

# **PROPOSED DROWNE ROAD AFFORDABLE HOUSING PROJECT**



## **FREQUENTLY ASKED QUESTIONS (FAQ)**

**LAST UPDATED Feb. 28, 2024**

# THE ISSUE

## WHAT IS THE ISSUE?

Right now, there is a [critical shortage](#) of affordable housing in our town and across our state, region, and country. In Cumberland, the median home sale price has grown so rapidly over the last decade (*i.e.*, from \$350,000 in 2013 to over \$800,000 today, a 132% increase) that currently 3 out of 4 Cumberland residents could not afford to purchase a median-priced home in Town if they tried to purchase one today.

## HOW DOES THIS AFFECT CUMBERLAND?

The lack of affordable housing options in Cumberland, particularly rental units, creates an economic barrier that not only limits the type of people (*e.g.*, young families, seniors living on a fixed income, etc.) and professions (*e.g.*, teachers, firefighters, police officers, etc.) who can afford to live here, but prevents many Cumberland residents from aging in place or those with previous connections to Cumberland from moving back to the community they grew up in.

## WHY IS THE TOWN CURRENTLY FOCUSED ON THIS ISSUE?

Cumberland has long supported the construction and availability of affordable housing. For instance, in the Town's [2014 Comprehensive Plan Update](#) (which carried forward many of the policy objectives found in the 2009 Comprehensive Plan), it reinforced that the Town should seek to "... make available quality affordable housing for people of all income levels." See 2014 Comp. Plan at 3.

## HOW DO CUMBERLAND RESIDENTS FEEL ABOUT AFFORDABLE HOUSING?

According to the [2014 Community Survey](#), which accompanied and drove much of the policy recommendations in the 2014 Comprehensive Plan Update, "73% [of polled residents] support town policies that would encourage affordable housing for elderly households" and that "[a] majority support policies that would encourage the development of affordable housing for young families." See 2014 Comp. Plan at 9. The Town conducted another [Community Survey in 2022](#), in which more than 1,700 residents participated and in which 58% of respondents "supported" some form of affordable housing in Cumberland, including 63% supporting affordable housing for young families and 76% supporting affordable housing for seniors. See 2022 Cumberland Community Survey at 40-41.

# THE PROJECT

## WHAT IS THE PROPOSED PROJECT?

The proposed project consists of three separate, three-story buildings to be constructed on Drowne Road and made up of 71 one-bedroom units (with 36 being reserved for seniors), 21 two-bedroom units, and 15 three-bedroom units, for a total of [107 affordable housing units](#) for households earning less than 60% of the [Area Median Income](#) (AMI). A location map and site plan of the proposed project is [available here](#).

## WHO IS THE PROPOSED DEVELOPER?

[Westbrook Development Corporation](#) (WDC), a local, mission-based non-profit specializing in the construction, maintenance, and operation of affordable housing units throughout Maine and the region.

**WERE OTHER DEVELOPERS APPROACHED FOR THIS PROJECT? IF SO, WHY DID THEY NOT RESPOND TO THE INITIAL REQUEST FOR PROPOSALS (RFP)?**

Yes. In addition to Westbrook Development Corporation (WDC), the Town issued its Request for Proposals (RFP) to Avesta Housing, Bateman Partners, Kevin Bunker, and Oceanview. However, only WDC ultimately ended up submitting a response to the Town's RFP. While we do not know for certain why the other developers did not submit a response, it could be due to a variety of reasons, such as already having too many projects in the pipeline (e.g., currently stretched too thin financially or from a project perspective) or concerns over being able to achieve the necessary level of funding/tax credits from the Maine State Housing Authority (MHSa), as such projects can be extremely competitive and funding is not guaranteed.

**WHAT ARE THE INCOME LIMITS?**

The affordable housing units would be available to households earning less than 60% of the [Area Median Income](#) (AMI), or anywhere from \$49,740 to \$70,980, depending on the number of individuals within the household.

**WOULD THE UNITS BE RENTED OR OWNED?**

All the 107 units would be rentals.

**WHAT WOULD THE MONTHLY RENTS BE?**

The monthly rents would be \$1,332 for a one-bedroom unit, \$1,597 for a two-bedroom unit, and \$1,647 for a three-bedroom unit.

**WHO DETERMINES WHAT IS AFFORDABLE FOR THIS PROJECT?**

The [U.S. Department of Housing & Urban Development](#) (HUD) and the [Maine State Housing Authority](#) (MHSa).

**WOULD PETS BE ALLOWED IN THE UNITS?**

At most of Westbrook Development's properties, residents are allowed one pet per apartment.

**ARE THERE UNITS RESERVED FOR SENIORS?**

Yes. In addition to the 36 one-bedroom units exclusively reserved for seniors, the remaining units (e.g., one-bedrooms, two-bedrooms, or three-bedroom units) are "non-age restricted," and therefore, seniors meeting the income requirement would still qualify.

**WHO MIGHT LIVE IN THESE UNITS?**

Given the income restrictions, the typical renter of a one-bedroom unit could be a public works equipment operator earning \$44,000 per year or a senior living on social security earnings of \$49,000. On the other hand, the two-bedroom units could house a young couple (e.g., retail or daycare worker, etc.) or a single teacher with one child earning \$55,000. Finally, the three-bedroom units could potentially house a teacher with two children earning \$62,500 or an EMT/paramedic and daycare worker with two children earning less than \$63,900.

These are just **examples** of typical renter profiles according to the developer, Westbrook Development Corporation (WDC).

**CAN THE UNITS BE RESTRICTED TO CUMBERLAND RESIDENTS ONLY?**

No. [Federal Fair Housing laws](#) prohibit the Town or developer from restricting the units to Cumberland residents only.

**IS THERE ANYTHING THE TOWN CAN DO TO HELP PROMOTE THE UNITS TO CUMBERLAND RESIDENTS OR INDIVIDUALS WITH STRONG CONNECTIONS TO CUMBERLAND?**

While the project itself cannot restrict tenants to Cumberland residents due to [Federal Fair Housing laws](#), the Town, its residents, and the developer can exercise their best efforts to lawfully market and promote the new units to current Cumberland residents or those with strong connections to Cumberland. This could include promoting or marketing the project at Town Hall, at local farmer's markets, or in the local schools, to name a few options.

**CAN SOME OF THE UNITS BE RESERVED FOR MUNICIPAL EMPLOYEES (OR BE USED TO RECRUIT INDIVIDUALS FOR TOWN EMPLOYEE POSITIONS)?**

While the units cannot be reserved for Town employees due to [Federal Fair Housing laws](#), the income requirements tied to these apartments will align with many municipal positions and offer housing opportunities that otherwise do not exist within the community.

**WHAT HOUSING OPTIONS WILL BE AVAILABLE FOR RECENT GRADUATES?**

Recent graduates are eligible to live in these apartments, so long as they are income eligible. Unfortunately, current rental stock in Cumberland is almost non-existent (making up only approximately 7% of Cumberland's current housing stock). Furthermore, because it often takes time to be ready financially to purchase a first home, this may be one of the few housing options available for recent graduates.

**HOW WILL NEW RESIDENTS (TEACHERS, FIREFIGHTERS, POLICE OFFICERS, ETC.) BE ABLE TO BUY A NEW HOUSE HERE IN TOWN?**

Having affordable rental units available for individuals working within our community will help create the opportunity for them to potentially save enough money over the years for a down payment to be able to purchase of a home here in Cumberland.

**WILL THESE UNITS BE SMOKE-FREE FOR PUBLIC HEALTH AND SAFETY REASONS? WILL THESE UNITS HAVE ELEVATORS AND ADA ACCESSIBILITY?**

Yes. These buildings are required by the Maine State Housing Authority (MSHA) to be smoke-free facilities. They are also required to have ADA accessible units and will have elevators for ease of use for residents.

**HOW DO WE KNOW WHETHER THESE UNITS WILL BE WELL BUILT (PROPER INSULATION, SOLAR, THAT SORT OF THING)? LET'S DO IT RIGHT THE FIRST TIME AND SAVE ENERGY COSTS FOR THE FUTURE, BOTH FOR TAXPAYERS AND RESIDENTS.**

Maine Housing (MSHA) requires new construction projects be built to higher sustainability standards than most local building codes. MSHA's construction standards focus on additional insulation and air tightness of the building envelope, as well as incorporating non-fossil fuel heating systems. In addition, projects are required to be solar and electric vehicle ready. WDC currently has two buildings under construction that will have solar panels on the roof, underground conduit in place for future EV charging stations, and efficient heat pump HVAC systems. WDC will include tenant utilities as part of the rent and therefore will be further incentivized to make the buildings as energy efficient as possible. The taxpayers of Cumberland will not have any financial connection to the energy costs of the buildings.

**WHY IS THE PROJECT SO BIG?**

To take advantage of economies of scale and ensure unit affordability over the next 45 years, the project needs to have enough units to justify the overall costs of construction and operation. For this reason, the developer proposed three buildings consisting of a total of 107 units to include 36 “senior” units and two “non-age restricted” buildings to meet both the affordable housing needs in our community, as well as to achieve the financial return necessary to ensure a quality-run operation over the life of the project.

**COULD THIS PROJECT HAVE MOVED FORWARD WITH ONE BUILDING (WITH 50 UNITS) ON DROWNE ROAD TO LIMIT THE DENSITY AND IMPACT AT THAT LOCATION?**

Likely not due to increased construction costs, interest rates, and the economies of scale needed to make the project pencil out financially.

**WHAT MECHANISMS DO OUR CITIZENS HAVE TO STOP LARGE-SCALE APARTMENT STYLE COMPLEXES FROM BEING BUILT? ADDITIONALLY, IF THE THREE PROPOSED PROJECTS PROCEEDED WOULD NOT THE TOWN POPULATION BE INCREASED BY OVER 10%?**

Under the [Town’s Charter](#), residents have the right to challenge certain Council actions and ordinance changes through a citizen’s referendum. Additionally, it should be noted that the Town’s population is around 8,600. Therefore, if 250 people move in (which is considerably higher than what is anticipated from this project) that would result in approximately a 2.9% increase, not a 10% increase as alluded to above.

**IS THE LAYOUT/DESIGN IN THE TOWN MANAGER’S REPORT FROM DEC. 11, 2023, THE FINAL DESIGN?**

The layout/design is currently conceptual in nature, as there is still a lot more work to come and Planning Board input along the way. The most updated project design/layout is [available here for viewing](#).

**WERE ANY ALTERNATIVE LOCATIONS CONSIDERED FOR THIS PROJECT? IF SO, WHY WERE THEY REJECTED?**

Yes. Stiles Way was also considered for this project. However, constructing affordable housing on Stiles Way did not solve the issue facing our schools, [Community Recreation Programs](#), and the [Cumberland North Yarmouth Little League](#) (CNYLL); namely, a shrinking number of baseball and softball fields and a facility that has served its time and now needs a considerable upgrade. The Town Manager, Finance Committee, and a majority of the Town Council also felt that it was more appropriate to utilize [Tax Increment Financing \(TIF\)](#) funds to construct the new ballfields and parking, as opposed to monies from the Town’s General Fund, which would directly impact/increase resident property taxes.

**COULD THIS PROJECT BE BUILT ON STILES WAY?**

Yes, but see response above.

**WHAT ARE THE OTHER “BUILDING PADS” FOR ON THE CURRENT PLANS/DRAWINGS?**

Potential future building sites by the Cumberland Housing Authority (CHA) or overflow parking, if needed.

# THE TIMING

**WHY DOES THIS PROJECT NEED TO HAPPEN NOW?**

There is currently an urgent and [critical need](#) for more affordable rental housing options in Cumberland, as well as in our state, region, and country, and the sooner communities take appropriate actions to address this issue, the sooner it will be resolved. Additionally, the availability of Maine State Housing Authority (MSHA) funding is also a concern, as funding is not always guaranteed and can change based on the administration.

#### **WHY IS THE TOWN PURSUING THIS PROJECT WHEN THE SCHOOLS ARE OVERCROWDED?**

The reality is that, even if the Town were not considering this project at this time, a new school would still be needed and would likely be built within the next few years. The new school proposal will potentially be on the ballot in June 2024, and it is estimated that the costs will be considerably less than the original plan proposed on 80 Gray Road. Lower student populations over the last few decades caused the Maine School Administrative District (MSAD51) School Board of Directors to give two (2) schools back to the respective towns (*i.e.*, Memorial School in North Yarmouth and Drowne Road School in Cumberland); however, we are now seeing an uptick in our school-age population, but the schools have fewer buildings with which to address the overcrowding issue. In other words, a new school is needed regardless of whether this project moves forward.

#### **WHY CAN'T WE WAIT UNTIL WE SEE HOW THE COSTS OF THE (POTENTIAL NEW) SCHOOL WILL AFFECT THE TAX BURDEN?**

In the developer's experience, and according to industry standards, the proposed 107-unit project could expect to have anywhere from 20 to 36 children (as industry standards estimate 0.7 children for any additional bedrooms over one, and not all additional rooms have children). According to our School Superintendent, an additional 20 to 36 children would have little to no impact on the schools given the fact that children will most likely be spread out over 13 (and perhaps someday 14) grade levels (*i.e.*, Pre-H, K, 1-12). Therefore, the potential addition of anywhere from 20 to 36 additional children in the school system several years from now should not dramatically affect the costs of the potential new school already in the works.

#### **WHY CAN'T WE WAIT UNTIL AFTER THE TOWN'S PROPERTY REVALUATION OCCURS?**

A property revaluation has little to do with increasing property taxes or property tax revenues (as those are based on the Town's budget, which changes each year), but rather, more about tax equity. For instance, if you made considerable improvements to your property over the last several years and such values were not reflected in your assessed value, you would effectively be "under-paying" on your property taxes, say, in comparison to your neighbor with a similar house without such improvements. A property revaluation would correct that issue so that both properties were brought or "trued up" to their correct/current assessed value. Once done, you would not owe the Town for any back taxes for the difference, but rather moving forward, the playing field would be leveled for you, your neighbor, and all Cumberland residents. Here is a quick example of how the math might work: if your home was appraised at \$500,000 before the revaluation, you would owe \$11,075 in taxes (based on a Mil Rate of \$22.15). After revaluation, if your new appraised value was \$850,000, you would owe \$11,050 (a reduction of \$25) in property taxes moving forward (based on a Mil Rate of \$13.00). Thus, in some cases, a property revaluation might ultimately end up with certain residents paying less in property taxes, because the higher the valuation of the Town (*i.e.*, the more improvements that are made or the more homes that are built), the lower the Mil. Rate (*e.g.*,

Mil. Rate = Town + County + School Budgets / Value of Town). A revaluation is also required by State law every few years to ensure property values are in line with current market-based trends and statutory standards.

# THE IMPACT

## HOW WILL THIS PROJECT AFFECT MY PROPERTY TAXES?

### **New Housing Development:**

Paved Roads – *Paid for by Developer.*

Trash Collection – *Paid for by Developer.*

Grounds Maintenance – *Paid for by Developer.*

Building Maintenance - *Paid for by Developer.*

Police - 10,000 Call for service per year - **\$190 per call x estimate 12 calls per year = \$2,280**

Fire – EMS 1,251 Calls for Service per year - **\$1,039 per call x estimate 12 per year = \$12,468**

Town Roads use about 19% of town budget - **\$40,000 per year x 19% of \$40,000 = \$8,000 per year**

### **This exercise would result in the following municipal impacts per year:**

Solid Waste, Building & Grounds \$ 0

Police \$ 2,280

Fire & EMS \$12,468

Road Tax? \$ 8,000

Traffic Calming \$15k/10yr \$ 1,500

**\$24,248 per year**

### **What about Education then?**

It is estimated by the developer based upon 70% of the additional bedrooms over will occupy 1 child. That could result in up to 36 children.

A 96-unit apartment complex plus 45 single family homes on RT 1 currently has 12 children. The numbers provided by the developer, while conservative, seem a bit high for what may be happening especially with 2-bedroom apartments, where typically that can become a roommate situation. Dividing the # of children by the cost of education to us this year yields \$16,230 per child.

$\$23,103,879$  (Education Costs to Cumberland) /  $1,423.50$  (Total Cumberland Students) =  $\$16,230$  per student     [For additional information regarding education - Click Here.](#)



**How does this break down for my taxes?****Town Services**

\$24,248 (estimated annual cost)/ 1,600,000,000 (value of Town per thousand)  
= .015/ thousand of value OR **\$1.50 per \$100,000 of value**

**Education per child**

\$16,230 (estimated annual cost)/ 1,600,000,000 (value of Town per thousand)  
= .01/ thousand of value OR **\$1.00 per \$100,000 of value**

**WHAT ARE THE RESIDUAL AFFECTS OF THIS PROJECT TO OUR TOWN?**

If this project moves forward, the additional affordable housing stock would create diversified housing options for people in our town and in the surrounding area, including for people who are looking to downsize, or who encounter new family situations, such as those looking for housing after life-changing event (e.g., divorce, death in the family, etc.), or wanting to move closer to work or family.

**HOW WILL YOU CONTROL THE FLOW OF TRAFFIC ON DROWNE ROAD?**

To help mitigate and control the flow of traffic on Drowne Road, the Town will work with the developer to ensure there is an entrance/exit on Tuttle Road. The Town will also ensure this project goes through the Planning Board to ensure all current traffic standards are met and to implement traffic-calming measures on Drowne Road, where appropriate.

**WHAT WILL THE IMPACTS BE TO THE SCHOOLS, FIRE AND EMS SERVICES, POLICE, ETC.?**

See response to "How Will This Project Impact My Property Taxes?" above.

**CAN YOU PLEASE HELP EXPLAIN THE ECONOMICS OF TAX INCREMENT FINANCING (TIF)?**

[Tax Increment Financing \(TIF\)](#) is a flexible financial tool used by municipalities to leverage new property taxes generated by a specific project or projects within a defined geographic district (e.g., TIF District 8, etc.). Any portion of the new taxes generated may be used to finance public or private projects, including the construction of affordable housing, for a defined period for up to 30 years. TIFs are economically beneficial to municipalities because the Town's budget is funded primarily through property taxes. Property taxes are dependent upon the valuation of all real property within the Town. Property values impact: (1) the amount of money the Town receives from the state for education; (2) the amount of money the Town receives as its share in state income and sales tax, known as municipal revenue sharing; and (3) the amount of money the Town pays in taxes to fund Cumberland County government and services. The higher the valuation of the Town, the more the Town pays in taxes and the less it receives from the state in revenue sharing and state aid to education. In other words, by failing to shelter certain geographic areas/projects in a TIF district, municipalities can expect: (1) less state aid for education; (2) less municipal revenue sharing dollars; and (3) more county taxes.

**IS THE TOWN GOING TO PAY \$3M TO CONSTRUCT BALLFIELDS ON STILES WAY? IF SO, IS THIS GOING TO INCREASE MY TAXES?**

While the final cost of any replacement ballfields is currently unknown, the Town has estimated the cost to be around \$3,000,000 (e.g., four fields, announcer's booth, locker rooms, bleachers, snack shacks, lighting, parking, utilities, etc.). However, it is important to note that such funds would not be coming out of the Town's General Fund (which is funded through general residential property taxes), but rather, would be [Tax Increment Financing \(TIF\)](#) funds



derived from TIF District No. 8 (*i.e.*, Ocean View) over the next several years. The Town recently amended TIF District No. 8, which is a municipal development TIF District adopted under subchapter 1 of Chapter 206 of Title 30-A, to include this project. This subchapter now authorizes municipal development of TIF Districts to include affordable housing, which TIF District No. 8 does. Finally, because TIF revenues are effectively on a “use it or lose it” system, the Town will need to consider several other projects on which to invest such funds over the years to avoid paying back-taxes on any incremental increase in property valuation within the district.

**IS THERE ANY WAY TO DISCOURAGE EXCESS TRAFFIC FROM TRAVELING THROUGH THE VILLAGE GREEN NEIGHBORHOOD?**

Yes. The proposed project also has an entrance/exit on Tuttle Road, which both the Town and the developer can encourage residents to utilize.

**WHAT CAN BE DONE TO HELP ALLEVIATE CONCERNS FROM THE RESIDENTS OF VILLAGE GREEN?**

A meeting with the residents of Village Green was scheduled for January 24<sup>th</sup> to discuss any concerns they may have and to propose potential solutions (e.g., traffic calming measures, etc.) to help alleviate those concerns.

**WHAT HAS THE TOWN DONE TO BROADEN AND DIVERSIFY ITS TAX BASE TO REDUCE THE TAX BURDEN ON RESIDENTIAL PROPERTY TAXPAYERS?**

Over the last 20 years, the Town has increased its commercial tax base from 2.5% to over 9%. Projects take years to develop. One single Council cannot move the needle by itself; it requires a lot of work with many of the Town Staff to achieve growing the Town’s commercial tax base.

**IF THIS IS BUILT ON DROWNE ROAD, HOW WILL THE TRAFFIC BE MITIGATED BOTH DURING CONSTRUCTION AND LATER?**

Drowne Road was originally designed as a primary access for a school. It has ample capacity both in its original design and up to the new Village Green subdivision. The roads in the Village Green subdivision are circuitous and include 2-speed tables. If the neighbors are interested , additional speed tables (2) could be installed, but the results we have seen so far is that [speeding has been minimal, and traffic is low](#) in comparison to many subdivisions in Town.

The table below was for the original design and displayed minimal traffic impacts. The final project will include an exit to Tuttle Road which will reduce the distance to a primary road from 3,500 ‘or .67 miles to 700’ or .13 miles.

Use	AM Weekday Trips 7-9AM	PM Weekday Trips 4-6PM
Senior	6	3
Family	55	55
<b>Total</b>	<b>61</b>	<b>58</b>

ITE Trip General Manual 11<sup>th</sup> Edition

# THE VOTE

## WHEN WILL THE REFERENDUM VOTE BE HELD?

The referendum [vote](#) will be held on March 5, 2024. [Absentee Ballots](#) are available as of January 31, 2024.

## WHY IS THE REFERENDUM SCHEDULED IN MARCH INSTEAD OF JUNE?

The Town Council voted on January 8, 2024, to move forward with the March 5, 2024, referendum date for several reasons, but primarily because available project funding rounds through Maine State Housing Authority (MSHA) begin in Fall 2024 (and could potentially dry up in or after 2025 depending on the administration), so we wanted to ensure the developer had an opportunity to apply for funding as soon as possible to give this project the best shot at success.

## HOW WILL THE REFERENDUM BE WORDED ON THE BALLOT?

Shall the Town Council accept the [proposal from Westbrook Development Corporation](#) dated November 2, 2023, and subsequent site plan proposals for the development of 107 affordable housing units to be constructed on Town-owned property located off Drowne Road adjacent to Town Hall?

# THE PROCESS

## WHAT STEPS HAS THE TOWN COUNCIL TAKEN TO STUDY THE ISSUE AND NEED FOR AFFORDABLE HOUSING IN CUMBERLAND?

On July 26, 2022, the Town Council formed an [Affordable Housing Task Force](#) (AHTF) made up of ten (10) community volunteers to study the issue of affordable housing in our community and to provide recommendations to the Town Council on how best to utilize the various legal and financial tools available to better diversify Cumberland's housing stock and to potentially add additional affordable rental housing units in our town. The AHTF issued its [final report](#) to the Town Council on January 23, 2023.

## DID THE TOWN COUNCIL ENGAGE ANY THIRD-PARTY CONSULTANTS TO DETERMINE WHETHER AFFORDABLE HOUSING IN CUMBERLAND WAS EVEN NEEDED?

Yes. The Town Council engaged [LDS Consulting Group, LLC](#) (LDS), a housing-based market-based research firm, to perform an independent supply and demand analysis of Cumberland's current housing market to determine the demand for affordable housing in our community and to highlight what types of affordable housing options might make sense. The consultant issued her [Rental Housing Supply and Demand Analysis Report](#) to the Town Council on July 7, 2023, which made clear that there was "... an immediate need for additional affordable rental housing" (see LDS Report at 7) in our community and also recommended the various types of housing that would best meet that need. On May 24, 2023, after reviewing LDS's report, the Town Council consolidated the data into a [Rental Housing Supply & Demand Analysis Summary](#). On August 24, 2023, the Town Council held a [public workshop](#) with the housing

consultant to provide an opportunity for Councilors to ask any follow up questions they had to better understand the report and its findings.

#### **DID THE TOWN COUNCIL ISSUE A REQUEST FOR PROPOSALS (RFP) FOR THIS PROJECT?**

Yes. On August 28, 2023, the Town Council voted to move forward and issue a [Request for Proposal](#) (RFP), as well as an [Amendment](#), dated September 15, 2023, to various affordable housing developers in the area for an affordable housing project to be constructed on the Town-owned property on Drowne Road. Responses to the RFP were due on or before November 2, 2023.

#### **HOW MANY MEMBERS OF THE TOWN COUNCIL SUPPORTED ENTERING INTO THE MEMORANDUM OF UNDERSTANDING WITH THE DEVELOPER ON THIS PROJECT?**

On December 11, 2023, five (5) out of the six (6) Councilors present (83%) voted to authorize the Town Manager to enter into a Memorandum of Understanding (“MOU”) with WDC for the purpose of pursuing the proposed affordable housing project on Drowne Road.

#### **HOW MANY TOWN COUNCILORS VOTED TO SUPPORT PUTTING THE DROWNE ROAD PROJECT TO THE VOTERS ON MARCH 5<sup>TH</sup>?**

On January 8, 2024, six (6) out of seven (7) Councilors (86%) voted to support sending the Drowne Road project to the voters as part of a Municipal Referendum on March 5th.

#### **WHAT WILL THE FORMAT OF THE COMMUNITY MEETINGS BE LIKE?**

The community meetings will be informal meetings which will start with either the Town Manager or the proposed developer, Westbrook Development Corporation (WDC), providing an overview of the proposed project and the potential impacts to the Town (both in terms of taxes and traffic, etc.). The meetings will also provide an opportunity for residents to ask their top questions in a town hall-style format. The initial community meeting from January 18, 2024, was recorded and is available [here](#) for viewing.

#### **WHY ARE ALL THREE COMMUNITY MEETINGS HELD ON THURSDAY EVENINGS?**

This simply came down to availability and scheduling. For those who are or were unable to attend in person, the January 18, 2024, community meeting was recorded, and a link will be available [here](#) for you to watch on demand.

## **MISCELLANEOUS**

#### **IT HAS BEEN ASSERTED THAT THE PROJECT CIRCUMVENTS THE 1891 WILL OF ELIZABETH DROWNE. IS THIS CORRECT?**

This issue has been addressed extensively by the courts in Maine, most notably in 1957 in the case of *Inhabitants of the Town of Cumberland vs. Edwin Stanley True, et al.* A link to the court's final decree is [available here](#).

#### **WHAT ARE THE PROSPECTS FOR A PROLONGED AND EXPENSIVE WILL CONTEST SUCH AS BROUGHT DURING THE BROAD COVE PROJECT?**

Unfortunately, a lawsuit can be brought at almost any time and for any reason. In this case, we are hopeful that, given the decades of settled case law on this issue, any challenge would be resolved in an amicable and expedient manner.

### **WHAT IS TO PREVENT THIS, OR A FUTURE, TOWN COUNCIL FROM SELLING THE TOWN FOREST?**

The Town Forest is a treasured piece of Town-owned property that is used by countless residents each year to enjoy the outdoors and the rural beauty that Cumberland has to offer. No one on this Town Council (or future Councils given the frequency of elections and the ability of residents to challenge certain Council actions) has any interest in even considering such a drastic hypothetical concept.

### **DOES THIS PROJECT INTERFERE WITH A PROPOSED NEW POLICE BUILDING?**

A new police building is not currently on the Town Council's agenda, although a future Council could consider such a project should it so desire.

### **HOW IS CUMBERLAND NORTH YARMOUTH LITTLE LEAGUE INVOLVED WITH THIS PROJECT?**

While Cumberland North Yarmouth Little League (CNYLL) is interested in having additional fields on which to play and serve its growing number of baseball and softball players in our community, the organization is not directly involved in the affordable housing initiative. CNYLL is a separate and distinct legal organization and is not affiliated with or controlled by the Town. Below is recent (January 10, 2024) [statement](#) from CNYLL Board of Directors on the issue:

"Cumberland North Yarmouth Little League is 100% in support of efforts by the town to exchange our current fields at Drowne Road for a plot large enough to accommodate a 4-field complex at Stiles Way.

CNYLL is Cumberland/North Yarmouth's oldest and longest running youth sports program, serving over 450 boys and girls aged 14 and under in our community. We have experienced a 40% growth in the past 4 years alone despite losing 2 fields due to the expansion at the elementary and middle schools. The current lack of fields is critically and negatively affecting our ability to sustain our once vibrant, year-round, and accessible programs which provide the development, experience, and growth our players are seeking. This problem seems to only be getting worse with each passing season.

We currently have minimal, if any, field time for practice once the season begins for teams at all levels due to games being played on our remaining fields every day of the week (excluding Sundays). In addition, several of our programs play games in the outfield of the existing fields while games are being played on the infield which pose safety issues. We are down to only one available softball field for our entire softball program as the Twin Brooks softball field is used during the season by the High School and Middle School programs. It has gotten to the point where we may have no choice but to approach area towns to rent field space for both baseball and softball needs. This is not sustainable for our burgeoning and successful league--one of the best the state has to offer.

Our league is agnostic as to whether the Affordable Housing initiative is right for Cumberland--that is for each of us as voters and neighbors to decide in March. We do feel compelled to dispel the misunderstanding (and any misstatements already out there) that approval of the affordable housing initiative means the town would "kick us off of our fields" and that we would suffer an ill fate due to this project. In truth, we have been working with the town for

over 5 years to find space to accommodate our continued growth and recommend this swap as a way to satisfy both the town's and our players' needs.

Regardless of the outcome of the housing initiative, our league stands ready to partner with the town of Cumberland to jointly develop fields at Stiles Way, or any other “shovel-ready” site large enough to accommodate our needs — and our intention — to create a space for baseball + softball, and for the broader community.

We thank you for engaging in this process, we welcome your questions and collaboration, and I am proud to report that we have hundreds of kids that are ready to grab a shovel and truly dig in.”