

CUMBERLAND PLANNING BOARD

ADMINISTRATIVE PROCEDURES FOR MEETINGS

In an effort to provide for efficient and effective meetings, the Planning Board hereby adopts the following administrative procedures:

1. In order to be placed on the next Planning Board agenda, a complete subdivision application or site plan review application, and/or a request in writing for any other action required of the Board, with all necessary exhibits and attachments and fees, must be received at the Town Office no later than 5:00 p.m., twenty-one (21) days prior to a regularly scheduled Planning Board meeting.
2. The owner or developer of any project which also requires approval from the Board of Appeals shall first seek and obtain Board of Appeals approval prior to applying to be on the Planning Board agenda.

~~The owner or developer of any project which requires a permit from another regulatory agency such as the Department of Environmental Protection or the, Department of Transportation, Inland Fisheries and Wildlife, Portland Water District, etc., must provide a written copy of the approval to the Town Planner prior to being placed on the agenda for final plan review and approval. If necessary, due to delays in processing of permits by Maine Department of Environmental Protection, an applicant may provide evidence of submission of a completed application to MDEP. The Planning Board may then consider granting conditional approval to the project.~~

~~3. 3. The Applicant shall provide evidence that any required state or federal permits have been submitted to the relevant agency and are under review by that agency. if the project requires any of those permits.~~

~~4. The Planning Board will not hear any new application from an applicant that owes any outstanding fees to the Town of Cumberland.~~

~~4. All applications must first be found complete by the Town Planner.~~

~~5. 5. Items will be placed on the agenda according to in the following sequence rules:~~

~~First: Chebeague Island items (due to the return boat schedule)~~

~~Next:~~

~~First: Items Tabled from the previous meeting.~~

~~Next: Public Hearings for ongoing projects, based on the length of time they have been in the review process.~~

~~Next: Public Hearings for new projects.~~

~~Next: Recommendations to the Town Council on proposed ordinance changes.~~

~~All applications must first be found complete by the Town Planner.~~

At the meeting, the Planning Board, by majority vote, may adjust the order in which items will be heard if such adjustments would not unduly inconvenience any applicant, and would expedite proceedings and the administration of the agenda.

65. The Planning Board agenda shall consist of the following categories:

- a. Call to Order
- b. Roll Call
- c. Minutes of the Prior Meeting
- e.d. Staff Site Plan Review Approvals
- d.e. Consent Calendar and De minimus Minor Change Requests Approvals
- e.f. Hearings and Presentations
- f.g. Administrative Matters and, Correspondence and new Business
- g.h. Adjournment

76. In recognition that overly long Planning Board meetings are not in the interest of the Town, the applicants, their representatives or the Planning Board members ~~in terms of quality of the review process,~~ the Planning Board will not begin review of a new item after 10:00 p.m. unless agreed to by a majority vote of the Board.

Any items not heard due to this cutoff time, will be tabled to the next regularly scheduled meeting and will be placed first on the agenda. ~~or immediately following any Chebeague items.~~

87. The Planning Department Administrative Assistant shall post the agenda in the front lobby of the Town Office no later than the Wednesday prior to the regularly scheduled meeting and will also provide a copy of the agenda to each applicant scheduled for the meeting. A notice shall also be included in the Cumberland Crier (the Town's weekly newsletter) as well as posted on the Town of Cumberland's website (www.cumberlandmaine.com)

98. Advertising and Abutter Notices:

Public Hearing notices shall be advertised in accordance with 30-A M.R.S.A. § 4403; 30-A M.R.S.A. § 4352 & Title 1-M.R.S.A. 401-410 (Freedom of Access Law-), as may be applicable, as well as the applicable provisions of the Town Code.

Abutter notices shall be mailed to all residents within 300 feet of a parcel undergoing site plan review, or 500 feet of a parcel undergoing subdivision review.

109. According to 1 M.R.S.A. § 405 (The Freedom of Access Law) the public has the right to attend ~~a~~ public proceedings, of the Planning Board, but does not have the right to participate in the meeting. Public Hearings are a type of public proceeding where public participation is sought, ~~however even public hearings can be controlled and will be administered~~ for orderliness and expediency. Other than Public Hearings, the Planning Board retains the right to ~~control when and how much public participation is allowed, if at all.~~ determine the extent and duration of public participation.

110. A copy of these administrative procedures shall be provided ~~, upon request,~~ to each applicant for subdivision review, site plan review or other Planning Board consideration. ~~at the time applications are provided.~~

124. Upon final subdivision approval, the applicant shall provide one Mylar copy of the approved subdivision plan to the Board for signatures. The applicant will then record the Mylar in the Cumberland County Registry of Deeds and return to the Town Planner; 2 full size paper copies and one 11" x 17" copy of the approved plan with the recording seal and book and page number shown on the plan. The applicant shall return 1 copy of the mylar with the recording seal and book and page number shown on the plan and 3 full size paper copies and one 11" x 17" paper copy to the Town Planner.

132. The applicant shall also provide ~~5~~ 3 copies of the approved, final plan sets to the Town Planner who shall distribute them as follows: a copy ~~to~~ for the Code Enforcement Officer, ~~a copy to the Public Works Director,~~ a copy ~~to~~ for the peer review engineer, and a copy ~~to~~ for the Planning Department files.

The following Standard Condition of Approval shall be attached to all Planning Board approvals:

“This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals, and supporting documents, except ~~de minimus~~ minor changes as ~~determined specifically approved~~ by the Town Planner which do not affect approval standards. The Planning Board shall be informed of any minor field changes at its next scheduled meeting. ,is subject to the review and approval of the Planning Board prior to implementation.”

Adopted by the Board, August 19, 1986
Amended by the Board, July 18, 1990
Amended by the Board, February 19, 2002
Amended by the Board, January 17, 2006
Amended by the Board, , 2019

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Planning Board Chair