

# MINUTES

Cumberland Town Council Meeting

Town Council Chambers

**Monday, March 25, 2024**

**4:30 P.M. Finance Committee meeting with Auditor**

**5:00 P.M. Budget Workshop**

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

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

Excused: Councilor Filson

## **I. APPROVAL OF MINUTES**

Motion by Councilor Copp, seconded by Councilor Edes, to accept the March 11, 2024 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

Councilor Douglass read the following statement:

*In March of 2023, we started the extensive process of replacing our beloved Town Manager, Bill Shane.*

*From meeting with department heads, to identifying qualities that coincided with our community's values we wanted to ensure we had a strong sense of needs moving into the recruitment process.*

*A subcommittee of the council was subsequently formed in August between myself, Councilor Storey-King, and Councilor Filson.*

*After an extensive search process, and unanimous Council agreement we have identified (and secured) our next community leader.*

*So with that....*

*We are excited to announce the appointment of Matt Sturgis as the new Cumberland Town Manager.*

*Matt brings a wealth of experience to this role, along with a demonstrated commitment to collaboration and community engagement. We are confident that his expertise will be invaluable in managing our town's affairs and fostering positive relationships with all stakeholders.*

*Matt will officially begin his tenure as Town Manager on Monday, June 3<sup>rd</sup>, providing a month of overlap with our outgoing Manager, Bill Shane.*

*We would be remiss in this moment not to acknowledge the remarkable contributions of Bill Shane, who has been the cornerstone of our community. His dedication, leadership, and unwavering commitment have helped shape Cumberland into the vibrant and thriving community it is today. For this, we are forever grateful.*

*From my perspective... Bill has been an invaluable mentor and source of guidance since I joined the Council in June of 2023. His leadership has not only aided me in navigating local governance but has*

*also inspired me to strive for excellence in serving our community. I am profoundly grateful for the opportunity to have worked alongside such a dedicated and compassionate individual, and I am certain that his legacy of service will continue to resonate within our community for years to come...*

*We recognize that the change of hands will bring its own set of challenges and want to remind everyone that your feedback and input are invaluable as we navigate this transition period. Please do not hesitate to reach out to any one of us.*

*Finally... I want to thank Angela Hansen from Range Culture for her support and assistance throughout this process.*

*Thank you everyone and Welcome Matt!*

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

Town Manager Shane reported that we have had a rough couple of days with the recent storm. Thank you to the Public Works, Fire and Police departments for their outstanding work. The three departments work so well together during a crisis. Town Hall is open 24 hours a day as a warming and charging station for anyone who doesn't have power.

## **III. PUBLIC DISCUSSION**

Melissa Gattine of 325 Main Street said that she wants to get brown tail moths on people's minds again. Last year, she approached Town Manager Shane about the idea of dimming the streetlights on Main Street in order to reduce the moths being attracted to the light. He reached out to the State and learned that this is an effective strategy in reducing brown tail moths. She would appreciate this being looked into as an option for the Town.

Denise Thorsson said that Governor Mills signed LD 337 into law, which amends the regulation of manufactured homes to increase affordable housing opportunities. This is another option available statewide that will hopefully be used in our Town to increase affordable housing within already developed neighborhoods. She feels that this is an ideal solution, especially with lot splitting and accessory dwelling units being allowed.

## **IV. LEGISLATION AND POLICY**

### **24 – 021 To hold a Public Hearing to consider and act on a liquor license application for First Tracks Investments, LLC operating at the Cumberland Fairgrounds.**

Chairman Segrist said that this is a new application for the fairgrounds.

Town Manager Shane added that he spoke to President of the Cumberland Farmer's Club, Lyle Merrifield, who said that he is supportive of this application. Mike Cianchette is here this evening to talk about what his plans are.

Mike Cianchette said that he is the manager of First Tracks Investments and has worked closely with the Cumberland Farmer's Club to bring commercial, year-round harness racing to the fairgrounds. Over the past three years, they have had significant growth and interest in wagering activities on horse racing in Cumberland. Last year, on 51 race days, nearly \$7,000,000 was wagered on races in Cumberland. More than 90% of that came from out of state. There is a big screen at the fairgrounds that is simulcasting all the races and one of the things

that they are very excited about this year is pulling together all 6 Maine agricultural fairs that conduct racing and consolidating them under a single brand, to get Maine racing viewed around the world.

The liquor license has historically been a renewal application for a gentleman named Matt Mattingley who previously held the liquor license for this facility. He has moved to New Hampshire, so he is not going to be continuing this year. This application is to continue what has been done at the fairgrounds for the past several years during fair week and otherwise, but under his management and not Matt's.

Chairman Segrist opened the Public Hearing.

No public comment.

Chairman Segrist closed the Public Hearing.

Motion by Councilor Vail, seconded by Councilor Copp, to approve the liquor license application for First Tracks Investments, LLC operating at the Cumberland Fairgrounds.

VOTE: 6-0 UNANIMOUS

**24 – 022 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).**

Chairman Segrist said that this is a renewal, and the application is complete.

Chairman Segrist opened the Public Hearing.

No public comment.

Chairman Segrist closed the Public Hearing.

Motion by Councilor Copp, seconded by Councilor Storey-King, to approve the Liquor License renewal for Flannel Shirt Food Company, LLC (d/b/a Dara Bistro).

VOTE: 6-0 UNANIMOUS

**24 – 023 To hold a Public Hearing to consider and act on amendments to Chapter 315 (Zoning), Section 21 (Town Center District), F6 (Hours of Operation).**

Chairman Segrist explained that a few weeks ago, the owners of Rise Pizza came in and asked for 3 additional hours on Thursday, Friday and Saturday night's (extending hours of operation from 9 p.m. to 10 p.m.). This would allow them to serve customers who are leaving school or sports events. In an effort to want to help local businesses, the Town Council may have got ahead of what the request was, and suggested 11 p.m. instead of 10 p.m. This was sent to the Planning Board where a lot of people spoke against it and the Planning Board voted not to recommend the amendment to the Town Council. A better approach may be to table this item and schedule a meeting with the community and businesses in that area to discuss hours of operation as a group.

Councilor Edes said that he wants to be very clear that it was not the owner of Rise Pizza that made the request to extend the hours of operation in the Town Center District. He and his wife were at Rise and struck up a conversation with Toby, the owner. He asked Toby what the Town Council can do to help his business. One of the things that he brought up was that on Friday and Saturday nights when a football is getting over and parents might want to pick up a pizza, he has to close at 9:00 p.m. Councilor Edes brought this up at a Town Council meeting, we had a discussion, sent it to the Ordinance Committee and then voted to send it to the Planning Board.

Chairman Segrist said that the Planning Board heard the concerns of the neighbors and some of them have reached out to the Town Council to share those same concerns. He will not open public comment on this item this evening because a better venue to share their concerns will be at a neighborhood meeting. Not here where we will hear them and not act on this item this evening. This is not an effort to stifle public comment, it is making sure it is being used in a more productive manner.

The following comments were sent via email:

The proposed change in zoning to allow late night hours of operation in the Town Center District (TCD) would permit ANY piece of property in the district, whether it's an existing business or currently a single-family residence, to potentially become a bar/café serving customers until 11 p.m. with activity on site possible until much later! This issue is not just about Rise Pizza & Pub and its impact on its abutters.

There are approximately 34 properties, mostly residential, in our TCD, and approximately 20 abutting properties. Potentially any property owner within or abutting this district could be suddenly faced with a late night bar next door. As such these 50+ property owners who are immediately impacted deserve adequate public notice!

Our properties are in close proximity and lack buffers. (Look at Rise with only a flimsy fence between it and its residential neighbors.) This zoning amendment to allow late night hours would be a fundamental change to our Center's character affecting our quality of life, our right to enjoy our homes and sleep in peace, and our property values. Most of us are supporters of thoughtful mixed use and appreciate being able to walk to nearby businesses that close respectfully at 9 pm, just as they have for well over a decade here and in Yarmouth Village.

I urge the Town Council to heed the Planning Board's unanimous recommendation and Vote NO on allowing late night hours.

And I urge the Town Council and Planning Board to commit to mailing notices to all District property owners and abutters before considering any zoning change in the future.

Respectfully and with thanks,  
Lee Buffinton, 10 Village Way, Cumberland Center

Dear Town Councilors,  
As a 24 year resident of Cumberland Center, would you please either move to accept the Planning Board's Recommendation to table indefinitely this request for extended hours or outright move to deny the request?

The Center is a neighborhood, and is where all children gather for school and extra curricular activities. Allowing alcohol to be served until later in the night does not fit in this location.

Thank you for considering my comments,  
Ivy Frignoca  
2 Sparhawk Lane

Motion by Councilor Edes, seconded by Councilor Copp, to table this item and hold a neighborhood meeting to discuss the concerns of the neighbors to see if a compromise can be found.

VOTE: 6-0                      UNANIMOUS

## **24 – 024      To set the week of May 13<sup>th</sup> – 17<sup>th</sup> for Spring Bulky Item Pick Up Week.**

Chairman Segrist said that this will be the last bulky item pick up that we will have.

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

Motion by Councilor Copp, seconded by Councilor Vail, to set the week of May 13<sup>th</sup> – 17<sup>th</sup> for Spring Bulky Item Pick Up Week.

VOTE: 6-0                      UNANIMOUS

**24 – 025      To hear a report from the Town Manager re: the public safety radio communication project.**  
Town Manager Shane said that we have had a very difficult time with this project. We had a vendor to build two towers and then the vendor withdrew. We discussed options with our project consultant, and he suggested that we consider building our own tower and find a third party to pay us a fee to use the tower. This is a risky plan because of the cost. This will be discussed further as part of our budget meetings. Chief Rumsey will remind everyone why the tower is needed.

Police Chief Rumsey explained that there are areas in Town where our police officers and firefighters cannot hear dispatch and dispatch cannot hear our police officers and firefighters. This is a great danger to our public safety personnel and potentially the public that they serve.

**V.      NEW BUSINESS**

**Councilor Copp** – he donated \$20 to the 4-H fund that benefits the Food Pantry, as he does at every meeting. He urged others to donate to this worthy cause.

Cumberland resident, Julia Gagnon, was on American Idol last night where she won a platinum ticket. She did a phenomenal job, and this community should be very proud. He will reach out to the Lyle Merrifield, president of the Cumberland Farmer's Club to see if they can get her to perform at the Cumberland Fair.

**Councilor Vail** – the Public Works department, Police department and Fire department all deserve accolades for the great work they did during the storm last weekend. He noticed a lot of branches in the roadways that homeowners could have easily removed.

**Councilor Douglass** – no new business.

**Councilor Edes** – he wished his wife happy birthday.

**Councilor Storey-King** – we had previously discussed putting a conservation easement on Twin Brook. She would like to revisit this and get the process started.

This afternoon, Anna DeWolfe and the Notre Dame Fighting Irish, won a spot in the Sweet 16. They will be playing in the NCAA Championship this weekend. Anna is a phenomenal player.

**Chairman Segrist** – a reminder that we will hold budget workshops on April 8<sup>th</sup> and 22<sup>nd</sup>. The Town Manager will present the budget on May 13<sup>th</sup> and the Town Council will hopefully adopt the budget that evening as well.

**VI. ADJOURNMENT**

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

VOTE: 6-0 UNANIMOUS

TIME: 8:14 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary

DRAFT