

**Town of Cumberland  
Board of Adjustment and Appeals  
Minutes of Meeting  
Thursday, September 10, 2015**

**I. Call to Order:**

The meeting was called to order at 7:00 p.m.

**II. Roll Call:**

**Present:** Andrew Black, Ron Copp, Sally Pierce, Amanda Vigue, Christian Lewis

**Absent:** Matt Manahan, Mike Martin, R. Scott Wyman, Chair,

**Staff:** Bill Longley, Code Enforcement Officer, Pam Bosarge, Administrative Assistant

Mr. Black stated Mr. Wyman is not present and he will be Acting-Chair. He welcomed applicants and public to the meeting and gave an overview of the rules of procedure for the meeting. Mr. Black stated the Board has a quorum to allow the Board to conduct business.

Mr. Black introduced Leah Rachin, Esq., of Bergen Parkinson in Kennebunk who is present this evening to represent the Board.

**III. Unfinished Business: To review the findings of fact from August 13, 2015 meeting for the Interpretation Appeal of:** Merrill Woodworth, PR for the Estate of M. Robbins and Payson Family Heirs of 72 Spears Hill Lane: represented by Scott Anderson, Esq., Verrill Danna LLP request an interpretation of the Code Enforcement Officer's determination that Broad Cove Reserve, owned by the Town of Cumberland is a "municipal use" not an outdoor recreational facility, for property located at 179 Foreside Road, Tax Assessor Map R01, Lot 1 in the Low Density Residential (LDR) and Limited Residential (LR) district.

Mr. Black stated at last month's meeting the Board deliberated and came to a conclusion in favor of the Code Enforcement Officer for the Payson property appeal. The meeting tonight is to review and approve the proposed findings of fact and conclusions.

Ms. Pierce moved to approve the written findings of fact and conclusions reached by the Board's deliberation and vote at last month's meeting.

Mr. Copp seconded.

Mr. Black thanked Ms. Rachin, Esq. for the well drafted decision that covered the facts and conclusions.

Mr. Black offered one amendment to add on page 1: The Board (Mr. Black abstaining) determined that the facts set forth in Mr. Black's disclosure did not constitute a conflict and he proceeded to hear the appeal. *To add: Neither party objected to Mr. Black's participation in the matter.*

Mr. Copp seconded.

Vote on the Amendment: 4 in favor (Black, Copp, Pierce, Vigue)  
1 abstain (Lewis)

Discussion on the motion: None

Vote on the motion:

Ms. Pierce moved to approve as amended the written findings of fact and conclusions reached by the Board's deliberation and vote at last month's meeting.

VOTE: 4 in favor (Black, Copp, Pierce, Vigue)  
1 abstain (Lewis)

Mr. Black asked if the signature page should reflect his name as Acting Chair. This change was made prior to Mr. Black signing the findings.

#### **IV. Approval of Minutes of August 13, 2015**

Mr. Copp moved to approve the minutes of August 13, 2015.

Ms. Vigue seconded.

VOTE: 4 in favor (Black, Copp, Pierce, Vigue)  
1 abstain (Lewis)

#### **V. Administrative Matters: None**

#### **VI. Adjournment:**

Mr. Lewis moved to adjourn at 7:15 p.m.

Mr. Copp seconded.

VOTE: Unanimous 5-0

The meeting was adjourned at 7:15 p.m.

A TRUE COPY ATTEST:

---

Andrew L. Black, Acting Chair

---

Pam Bosarge, Clerk to the Board