I look forward to this opportunity to work together on this corridor initiative.

Coastal Corridor Coalition
Cumberland, Falmouth, Freeport, Yarmouth
May 29, 2001 Concept Paper

CONCEPT

The coastal corridor communities of Cumberland, Falmouth, Freeport and Yarmouth seek funding from Maine DOT for planning support in the development and work of a coastal corridor coalition. The primary goals of this coalition are to work together to identify goals and objectives, inventory corridor elements, and develop short and long term recommendations for future infrastructure and coordinated corridor development.

Note: Some of the following tasks and products may be combined with the work of the Interstate-95 Corridor Study as appropriate if and when MDOT begins the study.

TIMEFRAME

July 2001 to June 2003

TASKS

- Develop mission, goals and objectives
- Compile summary of related studies and plans
- Inventory corridor elements:
 - Proposed transportation improvement projects
 - High crash locations
 - Bicycle and pedestrian proposed projects
 - Truck Routes
 - Commuter Bus/Rail routes
 - Train Station siting options
 - Park and Ride Lots
 - Interstate interchange issues
- Identify opportunities for access management along the corridor
- Coordinate Route 1 Development Guidelines
- Explore opportunities for street inter-connectivity
- Develop short and long term recommendations by element by town

PRODUCTS

Technical Memorandum: Corridor Inventory including maps (Year 1)
Short term: Proposed projects for 2004-2005 BTIP (Year 2)
Long term: Proposed elements for inclusion in I-95 Corridor Study

BUDGET

Task	Hours	Rate	Total
Labor			
Project Manager ¹	50	\$61/hour	\$3,050
Planner	275	\$36/hour	\$9,900
Support Staff	40	\$25	\$1,000
Cartographer	110	\$30/hour	\$3,300
Materials			
Maps, printing, reports			\$800
Postage			\$300
Mileage	20 meetings and one trip between each, 30 miles/month		\$500
Total Budget			\$20,000

¹ GPCOG Executive Director will also participate in this effort at no expense to the towns.

FUNDING SOURCES	MDOT RTAC Contract	100% (no match)	\$5,000
	MDOT Planning:	80% (Fed amount)	\$12,000
	Municipal Match	20% (local amount)	\$2,400
	Amount per town	5%	\$600

PROPOSED STUDY ELEMENTS BY TOWN

Freeport

- Route 1 Improvements and access management
- Commuter bus/rail service
- South Freeport development
- East Coast Greenway connections
- Extension of Beth Condon Memorial Walkway from Yarmouth
- Vision 2010: transportation elements
 - Train Station Development
 - Parking/ park and ride lots and shuttle bus circulation
 - Pedestrian and bicycle facilities and connections

Yarmouth

- Route 1 Improvements and access management
- Commuter bus/rail service
- East Coast Greenway connections
- Village pedestrian connections
- Train station siting options as needed
- Extension of Beth Condon Memorial Walkway to Freeport
- Access to Interstate, Exits 16 and 17


Cumberland

- Route 1 Improvements and access management
- Corridor pedestrian and bicycle connections
- East Coast Greenway connections

Falmouth

- Route 1 Improvements and access management
- East Coast Greenway connections
- Falmouth Village pedestrian connections
- Access to Interstate and Maine Turnpike Spur

Add ?
 • RT 9
 • RT 115
 • RT 100
 Also
 Cumberland



SOLID WASTE TO R.W.S.

<u>YEAR</u> <u>MONTH</u>	<u>2001</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
January	211.07	179.89	204.61	192.30	191.10	184.53
February	163.98	154.08	152.55	163.73	167.36	171.20
March	175.61	148.88	164.92	187.13	188.09	193.05
April	211.90	347.03*	233.12*	179.17	190.87	181.92
May	331.97*	200.44	175.02	217.70*	277.75*	304.98*
June		190.25	201.01	229.98	222.10	229.93
July		232.78	223.52	224.88	212.91	223.73
August		224.45	175.55	194.03	251.36	267.61
September		193.89	247.89	245.27	229.28	225.17
October		343.81*	260.72*	273.00*	270.87*	267.31*
November		172.94	185.99	197.09	209.37	236.55
December		194.62	214.89	208.16	230.40	195.88
Total		2,583.06	2,439.79	2,512.44	2,641.46	2,681.86

NOTE: All Measurements in tons

* Bulky Waste Pick-up week included

O'CONNOR Junk Yard program

Core Transformers late 80's

D.E.R.

Library Legislative

Dumping in
Early 70's

Key Bank Building

Central Maine Power

Blanche Hutchins

17219 San Carlos Blvd E.W.

Fort Myers Beach

Fla 33931

This
Man hauled all this stuff into Cumberland Auto Salvage yard.
Man wrote this Sept 3-1994
but wouldn't tell me his name -
didn't want any involvement of any
kind - said I have to tell someone
because all here will die with cancer soon -

Sept 3 - 1994

CORE TRANSFORMERS

I found out about ^{these} Chemicals on
11:30 p.m.

Sept 3 - Saturday - 1994 from
a man in the cemetery - who helped
haul stuff in to Gerald's Junk Yard
in early 1970's - 1980's.
He said he wouldn't drink any
water in whole of West Cumberland.
I told him alot had died. He
said - I bet Cancer - I said
yes -

A man & "wife" checking old grave
stones - in lots of different towns.
He said - he was truck driver - who
drove & dumped tons of transformers for
O'Connor Junk Yard of Augusta, Maine.
they all belonged to Central Maine
Power.

He wouldn't tell me his name he
didn't want to get involved?

He told me not to live in or go
near my house - I told him I
had to move out in 1985 - house
has been vacant since - He said all
will die of cancer - He dumped truck load

~~Uncontrolled Hazardous Waste Site~~



Potential Hazardous Waste Site

Preliminary Assessment

West Cumberland:

Testing A's at Hutchins House

Wally Hinkley of A's
Testing -

Wally said to Wally - what
would you do if this was
your house - Wally said -

Pray for the biggest
thorn to flatten

the house -

If it was my house I
wouldn't live here -

Move to H-out -

Takes 4 hours to do

A's tests - So I asked

later if he wanted a

cup of coffee - He looked

at ~~Farbute~~

Said No I wouldn't even

touch your water - OR even

drink it, it's so bad -

Poison

Wally said - get water in
jug in Falmouth - He said

D. E. P.

One day I asked
Lindy Bertucci to go
to Salvage Yard with out
them knowing it. I told
her - you don't dare. So one
day - she brought Don Hale
with her - and parked in
my yard - They backed down
took about 3 hours later
back they came - I said
well what did you find
Don Hale said - You were
right - Gas, Oil & you name
it - all below the ground.
He said - ~~My~~ God what a
mess - But I said. But
you didn't do nothing
to them - All he did
what hang his head
I called him about 2 weeks
ago - because I want some-
thing - done - All he said

SELECTION: INTEGRATED
SEQUENCE: STATE, CITY NAME, SITE NAME

U.S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF EMERGENCY AND REMEDIAL RESPONSE
C E R C L A

RUN DATE: 85/03/26
RUN TIME: 18:46:57

L.1 - SITE LOCATION LISTING

REGION	EPA ID	SITE NAME STREET CITY COUNTY	STATE ZIP COUNTY CODE	CONG DIST	LATITUDE	LONGITUDE	SWSA	HYDRO UNIT
01	ME8170022018	U S NAVY NAS BOUNDED BY RTS 24 & 123 BRUNSWICK CUMBERLAND	ME 04011 005	ME-01	43/53/42.0	069/56/17.0		01040002
01	MED071741409	MAINE OIL RECYCLING INC DEPOT ST BUCKFIELD OXFORD	ME 04220 017	ME-02	44/17/14.0	070/22/04.0		01040002
01	MED980524128	CALLAHAN MINING CORP HARBORSIDE CAPE RUSIER HANCOCK	ME 04617 009	ME-02	44/20/42.0	068/41/00.0		01050002
01	MED980520944	INTERNATIONAL PAPER CO OTIS MILL CHISHOLM FRANKLIN	ME 04222 007	ME-02	44/28/40.0	070/11/36.0		
01	MED980520514	U S NAVAL SEC GRP OPERATIONS SITE BLDG 41 COREA HANCOCK	ME 04624 009	ME-02	44/29/10.0	059/59/40.0		01050002
01	MED980915474	CORINNA - MAIN ST. MAIN ST. PT. 7 CORINNA PENOBSCOT	ME 04928 019	ME-02	44/55/18.0	069/15/36.0		01030003
01	MED980916563	BLACKSIRAP RD. SITE BLACKSIRAP RD. CUMBERLAND CUMBERLAND	ME 04021 005	ME-01	43/45/42.0	070/15/06.0	6400	01060001
01	MED095505988	FAYSCOTT 225 SPRING ST DEXTER PENOBSCOT	ME 04930 019	ME-02	45/00/42.0	069/17/00.0		01030003

U.S. ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF EMERGENCY AND REMEDIAL RESPONSE

C E R C L A

DATA BASE UPDATED 85/03/26

L.1 - SITE INVENTORY LISTING

REPORT OPTIONS: INTERNAL REPORT

LEVEL: STATE ME

SELECTION: INTEGRATED

SEQUENCE: STATE, CITY NAME, SITE NAME

Cone - 1 transformer from
Cumberland Auto Salvage Yard
→ Cumberland Road
40-Blackstrap Road
West Cumberland - Maine 04021
Cone - 1 transformer from
O'Connor Junk-Yd - Belong To
Central Maine Power
Hauled in from
Dumped 1970 to 1980's To Salvage yard

CHCMI 0919 FUMID 50 FAKI
Tetrachlorethylene - AIR 130 P.P.B.
WATER 22 P.P.B.
285' TEST well 12.8

ELEV N
WASH CAR
PARTS
WITH
9/50

Dichlorobenzenes - JUNK YARD

Chloroform - Neighbors
AIR - Hutchins House

Toluene - AIR - Hutchins House
WATER Neighbors 285' TEST well

Benzene - AIR Hutchins House

Xylene - AIR Hutchins House

Lead - WATER Hutchins House
picken's WATER

Butylchloride - AIR Hutchins House

Trichloroethane - Hutchins WATER-AIR
1-1-1 285' TEST well

Dichloroethane - Hutchins
WATER

Formaldehyde - AIR Hutchins
House

Gasoline - AIR
10/14/83 Hutchins House

Methylene Chloride - AIR - Hutchins House
285' TEST well

Pinene - AIR - Hutchins House

Trichloroethylene - 285' BACK YARD
1-1-1 TEST well

No-1-Oil - BILL FROST WATER

Cyclohexane - AIR - Hutchins
House

HEAVY METALS - Cellar
WALLS

Arsenic - 35.7 P.P.M.

Chromium - 5.0 P.P.M.

Copper - 21.1 P.P.M.

Cadmium - 2.8 P.P.M.

Nickel - 3.42 P.P.M.

Lead - 60.0 P.P.M.

Zinc - 307.0 P.P.M.

House

BACK
YARD

Cellar

Cone 1 RA
Cone 1 RA
O'Connor Junk-Yd - Belong To
Central Maine Power
Hauled in from 1970 to 1980's To Salvage Yard
Dumped

Gasoline — Hutchins House
10/14/83
Methylene Chloride — AIR - Hutchins House
285' TEST well
Pinene — AIR - Hutchins House
Trichloroethylene — 285' BACKYARD
1-1-1 TEST well
No-1-Oil — BILL FROST WATER
Cyclohexane — AIR - Hutchins House
HEAVY METALS — CELLAR WALLS
Arsenic — 35.7 P.P.M.
Chromium — 5.0 P.P.M.
Copper — 21.1 P.P.M.
Cadmium — 2.8 P.P.M.
Nickel — 3.42 P.P.M.
Lead — 60.0 P.P.M.
Zinc — 307.0 P.P.M.

BACKYARD

CELLAR

6/9/98

BACK Well

Methyl — Butyl ETHER
Ethyl — Benzene
M+P Xylene
O Xylene
Benzene
Toluene
TETRACHLOROETHYLENE