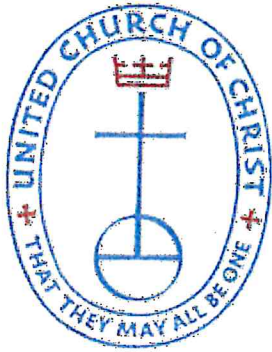


Proposed Amendment to Zoning Ordinance Chapter 315, Section 21 - Town Center District (TCD)

B. The following uses are permitted in the TCD:

- (1) Single-family dwellings.
- (2) Duplex dwellings.
- (3) Multiplex dwellings, subject to the provisions of § **315-44**, Multiplex dwellings.
- (4) An accessory dwelling unit as permitted in § **315-45A**.
- (5) Personal services.
- (6) Business and professional offices.
- (7) Retail stores, maximum 2,000 square feet. Square footage shall not include internal storage areas.
- (8) Small markets, maximum 2,500 square feet, with no drive-through. Square footage shall not include internal storage areas.
- (9) Cafes, maximum 2,500 square feet, with no drive-through and in accordance with § **315-18F(3)**. Square footage shall not include internal storage areas and outdoor seating areas. Square footage shall include bathrooms, prep areas, cooking area and dining area.
- (10) Residential care facilities, subject to § **315-71**.
- (11) Health and fitness studio.
- (12) Day-care centers and nursery schools for no more than ~~20~~28 children, subject to the provisions of § **315-47** and site plan review.
- (13) Municipal uses and buildings.
- (14) Sewer pumping stations, subject to the provisions of § **315-59D**.
- (15) Uses and buildings accessory to those above, except that no accessory storage units and buildings for nonresidential uses shall be permitted.



CONGREGATIONAL CHURCH IN CUMBERLAND

...at the Center of Cumberland
282 Main Street
P O Box 247
Cumberland Center ME 04021
Telephone: (207) 829-3419

Email: office@cumberlanducc.org
Website: www.cumberlanducc.org

Carla Nixon, Town Planner
Town of Cumberland
290 Tuttle Road
Cumberland, ME 04021

RE: Request by the Main Street Children's Center for a Change in the Town Zoning Ordinance

Dear Ms. Nixon:

Section 315-21(B)(12) of the Town Zoning Ordinance permits the operation of "day care centers and nursery schools for no more than 20 children" in the Town Center District. The Congregational Church in Cumberland has operated a day care center—the Main Street Children's Center (MSCC)—for the past twelve years. We believe that altering the ordinance to allow us to care for 28 children would benefit the community.

State licensing authorities have advised us that our facilities can accommodate 28 children and that the State would approve a revision of our current license to allow us to care for this number. Of course, if the Town were to approve our request, we would continue to adhere to State-mandated child-teacher ratios.

In 2019, the Cumberland-North Yarmouth School District (MSAD #51) began a pre-kindergarten program that operated four days per week (Mondays, Tuesdays, Thursdays, and Fridays). The parents of children enrolled in this program sought care for their children from MSCC on Wednesdays and on other days during hours that the School District's pre-K program was not in operation. To accommodate these parents and their children, we allowed children to enroll in our Core Preschool Program from 9:00 am to noon only on Wednesdays and then to obtain extended-hours care on other days as well. In 2019-20, five children did enroll in our Wednesday-only Core program.

Because the Town ordinance allows us to serve only 20 children at a time, the new Wednesday-only program required us to limit the number of children enrolled in our Core

program five days per week to 15. Historically, we have been fully enrolled or close to it with 20 children receiving Core-program care five days per week. Accommodating the School District program thus led us to reduce the total amount of childcare we provide. The change to the Zoning Ordinance we request would enable us to accommodate the School District program by increasing (slightly) the total amount of care we provide. The Superintendent of MSAD #51, Jeff Porter, has advised us that he supports our request.

Our request for revision of the Zoning Ordinance is not tied to the School District program. We would like to be able ultimately to increase our enrollment to 28 children five days per week. Initially, however, we would expect to care for more than 20 children only on Wednesdays. We have the ability to provide an additional teacher on Wednesdays, as MSCC's Director, Susan Novak, can take on that task.

Please contact me (a-alschuler@law.northwestern.edu, 773-896-7427) or Susan Novak (susan@cumberlanducc.org, 207-829-3419) with any questions or concerns.

The Main Street Children's Center, which is open to all regardless of religious affiliation, has nurtured hundreds of young members of the Cumberland community over the years. As our community has grown and life patterns have changed, the demand for quality childcare has increased. See *As Workplaces Reopen, Maine Parents Scramble for Child Care Made Short by Pandemic*, PORTLAND PRESS HERALD, July 4, 2020. In partnership with the Town, the School District, and the parents of Cumberland, we would like to do more.

Sincerely yours,

A handwritten signature in black ink, reading "Albert W. Alschuler", followed by a horizontal line.

Albert W. Alschuler
Moderator, the Congregational Church in Cumberland

Cc: Bill Shane, Town Manager
Jeff Porter, Superintendent, MSAD #51