

# MINUTES

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, September 24, 2018**

**6:00 P.M. Workshop** with the Town Attorney re: new marijuana laws and impact to current ordinance

## **7:00 P.M. Call to Order**

Present: Councilors Bingham, Copp, Edes, Gruber, Stiles, Storey-King and Turner

### **I. APPROVAL OF MINUTES**

Motion by Councilor Bingham, seconded by Councilor Stiles, to accept the September 10, 2018 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

### **II. MANAGER'S REPORT**

Town Manager Shane said that he would report under new business.

### **III. PUBLIC DISCUSSION**

Dennis Marrotte of Westbrook said that this November is the 30<sup>th</sup> anniversary of the Sister Cities Relationship between greater Portland municipalities and Archangel, Russia. There will be a photography exhibition "Bridges of Friendship" at the Stonewall Gallery at the Yarmouth Historical Society on November 9<sup>th</sup> of images from both countries. They are requesting \$150 from each municipality to help bring 30 pair of images (60 photographs) from both countries.

### **IV. LEGISLATION AND POLICY**

#### **18 – 121 To consider and act on authorizing the Town Manager to enter into a contract with TEC Associates to update the 2011 Quiet Zone Report.**

Town Manager Shane said that he has been in contact with Wayne Duffett of TEC Associates who did the original quiet zone study back in 2011. He is willing to work with us on an hourly basis to update the original report. We should have the updated report back to us by early November.

Chairman Copp asked for any public comment.

There was no public comment.

Motion by Councilor Bingham, seconded by Councilor Gruber, to authorize the Town Manager to enter into a contract with TEC Associates to update the 2011 Quiet Zone Report.

VOTE: 7-0 UNANIMOUS

#### **18 – 122 To hold a Public Hearing to consider and act on the 2019 Shellfish License allocations, as recommended by the Shellfish Conservation Commission.**

Town Manager Shane said that the Shellfish Conservation Commission met last week and voted unanimously to recommend the same shellfish licenses as last year:

Unlimited resident recreational licenses

25 non-resident recreational licenses

8 monthly resident licenses

2 monthly non-resident licenses



**Is there any written agreement to Move?  
Do we have to Move?**

No.

Presently the current property is valued over \$20 million, generating over \$380,000 of property tax revenue annually. The current garage location is estimated to generate nearly \$240,000 annually on the Town Garage site.

**So Why Move? Why not stay and fix the Garage?**

**To Stay**

- 45 Year Old Facility
- Upgrades needed to:
  - HVAC
  - Lighting & Electrical
  - Fuel Tanks & Canopy
  - Sand & Salt Storage
  - Locker Room & Offices
- 2 Acres of Compost & Brush Area on top of a landfill ( temporarily)

**\$ 3M investment to stay at current location**



Town maintains \$ 9 Million in equipment  
The MSAD has 24 buses and a small garage onsite.



Brush Storage  
&  
Compost Site



Site  
Expansion  
Not an  
Option

**Present Site Location makes little sense to stay**

**To Stay**

- 45 Year Old Facility
- Equipment Wash Bay
- Upgrades needed to:
  - HVAC
  - Lighting & Electrical
  - Fuel Tanks & Canopy
  - Sand & Salt Storage
  - Locker Room & Offices
- 2 Acres of Compost & Brush Area on top of a landfill ( temporarily)

**\$ 3M to Stay in Place**

**Town Garage Relocation**

- 32 units - \$408,000 Avg price
- Completed Skating, Bathrooms, Recreation Area
- Final Close out of landfill
- Temporary Salt Building replaced
- Removal of Fuel tanks and 50 yr. old buildings
- Est. Tax Revenue over 20 years

**Taxes Collected over 20 years  
\$5,888,000**

**Sites looked at since 2014**

**12 Sites + Riding Club Site**

- Pike- Blue Rock- now Chase Pit- Blackstrap Road
- Former Nelma Site- Tuttle Road near Town Forest
- Former Harwood /Railroad Site- Near Town Forest – Tuttle Road
- Former Anderson Equipment Site – Middle Road
- Storey Brothers- Middle Road
- Riding Club – not on list until approached by Club
- Town Pit – Goose Pond Road
- Twin Brook – Greely Road near RR tracks
- Tuttle Road Site near Drowne Road entrance
- Harris Road
- Greely Road near Hillside
- Longwoods Road Near Cross
- Doughty Road

**Rejected Due to:**

- Environmental – Wetland Survey
- Inventory of Existing Utilities
- MDEP & Planning Board potential issues

**Yellow Highlighted Sites**

Looked at more closely

**Preliminary Costs**

**Phase 1 - \$3.2 M Late – Spring 2020**

Sand, Salt and Compost Pad, Brush Area, Utilities, General Site Development , Permitting

**Phase 2 - \$5.4 M Spring 2024**

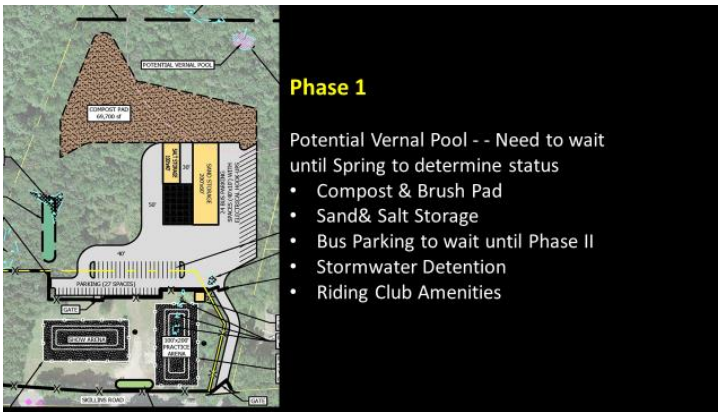
Garage, Cold Storage Buildings, Bus charging area

**Final Disposition of Existing Site**

RFP 2023, Demolition and landfill closeout 2024  
Environmental mitigation- fuel tanks

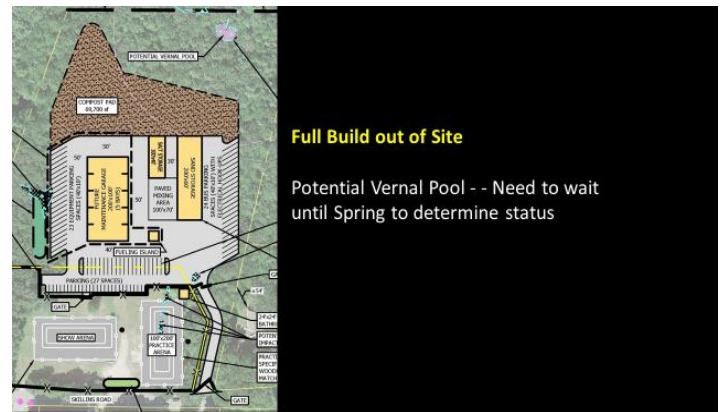
**Fire Truck Bond - \$1.3M Removed from this vote**





### Phase 1

- Potential Vernal Pool - - Need to wait until Spring to determine status
- Compost & Brush Pad
  - Sand & Salt Storage
  - Bus Parking to wait until Phase II
  - Stormwater Detention
  - Riding Club Amenities



### Full Build out of Site

- Potential Vernal Pool - - Need to wait until Spring to determine status

### Next Steps

#### Can this site be permitted at Riding Club Site?

- Yes- construction costs are more expensive as monitoring wells and additional containment will be needed as the site is on the West Cumberland Aquifer
- Municipal Uses are allowed in All Zones
- Technically site can be designed not to physically impair surrounding properties

#### Is this the right site to locate the Town Garage ?

- That's a political decision made by your elected official not Town staff
- Is it the best location for the Town?
- What other options are available and can costs be reduced with sharing?
- What's the MSAD's cost?

### Next Steps

#### Is this the right site to locate the Town Garage ?

- This is where we need to start
- Neighborhood Input
- No Action is scheduled for tonight – other than taking input
- October 22<sup>nd</sup> could be additional testimony or action if the Town Council is ready to act on the proposal either positively or negatively.

Thank you for your attention.

Chairman Copp asked for public comment.

John Lowery of Drowne Road and President of the Village Green Homeowners Association said that he chose Cumberland for the good schools, to be closer to family and to be part of this wonderful community. The homeowners of Village Green and the Drowne Road senior housing facility are so happy to be one of the newest neighborhoods in Cumberland. Village Green consists of 56 homes made up of families with school aged kids, professionals and retirees. Collectively, the neighborhood pays approximately \$550,000 per year in property taxes and the senior housing facility has many residents who have a long history in Cumberland, and they are located directly across from the Public Works facility. Part of the Towns master plan addresses the relocation of the Public Works facility for the betterment of our Town as a whole. The site of the current facility is clearly insufficient for the growing needs of our Town and is located on one of the most valuable, central parts of our Town. Identifying a new location has been challenging and they recognize that it is not compatible in its current location in a residential neighborhood and would be better suited in a different location. They understand and empathize with their neighbors on Skillin Road. They do not want to see neighborhoods pitted against each other. He would like to work together as a community to find some common ground. We should be able to recognize the benefits to the community in moving the Public Works facility. Some of the benefits will allow for development and a more robust Town center, as outlined in the master plan, with proximity to Town Hall, schools, fire station, local businesses and trail systems, and \$400,000 annually in tax revenue in perpetuity. It may allow for a desperately needed senior housing facility. They appreciate the Council's fiscal responsibility in apportioning the cost over time and dividing the project into 2 phases. They also agree with the Town Council and Town Manager that it makes financial sense to invest in what the Town needs in the long term by transforming the current site into one used to generate future revenues and amenities for the Town.

Catherine Pelletreau of 55 Drowne Road said that she loves everything about living in Village Green, except for the Public Works facility. The Town Council received a letter on behalf of the Village Green neighborhood and the senior housing facility with over 75 signatures. One of the reasons that they support moving the Public Works facility is the development of a more robust Town center, the development opportunity with the site, and the additional public amenities including the new walking paths, skating rinks and riding facility would be a benefit for the whole Town. She thanked the Council because she realizes that this is very difficult and the Village Green neighborhood is very appreciative.

John Law of Village Green said that the Town Council has a thankless job with a lot of criticism and he believes that they are sincerely trying to build a future for Cumberland that will build upon what already makes Cumberland a special place to live. Before Village Green was built, there was a landfill, a pond with tires in it, and the land wasn't worth much. When the Town Council approved Village Green, it increased the value around the Town garage and the surrounding neighborhoods. If neighbors cannot work together to find a solution, then the loser is the Town of Cumberland.

Paul Weiss of 314 Blanchard Road said that this site is on one of the most important aquifers in West Cumberland. That area has vernal pools on it that will be compromised. It is used as a recreation area by the neighborhood and he maintains some of the trails himself. It is also a habitat for wildlife. This is a residential area and he feels that West Cumberland gets the short end every time. He hopes that the Council listens. A lot of the people are here tonight because they are outraged.

Brian Fraser of 16 Westbranch Road said that he supports everything that Mr. Weiss said. He wondered what the pressure is to move the existing garage. It will cost 6 million dollars more than fixing the existing site and possibly another million to mitigate the existing site. It seems like there are other potential options to be looked at. He is concerned about how fast this is moving. He would like to slow this process down and wants to know what the timeline is moving forward.

Marnie Dean of 28 Westbranch Road said that they are all on wells in that area and they have concerns about salt and fuel. It is also very wet on that parcel and being on top of the aquifer is a huge concern. She is also concerned about noise. This is in her backyard. She really wants the Town to look at this consider the financial piece of moving the facility. None of this makes sense to her.

Mary Jane Call of 20 Westbranch Road said that this is about our entire community. They chose their home for the rural aspect and she is worried about the environmental impacts as well as increased traffic. Has a traffic study been done? How does it make sense having all the Public Works trucks travel to the center of Town then disperse?

Christine Fraser of 16 Westbranch Road referred the Council to their "Town plan" which identifies critical natural resources and talks about protecting the aquifer. We are talking about adding all the things that can harm the aquifer and a lot of the neighborhoods nearby are on wells. We are going against our own plan. Two previous sites were not considered because they are on the aquifer, so why is this site ok to contaminate when the others were not? She added that she is an Equine Veterinarian and said that the mixed use of a bunch of horses next to a garage with loud trucks and buses does not mix. That is a recipe for disaster with spooking horses.

Roger McCord of 80 Skillin Road said that he agrees with everyone who has spoken so far. He had a math teacher in high school who always asked him if his answer looked right. This just does not look right.

Bert Kendall of 26 Glenview Road said that he finds the present location of the Public Works garage to be convenient for his family. He thinks that the people in the audience should give Town staff and the Council more

credit. As the Town Manager said, we have to start somewhere. He sees the need for a new elementary school in the future. The Town and School should get together to discuss their costly projects.

Barry Sheff of 254 Bruce Hill Road is a Municipal Infrastructure and Public Works Engineer. He is not sure that the potential tax revenue from the Village Green master plan should be driving policy around the Public Works garage. He would like to see focus on diversifying our tax base on Route One and Route 100, and he is not sure that additional housing should be the reason for moving the Public Works facility. Do we need a brush dump and compost site? Can we work with Falmouth or Yarmouth on these to save acreage on the new site? It would not be uncommon for the project to be 25% more in 2024 than proposed today. He has seen about 5 events at the riding club over the past 10 years and to ask the taxpayers to commit \$400,000 to build a riding arena for the riding club does not make sense. He asked the Council to direct staff to revisit the existing site.

Isabelle Schonewald of 129 Middle Road said that the tax revenue after the Town garage is moved won't be seen until around 2026. Today's tax payers will be paying for tomorrow's tax payers benefit. She wonders with deed restrictions and landfill setbacks being considered, what developable acreage will remain and what will its value be? If it's so valuable, why won't the developer contribute to the relocation? With the Skillin Road site, what will the additional costs be, especially fuel costs and travel time? There are a lot of questions to be considered with a site selection.

John Gunn of 11 Pond Shore Drive said that he is a Professor of Forest Management and he has spent the last 20 years trying to get people to care about forests, water and wildlife. This proposal suddenly has everybody concerned with these things. His reaction to this site is emotional since it is literally in his backyard and he strongly opposes it. He and his family use Skillin Road to bike and run and it can be very challenging with the current traffic.

John Martin of Oak Ridge Road asked why we should care about the potential tax revenue from the development of the Town garage property. New housing in Cumberland will put more of a burden on the Town than the tax revenue that is generated. He feels that developing the Town garage property will cost us a lot of money in terms of our budget. A lot of people may not be able to stay in this Town because of the increasing taxes and he thinks that is wrong.

Dan Avery of 19 Skillin Road said that there is a clear delineation of the different parts of Cumberland and where money is spent. People move to West Cumberland for the rural feel. His family walks on Skillin Road and it is becoming tricky with the traffic now. There was a site on Tuttle Road that was not considered due to the close proximity of residential homes and the wetlands at the rear of the parcel. Trying to put this on the aquifer is a terrible idea and it will negatively impact the environment around the entire area.

Tammy Turner of 116 Mill Road said that she has concerns about traffic and safety in the area. If we put a big facility on this beautiful, rural piece of land, between two busy intersections, she is concerned about traffic and sustainability of the roads.

Paul Murphy of 12 Westbranch Road said that he uses the trails on the site to ski and enjoys the rural character of this Town. In the 15 years that he has lived here, his taxes have never gone down and he does not expect his taxes to go down as a result of developing the existing Public Works site. He urged the Council not to develop this site.

Nichole Nevulis 354 Blanchard Road Ext. said that she lived next to a town dump and Public Works facility while growing up in Massachusetts. She can appreciate and have empathy for the residents of Drowne Road. She chose to live in West Cumberland because it is quiet. Moving the Public Works facility to Skillin Road will be at the

expense of the people who live in that area. The residents of West Cumberland invested there for the lifestyle and peacefulness. She also has the same environmental and traffic concerns that her neighbors have spoken about.

Jeff Nevulis of 354 Blanchard Road Ext. said that he also shares the same concerns that have been mentioned tonight. He said that the intersection at Skillin and Blanchard Road is unsafe now and there will have to be a significant traffic study done if this plan does go through.

Brenda Sherwin of 292 Blanchard Road said you cannot bring back the environment once it has been destroyed. Kids need nature and clean water. We all do. We need to stop and think about what we are doing to our environment.

Bruce Sherwin of 292 Blanchard Road said that he and his wife love living in West Cumberland and they want to retire in the same nice, tranquil area that they live in now. He feels that the current Public Works location will continue to work where it is and we do not need to spend more than is necessary. To echo a resident from Village Green who spoke earlier and said that she loves everything about Village Green except the Public Works department, the residents of West Cumberland will feel the same way. If this does pass and the Public Works facility goes to the Skillin Road site, they will move away from that area. Moving an industrial complex into the middle of a neighborhood will not work.

Heather Jaccoma of 12 Pond Shore Drive has lived here for 25 years and she loves it. She has spent a lot of time and money beautifying her property and she never thought that she would have to defend her property value. This proposal will diminish the property values of the high-end homes that are located on Pond Shore Drive, Hill Top Road and West Branch. The tax revenue that you get on one end is going to take away with the diminished value of the other. She is concerned about the brush dump location on the proposed site and people leaving diseased trees so close to the existing wooded site.

Ken Leaman of 3 Tacoma Lane said that they moved to Village Green in order to remain in Cumberland after raising their family on Greely Road Extension. The removal and replacement of the Public Works building has plans for a village center, rental apartments and small townhouses. Tax generating property makes sense. The current Public Works site is hemmed in as such that it cannot meet the current need. The recreational uses proposed at the new site with the trail improvements, etc. will be a broader public use and value to the Town as a whole. It is catastrophizing to say that the rental homes and small townhouses that will be built on the current site would be populated with children who would clog our schools. There are children in the Village Green neighborhood and they are very pleased to have such a diverse neighborhood. There are ways to build a new Public Works facility that will not adversely affect the residents of West Cumberland and enable the Town as a whole to have a Public Works facility that will meet the needs of the entire Town, where it cannot be met at its current location.

Jeff Kalinich 371 Blanchard Road Ext. said that he does not believe that the West Cumberland site is the appropriate site for this facility. Vernal pools, wetlands, the aquifer and the residential area are all reasons that other potential sites were not chosen. This site has all the same reasons. If the Public Works facility does not go on this parcel, residential use will likely be considered there at some point. If residential tax dollars is what the Town wants, there are three prime properties that would be diminished if the Public Works facility goes there.

Peter Lattanzi of Pond Shore Drive said that he is concerned that the potential referendum process could put areas of Town against each other. He encouraged the Council to continue their search for a new location.

Justin Wood of Apple Blossom Way said that taxpayers could potentially be on the hook for \$15 million for a new facility and to remediate the existing site, for the proposed tax revenue of \$240,000 per year. We will be servicing

debt for 8 years prior to gaining a minimal amount of tax revenue. He feels that the reason to move the facility based on future tax revenue does not make sense.

Candice Meuhleisen of 41 Skillin Road said there is a lot of wildlife in that area. If there is contamination, that will change. The wildlife is important as is the entire rural feel of the area. She does not want this to change.

Rich Allred of 20 Pond Shore Drive he looked into the Town Council's past site selection process. Things considered in other potential sites were proximity to neighbors, potential contamination of water and proximity to the center of Town. This plan puts the facility into the middle of a residential area. If it wasn't for the free land, the Town would never have considered this site. He is concerned that the free land is railroading the decision. He is opposed to this and it does not fit, just like the other sites that were looked at.

Ian Smith of 321 Blanchard Road Ext. said that we have an industrial operation that became hemmed in by a residential neighborhood and now there is a conflict. He is trying to follow the logic where there is an industrial use in a residential neighborhood, why not look for an industrial location to put it in? Be a compatible neighbor where it would be an asset, not a detriment.

Terry Danowski 77 Wyman Way said that this issue seems to be putting neighborhood against neighborhood and that isn't what Cumberland is about. All the things that the Skillin Road neighborhood is concerned about, Village Green is living right now. This is a problem that Cumberland needs to solve with the leadership of the Town Council. She hopes that we can come up with a solution that works for everyone.

Teri Maloney-Kelly of Maloney's Ridge Way said that she has been adamant for many years that the Town garage is an industrial operation that belongs in an industrial zone. They live it in West Cumberland. In 2006 the gravel pits reopened and were expanded. She knows what it is like to live in an industrial zone and the Town garage should not be in anybody's backyard. We should all band together as citizens and help our town realize that the Town garage is an industrial operation and that is where it belongs.

Mike Lombard of 88 Skillin Road said that he opposes this site and agreed that it feels that it is putting neighborhoods against each other.

Gary Radio of 24 Pond Shore Drive said that Skillin Road is a traffic nightmare. The site lines are horrible in that area. He has concerns about gas, grease and oil and a proper wastewater mitigation system. We do not have the sewer system in West Cumberland to handle chemicals. He urged the Council to find another site.

Bob Coulliard of Lower Methodist Road said that discussion regarding putting the Town garage in one of the gravel pits would bring us back to the trouble we had years ago with the aquifer being polluted with chemicals and people having problems with their wells. He thinks that the property by the railroad tracks would be a good option.

Mathew Clair of 261 Gray Road said that he also chose West Cumberland because of its rural character. Nobody wants neighbors to be pitted against each other. He asked the Council to table this indefinitely and look into other sites.

Charlotte Colby 69 Skillin Road said that the riding club only had 4 events last year and maybe 6 the year before. The Town should not put money into an arena for them. They haven't used it much for many years. She is also concerned about traffic on Skillin Road.



Tammy Merrill of 199 Gray Road asked the Council to please think about what this would do to West Cumberland. Let's focus on Gray Road and Route 100 to create a village with businesses. The Town garage has no business being in West Cumberland. It should be centrally located in Town.

Chairman Copp closed public comment and asked for comments from the Council.

Councilor Bingham said that we need more time to think about this as a group. We have a comprehensive Plan that we update every 10 years. One of the things that we did in the latest Comprehensive Plan is to create three growth zones. One of those growth zones is in the center of Town including where the current Town garage is located.

Councilor Gruber agreed that this is not the right time to go further. He thought it best to table item 18-124 to avoid the perception that this is a done deal.

Councilor Edes said that he is not ready to make a decision on this. There were a lot of good comments and a great discussion tonight.

Councilor Storey-King said that she could make a decision tonight not to go further on this site.

Chairman Copp said that he can assure everyone that this is not a project that was going to be allowed to slide through. He does not feel that West Cumberland has been slighted in any way. He understands that people do not want a business in a residential zone. It will be impossible to find a site that won't offend somebody. We are at our wits end and we do need to move the Public Works garage. He will never vote to dump 3 million dollars into the current facility.

Councilor Stiles said that listening to the public comment this evening tells him that this is probably not the right site to move the garage to. However, we have to take the time to continue to search for the right place, as we have been doing for the past 5 years. This Council does consider the entire Town and does not ignore any particular section of Town. In regard to property taxes, this Council has not contributed to a tax increase for the most part. Two years in a row the Town side of the tax bill has decreased.

Councilor Turner said that we are all Nimby's (not in my backyard). Nobody wants it in their backyard and most of the comments this evening came from a Nimby prospective. The thing that gives him pause is the traffic situation on Skillin Road. He also could say no to this particular site right now.

**18 – 124 To set a Public Hearing date of October 22<sup>nd</sup> to consider and act on authorizing bonding of up to \$8,600,000.00 for a new Public Works facility.**

Motion by Councilor Gruber, seconded by Councilor Bingham, to table.

VOTE: 7-0 UNANIMOUS

**18 – 125 To hold a Public Hearing to consider and act on amendments to the Zoning Ordinance, Section 315-4 (Definitions), and Section 315-14 (Village Center Commercial (VCC) Zoning District) to allow for storage units in the VCC Zone.**

Town Manager Shane explained that this request was presented to the Planning Board and the Planning Board voted 4-3 to not recommend storage units in the VCC Zone.

Chairman Copp opened the Public Hearing.

Public discussion: Tammy Merrill of Gray Road said that a storage unit does not add any asset to our community. We want business that are more interactive. A storage unit would be an eyesore and it does not add anything positive to our community.

Chairman Copp closed the Public Hearing.

Councilor Bingham said that he would rather wait a few years and get a business that would be compatible with the vision of trying to build a village center.

Councilor Gruber said that at the Planning Board meeting, Steve Moriarty said that he was on the Route 100 committee that considered all the options for that area. He said that this is nothing like what they would have considered a good fit. He is not supportive of storage units on Route 100.

Councilor Edes said that he is in favor of this. The owner plan is to have shops in the front with the storage units in the rear of the building. The storage units on Route One look very nice and have little impact to the Town. It would be a great tax base for us and he is 100% in favor of it.

Councilor Storey-King said that she will oppose it. She has had some residents of West Cumberland contact her concerned about the traffic that travels through Cumberland and never stops. We don't want to give them a reason to stop. It is upsetting to her the items that the Police have seized from people traveling on Route 100. Sometimes things stored in storage units are not always legal.

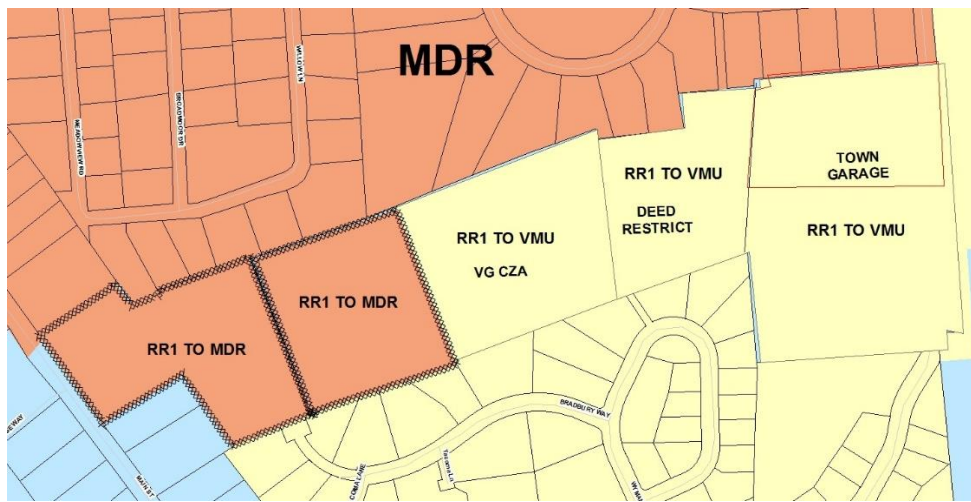
Councilor Turner said that architecturally, storage units can blend in nicely and he agrees with Councilor Edes that they have little impact on the Town.

Councilor Stiles moved to table indefinitely. No second. Motion failed.

Motion by Councilor Bingham, seconded by Councilor Gruber, to not amend Chapter 315 (Zoning), Section 4 (Definitions), and Section 315-14 (Village Center Commercial (VCC) Zoning District) of the Cumberland Code, to allow for storage units in the VCC Zone.

VOTE: 5-1-1 (Edes opposed, Copp abstained)      MOTION PASSES

**18 – 126 To hold a Public Hearing to consider and act on draft Zoning Map amendments to re-zone two lots, one at 255 Main St. (Tax Map U10, Lot 1) and one at 24 Amanda's Way (Tax Map U10, Lot 1A) from the Rural Residential 1 (RR1) Zoning District to the Medium Density Residential (MDR) Zoning District AND to rezone three lots, one at 50 Amanda's Way (Tax Assessor Map U10, Lot 1B), one at 3 Oak St. (Tax Map U10A, Lot 13) and one at 23 Drowne Rd. (Tax Map R03, Lot 54) from Rural Residential 1 (RR1) Zoning District to Village Mixed Use Zoning District (V-MUZ), as recommended by the Planning Board.**



Town Manager Shane explained that there were 5 lots that were sandwiched between the MDR and VMUZ zones after we created the Contract Zone Agreement with Bateman Partners for Village Green. Those lots were in the RR 1 zone and abutting other RR 1 lots that are heavy on the agricultural uses allowed, potentially creating a difficult way of life for abutters. Also, the text in the ordinance refers to the VMUZ zone, but the official Town maps refer to it as VMU zone. The Manager requested a motion to change the maps to match the ordinance language.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Bingham, to amend the official Cumberland zoning map to re-zone two lots, one at 255 Main St. (Tax Map U10, Lot 1) and one at 24 Amanda's Way (Tax Map U10, Lot 1A) from the Rural Residential 1 (RR1) Zoning District to the Medium Density Residential (MDR) Zoning District AND to rezone three lots, one at 50 Amanda's Way (Tax Assessor Map U10, Lot 1B), one at 3 Oak St. (Tax Map U10A, Lot 13) and one at 23 Drowne Rd. (Tax Map R03, Lot 54) from Rural Residential 1 (RR1) Zoning District to Village Mixed Use Zoning District (V-MUZ), as recommended by the Planning Board, **and further** direct the Town Manager to update the overlay and zoning map to be consistent with the Cumberland Code text.

VOTE: 7-0

UNANIMOUS

**18 – 127 To hold a Public Hearing to consider and act on amendments to the Zoning Ordinance, Chapter 315, Section 29 (Lot Regulations), to clarify that corner lots are required to have frontage on only one street, as recommended by the Planning Board.**

Town Manger Shane explained that the interpretation of our ordinance is that frontage be required on two streets for corner lots. The Ordinance Committee looked at it and wanted to clarify it to say that a corner lot only requires frontage on one street, not both. The Planning Board agreed.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Edes, to amend Chapter 315 (Zoning), Section 29 (Lot Regulations) of the Cumberland Code, to clarify that corner lots are required to have frontage on only one street, as recommended by the Planning Board.

VOTE: 7-0                      UNANIMOUS

**18 – 128    To hold a Public Hearing to consider and act on amendments to the Zoning Ordinance, Chapter 315, Section 38 (Animals), regarding animals allowed on smaller sized lots, as recommend by the Planning Board.**

Town Manger Shane said that animals are pretty much allowed in 80% of the Town, in the RR1 and RR2 zones. We want to make restrictions on farm-type animals in the areas with the smaller lot sizes.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to amend Chapter 315 (Zoning), Section 38 (Animals) of the Cumberland Code, regarding animals allowed on smaller sized lots, as recommend by the Planning Board.

VOTE: 7-0                      UNANIMOUS

**18 – 129    To hold a Public Hearing to adopt the Maine Municipal Association Model General Assistance Ordinance and Appendices A-D for the period of October 1, 2018 through September 30, 2019.**

Town Manager Shane said that this an annual adoption and these are the guidelines that we use for our general assistance program.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Storey-King, to adopt the Maine Municipal Association Model General Assistance Ordinance and Appendices A-D for the period of October 1, 2018 through September 30, 2019.

VOTE: 7-0                      UNANIMOUS

**V.        NEW BUSINESS**

**Councilor Bingham** – he invited everyone to stop by the Lion’s Club booth at the Cumberland Fair for some good food. The Lion’s Club awarded \$15,000 in scholarships to Greely Students last year and the booth at the fair every year is their biggest fundraiser.

**Councilor Gruber** – the Aging in Place forum will be on November 3<sup>rd</sup>. We have a very dynamic agenda this year.

**Councilor Edes** – he told the Manager that he would see him Wednesday at the 4-H auction at the fair.



**Councilor Storey-King** – none

**Chairman Copp** – in regard to the relocation of the Public Works garage, the Council wants to do the right thing and they want what is best for the entire Town, but there is no perfect location for it. We want to do it right.

**Councilor Stiles** – the 4-H auction is this Wednesday. We have done very well collecting donations for it. He thanked his fellow Councilors for their support all year.

**Councilor Turner** – none

**Town Manager Shane** – while we continue to search for a Public Works site, we should consider developing a contingency plan for some relief for the Village Green neighbors.

October 15<sup>th</sup> will be a joint meeting with this Council, the School Board and the North Yarmouth Select Board.

**VI. ADJOURNMENT**

Motion by Councilor Bingham, seconded by Councilor Stiles, to adjourn.

VOTE: 7-0                      UNANIMOUS

TIME: 10:28 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary