

**Comprehensive Plan Update Committee  
Town of Cumberland  
East Conference Room  
September 26, 2013 - 6:30 p.m.  
Minutes**

**I. Call to Order:** Mr. Sherr called the meeting to order at 6:35 p.m.

**II. Roll Call:**

**Present:** Teri Maloney-Kelly, Jim Guidi, Peter Sherr, Peter Bingham (Council Liaison), Shirley Storey-King (Council Liaison)

**Absent:** April Caron, George Turner (Council Liaison)

**Staff:** Carla Nixon, Town Planner, Bill Shane, Town Manager, Alyssa Tibbetts, Assistant Town Manager, Pam Bosarge, Administrative Assistant

**Guest:** Gene Stratton of 20 Tinker Lane, Ted Chadbourne of 50 Stockholm Drive

**III. Minutes:** September 12, 2013

Mr. Bingham moved to approve the minutes of September 12, 2013.

Ms. Maloney-Kelly seconded.

VOTE: Unanimous

1 abstain Storey-King

**IV. Route One**

Ms. Nixon stated at the last meeting we discussed reviewing the allowed uses on Route One in the Office Commercial South and Office Commercial North districts. Ms. Nixon reviewed an overall comparison sheet of allowed uses. Stating the proposed ancillary uses to add are retail and restaurants. The Town has several new commercial businesses along the Route One corridor and it would be nice to have facilities to serve employees; such as restaurants and small retail establishments. Ms. Nixon continued stating these uses could be limited by size and subject to design and performance standards to minimize concerns relating to big box developments or fast food restaurants. She explained that there currently are Design Guidelines for Route 1. They are not *Design Standards* meaning that they cannot be enforced by the Planning Board during the review process, but they do give the applicant and the Planning Board the idea of how the proposed development should look and function. She explained that the new Town Center District (TCD) allows small retail and restaurants and that the commercial zones in the Route 100 Corridor have guidelines which limit restaurants and retail by size, and design.

Ms. Tibbetts highlighted her memo stating the Route One corridor is comprised of two commercial districts, the Office Commercial North and Office Commercial South, in addition to a 63 acre contract zone for Cumberland Foreside Village. The addition of Maine Standards and Exactitude to the already successful commercial uses Norton, Seafax and Lucinda's has demonstrated a need for additional permitted uses along the Route One corridor. Each of these businesses employs more than 60 people, on average, and support services like restaurants and retail would be a benefit to those employees. Staff is recommending that the committee consider these additional uses for the OC-N and OC-S zones along with specific parameters similar to those established in the Town Center District. For instance, size limits for retail space and seating limits for restaurants may be appropriate.

Mr. Sherr stated the type of restaurants allowed on Route 100 limit chain stores, and other towns have limited chain establishments with design requirements and requiring New England architecture such as McDonalds in Freeport.

Mr. Bingham stated Falmouth and Yarmouth are trying to change the development of their Route One corridors with new traffic patterns. Cumberland has tastefully developed its corridor and he is not in favor of restaurants and retail. Most professional offices have cafeterias or lunch rooms for their employees.

Ms. Nixon agreed those are valid concerns. She told the committee that several years ago the Town received a request from HUGS restaurant to locate in the OC – S, but it was not allowed, so the restaurant opened in Falmouth. Hugs is a small scale family restaurant...that is the type of restaurant we would anticipate locating on Route 1. Similarly, we are suggesting small retail stores...no Rite Aides or big box.

Ms. Tibbetts stated Maine Standards owns the entire lot between Tuttle and Powell roads and is interested in what types of uses such as support services would be allowed. A café or market might be allowed on the undeveloped portion of the lot.

Ms. Maloney-Kelly stated she was not in favor of restaurants, but maybe boutiques.

Ms. Storey-King stated there is no place in Cumberland where a family or a group of team players can go to share a meal...Falmouth has the Foreside Tavern which is always busy.

Mr. Sherr stated with these types of uses and Design Guidelines we can shape how they look and fit into our community.

Mr. Bingham agreed with the use of design standards the impact and looks could be controlled.

Mr. Shane stated the next business to be developed would require a center turning lane on Route One; there is potential for eight to ten more businesses. Cumberland Foreside Village will require support services; and along that corridor there is a twenty-five foot buffer and a seventy-five foot right of way. Across from Cumberland Foreside Village; Friend's School will be building its new complex. On the left side of the road there is SeaFax and Ledgeview and David Chase owns to the Falmouth end. There is potential for a doctor's office with fourteen doctors to open a facility in the Cumberland Foreside Village.

Mr. Sherr agreed there is a need for support services; he works in the Old Port area in Portland and stated it is nice to be able to choose from several lunch establishments.

Mr. Guidi stated with all the housing along Route One this use is a missing piece, and agreed the only option is Foreside Tavern.

The Committee agreed to go forward carefully and Ms. Nixon would draft guidelines for the proposed additional uses.

Mr. Bingham moved to have Ms. Nixon develop draft language to allow limited retail and restaurants as permitted uses in the Office Commercial North and South districts subject to Design Guidelines.

Ms. Maloney-Kelly seconded.

VOTE: Unanimous

**V. Housing:**

Ms. Nixon reviewed a sheet with numbers of new residential units built since the adoption of the current comprehensive plan in 2009.

Number and type of new residential units have been created since November 2009.

<u>Total Number</u>	<u>187</u>
<u>Single Family:</u>	<u>133</u>
<u>Multiplex Rental:</u>	<u>49</u>
<u>Multiplex Ownership (condos)</u>	<u>5</u>

These are the numbers for single family construction per year:

2013	53
2012	35
2011	19
2010	11 (3 Rockwood Condos)
2009	5 (2 Rockwood Condos)

Ms. Nixon continued with review of the Housing Chapter Goals in the 2009 Comprehensive Plan.

Goal: Continue to encourage the development of housing which provides for a mix of people from all income strata, ages, trades and professions.

Actions:

1. Consider providing incentives to developers who create a portion of the lots for buyers who meet affordable income guidelines.  
*Affordable housing has been added with Morrison's Hill, Castlerock and the Drowne Road School apartments.*
2. Provide incentives for the construction of smaller, single family homes.  
*The first and second goals were accomplished with the Contract Zones of Castlerock, and Morrison's Hill. Also with decreased density in the Town Center District and VOCl allowing apartments at Doc's Café and Emerald Commons on Route 100.*
3. Exempt homes under 1500 sq. ft. from the Growth Management and Impact Fee Ordinance.  
*The Town has updated the Impact Fee Ordinance to exempt the first 1,500 sq. ft. from 1,000 sq. ft.*
4. Develop a Request for Proposals (RFP) for the build-out of the Doan property.  
*This was done; we have 48 single family homes and the 38 senior rental properties in the Drowne Road School, with the possible start of Phase II of the property for review next year.*

The recommendation is to stay the course; we have met the goals of the Housing Chapter.

Mr. Bingham agreed.

Ms. Nixon stated the Morrison's Hill and Castlerock developments were contrary to the Route 100 guidelines, but it was great rationale; there was a need which could be supported by the Comprehensive Plan; and more housing in the area will create a need for commercial development.

Mr. Sherr stated the discussion to recommend decreasing minimum lot size in the Rural Residential 1 zone from four acres to two acres will also enhance growth opportunity.

Mr. Bingham stated Mr. Stratton is present and does this address his issue with making housing more affordable for the aging population.

Mr. Stratton stated twenty-five years ago he was on the Governor's affordable housing taskforce; and the biggest reason for divorce was the wife wanted a home and it was not affordable. The State and Town have increased cost of developing with subdivision restrictions.

Mr. Shane stated the Town is not the problem; we have been very proactive and built two new affordable housing developments on Route 100. Mr. Shane continued that the larger parcels of land are not in the growth areas, it will not be difficult to put eighty five houses in the former Blue Rock Pit which is located in the growth area, but more difficult to build that many on Tuttle and Blanchard Road.

Ms. Maloney-Kelly asked if the growth districts could be expanded.

Ms. Nixon stated they can expand, the State Comprehensive Plan requires Towns to designate growth areas and these are typically in areas with water and sewer that require smaller minimum lot sizes in order to reduce sprawl.

Mr. Sherr suggested waiting and seeing how changing the lot size from four acres to two acres evolves and adding growth districts if needed.

Ms. Storey-King stated even if the land is free new construction isn't affordable.

Mr. Stratton stated we need subdivisions.

Ms. Maloney-Kelly stated we are still weak in the area of affordable rentals for the young twenty-something age group.

The Committee discussed rentals and affordable guidelines. If federal HUD funding is used, the units could not be offered only to Cumberland residents.

Ms. Maloney-Kelly suggested extending the growth areas; stating she didn't want West Cumberland to be a low income area, and voiced concern regarding other large areas of Town.

Ms. Nixon stated we accomplished a lot of broad goals and determined we still need transitional (affordable) housing for young people. The Doane property Phase II will address this to some extent as the plan is to have apartments above retail and office space. Ms. Nixon stated she will draft language for the next meeting stating this area still needs some work.

Mr. Guidi asked if there was a concept plan for the pit in West Cumberland.

Mr. Shane stated this concept came about during the review of allowing a scrap metal business in the pit.

Mr. Guidi stated we need to encourage 1,200 sq. ft. homes, increase density on Main Street and allow accessory apartments in the center of town.

Ms. Storey-King stated we are the oldest state in the nation with only 20% of our population between twenty and thirty-four years old. Cumberland has only 10%.

Mr. Bingham stated 15% of our graduates don't finish college; he stated the Fire Department's Young Explorers needs volunteers and to increase those we need affordable housing.

Ms. Storey-King agreed we need to encourage this sector of our community.

Mr. Shane stated we have some exciting projects going forward for the next five years. There is Phase II of the Bateman project; the development of housing in the former Blue Rock Pit. The new ice cream shop on Route 100 is a place for community-building as is the House of Pizza; we also have the lumber yard; these are very positive changes. Cumberland is very fortunate to have the growth we are experiencing.

Mr. Guidi asked about any housing projects in North Yarmouth.

Mr. Shane stated at the joint standing committee we had a positive discussion regarding combining fire and rescue and public works. The Memorial School has potential for office space, new town hall, or perhaps to replace the Westcustago Hall, which is very valuable commercial site in the center of North Yarmouth.

**VI. Next Meeting:**

Ms. Nixon reviewed the revised schedule as follows:  
October 10<sup>th</sup> – Review draft report  
October 24<sup>th</sup> – Finalize and review draft  
November 14<sup>th</sup> – Public Hearing televised in the Council Chambers  
November 25<sup>th</sup> – Public Hearing Town Council

Ms. Maloney-Kelly asked if we as a committee needed to discuss Contract Zones.

Ms. Nixon stated that contract zones are currently allowed.

Mr. Shane stated the Contract Zone provision is a great tool which gives the Town more control.

Ms. Nixon asked the Committee to think about how they wanted to be involved in the public presentation on November 14<sup>th</sup>; the Committee will be seated at the dais, she will prepare a Power Point presentation and would look to have the chair or another member of the committee present the information.

**VII. Adjournment:**

Mr. Bingham moved to adjourn.

Mr. Guidi seconded.

VOTE: Unanimous

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Pam Bosarge  
Administrative Assistant