

**Ocean Access Committee  
Meeting Minutes  
May 13, 2015  
Cumberland Town Offices – Council Chambers  
6:00 P.M.**

**I. Call to Order:** The meeting was called to order at 6:00 p.m.

**Roll Call: Present:**

Denny Gallaudet, Chair, Maureen Connolly, Vice-Chair, C. Ingrid Parkin, , Lew Incze, Stephen Thomas, Sandra Gorsuch-Plummer, George Turner, Council Liaison, Tom Gruber, Council Liaison, Liaison, (arrived late)

**Absent:** Charles Adams, Penny Asherman, CCLT, Jeff Perry

**Staff:** Bill Shane, Town Manager, Pam Bosarge, Administrative Assistant

Mr. Gallaudet stated as we had an issue with the use of the meadow as a wood lot; Mr. Shane is present to give an update.

Mr. Shane, Town Manager reviewed the recent events as follows: A month ago the woodcutters arrived at the site; the cut lines approved by the Planning Board were reviewed and approved on site. The cutting began on the top lots and progressed down towards the mansion and cottage lots. Last week the Code Officer went down to inspect the cutting along the mansion line and the cutting was being done inside the ribbons and he felt they were in compliance. I received a call on Thursday stating I needed to look at the site. On Friday when I went down the site was turned into a construction yard. The bulldozer was on the site and brush piles were on the Town's lot. There was no permission given by the Town to use our lot as a staging area. This use was totally done outside the conservation easement; on 99.99% of construction sites in the Town of Cumberland town land is used. This is a very unique site, and there are very specific activities allowed and not allowed. This certainly was not approved by the Land Trust.



After consultation with the Town Attorney a letter of violation was sent on Monday, May 11, 2015 to 179 Foreside Road, LLC (the developers). The developers were told exactly what needed to happen to fix this unfortunate situation.

Mr. Shane continued with an overview of what has happened to date:

- May 13<sup>th</sup> Pier: - Maine Line Fence has been out and installed black vinyl fence between the openings and a handrail meeting code has been installed at 42". We have also added metal plates for additional support between the pier spans. By Monday a temporary sign will be posted stating no more than sixteen (16) people per forty foot (40') span. We are in the process of submitting an application to the Maine Coastal Waters which gives planning grants; we have applied for a \$25,000 grant for a new engineered design for the entire pier. The replacement plan will move the cribs up at the top elevation to remove it from a flood plain; we will look at installing an 80' ramp for ADA compliance to float access.

Mr. Shane asked Ms. Connolly to check with Alpha One for compliance with ADA standards. The conservation easement allows an extension of up to 50' this will be reviewed with the Chebeague Cumberland Land Trust. Barney Baker of Waterman Marine will be consulted in the design as well as the Coastal Waters Commission.

Mr. Gallaudet asked if the grant would compromise restricted Cumberland parking only.

Mr. Shane stated no, it is not tied to federal or state funding it is a planning grant only. The pier has an effective life of three to five years; Barney Baker has put together a design that eliminates loading restrictions. Temporary bracing to the sand may be installed to eliminate loading restrictions.

- Field Update: The lawn area has been re-loamed, and stabilized and re-vegetated. The Bateman's are bringing in water to the site. The Land Trust provided Bateman's with a Notice of Violation. The Land Trust is requiring some additional inspections by Forrest Bell; this meeting will be tomorrow 5/14/15 at 11:00 a.m. Forrest Bell will make some recommendations for things he will be looking for in regard to bushes, etc. Tomorrow the Bateman's surveyor will be on site staking out the Shoreland zoning line, the Resource Protection zone is 50' to 100' which everyone understands can't have any work done. The other lines the Shoreland zoning which are 250'. The previous owners the Robbins had already cut more than allowed and had paid a penalty.

The Committee discussed the happenings on the property, the restoration process and the disturbance to the conservation easement and wild life species.

Mr. Shane stated the road has been staked out and surveyed within the lines requested by the Planning Board.

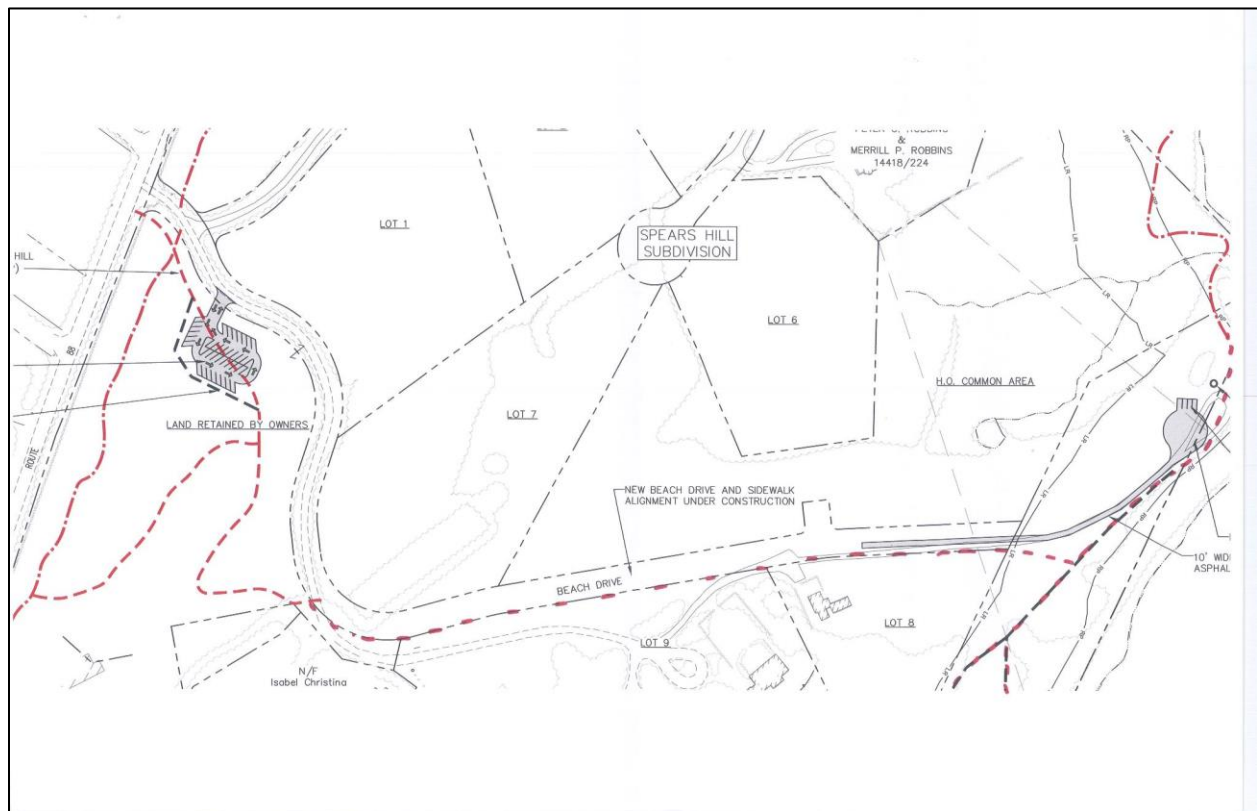
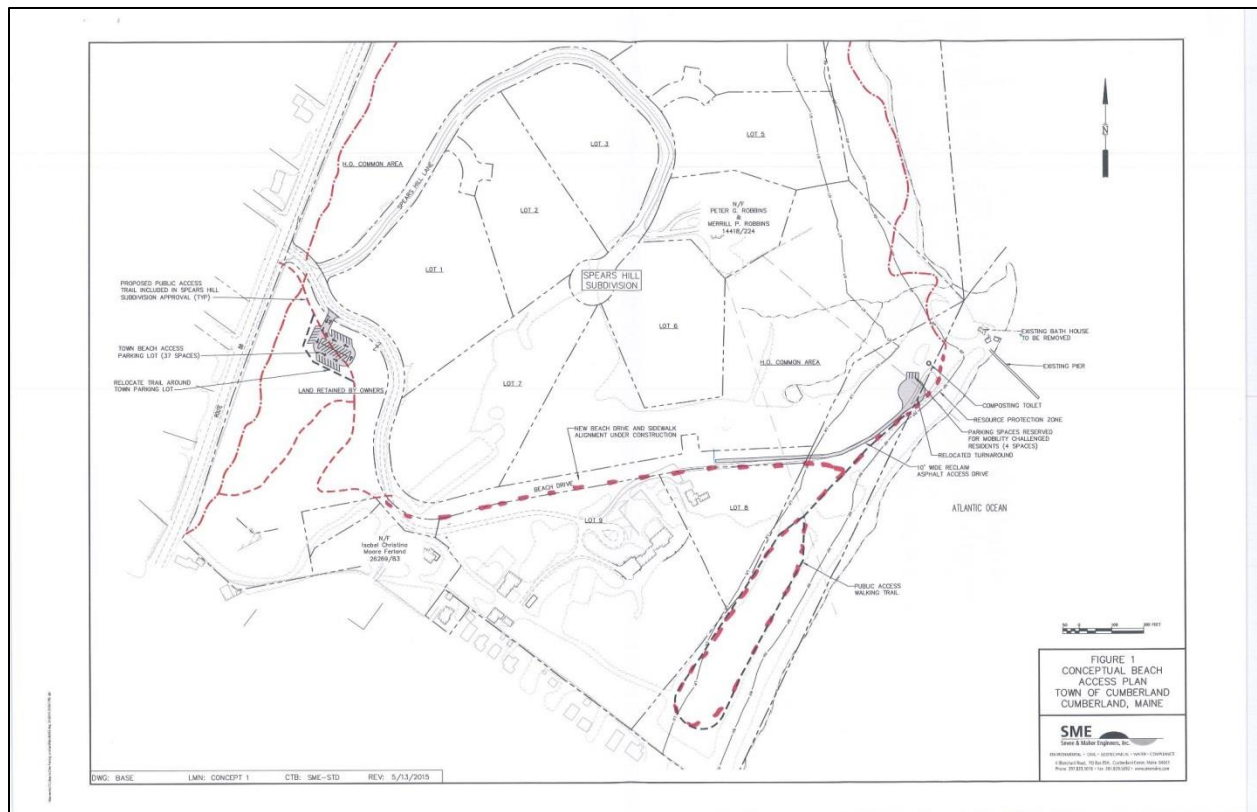
## **II. Approval of the April 8, 2015 Minutes:**

Ms. Connolly moved to approve the minutes of April 8, 2015.

Mr. Incze seconded.

VOTE: Unanimous 6 in favor

**III. Parking:** Mr. Shane reviewed the proposed parking plan that will be presented to the Planning Board on June 16<sup>th</sup>. The parking will be 200 – 300 feet off from Route 88 in the flat plateau of the property. The parking lot will be a loop; there will be no separate entrance or exit. The space will be about 1/3 acre with a proposed 37 spaces, for passenger vehicles only.



The Committee questioned the timing for parking review which was delayed due to the lawsuit.

Mr. Shane stated the Town Council has directed him to have the parking plan at the Planning Board in June with an anticipated opening of the park in July.

Mr. Gruber, Town Council stated the Council is concerned with having no parking plan.

Mr. Turner agreed the consensus from the Council is to have parking this summer.

Mr. Gallaudet asked what decision was being asked of the Committee.

Mr. Shane stated the parking plan and turn-around.

The Committee set a date of May 21<sup>st</sup> at 6:00 p.m. for a Site Walk to review the proposed parking location and the initial number of parking spaces. The Committee will meet on site.

#### **IV. Other Business**

- Committee comments: Is there any consideration for a boardwalk in the anticipation of increasing traffic to the beach.

Mr. Shane stated he would check to see if it would be permissible to construct a 5' – 6' Board Walk in the Resource Protection district to minimize impact to the beach.

- Time frame for the Town Council to accept the Management Plan. – *June 15, 2015*
- Motor boat usage

#### **V. Next Meeting: June 10, 2015**

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

Ms. Gorsuch-Plummer moved to adjourn.

Ms. Connolly seconded.

VOTE: Unanimous

The meeting was adjourned at 7:40 p.m.

#### **Public Comments**

Mr. John Ferland of 2 Birch Lane asked for clarification on the walkways on the plan.

Mr. Shane reviewed the plan showing the 5' separation of road and sidewalk.

Ms. Quinlin of Pine Lane asked how many people would be in the park at a time if there are 37 parking spaces.

Mr. Gallaudet stated we don't know the demand; we will first serve residents with Cumberland residents only parking.

Ms. Gorsuch-Plummer stated it is important to allow people to use the resource and it is important that people feel welcome. It is our responsibility to be inclusive and preserve the resource.

Mr. Drake of Pine Lane asked how we would restrict to Cumberland residents.

Mr. Temple stated the CCLT had approved 20 spaces, and he asked about bathroom and signage prior to opening.

Mr. Shane stated they are shown on the plan.

Public comments were closed.

Respectfully submitted,

Pam Bosarge  
Administrative Assistant