

MINUTES

Cumberland Town Council Meeting

Town Council Chambers

Monday, February 13, 2023

6:00 P.M. Workshop re: Affordable Housing TIF District Discussion

7:00 P.M. Call to Order

Present: Councilors Copp, Edes, Filson, Foster, Segrist, Storey-King and Vail

I. APPROVAL OF MINUTES

Motion by Councilor Copp, seconded by Councilor Vail, to accept the January 9, 2023, meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

Assistant Town Manager Bolduc said that roads will be posted next week. This is an annual event and roads are posted to heavy loads (any vehicle or combination of vehicles registered for a gross weight greater than 23,000 pounds) in accordance with our Municipal Ordinance. The list of posted roads will be on the Town website and in the Forecaster.

Councilor Segrist gave an update on the Maine Municipal Association Legislative Policy Committee (LPC). The LPC meets monthly in Augusta, and they monitor all the bills that come through the House and Senate. The committee discusses each bill and determines how it can affect municipalities. They are sorted into the following categories: human services, insurance related, labor related, or taxation related legislation. There are some bills that are related to general assistance, temporary assistance for needy families, and an act to amend the law governing property tax stabilization for senior citizens to eliminate the requirement for an annual application. There is also an act from our own Representative Moriarty to clarify the eligibility for property tax stabilization for individuals who are 65 years old or older. There is also an act to eliminate the senior citizen property tax stabilization program altogether and simply expand the homestead property tax exemption. There is an act to authorize the use of TIF funds for constructing or renovating municipal offices and other municipal buildings. The committee meets again this Thursday, and he will update the Council after that meeting.

III. PUBLIC DISCUSSION

No public discussion.

IV. LEGISLATION AND POLICY

23 – 006 To hear a report from the Housing Task Force.

Chairman of the Housing Task Force, Jamie Broder touched on the highlights the following recommendation from the Housing Task Force:

AFFORDABLE HOUSING TASK FORCE RECOMMENDATIONS

Chapter 1: Mandate and Process

On July 26, 2022, the Cumberland Housing Task Force (“Task Force”) was sworn in as authorized by order of the Town Council and attached as Exhibit 1. Members are James (Jamie) Broder, Brian Cashin, Rick Doane, Lu Gallaudet, Betsey Harding, Mark Lapping, Katie Magoun, Eben Sweetser, Gail Witherill, and Justin Wood. Council Liaisons are Councilor Bob Vail and Councilor Mark Segrist. Staff support was provided by Town Planner, Carla Nixon and Christina Silberman, Administrative Assistant. The Task Force convened in Town Council Chambers with a mandate to come back to the Council no later than December 15, 2022 (extended to January 23, 2023) with its recommendations. This Report is the response to the Council’s charge.

The Task Force thanks Carla and Christina for their very strong support of our efforts by providing historical context, a large number of relevant documents, and excellent advice and counsel on what exists, and how it came to be. Most importantly, they were able to communicate the extensive efforts that have gone on over the years, the progress made, and lessons learned. We could not have done this work without them.

Thanks to Mark and Bob for attending each meeting and playing a critical role by making sure that the Council’s processes and views were understood.

A huge thanks to Town Manager Bill Shane who advised us when asked on history, ongoing processes, programmatic options and brought us into the loop on possible projects that might help support the needs identified by the Task Force.

The Task Force elected Jamie Broder as Chair and Lu Gallaudet as Vice Chair. Our process strongly valued consensus and our deliberations sought that goal. The Task Force split into subcommittees to do deep dives on the issues initially identified by the group: Existing and proposed Affordable Housing in Cumberland; Review of the Comprehensive Plan and Zoning; Infrastructure Funding Sources; Land Acquisition, Specific Federal and State Affordable Housing programs; Role of the Cumberland Housing Authority (“CHA”), Housing Tax Increment Financing (“AHTIF”); Impacts of LD2003; and Innovative and Creative Responses to Small Scale Development.

Each of these subcommittees brought their thoughts to the Task Force Meetings for discussion. By mid-November apparent consensus was reached and the Chair was tasked with preparing a brief written executive summary of proposed recommendations and that executive summary served as the focus of the following meeting. Two more detailed, revised iterations of the recommendations were drafted and became the primary agenda item for subsequent meetings. The minutes of all these meetings are attached as Exhibit 2.

This Report reflects the unanimous consensus view of the Task Force. We respectfully submit this Report to the Council for its consideration and action.

Chapter 2: The Center of Excellence Concept and the Role of the Cumberland Housing Authority

In reviewing the information, we have gathered, we are struck by the historical and continuing mention of housing affordability as a strongly held value in Cumberland. No wonder, as median housing prices in Cumberland continue to skyrocket far out of reach of the vast majority of our citizens, or their children, something needs to change. It was clear in the recent Town Survey that Affordable Housing remained a core value across a broad spectrum of residents. It is in our Comprehensive Plan, and in our Zoning. We even have a Housing Authority whose statutory powers are very broad indeed, but which lacks a broad mission statement. What Cumberland needs most is to use the structure it already has with a broader mission to meet today’s municipal needs. The recommendations we now propose can have the effect of creating a Center of Excellence within an existing structure of municipal government with a new broad but clear mission, and the designated human resources necessary to accomplish that mission. That body is the Cumberland Housing Authority (CHA).

Note to Readers: The definition of the terms “Affordable” and “Work Force Housing” (whether in lower case or capitalized) are closely tied to the financing and/or subsidy program or programs associated with the project. There is no universal definition. If a project arises that has no mandated definition of these terms, we recommend that the CHA consider and determine the appropriate definitions for such a project on a case-by-case basis. See Exhibit 3 for program specific affordability standards.

Center of Excellence Concept:

It is true that there is broad participation in the policy and development process of affordable housing from the Town Councilors individually and as a Council, to the Town Manager, the Code Enforcement Officer, the Planning Board and the Town Planner. While they all play a role, no one can claim affordable housing development as their primary mission. The result is that the Town is often forced to be reactive to the approach of developers with ideas rather than affirmatively approaching the issue.

We propose a more proactive process in which the first step is for the Town to decide what it wants and needs, to identify appropriate locations, and then issue Requests for Interest (RFI) from the development community to better focus these efforts. With broad input and the identification of needed assets, the Town decides whether the need can be best met by the CHA, with or without for profit or non-profit partners, or by the marketplace. The Town identifies any incentives that may be associated with such a project. Competitive Requests for Proposals (RFP) to qualified bidders would then be held. As will be noted in detail below, we propose CHA as the Center of Excellence.

Such a process should be the next step after this Task Force expires.

Such a process will establish means and methods to assure that housing developed as affordable stays that way for the long term.

Such a process will give the Town the benefit of competition.

The Cumberland Housing Authority: History and Accomplishments

On July 16, 1991, a Special Meeting of the Town Council heard a report of the Cumberland Affordable Housing Alliance, a distant predecessor to this Task Force, to establish the CHA, and to adopt its bylaws. See Exhibit 4. The immediate purpose of creating the CHA was the development, financing and operation of the 30-unit Cumberland Meadows Senior Housing, and the CHA continues to monitor the operations of Cumberland Meadows.

That being said, the CHA was granted the full range of powers granted under Maine Law. Among the powers granted to the CHA include authority:

1. to build and to operate housing on its own account **or in combination with other private persons corporations, government agencies, or other appropriate body**. Please note the invitation to collaborate with others, both developers, non-profits, and governmental entities without limitation, and the opportunities for creativity in responding to identified needs, are all subject to municipal consultation and approval requirements as set forth below.
2. to conduct studies of housing need and creative means and methods of meeting such needs and making such studies public; thereby keeping a finger on the pulse of the housing needs of the community;
3. to contract for a broad range of services;
4. to lease, rent, insure, and pledge any interest to support financing; and

5. to seek and to receive Federal, State and County grants, gifts and other funds, to hold and invest funds in instruments issued or insured by the United States or agencies thereof and to utilize these funds in part to defray initial increased staff costs for the implementation of the Center of Excellence concept, as well as for approved projects and the other purposes set forth above.

With the above discussion in mind, we propose the following recommendations:

Chapter 3: Recommendation

3.0 CHA: Expand the purposes of the CHA and implement structural leadership within town government as a Center of Excellence through a reinvigorated, fully functioning, and staffed CHA with a minimum of one (1) experienced development officer, with the focus of overseeing and performing the following critical functions:

- 3.1 to develop and implement proactive processes for the identification of needs and solutions through its own research as well as Requests for Interest (“RFI”) and Requests for Proposals (“RFP”);
- 3.2 to administer Affordable Housing obligations under developer and owner covenants using token interests in projects to give it “signature authority” describing its right to enforce such obligations;
- 3.3 to continue to expand its role in the management/supervision of Affordable Housing projects;
- 3.4 to exercise its role as a Center of Excellence, by serving as the administrative contact and facilitator for the use by CHA, non-profits, and developers in the community of programs administered by the Maine State Housing Authority (MSHA), Low Income Housing Tax Credit (LIHTC) 4% and 9% financing, as well as other Department Housing and Urban Development (HUD) 202 grants, HUD mortgage insurance, Section 8 subsidies, Redevelopment Agency (RDA) 515 programs and other federal and state programs; (Please refer to exhibits for additional information.
- 3.5 to serve as the Town’s representative to regional organizations, such as Greater Portland Council of Governments (“GPCOG”) or Cumberland County, dealing with Affordable Housing Policy and Cooperation and as the contact point for urgent or emergency housing needs;
- 3.6 to create and to administer an Affordable Housing Trust Fund and to seek supplemental grants and other non-municipal funding to meet the broad base of CHA mission requirements;
- 3.7 to conduct studies and continue research on creative approaches and best practices and affordability options; and
- 3.8 for the avoidance of doubt, as an agency of the Town of Cumberland, the CHA may utilize the powers granted to it under Maine Law in support of the above, shall comply strictly with the statutory obligation to coordinate its actions with the appropriate municipal office or agency shall include, but not be limited to, requiring prior Town Manager or Council approval for any Project (whether sponsored by only the CHA or in conjunction with any third party), or proposed CHA financial obligations; and that the Executive Director of the CHA shall report directly to and serve at the pleasure of the Town Manager. Pursuant to the

Chapter 4: Recommendation

4.0 Near Term and Long-Term Goals for Affordable Housing: Given the urgent need for affordable housing in Cumberland and the long lead time associated with the development process for such projects, we recommend a near term goal of 150 units of affordable housing to include a mix of workforce housing, age restricted, and non-age-restricted units. The Planning Staff and Town Manager have identified several potential developments that, when complete, will meet a substantial portion of the present unmet demand for affordable housing. The Task Force will also recommend affordability standards for other future projects or portions thereof that are not mandated by other programmatic requirements.

- 4.1 **Establish Affordable Housing Overlay zones** (to include workforce housing) in at least three (3) discrete areas of Town (e.g., West Cumberland, Cumberland Center, Cumberland Foreside) for the development in the near-term goal. The creation of these overlay zones should provide incentives such as density bonuses, AHTIF Districts for infrastructure development, and flexibility in other dimensional requirements as approved by the Planning Board. Projects developed in this zone shall not be eligible to make opt out payments in lieu of development of affordable units. The location of these Affordable Housing Overlay zones shall be the same as the growth areas depicted on the Comprehensive Plan Growth Area Map, attached as Exhibit # 5.
- 4.2 **Promote and support the development of one (1) significant development of at least fifty (50) affordable units in each Affordable Overlay Zone** area with all or a substantial percentage of units being Affordable (including workforce housing) and to be completed within the next three (3) – four (4) years.
- 4.3 **Require a minimum of twenty (20%) of units in any new housing development of 10 or more units in any zone other than the Affordable Overlay Zone allowing such development to be Affordable (to include workforce housing)** for a period of not less than forty-five (45) years to be enforced through deed restrictions and other mechanisms deemed appropriate, to be monitored and enforced by the CHA. Waivers of this requirement may be approved for good cause shown by the joint decision of the Planning Board and CHA for a reasonable portion of the Affordable requirement provided that an opt-out payment to the Housing Trust Fund in lieu of development for each unit granted such a waiver is paid before the issuance of a Building Permit for any unit. The amount of such opt-out payment shall be a material percentage of, but no less than 20% of, the cost of the affordable units waived, as determined by the CHA. These funds will be available for the CHA to develop additional affordable Housing units for unmet needs as determined by the CHA and approved by the Town Manager. There shall be no opt-out option for multiplex developments.
- 4.4 **Recommend the aggressive implementation of the Affordability and/or density mandates set forth in LD2003** through ordinances to include reasonable Affordable Housing obligations, as well as density bonuses related thereto in all the categories of housing under LD2003. We also propose that the Town review and revise its Accessory Dwelling Units (“ADU”) requirements to comply with LD2003 and to consider changes in size limitations based on percentage of existing dwelling. We ask the Council to convene a workshop in the near term to facilitate these discussions.

- 4.5. **Recommend the CHA amend the tenant eligibility standards at Cumberland Meadows** to be non-age limited and to become income/asset based for all subsequent residents not currently residing therein.

Chapter 5: Recommendation

5.0 Housing TIFs: Generally, support the establishment of AHTIF Districts as a tool to support the development of eligible infrastructure. Actively participate in the creation of Affordable Housing TIF Districts as State law now permits. These AHTIFs are administered by the Maine State Housing Authority (“MSHA”) which also administers the Low-Income Housing Tax Credit (“LIHTC”), and such participation increases the proposed project’s scoring and likelihood of an approval. These AHTIF districts are authorized to create a Housing Development Revolving Loan Fund as well as an Investment Fund to purchase property by the municipality. See attached materials in Exhibit 6.

Chapter 6: Recommendation

6.0 Empowerment of Local Volunteer Resources and Creative responses to Affordable Housing Needs: As part of the Center of Excellence concept, the Task Force recognizes the continuing mission of non-profits organizations to meet the needs of Cumberland residents. We propose that the CHA support and facilitate the research on, placement of and participation in the development of creative housing options proposed by non-profit organizations. Programs such as the HUD Section 202 Capital grant program focused entirely on non-profit sponsored projects has developed over 250,000 units of housing with services for low-income elderly people. Several of these projects exist in the Portland Metro area today. Technical assistance in these efforts was critical to their success. Many of the ideas brought to the attention of the Task Force are already happening in the region. For example, a limited equity housing coop in Portland sponsored by the Cooperative Development Institute; Tiny Homes up to 600 square feet in size created by 3-D printers at the University of Maine’s Advance Materials Laboratory; and Transitional Housing sponsored by GPCOG, and similar programs and facilities to meet emerging and emergent needs of Cumberland residents, as circumstances arise.

Chapter 7: Recommendation

7.0 Support Housing for Cumberland Residents and Their Families: The development of Cumberland Meadows in 1991 was a reaction to the needs of many Cumberland elders who could no longer live safely in their own homes. It has met that mission, but it is not enough. In 2022, given the cost to buy a house and the lack of even reasonably priced apartments to come home to and start a family, the ability of our grown children and extended families to come back home to Cumberland is very limited. How much of Cumberland’s work force can afford to live in Cumberland? We support reasonable priorities for occupancy by residents of Cumberland and their families and non-residents who work in Cumberland as consistent with requirements of the Fair Housing Act.

Chapter 8: Summary and a Note on Process

There is a housing affordability crisis in the nation, in Maine, in Cumberland County, and in our Town. That isn’t a question, it is a fact. The Council recognized this situation and asked the Housing Task Force, a group of ten Cumberland residents, to examine these issues and to come together to make recommendations to the Council. This was no small task.

We are a diverse bunch. Some of our families have ancestors buried in Cumberland, and others came to Town very recently. Some are young and some are old. Some have or will have kids in school, and some have or will have grandkids who live here or away and would love to come home. We live in the Center, on the Foreside and in West Cumberland. Our experiences vary widely as do our values, and our opinions. Some of us are Republicans and some Democrats or Independents. This kind of diversity can sometimes become a barrier to consensus, as world views and politics can vary widely. We all held our views passionately, but yet, here we are with a unanimous report, a finding of common ground based on common values.

Politics is “the art of the possible.” The possible starts with trust, and respect for each other’s views. If there is no trust, there is no way to reach an agreement. If there is no respect, there is no way to reach agreement. There is just conflict. We began this process by sharing each of our backgrounds, and why we wanted to be on this Task Force, as we were all volunteers. We spent the whole first meeting and much of the second in that process sharing our substantive views and our desires to make a difference. At the end of the second meeting, the group elected its leaders. The third meeting was an overview of the issues, resources, programs, and discrete challenges we would face and the creation of sub committees to deal with one or more of those issues. Each member was asked to listen to the overview and then, at the end of the meeting, select from the list of issues those which they found most important or interesting. Everyone selected at least one area of interest, and many took on multiple issues.

Then we went to work.

Ideas morphed into proposed solutions and solutions into recommendations. The next series of meetings had reports of the subcommittees and discussions of the ideas and proposals with the whole task force who shaped and refined the proposals until it became clear that there was an emerging consensus on an approach if not yet on all the details of implementation. We examined a brief outline level first draft attempt to synthesize the recommendations in outline form and presented that for discussion at the next meeting. Most of the recommendations were accepted by the group, but with many amendments. The next draft was a much more detailed version and several issues with a broad range of views were crafted into acceptability by the group. The report above is the result of the final editing process and unanimous acceptance.

This process was an essential exercise of the political process. No one has all the answers. Everyone was invited to participate. By sharing, by listening with open minds, and by trusting the good will of all around the table, we were able to craft a thoughtful and actionable set of recommendations that build on the institutions and processes that have already existed for years in our Town.

Chairman Foster asked for any public comment.

No public comment.

Motion by Councilor Segrist, seconded by Councilor Filson, to accept the report as presented by the Housing Task Force.

VOTE: 7-0 UNANIMOUS

23 – 007 To appoint Devon Galvan as Aging in Place Director and to hear a report re: Aging in Place program.

Chairman Foster asked for any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Copp, to appoint Devon Galvan as Aging in Place Director.

VOTE: 7-0 UNANIMOUS

Devon presented the following update on the new Active Living Cumberland 55+ programs:

Aging in Place is now Active Living Cumberland 55+!



The focus is on living an active life and engagement in the community, not aging.

Community Projects:

Fall Cleanup with the Football Team



High School Madrigal Singers



Walking Group



Handy Helper and the CAR Program

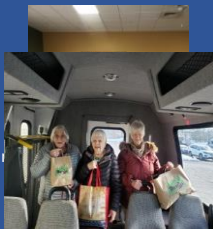
- The CAR Program provided 318 rides in 2022
- 9 new drivers since November
- No rides denied due to volunteer shortage
- Handy Helpers
 - New coordinator Beth Fox



Village Green

Model for working with 55+ communities

- BINGO
- Fire Department Health Talks
 - Dan Small has presented on Asthma management, Diabetes management, and COPD
- Monthly shopping trips
- Monthly rides to programs in the community:
 - Tree Lighting, Holiday Concert at the PAC, and Mornings with Friends



Town/Community Partnerships

Library- Book Delivery

Public Works- Sand Bucket Deliveries December and February 24th

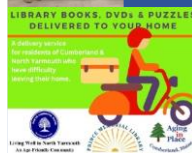
Home Depot donated Winter Safety Kits

Allison Foster Town Council Presentation 3/9 5pm

Fire Department BP checks once a month starting 2/17

Aftercare Valentines-Hawthorn Ct

School Valentines-Village Green



2023 Goals

- Winter Safety Kits Delivery with Home Depot (February)
- Singing Group-Martha Smith (March)
- Luncheons once a month: SMAA Mini Grant(April)
- Grandparent/Grand Friend Ice Cream Social
- More multi-generational partnerships: Sports teams (Summer/Fall)
- Programs at the new center: BINGO, concerts, educational presentations, social events, and holiday events (April)
- New and exciting 55+ programming through the Recreation Department

23 – 008 To hear a report from the Lands & Conservation Commission re: Rines Forest Management Plan and to consider and act on acceptance of the plan.

Sally Stockwell of the Forestry subcommittee of the Lands & Conservation Commission explained that the Forest Management Plan that was included in the meeting materials to the Town Council is an amended plan from the one previously adopted. It was amended because we now have three additional properties that were added to the original Rines Forest, and the Forestry subcommittee wanted to take a fresh look at managing the entire forest. Paul Larrivee, our Town Forester, went out to look at the three newest parcels, took an inventory and made a recommendation on the management of the entire parcel. The recommendation really fits with our guiding principles for forest lands in our community, which includes things like trying to increase the diversity of the forest and growing an older more structurally complex forest. The biggest challenge that we have before us is the invasive species. Our Town Forester is in the process of putting together a plan to address the invasive species. There are 60 acres in the plan that are referred to as a reserve area. This area includes a lot of steep areas in the forest with streams coming through, and a lot of hemlocks that cover the area. The committee felt that due to the steepness of the terrain, and the water features, it makes sense to not do any harvesting in that area.

Chairman Foster asked for any public comment.
No public comment.

Motion by Councilor Filson, seconded by Councilor Vail, to accept the Rines Forest Management Plan as recommended by the Lands & Conservation Commission.

VOTE: 7-0 UNANIMOUS

23 – 009 To authorize the Lands & Conservation Commission to spend the \$50,000 Community Resilience Partnership Community Action grant.

Chairman of the Lands & Conservation Commission, Mike Schwindt explained that Denny Gallaudet applied for this grant a while back and we were fortunate to receive \$50,000. \$30,000 will be used for an electric mower for our Parks Department, \$10,000 will be spent to solicit an engineering analysis and RFP bid document for a retrofit of the natural gas heating system at Prince Memorial Library, and \$13,000 will be spent to provide education for residents on how to naturalize the landscaping of their property to maximize carbon sequestration by natural systems.

Chairman Foster asked for any public comment.
No public comment.

Motion by Councilor Vail, seconded by Councilor Copp, to authorize the Lands & Conservation Commission to spend the \$50,000 Community Resilience Partnership Community Action grant as presented.

VOTE: 7-0 UNANIMOUS

23 – 010 To hold a Public Hearing to consider and act on a liquor license renewal for Flannel Shirt Food Company, LLC (d/b/a/ Dara Bistro) for the period of March 27, 2023 to March 27, 2024.

Chairman Foster opened the Public Hearing.
No public comment.
Chairman Foster closed the Public Hearing.

Motion by Councilor Segrist, seconded by Councilor Vail, to approve the liquor license renewal for Flannel Shirt Food Company, LLC (d/b/a/ Dara Bistro) for the period of March 27, 2023 to March 27, 2024.

VOTE: 7-0 UNANIMOUS

23 – 011 To appoint Jennifer Doten, Registrar of Voters.

Chairman Foster asked for any public comment.

No public comment.

Motion by Councilor Copp, seconded by Councilor Storey-King, to appoint Jennifer Doten, Registrar of Voters.

VOTE: 7-0 UNANIMOUS

23 – 012 To reappoint a member to the Planning Board.

Chairman Foster explained that we have one re-appointment of a Planning Board member that was missed when we did our annual board/committee appointments.

Chairman Foster asked for any public comment.

No public comment.

Motion by Councilor Storey-King, seconded by Councilor Copp, to reappoint Ann Sawchuck to the Planning Board for a 3-year term.

VOTE: 7-0 UNANIMOUS

23 – 013 To consider and act on sending a Town Council resolution to the Rail Use Advisory Committee and the Commissioner of the Maine Department of Transportation.

Chairman Foster explained that a Rail Use Advisory Committee was formed in early 2022 and our Town Manager served as Chairman of the committee. The committee wrapped up at the end of January. Councilor Storey-King brought this item forward.

Councilor Storey-King read the following proposed resolution:

Town of Cumberland Resolution in Support of Rail

Whereas the Town of Cumberland was asked to support the Rail Use Advisory Council established by Maine LD 1133, and

Whereas Cumberland Town Councilors supported creation of the RUAC so that Cumberland “could have a seat at the table,” and

Whereas a Cumberland Town Councilor was not appointed to the RUAC by Commissioner Bruce Van Note as was a condition of our support of the RUAC, and

Whereas the landowners abutting this land corridor were not represented on the RUAC, and

Whereas the Town of Cumberland currently has no public access to the Portland to Auburn rail land, and

Whereas the Town of Cumberland does not expect to gain any economic benefit from the establishment of a trail, and

Whereas it is not understood where the funding for the development of any of the proposals would come from and the Town of Cumberland has more immediate budget priorities, and

Whereas the Town of Cumberland has two parallel transportation arteries (Route 1 and Route 88) with paved shoulders that are safely ridden by bicycles, and

Whereas the State of Maine is seeking to aggressively address Climate Change, and reestablishing a passenger rail among the communities from Portland to Auburn would be an actionable step in meeting these goals:

Now, therefore be it resolved that the Cumberland Town Council rejects the RUAC plurality recommendation to completely remove the existing rail line and replace with a recreational bike path on the SLA rail corridor, and furthermore,

The Cumberland Town Council insists that the MDOT Commissioner inform and attempt to include landowners abutting the railroad by registered mail of plans for the future use of this corridor, and furthermore,

The Cumberland Town Council supports and actively requests that the MDOT Commissioner aggressively pursue the establishment of a more robust commuter rail system across the state of Maine to provide sustainable public transportation, including the SLA line from Portland to Auburn.

Chairman Foster said that she realizes that Councilor Storey-King is very passionate about this and she appreciates her moving through the process with the Council.

Councilor Segrist echoed Chairman Foster's appreciation and said that he realizes that Councilor Storey-King is an abutter, so this hits closer to home for her than it does for others who think about this topic conceptually. He is in favor of a resolution, and he particularly likes the portion that she added at the end that talks about pushing passenger rail, but he would be remiss to sign on to something that implies that he is not supportive of a trail. He has been clear throughout this process that he is supportive of a trail. Of the 15 members on the RUAC, 12 voted in some fashion in support of a trail. 86% of the 700 comments submitted supported a trail. It is important to have abutters involved and he has given this a lot of thought. How could you get abutters input as to if they support something when you don't even know what you're proposing? He also has concerns about putting a resolution forward that seems to contradict our Town Manager, Bill Shane's vote, which was a trail with a rail. He supports a resolution but feels that a trail should be part of it. He is not in support of the resolution as presented.

Chairman Foster said that the goal of the RUAC is to see which recommendation is worth pursuing to go to the next step. Their task was to look at the rail line and determine what a different use look like and what should be pursued as the next step.

Councilor Filson said that she read an article last week about the rail/trail in Vermont. It described how you could go through their trail corridor during leaf peeping season and stop in the Towns for lunch or shopping. This is not necessarily just about Cumberland, but about the wider area. Maine was nominated for 11 James Beard Awards this year. That is a very big deal, and she feels that we should not assume that we will not see any economic benefit from a trail.

Councilor Vail said that he would like to consider tabling this item. We received a letter from Nat Tupper, Yarmouth Town Manager, requesting the formation of a group to gauge the interest of the communities on the

trail. The lack of regional planning and collaboration in our communities has bothered him for decades. His request feels very late to the game. He read the following letter that he sent to his fellow Town Councilors: *I would like to share a few thoughts on Mr. Tupper's request. I believe we need to be visionary, and a rail trail is not. We talk about the need for affordable housing and yet we can't come together and have regional planning. We will not consider expansion of business to where there is an available pool of workers i.e., the Roux Institute at the former B & M Plant. One has only to look to the Jay Livermore Falls area as one example of a ready workforce with affordable housing and no jobs. If we can't agree on regional planning, we have no business promoting a bike trail that is frankly not for the working class but for the expansion of our unaffordable community. To my way of thinking the challenges we face as a Council are not bound by our borders and our leadership will have implications that will resonate beyond. Better to base our goals on idealism and bring the conversations up a notch or two than settle for less.*

He added that he appreciates Councilor Storey-King's concerns, but as a Town Councilor, they lose the ability to advocate for themselves, but rather have to advocate for the entire community.

Motion by Councilor Copp, seconded by Councilor Edes, to endorse a Town Council resolution, as written, to the Rail Use Advisory Committee and forward the resolution to the Commissioner of the Maine Department of Transportation.

VOTE: 3-4(Segrist, Foster, Filson and Vail opposed) MOTION FAILS

23 – 014 To set a Public Hearing of February 27th to consider and act on the formation of an Affordable Housing TIF District, as recommended by the TIF Committee.

Motion by Councilor Copp, seconded by Councilor Vail, to set a Public Hearing of February 27th to consider and act on the formation of an Affordable Housing TIF District, as recommended by the TIF Committee.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Copp – He donated \$20 to the 4-H fund that benefits the Food Pantry and urged others to give to this worthy cause.

Councilor Filson – The Coastal Waters Commission met recently and reviewed the master plan for the float expansion and how the eelgrass might be impacted. The consultant reported that his findings were consistent with those of the DEP, that our plan would have minimum impact on the eelgrass. The next step is to get formal approval from the DEP and Army Corps. The homeowner's association no longer wants any involvement in the float, but they are asking for space to store kayaks and paddleboards. It was suggested that perhaps Public Works could build watercraft storage on land that everybody in the community could use. Our Harbor Master, Ben Burnes shared that Falmouth has 2-4 dinghies that are owned by the Town and are there for anyone to use to row out to their mooring, get their boat, and bring the dinghy back. He will get more information on this and bring it to the next meeting. We also learned from the DEP that the average expectation Statewide is that the sea level will increase 1.5 feet by 2050. This will be interesting to see because if that happens the beach area at Broad Cove could be totally submerged at high tide.

Councilor Vail – He would like to express his appreciation for all of the support, prayers and help during his recent convalescence and hospital stay. He has a newfound respect for a lot of things and hopefully the humility to go with it. He now realizes that his time remaining must be spent on more important things.

Councilor Segrist – He extended his thanks and appreciation to the 10 members and 2 staff members of the Housing Task Force for their many, many months of hard work and dedication and putting a detailed report together for the Town Council.

On January 31st, he attended a Greater Portland Council of Governments event regarding building trust in your community. In attendance were Town Councilors and Town Managers, and the topic of discussion was how to get your message out to the broadest range of folks in your community and how you help to build trust and engagement.

Councilor Edes – No new business.

Councilor Storey-King – The Ordinance Committee met last week with the Town Attorney and reviewed several documents related to the Route One Design Standards, LD2003 as it relates to accessory dwelling units and other issues related to LD2003. The Town Attorney said that we should be ready with our ordinance changes related to LD2003 if it passes as presented. These items should be coming forward to the Town Council soon.

Chairman Foster – Budget workshops begin on March 27th for the Town Council. They will be held from 5 – 7 p.m. prior to Council meetings on March 27th, April 10th and 24th and wrapping up on Saturday May 6th starting at 8 a.m.

She will be at the next coffee chat on March 9th at 6:00 p.m. to discuss how to get involved in our community by running for public office.

Jeff Porter and Scott Poulin did a presentation last Monday regarding the short-term space plan for the school. They talked about larger modulars, moving modulars, and planning for the space issue more effectively. The School Board is meeting this evening to discuss the long-term plan and revisiting the need for a new school.

VI. ADJOURNMENT

Motion by Councilor Segrist, seconded by Councilor Edes, to adjourn.

VOTE: 7-0 UNANIMOUS

TIME: 9:32 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary