

**THE REPORT OF THE AD HOC  
LAND USE ADVISORY COMMITTEE**

**Presented to the Town Council**

**On June 15, 2015**

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## **I. INTRODUCTION.**

The Ad Hoc Land Use Advisory Committee was appointed by the Town Council on May 12, 2014 and held its first meeting on June 3, 2014. The Committee met a total of fifteen times as a group, and a sub-committee met on a number of occasions to prepare the survey to be distributed to the public. The minutes of those meetings are available which will further describe the process. Several of the originally appointed members resigned along the way, and at the time of the completion of its work the committee consisted of the following residents and town staff.

### **1. Members:**

	Steve Moriarty, Chair	
	Bob Waterhouse, Vice Chair	
Adrienne Brown		Bob Maloney
Beth Fitzgerald		James Orser
Tom Foley		Sally Pierce
Chris Franklin		Jeff Porter
Lynda Jensen		Sally Stockwell

### **2. Planning Board Members:**

Chris Neagle  
Peter Sherr

### **3. Town Staff**

Carla Nixon, Town Planner  
Pam Bosarge, Committee Secretary

### **4. Town Council Liaison**

Peter Bingham  
Shirley Storey-King

All meetings of the Committee were held at town hall. Advance notice of all meetings was provided and the public was invited to attend. .

The Council presented the Committee with a four- part charge as follows:

## **II. COMMITTEE CHARGE.**

**The Ad Hoc Land Use Advisory Committee shall review and make recommendations to the Town Council on the following:**

- 1. The two rural residential zoning districts (RR 1 and RR 2) including but not limited to, their location, boundaries, lot standards, and allowed uses. The committee will also review the provisions of Section 315-6 (G) and 315-6B- (G) and consider if any changes should be made to the existing Rural and Growth areas as contained in the 2009 Comprehensive Plan.**

- 2. The Office Commercial (OC-S and OC-N) districts located on Route 1, including but not limited to, the location of the districts, the land uses allowed and lot standard requirements. The committee will also review the current Route 1 Design Guidelines.**
- 3. Consider if a Conservation Subdivision ordinance should be adopted and, if so, where and how the provisions would apply.**
- 4. Assist in the development and administration of a town-wide survey on issues relating to land use regulation.**

Although the Committee was asked to report to the Council no later than January, 2015, that target date could not be met but the Committee made every attempt to complete its work in an efficient and thorough fashion. A list of the Committee's recommendations is attached under Attachment # 1

### **III. FIRST CHARGE.**

***The two rural residential zoning districts (RR 1 and RR 2) including but not limited to, their location, boundaries, lot standards, and allowed uses. The committee will also review the provisions of Section 315-6 (G) and 315-6B-(G) and consider if any changes should be made to the existing Rural and Growth areas as contained in the 2009 Comprehensive Plan.***

This charge consisted of two sections, the first of which asked the Committee to examine the existing RR1 and RR2 zones, and the second of which asked the Committee to examine the existing rural and growth areas as described in the 2009 Comprehensive Plan.

With respect to the initial portion of the charge, after lengthy discussion and analysis of the survey the Committee recommends retention of the existing RR1 and RR2 zones as shown on the current Official Zoning Map. With the exception noted below in sub-paragraph B, the Committee does not recommend any changes to the locations, boundaries, lot standards and permitted uses of the RR1 and RR2 zones. This is consistent with the survey results, outlined in more detail under the Fourth Charge.

The second and somewhat more complex portion of the charge addressed the growth areas as described in the current Comprehensive Plan. Reference is made to Chapter 14 of the 2009 Comprehensive Plan, titled "Future Land Use Plan" in which three rural and growth areas were described and recognized. A copy of Chapter 14 of the Comprehensive Plan is included in Attachment # 2. Note that the growth areas do not differentiate between commercial and residential uses, and all three growth areas contain both rural and more densely settled portions. The three growth areas and the Committee's recommendations will be discussed separately.

Note: It does not appear that a map officially displaying the boundaries of the growth areas was ever approved following adoption of the Comprehensive Plan. A map was prepared in September 2008 depicting the growth areas, and was discussed by the Comprehensive Plan Committee, but it was evidently never adopted or approved. However, the map was used as a reference in committee discussions. Attached to this report under Attachment # 3 is a map showing the Committee's recommended boundaries for the three growth areas.

The designation of a Growth Area carries with it no zoning changes such as new or deleted uses or lot size changes. Rather it is an essential planning tool designed to show areas where growth can best be absorbed and directed in order to help preserve more rural areas of town.

#### **A. FORESIDE GROWTH AREA**

This area is clearly and explicitly defined in the Comprehensive Plan as consisting of the Limited Density Residential (LDR) district, the Rural Industrial (RI) district, the Office Commercial – North (OC-N), and the Office Commercial – South (OC-S) districts. The Committee recommends that the Foreside Growth Area continue to consist of the four zoning districts specified in the Comprehensive Plan and does not recommend any changes to the boundaries of the Area. Accordingly, the map shown in Attachment #3 shows the Foreside Growth Area exactly as defined in the 2009 Comprehensive Plan without any further modification. Please note that in Section IV of this report the committee recommends a several use changes in the OC-N and OC-S zones.

#### **B. TOWN CENTER GROWTH AREA**

##### **I. Comprehensive Plan Change**

Analysis of the Town Center Growth Area was more difficult. While the Comprehensive Plan make reference to both the Medium Density Residential (MDR) zone and the Highway Commercial (HC) zone, the plan did not explicitly indicate whether there was to be connectivity between these two zones to create one larger Growth Area. The narrative of the plan can be read to imply a direct connection, but it can also be interpreted to mean that the MDR and HC zones were to constitute the Town Center Growth Area separately and not contiguously. The Plan was unclear as to whether any portions of the existing RR1 separating the MDR and HC zones should be included within the Growth Area.

Following extended discussion, the Committee recommends a Town Center Growth Area somewhat larger than may have been contemplated in the 2009 Comprehensive Plan, as can be seen on the map in attachment # 3. Specifically, the Committee recommends inclusion within the area of some portions of the RR1 zone to the east of the MDR, to include Val Halla, the Small's Brook Crossing Subdivision, and the Town Forest. While it would appear that these areas are not available for development, the committee believes they should be included in the event that future redevelopment occurs. In addition, the Committee recommends that the boundary of the proposed new Growth Area to the east and west of Route 9 be drawn to correspond with lot lines, such that both sides of the Route 9 corridor between the MDR and HC are included within the Area.

To summarize, the Committee recommends that the Town Center Growth Area include the designated portions of the RR1 zone in such a manner to connect the MDR and HC zones into a single Area. As a result, The Village Green Subdivision, the former Drowne Road School, and the Town Hall are included in the proposed new Growth Area.

## **2. Recommended Zoning Ordinance Change**

With respect to that portion of the RR1 zone that lies within the boundaries of the recommended Growth Area, the Committee recommends that the zoning be changed to RR2 and that the Council and the Planning Board also consider other zoning changes that may be appropriate to this portion of the proposed Growth Area. It is the Committee's belief that lot size requirements within the RR1 portion of the Town Center Growth Area be changed to allow for more dense development in this area in order to protect rural areas from development

### **C. WEST CUMBERLAND GROWTH AREA**

As was true of the Town Center Growth Area, the language of the Comprehensive Plan did not specifically define the boundaries of the West Cumberland Growth Area with respect to existing zoning districts. The language can be interpreted in a manner that includes only the various commercial zones that were adopted several years ago along the length of the Route 100 corridor. However, the existing Industrial (I) zone does not abut Route 100 and has potential for residential and commercial development.

Following discussion, the Committee recommends that the West Cumberland Growth Area consist of a large triangular- shaped parcel which includes the Route 100 corridor as well as all property to the west of the corridor and to the west of the Maine Turnpike extending to the western and southern boundaries of the Town.

### **D. SUMMARY OF GROWTH AREAS**

In summary, the Committee recommends no changes to the boundary of the Foreside Growth Area as described in the 2009 Comprehensive Plan, but recommends specific boundaries for the Town Center and West Cumberland Growth Areas in order to address ambiguities in the description of these Areas in the Plan, and to encourage development to the growth areas and maintain rural character in other areas.

## **IV. SECOND CHARGE**

***The Office Commercial (OC-S and OC-N) districts located on Route 1, including but not limited to, the location of the districts, the land uses allowed and lot standard requirements. The committee will also review the current Route 1 Design Guidelines.***

The Committee recommends removal of timber harvesting as a permitted use in the OC-N and the OC-S zones.

While the Committee is aware of the various housing alternatives that are permitted in the contract zone known as Cumberland Foreside Village, the Committee recommends against adding duplex or multiplex dwellings as permitted uses in the OC-S zone. Note that these housing options are currently allowed as permitted uses in the OC-N zone.

With regard to additional uses, the Committee recommends that restaurant and retail be added as permitted uses in OC-N and OC-S zones, provided that the restaurant or retail use does not exceed 33% of the developed floor space and that no single restaurant or retail use may exceed 3,500 square feet. The Committee further recommends prohibiting drive-through restaurants in the OC-N and OC-S zones.

In light of the unique shape of the OC-S zone, the Committee recommends creating an overlay district in the northern - most four lots of the OC-S zone for both restaurant and retail uses not to exceed 3,500 square feet in size, but with no limit on the overall percentage of the developed floor space that can be devoted to these uses.

The Committee reviewed and considered the current Route One Design Guidelines, and recommends that mandatory Route One Design Standards as shown in Attachment # 4 be adopted in their place. The Standards are mandatory, but do not differ radically from the existing Guidelines, and closely resemble the Standards that are currently in place along the Route 100 corridor.

## **V. THIRD CHARGE.**

***Consider if a Conservation Subdivision ordinance should be adopted and, if so, where and how the provisions would apply.***

The Committee discussed at length the existing clustered, dispersed, and traditional subdivision provisions of Section 315-43 of the Cumberland Code. It is significant to point out that in the past twelve years nearly all approved subdivisions (with the exception of those located in contract zones) have followed the clustered model. Conservation subdivisions are similar to clustered subdivisions in that homes are clustered close together in one area of the lot in order to preserve open space areas and areas of high ecological value. However the Conservation Subdivision process is very different in that the high value areas of a parcel are depicted on the proposed plan prior to laying out the road and house lot locations.

The Committee strongly recommends developing a Conservation Subdivision Ordinance that follows the Goals and Issues outlined in the attached framework included in Attachment #5. The Committee believes conservation subdivisions are an important tool for conserving important natural resources and the rural character of the town, and to some extent can counterbalance the expansion of the Town Center and West Cumberland Growth Areas into the RR zones.

The addition of a Conservation Subdivision Ordinance whether as an option or as a requirement, presents a broad array of complex and inter-woven land use planning considerations. Given limited resources and the desire to complete its work in a timely fashion, the Committee focused upon describing the framework of a Conservation Subdivision Ordinance rather than the specifics of the ordinance. The Committee recommends that the drafting of a Conservation Subdivision Ordinance be delegated to another committee to be appointed by the Town Council, and that such committee be provided with the services of a consultant in developing the language that addresses the Goals and Issues and which is otherwise consistent with the 2009 Comprehensive Plan.

## **VI. FOURTH CHARGE.**

***Assist in the development and administration of a town-wide survey on issues relating to land use regulation.***

The survey subcommittee met a total of seven times and with the assistance of Brian Robertson of Market Decisions agreed upon a survey which was sent in September 2014 to over 3,200 residents and property owners in Cumberland. Results were compiled by Market Decisions, and included in Attachment #6 are the Land Use Committee Survey Results and the more detailed Land Use Committee Survey Report. The Committee was guided by the results of the survey in making its various recommendations.

There was a 30% response rate to the survey which was considered to be statistically strong and reliably indicative of the desires of Cumberland residents. The Committee believes that the results of the survey will be of long-term value to the Town in making planning decisions beyond those issues with which the Committee was charged.

The Land Use Committee Survey Results is a concise summary of survey responses and the data has been compiled in a reader-friendly format. Briefly, residents are satisfied with the current pace of both residential and commercial growth. A majority favored maintaining the current RR1 and RR2 zones. While the results regarding designating areas for residential growth did not show that some areas were clearly favored, there was extremely strong support for designating areas within the RR zones in which the protection of existing rural character should be encouraged. This lends strong support to the creation and adoption of a Conservation Subdivision Ordinance.

There was solid support for the creation of restaurant and retail uses along the Route One corridor as well as for mandatory Design Standards. The Committee's recommendations for the OC-N and OC-S zones correspond closely with the results of the survey.

## **V. CONCLUSION.**

The Town is fortunate that so many of its residents from diverse backgrounds were willing to devote substantial time and energy to the charges presented by the Town Council. Our discussions were vigorous and far-reaching, and while there was not unanimous support for all of the recommendations there was substantial agreement nevertheless. All members of the Committee look forward to the opportunity to discussing this Report and the attached recommendations in greater detail.

Respectfully submitted,

Steve Moriarty, Chairman



## ATTACHMENT # 1

## **RECOMMENDATIONS**

1. The boundaries of the existing RR1 and RR2 zones should be retained, with the exception of that portion of the RR1 zone connecting the MDR and HC in the Town Center Growth Area.
2. No changes to the location, boundaries, lot standards and allowed uses of the RR1 and RR2 zones are recommended, except as noted above.
3. The Committee recommends that the boundaries of the Foreside Growth Area should be depicted as shown on the map attached under Attachment #3.
4. The Committee recommends that the boundaries of the Town Center Growth Area should be depicted as shown on the map included in Attachment # 3.
5. The Committee recommends that the boundaries of the West Cumberland Growth Area should be depicted as shown on the map included in Attachment # 3.
6. Timber harvesting should be abolished as a permitted use in the OC-N and OC-S Zones.
7. Duplex and multiplex dwellings should not be added as permitted uses in the OC-S zone.
8. Restaurant and retail uses should be permitted in the OC-N and OC-S zones provided that the restaurant or retail space does not exceed 33% of the developed floor space and that no single restaurant or retail use may exceed 3,500 square feet.
9. An overlay district should be created to include the northernmost four lots in the OC-S zone for restaurant and retail uses provided that the uses not exceed 3,500 square feet in size, but with no limit on the percentage of developed floor space devoted to either use.
10. Drive-through restaurants should be prohibited in the OC-N and OC-S zones.
11. The Route One Design Standards shown in Attachment # 4 of this report should be adopted in place of the existing Route One Design Guidelines.
12. The Cumberland Conservation Subdivision Ordinance Goals and Issues should be adopted as a framework for the study and development of a proposed Conservation Subdivision Ordinance.
13. Another committee should be appointed and, with the assistance of a consultant, should be charged with the development of a proposed Conservation Subdivision Ordinance.

## ATTACHMENT # 2

## CHAPTER 14: FUTURE LAND USE PLAN

This purpose of this section of the comprehensive plan is to summarize the ways in which Cumberland plans to turn the broad concepts contained in the vision statement, into a concise land use plan that will actualize that vision.

The Vision Statement reads:

*The Town of Cumberland's vision for the next ten years is to preserve the community's rich agricultural heritage; to implement programs and practices to assure environmental sustainability; to make available quality affordable housing for people of all ages and income levels; to expand its non-residential tax base; and to facilitate moderate growth through prudent planning.*

The starting point then was to determine the rural and growth areas for the town. By establishing those areas, the other elements of the plan, such as where to direct capital investments to facilitate non-residential development, to how to protect the natural resources of the town fell into place.

### **Growth Areas:**

There are **three** growth areas designated in the plan; all of which have existing development consistent with this plan.

The **first** growth area is along the easterly side of town, called the Foreside. This area extends from the Falmouth town line to the Yarmouth town line. It includes all of Cumberland's mainland shorefront. There are four zoning districts within this area: Rural Industrial (RI), Limited Density Residential (LDR) and two office commercial (OC) districts. Nearly the entire area is served by water and sewer. This area of town is the most densely developed. Future development will be primarily infill development of a residential nature. There is a large area of vacant commercial land that will likely be developed over the next 10 years. The zoning allows for business and professional offices, residential care facilities, and other moderately intense uses.

The **second** growth area is the town center. This area is a mix of dense residential development, several grandfathered non-residential uses, several schools, the library, fire station and town hall. Most of this area is served by water and sewer. Where it is not, the plan calls for an extension of these services. The zoning in this area is primarily Medium Density Residential (MDR) which allows single and multiplex dwellings and little else. However, the growth area does extend outside this MDR area to include an existing Highway Commercial (HC) district. This is the area where the extended water and sewer lines will go. In the HC district, professional offices, restaurants, retail and other businesses are permitted. Currently there is a small business park which contains a daycare center and several small businesses. A major arterial, Route 9, passes through this area and the MDR district as well. There are three other locations within this growth area where development could occur within the next 10 years. One is the

so-called Doane Property which is owned by the Town. It encompasses over 40 acres that is centrally located within the town center area. Water and sewer would need to be extended to this area to facilitate development of the concept plan of a mixed development that would include small businesses, professional offices and a variety of residential types, including affordable and senior housing units.

Also located in the heart of the second growth area is Main Street. Currently, zoning on Main Street allows for only residential uses. There are a few grandfathered businesses: a small convenience store/take out, a gas station and a few professional offices. Within the past three years, the Town Council utilized contract zoning to allow for two condominium developments that exceeded the density standard for the area. As of the time of this writing, a town-wide referendum showed support for the decision to grant a contract zone for a credit union to locate on Main Street. The vote was 80% in favor, 20 % opposed. Many residents expressed the view that Main Street is the town center and that there should be a mix of low-intensity uses allowed. The Council is about to appoint a citizen's committee to look at the issue and make a recommendation to the Council. Aside from Main Street, there are a number of densely developed neighborhoods that would have little potential for infill growth.

The **third** growth area is located in West Cumberland along Route 100 which extends from the Falmouth town line to the Gray town line. There is a Fire/EMS substation in this area and public water is in the process of being expanded into this part of town to help facilitate non-residential growth.

Several years ago a citizen's committee was appointed to study and make recommendation on how to improve the function and appearance of the Route 100 corridor. The committee developed revised zoning districts and lot standards that allows for denser development. The committee also developed design standards that will be used for all new construction along the Route 100 corridor.

## **Rural Areas**

As shown on the rural/growth map, nearly 57% of the town is designated as a rural area. These areas are zoned Rural Residential 1 and 2 and they allow primarily residential and agricultural uses. Cumberland's early economy centered on agriculture, and fortunately, there are still large areas of rolling fields and forests that truly reflect "rural character". While there are only a handful of working farms and orchards, this plan includes actions to protect those farms and to encourage future agriculture use. In an effort to retain areas for agriculture, this plan suggests the utilization of a type of subdivision called a "conservation subdivision". In this type of development, the prime open space land is preserved and the structures are clustered in less visible areas of the parcel.

The comprehensive plan adopted in 1998 recommended minimum lot sizes of 2 (RR2) and 4 (RR1) acres. This was done in an attempt to protect the aquifer and to control growth. However, as shown on the *Buildings Over Time* maps, residential growth has occurred throughout these areas in a sprawl-like manner. As part of this planning process, the Committee hired Sevee and Maher Engineers to provide an update to the

groundwater study that was the basis of the lot size decision. The updated report explains that there have been improvements in septic designs that would allow homes to be clustered on smaller lots and still allow for well water to be safe. Based on that, the Committee did not reduce the minimum lot sizes, but it did recommend that the Subdivision Ordinance which currently allows for traditional style subdivisions (where lots can be spread out over the entire parcel) be replaced with the conservation style subdivision.

This Future Land Use Plan will be the basis for the ordinance changes outlined in the Implementation Plan.

## ATTACHMENT # 3

# Growth Area Map March 2015

## LandUseZoning

### Zone\_

Town Center District (TCD)

Industrial (I)

Rural Industrial (RI)

Highway Commercial (HC)

Office Commercial-North (OC-N)

Office Commercial-South (OC-S)

Village Center Commercial (VCC)

Village Office Commercial 1 (VOC1)

Village Office Commercial 2 (VOC2)

Village Mixed Use (VMU)

Mixed Use (MU)

Rural Residential 1 (RR1)

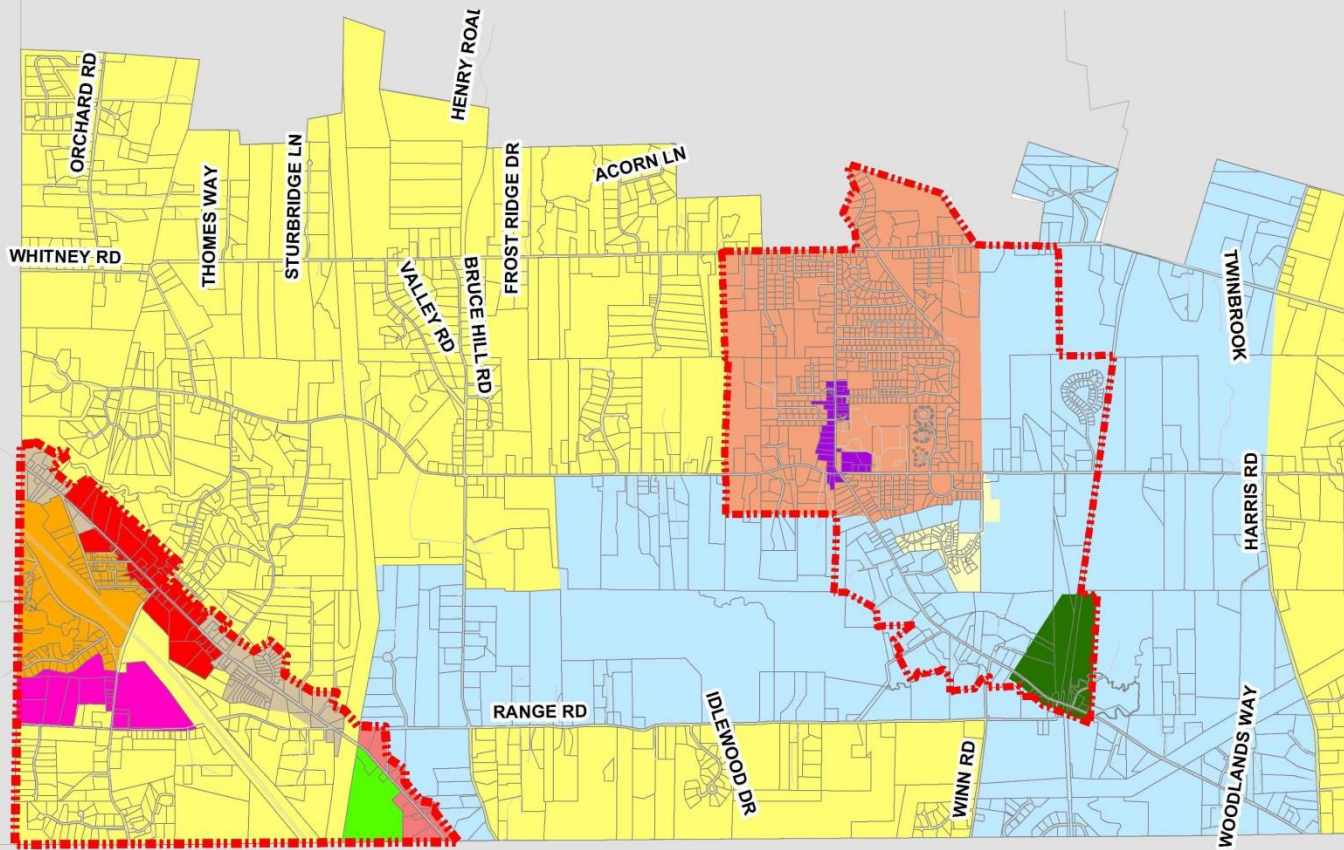
Rural Residential 2 (RR2)

Medium Density Residential (MDR)

Village Medium Density Residential (VMDR)

Low Density Residential (LDR)

Island Residential (IR)





## ATTACHMENT # 4

TOWN OF CUMBERLAND  
ROUTE ONE DESIGN STANDARDS



Adopted by the Cumberland Town Council on \_\_\_\_\_ 2015 as part of the 2014 Cumberland  
Comprehensive Plan  
Amended: \_\_\_\_\_, 2015

## Introduction

Route 1 is a major entry point to the Town of Cumberland, and as such, the Town of Cumberland has adopted these Design Standards to ensure that development along the Route 1 Corridor will be attractive, functional and will maintain some of the existing rural character of the corridor. Development decisions shall be based upon a complete understanding of what each site can support in terms of natural resources and public utilities, the goals of the Comprehensive plan and on good design principles.

The goals of these Design Standards are to:

- Encourage high quality, economically viable development that is architecturally appropriate, that reinforces Cumberland's sense of place, and that is responsive to the Town's unique character.
- Promote uses of the type and density that respond to each site's ability to sustain development, both ecologically and with regard to the efficient provision of adequate public services.
- Preserve, wherever possible, the rural appearance of the corridor by maintaining a buffer of trees along the highway and preserving open space to reduce the apparent density of development.
- Foster an attractive, functional and safe environment that is conducive to commerce, senior housing, pedestrian and cycling activities, and other allowed uses.
- Protect abutting residential properties through sensitive site planning, buffering and building design.

Throughout the Site Plan and/or Subdivision review process of each new development in the Route One Corridor, the developer will be asked to demonstrate how they intend to meet these standards.

Through the consistent and thorough application of these standards, the corridor will develop as an attractive and sustainable environment which will benefit Cumberland's residents and business owners for years to come.

*NOTE: Any waivers from the provisions of these standards must be approved by the Planning Board. The applicant may request, in writing, a waiver from one or more of the specific requirements. The applicant must demonstrate that the standards contained herein impose an undue hardship on the parcel due to its peculiar configuration, topography or location or that the proposed project demonstrates the use of highly innovative architectural, site planning, or land use techniques. The Planning Board may approve any waiver to the minimum extent necessary to allow the project to be constructed. The applicant for any such waiver shall have the burden of showing that the proposed project, with such waiver granted, will be as good or better in terms of environmental protection, aesthetic enhancements, land use compatibility, and traffic considerations.*

## **Table of Contents**

**NOTE: FINAL NUMBERING OF SECTIONS WILL BE DONE PRIOR TO  
ADOPTION BY TOWN COUNCIL.**

# **1. SITE PLANNING AND DESIGN**

## **1.**

### **1.1 Master Planning:**

On properties that are large enough to accommodate more than a single structure, developers shall prepare a conceptual master plan to show the Planning Board the general location of future buildings, parking areas, circulation patterns, open space, utilities, stormwater management plan and any other pertinent information.

### **1.2 Designer:**

Developers shall utilize licensed professionals (civil engineers, landscape architects, architects) so that these standards are adequately addressed.

### **1.3 Rt. 1 Buffer Strip:**

A 75' undisturbed buffer from the Rt. 1 right-of-way to the buildings is required. There may be properties that are not able to meet this due to the configuration of the lot being developed and/or the location of the Rt. 1 right-of-way. An alternative to preserving the existing tree line for buffering is to design a manicured, park-like entrance.

### **1.4 Vehicular Access:**

The goal is to create safe, user-friendly and efficient vehicular movement while reducing both the number of trips on the roadway and the number of curb cuts wherever possible. New driveways and existing driveways for which the use has changed or expanded require a Maine Department of Transportation "Driveway Entrance Permit." The Planning Board will grant no project approval until the Town has been provided a copy of the permit, or alternately, until the applicant provides the Town a letter from the DOT stating that such a permit is not required. Shared entrance locations will be required whenever possible.

### **1.5 Site Circulation:**

Internal vehicular movement on each site shall be designed to achieve the following goals: to ensure the safety of motorists, delivery vehicles, pedestrians and cyclists by providing clear cues to the motorist as to where to drive or park, etc., once they enter the site. Landscaping, to reduce impervious areas is required. Parking shall be located to the rear of the building. If this is not possible due to site configuration, parking on one side of the building may be permitted if appropriate buffering is provided.

### **1.6 Building Placement:**

Buildings shall be placed on their sites in a way that is sensitive to existing site conditions and respectful of adjacent uses.

#### ***Location of Building on Site***

In placing the building on the site, the designer shall carefully consider the building's relationship to existing site features such as the size of the site, existing vegetation and topography, drainage, etc., as well as the abutting land uses.

The site design shall make every effort to avoid creating a building surrounded by parking lot. In addition, buildings shall generally be square to Route One and shall avoid unusual geometry in building placement unless the site requires it.

#### **1.7 Building Entrances:**

The building's main entrance shall be a dominant architectural feature of the building, clearly demarcated by the site design and landscaping.

At building entrance areas and drop-off areas, site furnishings such as benches, sitting walls and, if appropriate, bicycle racks is encouraged. Additional plantings at these points will clearly identify the building entrance and to invite pedestrians into it. Where building entrances do not face Route One, the Route One façade shall still be made interesting and attractive to drivers on Route One.

#### **1.8: Parking:**

Objective: to provide safe, convenient and attractive parking. Parking shall not be the dominant visual element. Careful attention shall be given to circulation, landscaping, lighting and walkways. Parking shall be located to the side or rear of buildings. They shall be between the building(s) and Rt. 1 only if no other option is available due to site constraints. Parking shall be separated from the building by a landscaped strip a minimum of five to ten feet wide.

#### **1.9 Service Areas:**

These include exterior dumpsters, recycling facilities, mechanical units, loading docks and other similar uses. They shall meet the needs of the facility with a minimum of visual, odor or noise problems. They shall be the smallest size possible and be fully screened from view by plantings or fencing. Service areas are not permitted on the front or sides of the building.

#### **1.10 Open Space:**

Developments shall have generous amounts of open space. There shall be inviting open spaces where visitors and employees can sit, relax or socialize..

#### **1.11 Landscaping:**

Where there are trees in the 75' buffer, existing healthy trees shall be maintained in their natural state. Where there are few or no trees within the buffer, the buffer area shall be landscaped with trees, or with flowering shrubs, fencing, or architectural features such as stone walls. When plantings do not survive or grow to a point where they no longer serve as effective buffers, they shall be replaced or enhanced to meet the intent of the approved plan.

#### **1.12 Buffering of Adjacent Uses:**

Buffering or screening between different land uses is required to create a sense of separation. Plantings, earth berms, stone walk grade changes, fences, distance and other means can be used to create the necessary visual and psychological separation. The discussion regarding the need for buffers, and appropriate sizes and types shall begin at the sketch plan stage of review.

**1.13** Protection shall be in place.

**1.14     Storm water Management:**

All storm water Management systems shall be designed to create the least visual impact on the site. Drainage shall be confined to a closed system of pipes. All such measures shall fit unobtrusively into the landscape.

**1.15     Utilities:**

It is important to make efficient use of the utility infrastructure that exists along the Rt. 1 corridor, and to ensure that utility connections to individual development lots are as inconspicuous as possible. Underground connections are required unless the Planning Board finds there are barriers to the installation of underground utilities.

**1.16     Water and Sewer:**

All proposed development along the Route One Corridor must connect to the municipal water supply and the municipal sewer, wherever such connections are available.

**1.17     Electric, Telephone and Cable:**

All wired connections from existing utilities on Route One shall be made to individual lots via underground conduit. This prevents the accumulation of unsightly overhead wires, and preserves the natural character of the corridor.

## **2.     Building Types**

**2.1     Building Design:**

The purpose of this section of the Design Standards is to encourage architectural styles within the Route 1 corridor that draw their inspiration from traditional New England structures.

**2..2     Roofs**

Because of the need to shed snow, New England roofs have generally been pitched rather than flat. Flat roofs are discouraged along Route 1 unless required to house HVAC equipment, in which case a false parapet or façade shall be incorporated.

**2..3     Windows**

Windows are typically vertical rectangles, often with two or more panes of glass. They may have shutters or decorating wood trim around them.

## **2.4 Detailing**

Detailing, appropriate to the architectural style of the building, is required.

## **2.5 Building Materials**

Traditional siding materials common to Northern New England are brick, painted clapboard and either painted or unpainted shingles. Contemporary materials that have the same visual characteristics as traditional materials (e.g., cementitious clapboards or vinyl siding) are acceptable if attention is paid to detailing (e.g., corners, trim at openings, changes in material). Metal cladding is not allowed on front or sides of the buildings.

Common traditional roofing materials are shingles – cedar originally or asphalt now, as well as standing seam metal. Where visible, the roofing color shall be selected to complement the color and texture of the building's façade. Roofing colors are usually darker than the color of the façade.

## **2.6 Large Scale Buildings**

**Objective:** Due to their visibility and mass, the design of new large structures (*10,000 square feet or greater*) have the ability to greatly enhance or detract from Route One's visual character. These structures shall be designed as attractive pieces of commercial architecture that are responsive to their site and compatible with adjacent development.

## **2.7 Design and Massing**

Large structures shall be designed so that their large mass is broken up into smaller visual components through the use of clustered volumes, projections, recesses and varied façade treatment. The design shall provide variation to add shadow and depth and a feeling of reduced scale.

## **2.8 Site Design**

Wherever possible, large buildings shall fit into the existing topography and vegetation, and shall not require dramatic grade changes around their perimeter. Landscaping, site walls, pedestrian amenities and existing trees can be effective in reducing the apparent scale of large buildings.

## **2.9 Architectural Details**

Large structures shall have the same degree of detailing found in well-designed smaller and medium sized buildings along the Route One corridor. Architectural details can be used to reduce the scale and uniformity of large buildings. Elements such as colonnades, pilasters, gable ends, awnings, display windows and appropriately positioned light fixtures can be effective means of achieving a human scale.

## **2.10 Facades and Exterior Walls**

Unbroken facades in excess of 80 feet are overwhelming whether they are visible from Route 1, other roadways or pedestrian areas, or when they abut residential areas. Breaking up the plane of the wall can reduce this sense of overwhelming scale. Where the plane of the wall is broken, the offset shall be proportionate to the building's height and



length. A general rule of thumb for such projections or recesses is that their depth shall be at least 3% of the façade's length, and they shall extend for at least 20% of the façade's length.

Other devices to add interest to long walls include strong shadow lines, changes in rooflines, pilasters and similar architectural details, as well as patterns in the surface material and wall openings. All façade elements shall be coordinated with the landscape plan.

Facades of commercial buildings that face Route One or other roadways shall have transparent openings (e.g. display windows or entry areas) along 30% or more of the length of the ground floor.

### **2.11 Building Entrances**

Large structures shall have clearly defined and highly visible entrances emphasized through such devices as significant variations in rooflines or cornice lines, changes in materials, porticos, landscape treatments, distinctive lighting or other architectural treatments.

### **2.12 Linear Commercial Buildings**

Linear Commercial structures such as multi-tenant offices or commercial buildings are appropriate along Route One provided that they are designed with façade and roofline elements that reduce their sense of large scale and add visual interest.

### **2.13 Design**

Buildings with multiple storefronts shall be visually unified through the use of complementary architectural forms, similar materials and colors, consistent details, and a uniform signage size and mounting system.

### **2.14 Façade Design**

The use of covered walkways, arcades, or open colonnades is strongly encouraged along long facades to provide shelter, and to visually unite the structure. Pedestrian entrances to each business or tenant shall be clearly defined and easily accessible.

### **2.15 Focal Points**

Linear commercial buildings can include a focal point – such as a raised entranceway or clock tower, or other architectural element – to add visual interest and help reduce the scale of the building.

### **2.16 Façade Offsets**

Variations in the plane of the front façade add visual interest. They also create opportunities for common entries, and social or landscaped spaces.

### **2.17 Rooflines**

Variations in rooflines, detailing, cornice lines and building heights shall be incorporated into the design to break up the scale of linear commercial buildings.

### **2.18 Smaller Freestanding Commercial Buildings**

**Objective:** Smaller freestanding commercial buildings can easily make use of traditional New England building forms and shall be designed to be attractive pieces of architecture, expressive of their use and compatible with surrounding buildings.

### **2.19 Single Use Buildings**

Buildings that are constructed for use by a single business are generally smaller in scale than multi-tenant buildings. Single use buildings shall be designed to be attractive and architecturally cohesive. To the greatest extent possible, the same materials, window types and roof types shall be used throughout.

### **2.20 Franchise Design**

Franchise architecture with highly contrasting color schemes, non-traditional forms, reflective siding and roof materials are not related to any traditional New England style and are not permitted on the Route 1 corridor. Franchise buildings shall reflect the New England style architecture prevalent in the area.

### **2.21 Mixed Use Buildings**

Buildings containing mixed uses (e.g., health club on the first floor with professional offices on the second floor) are encouraged. The architecture of a mixed-use building can reflect the different uses on the upper floors by a difference in façade treatment, as long as the building has a unified design theme.

### **2.22 Residential Structures**

**Objective:** Cumberland's future housing stock in the Route 1 corridor shall be well designed and constructed, and is encouraged to have some connection to the traditional styles of New England residential architecture. The large mass of duplex and, multiplex dwellings, can be broken up by façade articulation and architectural detailing in order to reduce their apparent size.

Building form and massing can conform to traditional New England residences by using gable or gambrel roofs with generous overhangs. Traditional vertically hung windows are encouraged. Garages shall not constitute a major element of the front of the house that faces the street, but shall be located to the side or rear wherever possible.

Dwellings with ells and additions, and ones with multiple roof planes harken back to traditional New England farm and seaside homes. Box-like, ranch or split-level "contractor modern" type dwellings do not particularly reflect Maine styles.

Similarly, traditional New England building materials such as wooden shingles and clapboards are encouraged. Modern low-maintenance materials such as cementitious shingles and clapboards may be substituted.

## **2.23 Residential Care Facilities**

**Objective:** Ensure that the future needs of Cumberland's aging population are met in healthy and well-designed facilities, and that the architecture and site design of such facilities fit into the Cumberland context.

The design of Residential Care Facilities can also draw on the local vernacular architecture of gable roofs, multiple building forms and traditional materials. Landscaping, site design and resident amenities will also be of concern to the Planning Board. The site shall offer outdoor amenities such as decks, terraces, gardens, gazebos, lawns or similar features. Residential Care Facilities shall be buffered from roadways and adjacent uses as much as possible.

## **2.24 Hotels and Motels**

**Objective:** To ensure that any future hotels or motels in the Town of Cumberland are in keeping with the character of the surrounding area, and that the scale and design respects the architectural context of the region.

While it is understood that these uses need to be visible from adjacent roads, effort can be made to ensure that the structures and their signs are not overly dominant. Lots shall be designed and landscaped in such a way that the visual impact of the structure is softened, while still affording recognition from automobiles.

Using traditional building materials and colors is required.

## **2.25 All Building Types: Awnings and Canopies**

Awnings and canopies can enhance the appearance and function of a building by providing shade, shelter, shadow patterns, and visual interest. Where awnings are used, they shall complement the overall design and color of the building.

Whether fixed or retractable, awnings and canopies shall be an integral element of the architecture. They shall be located directly over windows and doors to provide protection from the elements. Awnings or canopies shall not be used as light sources or advertising features. Graphics and wording located on canopies and awnings will be considered part of the total signage area. Any such graphics shall be designed as an integral part of the signage program for the property, and coordinated with other sign elements in terms of typeface, color and spacing.

# **3. Signage**

*Signs play a central role in providing much-needed information and setting the tone for the Route One corridor. They inform motorists and pedestrians, and have a direct effect on the overall appearance of the roadway. Signage shall not create visual clutter along the roadway, yet must provide basic, legible information about commercial goods and services. Signs shall be compatible with the architecture and the context of the development.*

Commercial uses along Route One in Cumberland shall be identified by attractive, legible signs that serve the need of the individual business, while complementing the site and the architecture. Internally illuminated signs and reader boards are not permitted. All signage shall comply with the requirements of the Zoning Ordinance of the Town of Cumberland

### **3.1 Signage Plan**

For development proposals requiring multiple signs, the Planning Board may, at its discretion, ask that a detailed signage plan be submitted as part of Site Plan or Subdivision review. The signage plan shall show the location of all signs on a site plan drawing and on building elevations, as well as sign construction details, dimensions, elevations, etc., and accurate graphic representations of the proposed wording. Where the future tenant of a proposed development is not known at the time of Planning Board review, the applicant shall resubmit the signage plan when tenancy has been finalized.

For less complex development proposals where the Planning Board does not require a detailed signage plan, the applicant is still required to submit drawings depicting the design, size, materials, color, content and location of proposed signs.

### **3.2 Sign Location**

Signs shall be placed in locations that do not interfere with the safe and logical usage of the site. They shall not block motorists' lines of sight or create hazards for pedestrians or bicyclists. Roof mounted signs are not permitted. Signs may be located within the 75' buffer providing there is minimal clearing of vegetation required. The location of all signs must be approved by the Planning Board.

### **3.3 Sign Design**

The shape and materials and finish of all proposed signage shall complement the architectural features of the associated building. Simple geometric forms are preferable for all signs. All signage shall comply with the requirements of the Zoning Ordinance of the Town of Cumberland.

### **3.4 Sign Colors**

Signs shall be limited to two or three contrasting colors that are clearly complimentary to the colors of the associated building.

### **3.5 Sign Content**

To ensure a clear and easily readable message, a single sign with a minimum of informational content shall be used. As a general rule no more than about 30 letters should be used on any sign.

Lettering on any sign intended to be read by passing motorists needs to be legible at the posted speed limit. In general a minimum letter height of 6 inches is appropriate. Smaller letters can require motorists to slow down thereby creating traffic and safety hazards. Upper and lower case lettering is preferred to all upper case, as it is easier to read.

Variable message "reader boards", sponsor logos, slogans or other messages that promote products or services other than the tenants' are not permitted.

Signage for any proposed development should prominently feature its assigned street address to facilitate general way-finding and e-911 emergency response.

## **Sign Type**

**Objective:** To ensure that any sign type complements the architecture of the associated building, and to ensure that they are attractively designed and functional while clearly delivering the intended information.

### **3.6 Building Mounted Signs**

Building or façade mounted signs shall be designed as an integral element of the architecture, and shall not obscure any of the architectural details of the building. Signage shall be mounted on vertical surfaces and shall not project past or interfere with any fascia trim. Signs shall be located a minimum of 18" from the edge of a vertical wall, however the overall proportions of both the wall and sign shall be taken into consideration in the placement of the sign.

Flush mounted (flat) signage shall be mounted with concealed hardware. Perpendicularly mounted hanging signs shall be mounted with hardware designed to complement the building's architecture. All metal hardware shall be corrosion and rust resistant to prevent staining or discoloration of the building.

### **3.7 Freestanding Signs**

An alternative to a façade-mounted sign is a freestanding "pylon" sign. These signs are typically located between the building and the roadway right-of-way, adjacent to the site's vehicular entry point.

As with façade-mounted signage, design and content standards shall apply. Because freestanding signs amount to architecture themselves, it is important that they be carefully designed to complement the associated building. This will entail similar forms, materials, colors and finishes. Landscaping surrounding the base of such signs shall be consistent with the landscaping of the entire site.

Where a freestanding sign lists multiple tenants, there should be an apparent hierarchy: i.e., Address, name of the building or development, primary tenant, other tenants.

### **3.8 Wayfinding Signs**

To prevent visual clutter and motorist confusion, additional smaller signs indicating site circulation are generally discouraged. However they are sometimes needed to clarify complex circulation patterns. Wayfinding signage is also sometimes required to indicate different areas of site usage, such as secondary building entries, loading, or service areas. The Planning Board shall exercise its discretion in the requirement or prohibition of such signs.

Where required, wayfinding signage shall be unobtrusive, no taller than absolutely necessary, and shall complement the overall architecture and signage plan in terms of materials, color, form and finishes.

### **3.9 Sign Illumination**

Only externally lit signs are allowed in the Route One corridor because, compared with internally lit signs, the direction and intensity of the light can be more easily controlled. Externally illuminated signs are made of an opaque material and have a dedicated light fixture or fixtures mounted in close proximity, aimed directly at the sign face. The illumination level on the vertical surface of the sign should create a noticeable contrast with the surrounding building or landscape without causing undue reflection or glare.

Lighting fixtures shall be located, aimed and shielded such that light is only directed onto the surface of the sign. Fixtures shall be mounted above the sign and be aimed downward to prevent illumination of the sky and to avoid blinding passing motorists

## 4. Lighting

*Outdoor lighting is used to identify businesses and illuminate roadways, parking lots, yards, sidewalks and buildings. When well designed and properly installed it can be very useful in providing us with better visibility, safety, and a sense of security, while at the same time minimizing energy use and operating costs. If outdoor lighting is not well designed or is improperly installed it can be a costly and inefficient nuisance. The main issues are glare (hampering the safety of motorists and pedestrians rather than enhancing it), light trespass (shining onto neighboring properties and into residential windows), energy waste (lighting too brightly or lighting areas other than intended or necessary), and sky glow (lighting shining outward and upward washing out views of the nighttime sky).*

### **4.1 General Lighting Elements**

**Objective:** Good lighting does only the job it is intended to do, and with minimum adverse impact on the environment. Common sense and respect for neighbors goes a long way toward attaining this goal. The applicant shall provide sufficient lighting for the job without over-illuminating.

Fixtures shall be fully shielded, giving off no light above the horizontal plane. They shall also direct the light onto the intended areas. Fully shielded fixtures produce very little glare, which can dazzle the eyes of motorists and pedestrians.

The height and positioning of fixtures is also important, since even well shielded fixtures placed on tall poles can create light trespass. Fixtures shall be positioned to uniformly illuminate the subject area. Hot spots created by too-bright or too-low fixtures make the in between areas seem dark, which can create safety problems.

### **4.2 The Lighting Plan**

**Objective:** As part of Site Plan or Subdivision review the Planning Board, shall require that a lighting plan be provided. It shall be prepared by a professional with expertise in lighting design. The intent of the lighting plan is to show how the least amount of light possible will be provided to achieve the lighting requirements.

### **4.3 Elements of the Lighting Plan**

In addition to meeting the requirements of the Zoning Ordinance, the Lighting Plan shall contain a narrative that describes the hierarchy of site lighting that describes how lighting will be used to provide safety and security, and describes how it will achieve aesthetic goals. The Lighting Plan shall include specifications and illustrations of all proposed fixtures, including mounting heights, photometric data, and other descriptive information. It shall also include a maintenance and replacement schedule for the fixtures and bulbs.

The photometric diagram shall show illumination levels from all externally and internally visible light sources, including signage.

The location and design of lighting systems shall complement adjacent buildings, pedestrian routes, and site plan features. Pole fixtures shall be proportionate to the buildings and spaces they are designed to illuminate.

Buffers, screen walls, fencing and other landscape elements shall be coordinated with the lighting plan to avoid dark spots and potential hiding places.

Where proposed lighting abuts residential areas, parking lot lighting and other use-related site lighting shall be substantially reduced in intensity, or turned off within one hour of the business closing.

## **Types of Lighting**

### **4.4 Façade and Landscaping Lighting**

Lighting on the front of a building can highlight architectural features or details of a building and add depth and interest to landscaping. This style of lighting shall not be used to wash an entire façade in light or light the entire yard. Rather shall be used to emphasize particular aspects of the project. All fixtures shall be located, aimed and shielded so that they only illuminate the façade or particular plantings and do not illuminate nearby roadways, sidewalks or adjacent properties. For lighting a façade, the fixtures shall be designed to illuminate the portion of the face of the building from above, aimed downward, to eliminate skyglow.

### **4.5 Parking Lot and Driveway Lighting**

Parking lot and driveway lighting shall be designed to provide the minimum lighting necessary for safety and visibility. Poles and fixtures shall be in proportion to the roadways and areas they are intended to illuminate.

All fixtures shall be fully shielded or “cut-off” style, such that no light is cast above the horizontal plane. Decorative fixtures are strongly encouraged as long as they meet the cut-off criteria, and their design and color complements the architecture and landscaping of the project.

### **4.6 Pedestrian Lighting**

Places where people walk, such as sidewalks, stairs, sitting areas, curbs and landscaping shall be adequately but not excessively illuminated.

Mounting heights for pedestrian lighting shall be appropriate in design and scale for the project and its setting. Bollard fixtures of 3' to 4' in height and ornamental fixtures of up to 12' in height are encouraged. Fixtures shall be a maximum of 100 watts and shall not create glare or light trespass onto abutting properties.

**ADA.** The “Americans with Disabilities Act” is a 1990 federal law intended to bring disabled Americans into the economic mainstream to provide them equal access to jobs, transportation, public facilities and services. The Act outlines the physical requirements for ensuring that buildings, site features, parking areas and the like are accessible.

**Applicant.** The person, organization, land owner or representative of the same who is seeking Site Plan or Subdivision approval from the Town, or who is seeking any other permit or permission from the Town.

**Architectural Feature.** A prominent or significant part or element of a building, structure or site.

**Board of Adjustment and Appeals.** A Town board empowered to grant special exceptions or variances from the Town’s Zoning Ordinance.

**Bollard.** A rigid post protruding from the ground to a height of 30” to 50” intended to protect the corners of buildings, fences or other structures from damage incurred by vehicles, or to separate pedestrian areas from vehicular areas, or for decorative purposes.

**Buffer.** Any planted or built barrier intended to visually, and in some cases acoustically, separate two adjacent but different uses. Also used to shield an unpleasant use on a site from other uses on the site, such as a dumpster. Buffers are typically vegetated (planted) but can also be in the form of a berm or fence.

**Massing.** The grouping of three-dimensional forms to achieve variation, as in building forms or landscaping.

**Community Character.** The image of a community as defined by such factors as its architectural styles,, natural features, open space, and the type and quality of its public facilities and services.

**Curb Cut.** The interruption of a curb at which point vehicles may enter or leave the roadway.

**Cut-off Fixtures.** A type of light fixture that prevents most of the light from projecting above the horizontal plane of the fixture.

**Developer.** The person, organization, land owner or representative of the same who is seeking Site Plan or Subdivision approval from the Town, or who is seeking any other permit or permission from the Town.

**Gable Roof.** A roof with two slopes, one on each side of a ridge line, and a gable at each end.

**Gambrel Roof.** A roof that has two slopes on each side of a ridge line, the lower slope being steeper than the upper.

**Impervious Surface.** A surface such as a rooftop, a paved area or a graveled area that does not allow water to be absorbed through it into the ground beneath, but rather causes the water to be shed elsewhere.

**Landscape Plan.** A drawing in a project proposal that identifies the species, quantity and location of all proposed vegetation.

**Open Space.** Areas of a building site that are left unbuilt to be used for public use of visual enhancement.. This can be landscaped or left in a natural state, depending upon the individual project.

**Planning Board.** A Town board empowered to grant Site Plan approval and Subdivision approval. Any project proposed in the Route One corridor will require Planning Board review and approval.

**Peer Review.** The review by a qualified professional of certain aspects of an application before a Town board for conformance with the Town's Ordinances.

**Performance Guarantee.** Any security that may be accepted by the Town to assure that improvements required as part of an approval will be satisfactorily completed.

**Route One Corridor.** All parcels of land immediately adjacent to, or that are clearly visible from, the U.S. Route One right-of-way.

**Scale.** The interrelationships of a development, its elements and its surroundings in terms of size, bulk, intensity and aesthetics.

**Service Area.** A designated area on a development site where a business accommodates its necessary but visually unattractive services such as shipping and delivery, trash storage and pick-up, utility storage and the like

**Setbacks.** The mandatory distances from adjacent property lines that all structures, parking areas and driveways must not be built within.

**Shed Roof.** A flat roof of a single pitch that will shed water and snow away from its high edge toward its lower edge.

**Site Furniture.** Outdoor objects such as benches, shelters, sculpture, trash receptacles and bicycle racks that can enliven and give variety to an outdoor space used by the public.

**Vernacular Architecture.** Architectural forms that are indigenous to an area, and that have developed in response to the locale's available materials and its cultural and environmental conditions.



## ATTACHMENT # 5

## **Goals and Issues**

### **1. Goals**

- A. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- B. To promote interconnected greenways and corridors throughout the community.
- C. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
- D. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- E. To conserve scenic landscapes, vistas and features.
- F. To preserve important historic and archaeological sites.
- G. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
- H. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging the use of parks and community facilities as focal points in the neighborhood.
- I. To encourage street designs that reduces traffic speeds and reliance on main arteries.
- J. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- K. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- L. To promote contiguous greenspace with adjacent municipalities.
- M. To protect rural character and rural activities such as farming and forestry.
- N. To protect water quality and aquifers.

### **2. Issues:**

- A. Whether a Conservation Subdivision should be available in all zones or only the RR 1 and RR 2 zones.
- B. Whether the Conservation Subdivision should be mandatory in all zones or just the RR 1 and RR 2 zones, and if so whether there should be waiver language to address unique hardships or situations in which the goals are not likely to be satisfied.

- C. Determination of minimum and maximum lot size requirements.
- C.2 Whether and where to require maximum density and what that density should be.
- D. Whether and where density bonuses or options designed to make the Conservation Subdivision more appealing to landowners and developers should be provided.
- E. Whether the Conservation Subdivision should be required only for parcels of an established minimum size.
- E.2. Whether and where maximum road lengths and/or widths should be required, and if and where road designs should incorporate wildlife crossing fencing and/or other structures.
- F. Determination of the minimum percentage of the gross land and buildable land area to be preserved as open space.
- G. Whether the open space would be publicly owned and accessible or owned by a homeowners' association and not accessible.
- H. Defining natural resources and attributes to be included in conservation areas.
- I. Impact of availability of public water and/or public sewer upon minimum lot size.
- J. Determining permitted and prohibited uses within reserved open space.
- K. Preparation of Site Analysis Map as part of subdivision approval process.
- L. Development of open space management plan.

## ATTACHMENT # 6



# Town of Cumberland

## Land Use Committee Survey Results

Brian Robertson, PhD



# Goal

- The goal of the research was to obtain public input from the residents of Cumberland on:
- The pace of residential and commercial growth.
- Zoning changes that would potentially impact residential areas of Cumberland.
- Allowing stores and/or restaurants along Route 1.
- Design standards.

# The Survey Questionnaire

The survey included 24 survey items that focused on:

- Factors residents liked most about living in Cumberland
- Any concerns residents had about living in Cumberland
- The pace of commercial growth
- The pace of residential growth
- Rural residential zoning
- Growth and rural character in the residential zones
- Allowing stores and/or restaurants along Route 1
- Design standards

# Data Collection

- Data collection began on October 9, 2014 and was completed on November 14, 2014.
- Surveys were mailed to 3,227 residents of Cumberland and to property owners not living in Cumberland.
- Surveys were also provided at Town Hall and Prince Memorial Library.
- A total of 967 residents/property owners completed the survey.
- The survey response rate was 30%.
- The sampling error associated with results is plus or minus 2.6%.



# Summary of Survey Results

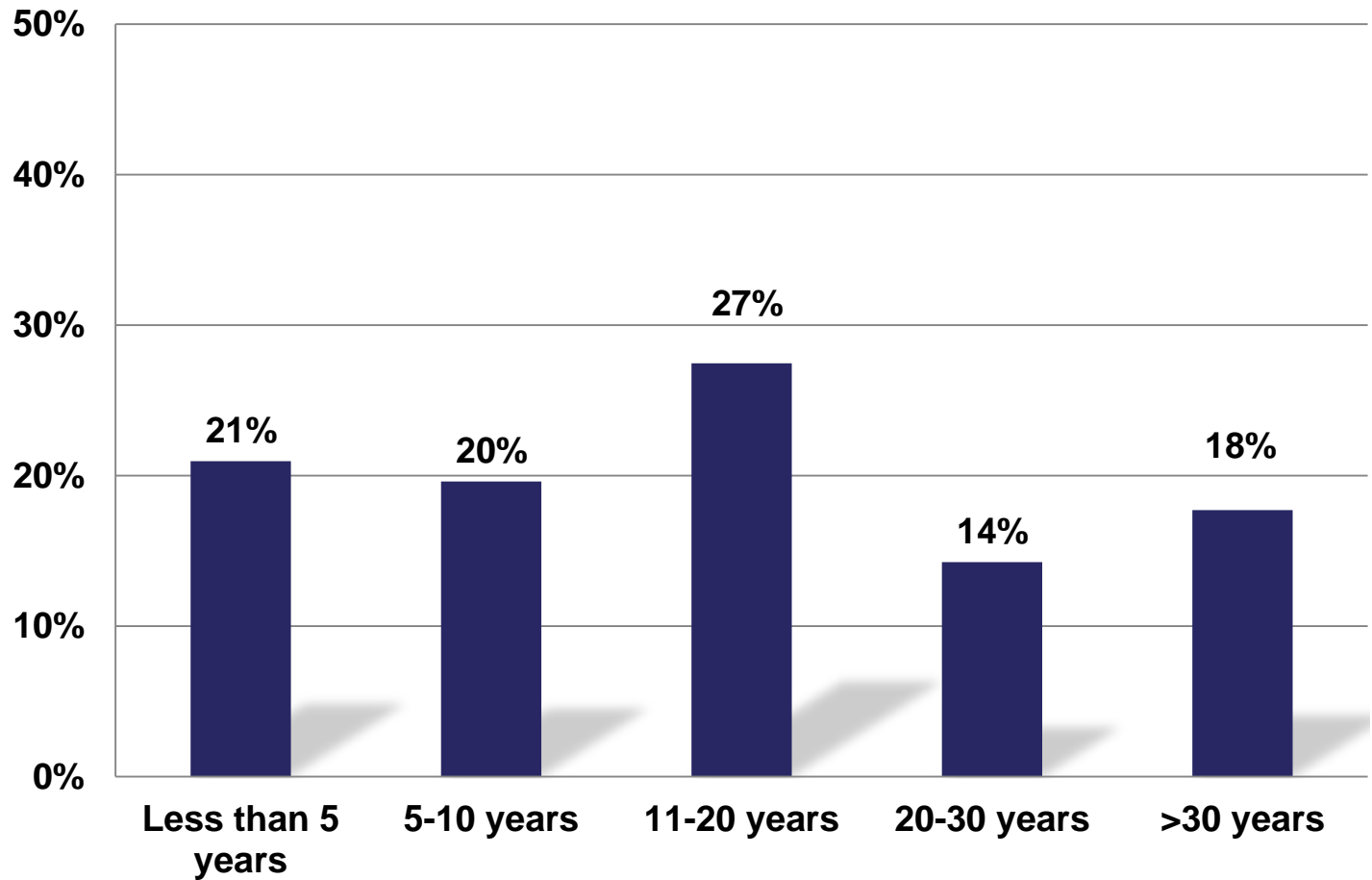
# Respondent Demographics

## Location of Residence/Property

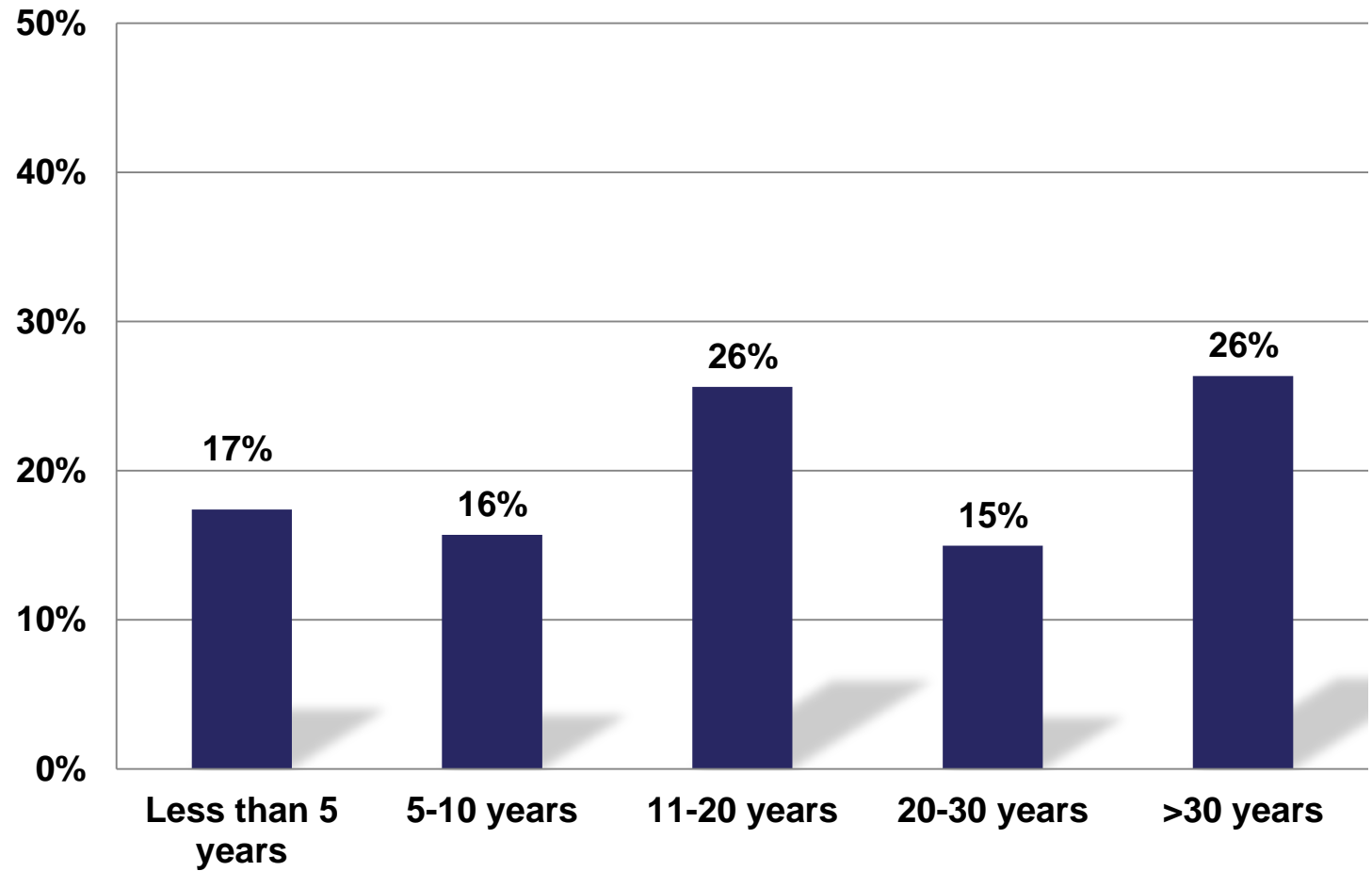
Please look at the Official Zoning Map that is included with the survey.  
In the box to the right, please write the zone in which you live.

	%
Rural Residential 2 (RR2)	31%
Low Density Residential (LDR)	17%
Medium Density Residential (MDR)	16%
Rural Residential 1 (RR1)	15%
Village Medium Density Residential (VMDR)	3%
Town Center District (TCD)	2%
Office Commercial North (OCN)	2%
Other	4%
Did not specify	9%
Total	100%

### How long have you lived at your current address?



### How long have you lived in Cumberland?



# **Residents' Views of Cumberland**

**Residents of Cumberland liked the peace and quiet, the presence of active farms and orchards, and that the town is centrally located and convenient to travel to other towns.**

### **What do you enjoy about living in Cumberland?**

*(Respondents could provide more than one response)*

	<b>%</b>
It is generally peaceful and quiet	90%
I like that there are still active farms and apple orchards	86%
I like that it is centrally located and convenient to travel to other towns	83%
As I drive or bike along the main roads, I enjoy the scenic views	71%
I appreciate the high quality of the schools	67%
I enjoy the people who live in this town	65%
I enjoy the passive recreation areas (e.g. Rines Forest, walking trails)	59%
I enjoy the quality of municipal services provided	57%
I enjoy the active recreation areas (e.g. ball fields, hiking trails)	54%
I enjoy the developing Town Center that now allows a mix of uses	54%
I frequent the new restaurants located on Main Street	40%
I own a large lot of land that provides me with privacy	33%
I frequent the restaurant and retail service businesses on Rt. 100	25%
Other	9%
<b>Total</b>	<b>100%</b>

**Residents describe Cumberland as a small and rural town, a suburban bedroom community, diverse, and quiet.**

**How would you describe the character of the town?**

*(Respondents could provide more than one response)*

	<b>%</b>
<b>Quaint, small, rural</b>	<b>44%</b>
<b>Suburban, bedroom, proximate to Portland</b>	<b>24%</b>
<b>Diverse, friendly, welcoming</b>	<b>17%</b>
<b>Quiet, peaceful</b>	<b>16%</b>
<b>High quality of life, good services</b>	<b>14%</b>
<b>Becoming less rural, changing</b>	<b>13%</b>
<b>Wealthy, educated, expensive</b>	<b>12%</b>
<b>Other</b>	<b>18%</b>
<b>Total</b>	<b>100%</b>



**The largest percentage were concerned about taxes continuing to rise, the lack of public oceanfront to enjoy, and the lack of growth to hold the line on taxes.**

**Do you have any concerns about living in Cumberland?**

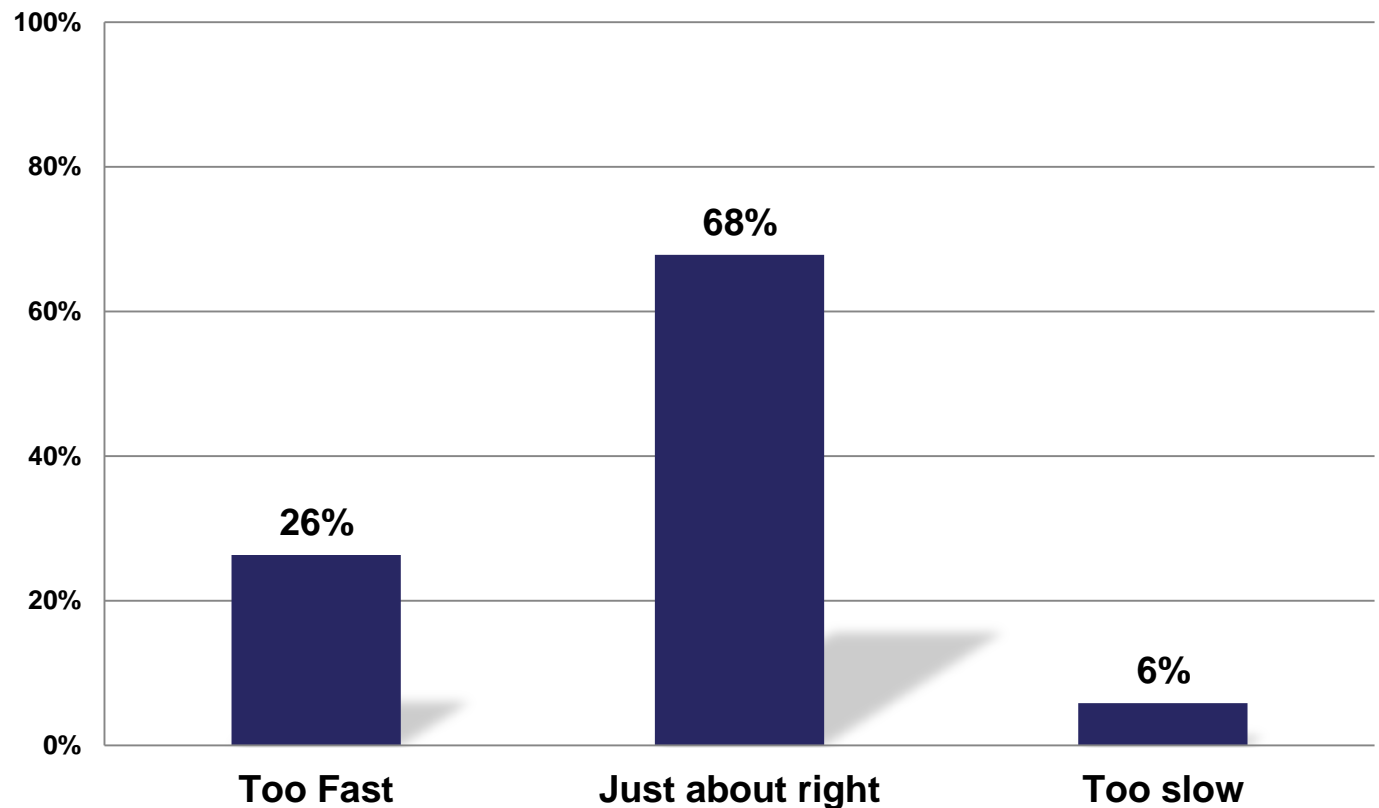
*(Respondents could provide more than one response)*

	%
Taxes continue to rise and I may need to move to a town with lower taxes	59%
There is no public oceanfront to enjoy	41%
There is not enough growth to hold the line on taxes	38%
There are not enough bike paths or sidewalks in town	31%
There is too much residential growth	23%
There are not enough activities and/or services for older residents	23%
The quality of municipal services has declined	13%
There are not enough activities for young people	13%
There is too much commercial growth	10%
I do not like changes that have occurred on Route 100	9%
There is not enough open space	8%
Other concerns	24%
Total	100%

# **The Pace of Residential and Commercial Growth**

**More than two-thirds (68%) considered the pace of residential growth to be about right.**

**How would you rate the pace of growth in residential areas of town, overall?**



**Most residents considered the pace of commercial growth to be about right in most areas, though 45% considered the pace too slow along Route 1 South and 41% along Route 1 North.**

**How would you rate the pace of commercial growth in each of the following areas of town?**

	<b>Too Fast</b>	<b>Just about right</b>	<b>Too slow</b>
<b>Area 1 - West Cumberland (Route 100)</b>	<b>12%</b>	<b>53%</b>	<b>36%</b>
<b>Area 2 - Upper Main Street</b>	<b>10%</b>	<b>69%</b>	<b>21%</b>
<b>Area 3 - Lower Main Street</b>	<b>8%</b>	<b>62%</b>	<b>30%</b>
<b>Area 4 - Route 1 - North</b>	<b>6%</b>	<b>53%</b>	<b>41%</b>
<b>Area 5 - Route 1 - South</b>	<b>7%</b>	<b>48%</b>	<b>45%</b>

**Comments about land use regulations and growth focused on support for limited commercial growth but also limiting residential growth and maintaining green spaces.**

**Do you have anything else you would like to share with the Committee about land use regulations or growth?**

**28% of residents offered comments**  
(Respondents could provide more than one response)

	%
<b>Support limited scale commercial growth</b>	<b>34%</b>
<b>Focus on maintaining green spaces, slow development</b>	<b>18%</b>
<b>Limit residential growth, do not like recent residential growth</b>	<b>18%</b>
<b>Taxes too high, take steps to control taxes</b>	<b>10%</b>
<b>Do not support commercial growth of any kind</b>	<b>9%</b>
<b>Focus on expanding residential growth</b>	<b>7%</b>
<b>Other</b>	<b>31%</b>
<b>Total</b>	<b>100%</b>

# Rural Residential Zoning

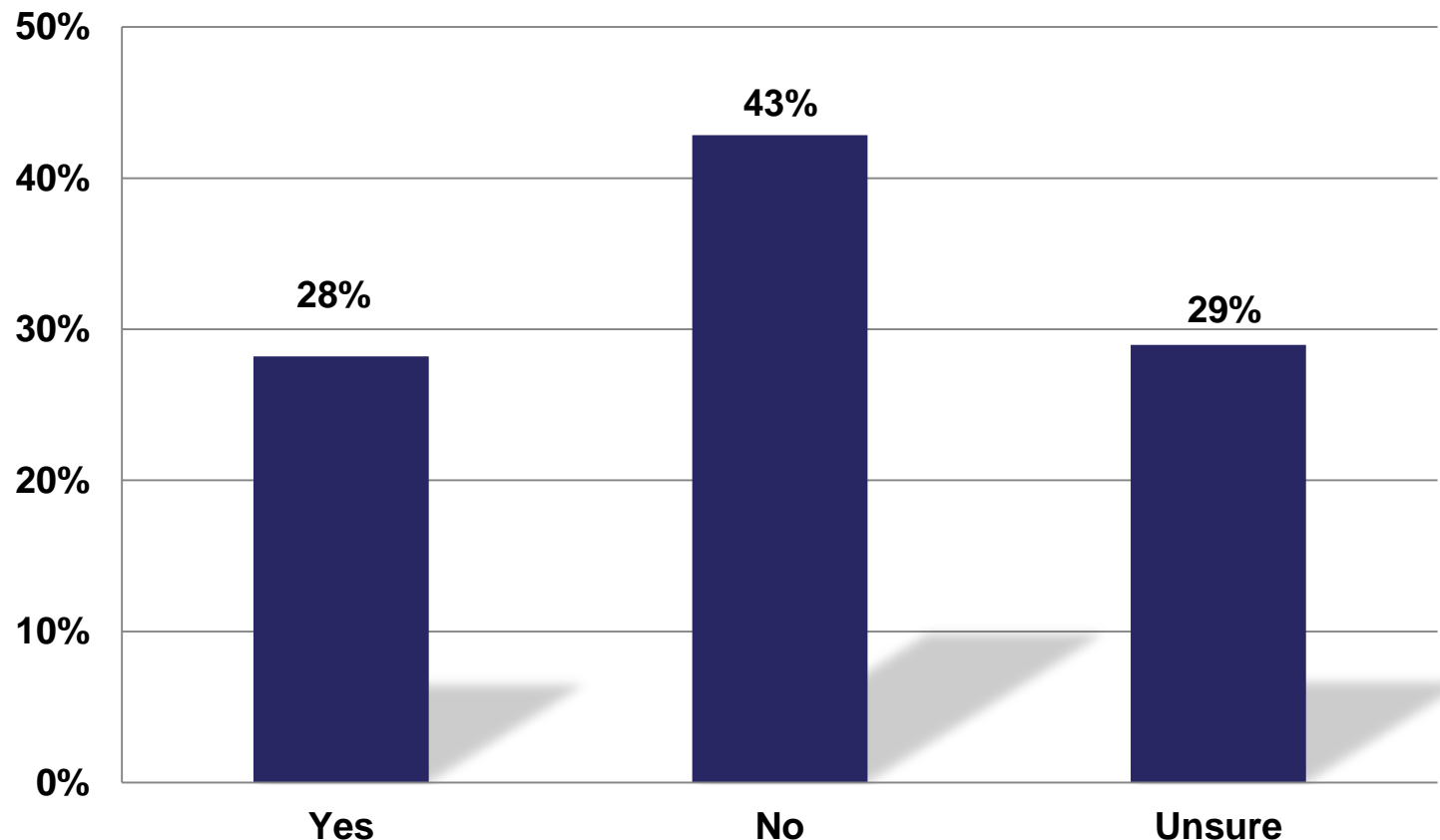
**There is no clear consensus about minimum lot size requirements for the Rural Residential Zones other than a majority did not want one Rural Residential zone with a 4 acre lot size minimum.**

**The following questions focus upon our two Rural Residential zones and seek input on the issue of maintaining or modifying current minimum lot size requirements. How strongly do you agree or disagree that...**

	<b>Agree</b>	<b>Neutral</b>	<b>Disagree</b>
<b>That the current RR1 and RR2 zones should be retained?</b>	<b>48%</b>	<b>27%</b>	<b>24%</b>
<b>There should be one Rural Residential zone with a 2 acre lot size minimum?</b>	<b>42%</b>	<b>21%</b>	<b>37%</b>
<b>There should be only one rural residential zoning district?</b>	<b>28%</b>	<b>32%</b>	<b>40%</b>
<b>There should be only one Rural Residential zone with a 4 acre lot size minimum?</b>	<b>23%</b>	<b>23%</b>	<b>54%</b>

**More than one-quarter thought the Town should consider other minimum lot sizes in the RR1 and RR2 areas with one to two acres the most commonly mentioned lot size.**

**Do you think the Town should consider other minimum lot sizes in the RR1 and RR2 areas?**





## What other minimum lot sizes in the RR1 and RR2 areas do you think the Town should consider?

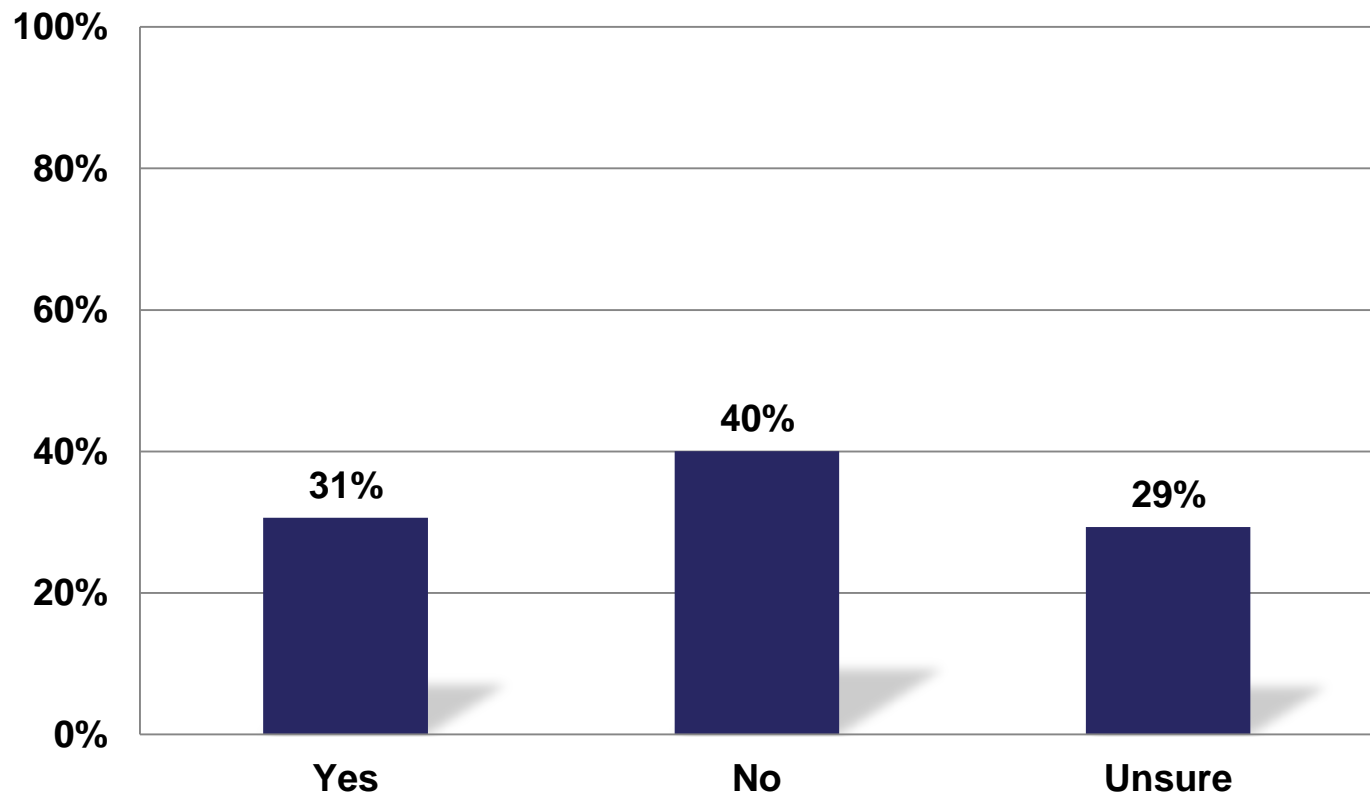
*(% among those indicating the Town should consider other minimum lot sizes)*

	%
One acre to less than two acres	29%
Two acres, less than three acres	13%
More than one half to less than one acre	13%
Mixed sizes, size changes with approval and use	11%
Use cluster development, encourage affordability	11%
Three to less than four	7%
Four to less than five	6%
One half acre or less	5%
Other	13%
Unsure	9%
Total	100%

# **Growth and Rural Character in the Residential Zones**

**About one in three thought there should be specific areas in the rural residential zones where residential growth should be encouraged.**

**Do you think there should be specific areas in the rural residential zones where residential growth should be encouraged?**



## Where do you think residential growth should be encouraged?

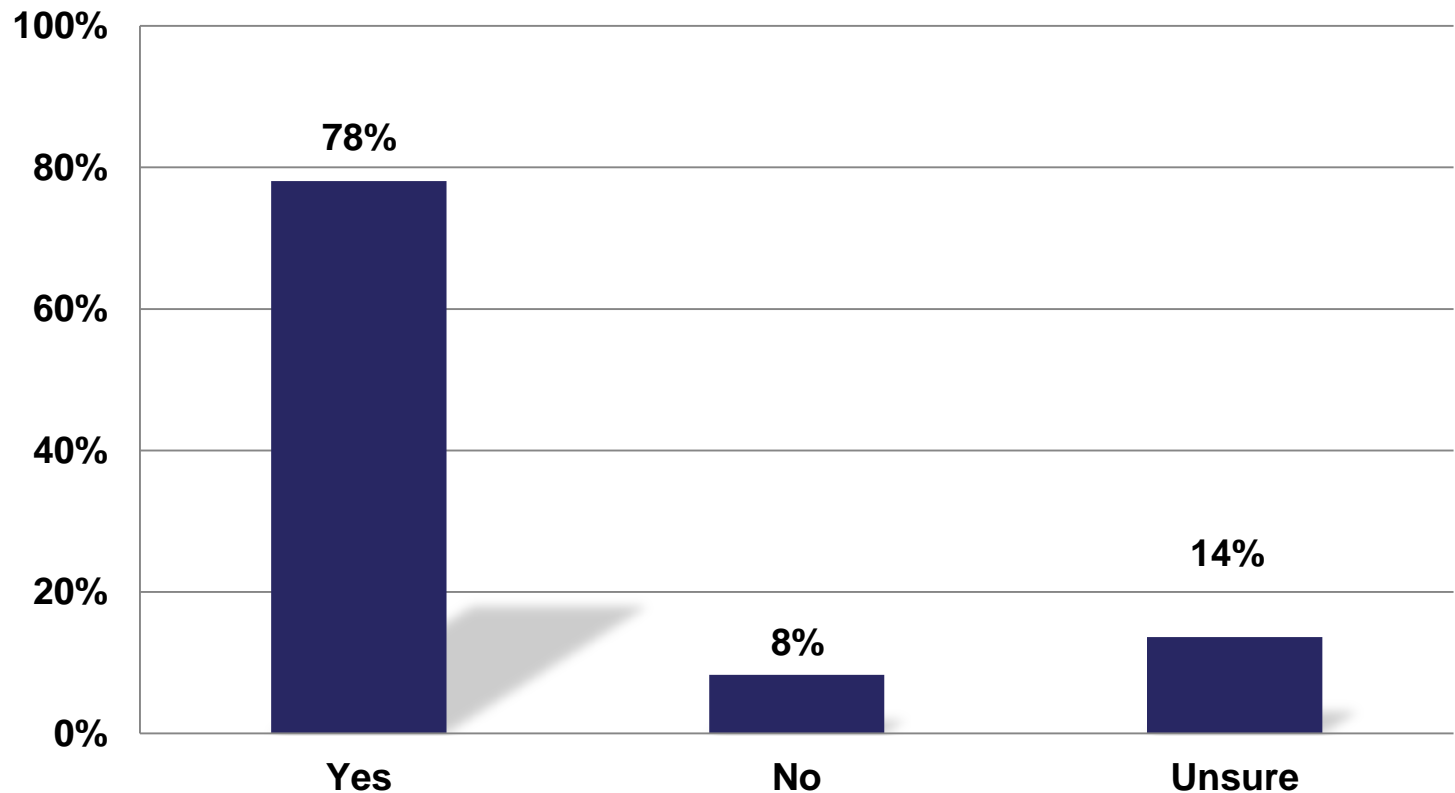
(% among those that think there should be specific areas in the rural residential zones where residential growth should be encouraged)

*(Respondents could provide more than one response)*

	%
<b>Blanchard Road Area</b>	<b>52%</b>
<b>Tuttle Road Area</b>	<b>50%</b>
<b>Greely Road Area</b>	<b>46%</b>
<b>Greely Road Extension Area</b>	<b>43%</b>
<b>Range Road Area</b>	<b>43%</b>
<b>Skillin Road Area</b>	<b>40%</b>
<b>Harris Road Area</b>	<b>38%</b>
<b>Orchard Road Area</b>	<b>37%</b>
<b>Pleasant Valley Road Area</b>	<b>31%</b>
<b>Other Areas</b>	<b>20%</b>
<b>Total</b>	<b>100%</b>

**More than three-quarters thought there should be specific areas in the rural residential zones where the protection of the rural character should be encouraged.**

**Do you think there should be specific areas in the rural residential zones where the protection of the rural character (such as forestry, farming, habitat and open space) should be encouraged?**



## Where do you think protection of the rural character (such as forestry, farming, habitat and open space) should be encouraged?

(% among those that think there should be specific areas in the rural residential zones where the protection of the rural character should be encouraged)

*(Respondents could provide more than one response)*

	%
<b>Blanchard Road Area</b>	<b>66%</b>
<b>Greely Road Area</b>	<b>65%</b>
<b>Range Road Area</b>	<b>61%</b>
<b>Tuttle Road Area</b>	<b>61%</b>
<b>Orchard Road Area</b>	<b>58%</b>
<b>Greely Road Extension Area</b>	<b>45%</b>
<b>Pleasant Valley Road Area</b>	<b>45%</b>
<b>Harris Road Area</b>	<b>36%</b>
<b>Skillin Road Area</b>	<b>34%</b>
<b>Other Areas</b>	<b>12%</b>
<b>Total</b>	<b>100%</b>

## Comments about rural residential issues focused on ways to maintain Cumberland's rural character and maintaining current rules involving growth and development.

Do you wish to share any other thoughts with the Committee on the rural residential issue?

**17% of residents offered comments**  
(Respondents could provide more than one response)

	%
<b>Develop in ways that keeps Cumberland's rural character</b>	<b>35%</b>
<b>Don't develop Cumberland, keep current rules</b>	<b>20%</b>
<b>Make Cumberland more affordable</b>	<b>8%</b>
<b>Additional residents bring additional costs</b>	<b>7%</b>
<b>Work to encourage development generally</b>	<b>7%</b>
<b>Expand public service access</b>	<b>6%</b>
<b>Allow landowners to use property as they wish</b>	<b>6%</b>
<b>Other</b>	<b>25%</b>
<b>Unsure</b>	<b>1%</b>
<b>Total</b>	<b>100%</b>

# **Allowing Stores and/or Restaurants along Route 1 and Design Standards**



## **A large majority favored small independent and medium sized independent stores along Route 1.**

**The second issue is whether to allow stores and/or restaurants along Route 1. Which of the follows types of retail, if any, would you support?**

	<b>%</b>
<b>Small independent stores, such as the Book Review in Falmouth</b>	<b>81%</b>
<b>Medium size independent stores such as Allen Sterling &amp; Lothrop in Falmouth</b>	<b>79%</b>
<b>Medium size chain stores such as Rite Aid in Yarmouth or Falmouth</b>	<b>51%</b>
<b>Large (Big Box) stores such as Wal-Mart or Target</b>	<b>23%</b>
<b>None of the above</b>	<b>12%</b>
<b>Total</b>	<b>100%</b>

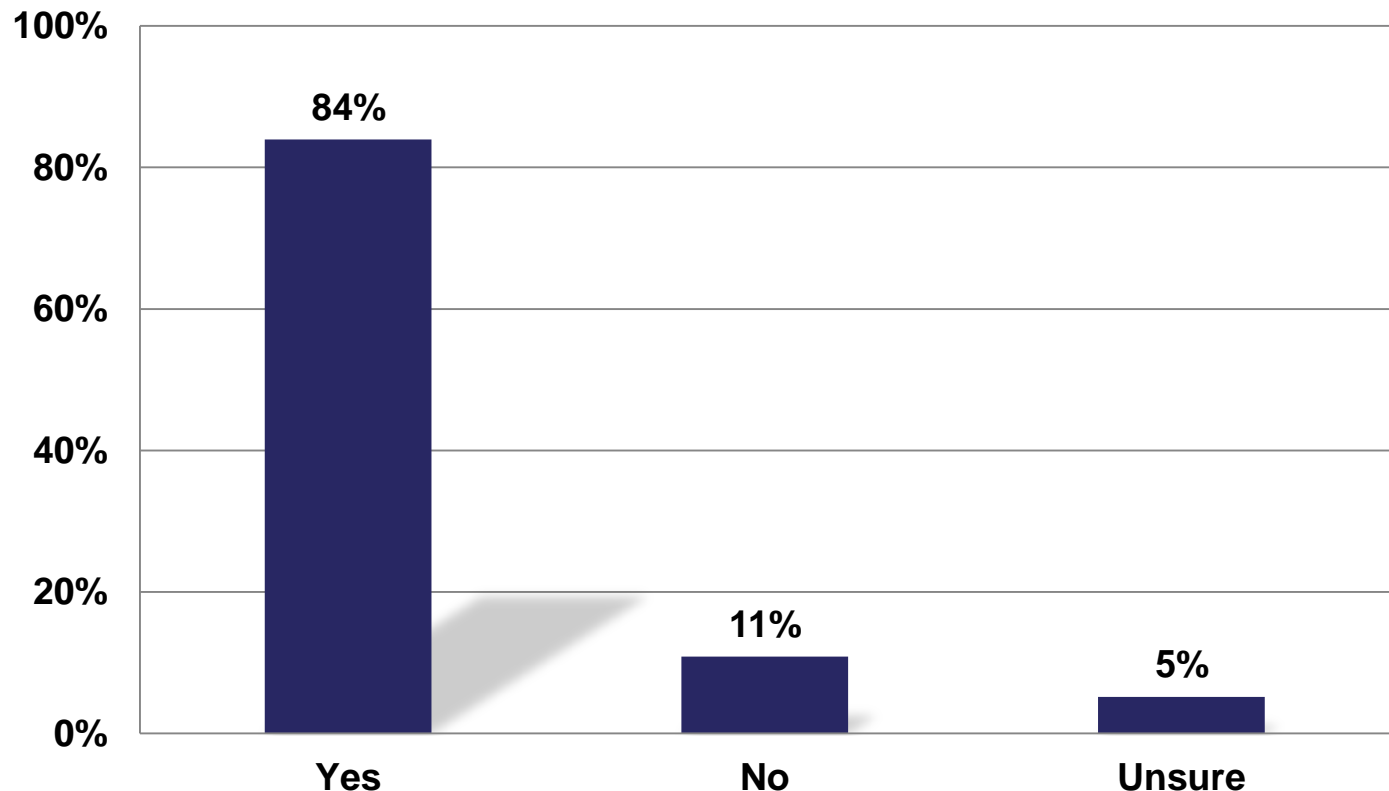
## **A large majority favored small and medium size independent restaurants along Route 1.**

**Which of the following types of restaurants, if any, would you support (along Route 1)?**

	<b>%</b>
<b>Small, independent restaurants such as Louie's Grille in Cumberland</b>	<b>87%</b>
<b>Medium-sized independent restaurants such as Ricetta's in Falmouth</b>	<b>70%</b>
<b>Large, independent restaurants such as Cole Farms in Gray</b>	<b>38%</b>
<b>Franchise restaurants such as Olive Garden or Applebee's</b>	<b>27%</b>
<b>Fast Food restaurants such as Dunkin Donuts or McDonald's</b>	<b>22%</b>
<b>None of the above</b>	<b>9%</b>
<b>Total</b>	<b>100%</b>

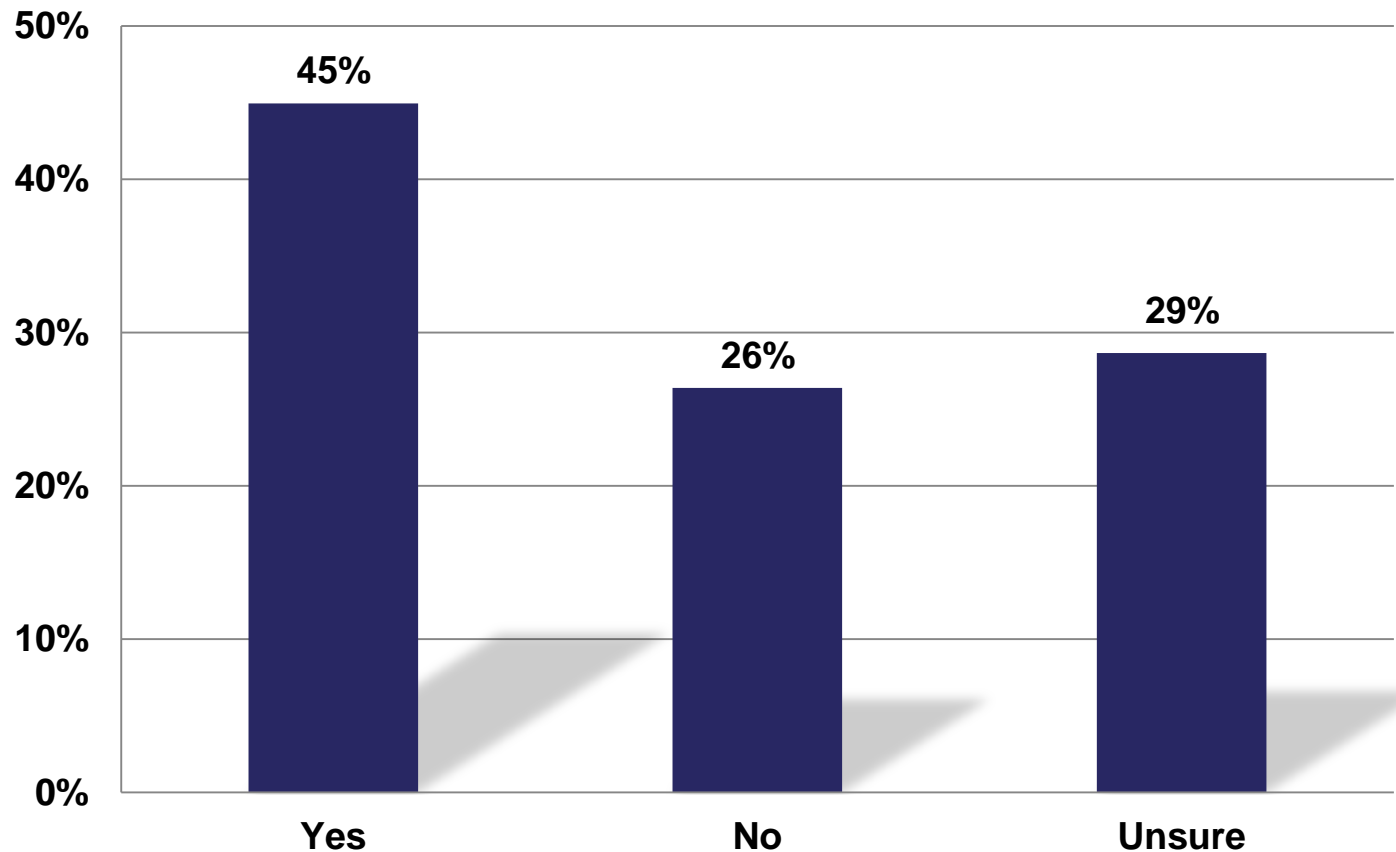
**More than eight in ten thought there should be mandatory design requirements that specify how the building and parking areas should look and function in the Route 1 area.**

**In general, do you think there should be mandatory design requirements that specify how the building and parking areas should look and function in the Route 1 area?**



## **45% thought there should be other limitations on retail and restaurants if allowed on Route 1.**

**If retail and restaurant uses become allowed on Route 1, do you think there should be other limitations on them?**



## What limitations should be placed on retail and restaurant uses on Route 1?

(% among those indicating other limitations should be placed on retail and restaurant uses on Route 1)

*(Respondents could provide more than one response)*

	%
Reduce bright lights, limit signage	20%
Small development, no big boxes	19%
Architecture and appearance standards	16%
Use buffering space, green space	14%
Local ownership, no chain stores	13%
Limited operating hours	12%
Limit effects on traffic	10%
Reduce visible parking	9%
Preserve Cumberland's character, limit strips	7%
Encourage businesses that make Cumberland more convenient, livable	5%
Other	19%
Unsure	12%
Total	100%

## Comments about Route 1 corridor issues focused on just allowing development along Route 1 but maintaining Cumberland's scenic appeal.

Do you wish to share any other thoughts with the Committee on the Route 1 corridor issue?

### **24% of residents offered comments**

(Respondents could provide more than one response)

	%
Develop Route 1 generally, reduce restrictions on building	34%
Maintain Cumberland's scenic appeal, avoid development like Falmouth and Yarmouth	23%
Assure traffic can move along Route 1 safely, swiftly	11%
Do not develop Route 1, focus on other parts of Cumberland	11%
Encourage 'destination' commercial development, business parks	10%
Encourage small and local businesses	9%
Attract businesses which make Cumberland more livable	5%
Other	13%
Total	100%

**Thank you.**  
**I'd be happy to answer any questions.**

## Town of Cumberland

### Land Use Committee Survey Results

Brian Robertson, PhD

