

# **MINUTES**

Cumberland Town Council Meeting

Town Council Chambers

**MONDAY, March 14, 2016**

**5:45 P.M. Nominating Committee**

**6:00 P.M. Finance Committee Budget Workshop**

## **7:00 P.M. CALL TO ORDER**

**Present:** Councilors Bingham, Turner, Copp, Gruber, Stiles, and Storey-King

**Excused:** Councilor Edes

### **I. APPROVAL OF MINUTES**

Motion by Councilor Gruber, seconded by Councilor Stiles, to accept the February 22, 2016 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

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

Aging in Place Coordinator, Susan Gold, reviewed the new Aging in Place website. There is a resource guide, list of events, and volunteer opportunities listed on the website. There are many new programs being offered to seniors and a new ride and visitation program. The next community forum will be held in October.

Town Manager Shane said that at their February 22<sup>nd</sup> meeting the Council approved a Contract Zone Agreement amendment with David Chase. Unfortunately, it was discovered that the 500 foot abutter notification requirement was not met. This item will have to be reconsidered and requested that a motion for reconsideration be made during new business. He spoke to Mr. Chase about this matter and he understands that the item will have to be reconsidered.

Brad Hilton of Blanchard Road said that he is impressed with the Town's budget process, and will list his pros and cons in regard to the Town budget:

Pros are pay raises for employees and revenues have increased.

The con is that the budget has increased again, which will impact real estate taxes. When taxes increase, it like getting a pay decrease. He would like to see the Town budget come in at a zero increase so that it does not affect the mil rate. This will send a message to the school finance committee that they need to do the same. On the Town side, he suggests that the Parks budget be decreased by \$10,000, the contingent fund can be decreased by \$10,000, the debt service reserve should be decreased \$155,000, and the capital improvement plan should be decreased by \$130,000. If you add these all up, this would decrease the budget by \$275,000 out of a \$10 million dollar budget. This is all we would need to see no increase in the budget and mil rate.

Chairman Bingham thanked Mr. Hilton for his very thoughtful and specific suggestions.

### **III. PUBLIC DISCUSSION**

None

### **IV. LEGISLATION AND POLICY**

**16 – 024 To hold a Public Hearing to consider and act on amending the Traffic Ordinance to prohibit parking on Orchard Road at Orchard Hill Farms.**

Town Manager Shane presented the following that was presented at a neighborhood meeting in January:



# Orchard Hill Apple Orchard

## Future Parking Proposal for 2016

By  
William R. Shane, Town Manager  
Chief Joseph Charron  
Lieutenant Milton Calder  
Chris Bolduc, Asst. Town Manager

October 26, 2015  
Neighborhood Meeting- January 26, 2016

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## October 14, 2015 Meeting on Site

The Police Chief & Lieutenant, the Assistant Manager and I met onsite with Bob Pierce, the owner, and walked all the roadside parking areas

The following Plan proposal was agreed to as a good solution to the current parking situation

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## Parking & Traffic Proposal for Orchard Hill

- Install drainage and gravel along shoulder along easterly side of Orchard Road - Town to provide 6" underdrain, stone and gravel for 700' of Shoulder Improvements – Owner to supply equipment and labor for installation to Town Specification
- Owner to Remove Trees and develop parking area on the westerly side for a total distance of approximately 600'. The Parking shall allow for a 4' Shoulder along Orchard Road and create perpendicular parking .
- Town shall monitor weekend traffic , including speeds and conformance with shoulder usage by pedestrians walking to store.
- Town Shall Post remaining unimproved areas "No Parking " east & west side both north and south of the Orchard Hill

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## Parking & Traffic Proposal – Next Steps

- Set Public Hearing for Neighborhood Input
- Set Public Hearing for Public Hearing to Amend Traffic Ordinance and prohibit parking per proposal
- If improvements are not completed by August 15<sup>th</sup> a Public Hearing will be scheduled to post the entire westerly side of Orchard Road “No Parking”

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## Costs – Town

Pipe		
700' of 6" perforated underdrain @ \$6 / ft	=	\$4,200
Gravel- 500 CY – 700'x 8' x2' w/ 20% swell @ 10/cy	=	\$ 5,000
Stone for Pipe bedding 700' x1'x2' = 60 CY @ \$22	=	\$ 1,320
Signage - Estimate 12 at \$150 each installed	=	<u>\$ 1,800</u>
		\$12,320
Contingency @ 20%		<u>\$ 2,464</u>
		\$14, 784
	Use	<b>\$15,000</b>

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## Costs – Owner

Equipment – 700' Shoulder Side		240' of Wider Apron on Private Property	
3 days		2 Days Equipment - \$8,724 x .66 = \$ 5,758	
24 hrs. x \$150 Excavator	= \$ 3,600	Fill – 240 x 15x x 4' = 640 CY x \$6 = \$ 3,840	
24 hrs. x \$ 75 Bulldozer	= \$ 1,800	Trucks – 2 x 16hrs x \$65	= \$ 2,080
24 hrs. x \$38 Labor x 2	= \$ 1,824		<u>\$11,678</u>
Misc. Tools & Equip- LS	= \$ 1,500		
	\$ 8,724		
<b>Total = \$20, 402 add 20% Contingency = \$24,500</b>			

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Councilor Gruber commented that he think that this project will cost the Town \$15,000.

Town Manager Shane said that the Town's cost could actually be as low as \$6,000 if Town gravel is delivered to the site.

Chairman Bingham opened the Public Hearing.

### Public Discussion:

Chris Clark of Orchard Road said that he supports the apple orchard and it is nice to see the success of it. He feels that the signage on Orchard Road is already excessive. He would prefer see seasonal, temporary no parking signs. The cones used in the center of the road are not helpful. They do not allow a vehicle to drive closer to the center line in order to avoid pedestrians and parked cars on the shoulder.

E-mails received regarding this item:

*Please know that this is a for-profit business that the town would be funding. Business friendly means welcoming a business into our community, not funding it. The town put the gully in to help with drainage when the owners of the farm purchased it. As with all businesses in Cumberland, the business owners are responsible for their own parking. Please consider putting up temporary no parking signs for the month of September like you do at the fair and other events such as yard sales, etc. instead of spending so much money on a for-profit business. Public safety is the main concern and that business in own town is not complying with the rules of public safety. You are contributing factor in this. Annette Terison*

*I am writing to you all to please take another look at my proposal of putting up “Temporary No Parking” signs for the month of September and part of October on one side of Orchard Road. This well help tremendously with the public safety issue that Orchard Hill Farm has created. This cost is minimal compared to the Town Managers proposal. If you approve the Town Managers proposal, this is going to set a precedent for other “For Profit” businesses. Annette Terison*

Chairman Bingham closed the Public Hearing.

Councilor Stiles said that he understands the parking issue, but he needs an explanation as to why we are assisting a business owner in town. What about other businesses who request our help with similar issues?

Councilor Turner responded that we are all aware of the fact that the Comprehensive Plan encourages agricultural uses, and agricultural uses are few and far between in the Town of Cumberland. To him, it is important enough that he can justify the idea of spending no more than \$7,500 on this.

Councilor Storey-King reminded everyone that these are not improvements to private land, they are improvements to public right-of-ways. This is a safety issue that was brought up by our Police Chief.

Councilor Copp said that the Pierce's are tax payers in this community and they are asking for very little from the Town. This is a public safety issue.

Councilor Turner said that he feels that we have too many signs in Town. He agrees with Mr. Clark and hopes that there will be no need to post no parking signs.

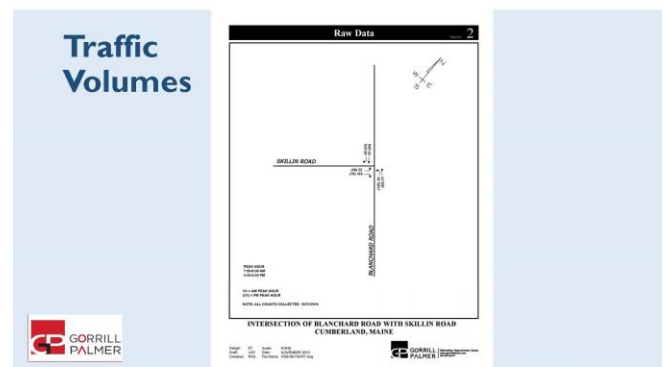
Town Manager Shane suggested seasonal, temporary no parking signs.

Motion by Councilor Gruber, seconded by Councilor Turner, to support the recommendation for improvements to Orchard Road by the Town Manager as presented, and authorize funding of up to \$7,000 from Road Improvement Reserves.

VOTE: 6-0 UNANIMOUS

## **16 – 025 To hold a Public Hearing to consider and act on removing the stop sign at the intersection of Blanchard Road and Skillin Road.**

Town Manager Shane presented the information provided at the neighborhood meeting in January:



## Collision Data

- Two crashes in three years
  - One caused by slippery road
  - One caused by truck clipping overhead wire



## Alternative Solutions

- Maintain Existing
- Stop only on Skillin Road
- Multiway Stop



## Scenario 1: Maintain Existing

- Low collision rate
- Not standard (driver confusion)



## Scenario 2: Stop only on Skillin Road

- Conventional Design
- Reduces driver confusion and delay



## Scenario 3: Multiway Stop

- Inefficient
- Does not meet ITE Standards



## Recommendation

- Stop only on Skillin Road
- Post "New Traffic Pattern" signs one week prior to change



Chairman Bingham opened the Public Hearing.

### Public Discussion:

Chris Clark of Orchard Road said that he travels this road frequently and he would like to propose another option. When he is stopped at the stop sign on Orchard Road, he is concerned that people coming down Blanchard Road Extension are driving so fast. He suggested that the stop sign be moved back to the intersection of Blanchard Road Extension and Orchard Road.

Taylor Powell of 304 Blanchard Road said that her concern is speed. If the stop sign is removed, she is concerned that the speed will increase. She doesn't feel it is necessary to remove the stop sign.

Bruce Sherwin of 292 Blanchard Road asked if the Police Chief has been asked if he feels that the stop sign should be removed.

Town Manager Shane said that the Police Chief is not in support of removing the stop sign.

Mr. Sherwin said that stop signs are not installed to irritate people, they are installed to increase safety. He thinks that this stop sign has done an admirable job in increasing safety. There has not been an accident there in many years. It is better to act on a safety issue rather than react on a safety issue.

Chris Neagle of Orchard Road said that the Town's engineers have identified a non-conforming condition and have observed a traffic hesitation caused by this non-conforming condition. The engineers state "no reasonable explanation" for the stop sign, and they recommend that it be removed. To those who think "if it isn't broken, don't fix it" he would say, why is polluting the air, wasting time and money, and wearing out vehicles for no reasonable reason something that is not broken. Why do those people think that they know more than our traffic engineers?

Mike Timmons said that he respectfully disagrees with Mr. Neagle. He feels that the safety value of stop signs deserve as much discussion. He hopes that the Council will leave the stop sign as it is.

Robert Pierce of 36 Orchard Road said that he had the opportunity to talk to the engineer at the neighborhood meeting, and he felt that his (the engineer) opinion was that it is not a typical intersection, but it works and people are used to it. The left turn onto Skillin Road used to be more gradual where now it is a "T". Mr. Pierce said that the topography of the road does not lend itself to simply removing the stop sign.

Brenda Sherwin of 292 Blanchard Road said that during the Cumberland Fair, nobody is traveling to Blanchard Road. They all seem to turn left onto Skillin Road. That is simply the normal flow of the traffic. She agrees that the stop sign is a safety issue and she does not want to see it removed.

Cathy Wright of Skillin Road said that hardly anyone stops at that stop sign. She walks that area often and it is a dangerous area to walk through. If the police department does not support removing it, it should stay.

E-mails received regarding this item:

*I just want to share my opinion with you and the council on the Blanchard Road stop sign at Skillin Road. It's difficult for me to make it to council meetings because of late days at work and I know there is a hearing coming up.*

*In my 13 years living on Stonewall Drive, I have stopped at that sign at least 5,000 times. It is not an especially busy intersection and perhaps 2500 times there have been no cars either way. When cars are heading north on Blanchard road, I must sit at the stop sign and wait to see if they are turning left. Half do not and just pass me by. Sometimes they turn on their right turn indicator to let me know I can proceed. That is an odd courtesy that only occurs at that very strange intersection.*

*There is a good deal of traffic when the Cumberland Fair is in town. At that time, numerous cars head north and turn left onto Skillin later in the day. If I have the misfortune of being at the stop sign, I am forced to wait for all of them to take the left and can't proceed until the north bound lane clears. That can take a long time when there are 10 or so cars leaving the fair and heading to Rte 100.*

*When you approach Blanchard from Skillin Road, the visibility both ways on Blanchard is excellent. The road is straight and flat and you can see a few hundred feet in each direction. If you are walking or cycling, the intersection is very broad and there is a wide area of grass on each side of Skillin to walk or ride on if you need to feel safer. I have walked, jogged, and ridden my bicycle through that intersection for years. Because of the high degree of visibility, low volume of traffic, and slow speeds, I have never felt unsafe there. In addition, my 3 children have done the same and I never worried that they were unsafe at that intersection. I save that worry for crossing Rte 100 at Skillin.*

*Finally, there is no stop sign in the southbound lane at Mill Road, which is much more obstructed, or at Bruce Hill Road, which is much busier.*

*I assume that when the sign was first installed, there was no development off Blanchard extension and traffic was sparse. That is no longer the case. Each resident of Westbranch, Stonewall Rd, and Blanchard Extension have the same frustrating experience at that intersection. I hope you agree with your traffic consultant and remove the sign. I can't fathom how that would make that section of the road less safe for cars, cyclists, and pedestrians.*

*Thank you, Peter. Would you mind sharing this e-mail with the rest of council? If you think it would add to the discussion, I have no problem if it is read at the meeting.*

*Sincerely,*

*John Campbell*

*58 Stonewall Drive*

Chairman Bingham closed the Public Hearing.

Councilor Turner said that he uses that intersection frequently. He has never had any issues there. He recalls the engineers comments at the neighborhood meeting were that this intersection is not a typical "T" and they came up with alternatives. They also pointed out that leaving it as is would not be a bad idea.

Councilor Gruber said that when this topic came up last August he said that if we change it, it could become a safety issue and he voted against getting the engineering study. He still sees no value in removing the stop sign.

Councilor Copp said that he sees no benefit in removing the stop sign, he only sees the potential for a tragedy happening there if it is removed.

Chairman Bingham said that after listening to the traffic engineers and sifting through the testimony, he feels that it should be left alone even if that goes against the technical facts.

Motion by Councilor Gruber, seconded by Councilor Turner, to maintain the stop signs as they are today at the intersection of Blanchard and Skillin Roads.

VOTE: 5-1 (Stiles opposed) MOTION PASSES

**16 – 026 To consider and act on authorizing the Code Enforcement Officer to execute a Consent Agreement with the owner of 30 Rosa Way.**

Town Manager Shane explained that the structure is a barn that was constructed too close to the property line owned by the Town as part of the Rines Forest. Staff is recommending approval and a fee of \$500 be paid to cover attorney's fees.

Motion by Councilor Copp, seconded by Councilor Stiles, to authorize the Code Enforcement Officer to execute a Consent Agreement with the owner of 30 Rosa Way and collect \$500.00 for attorney's fees.

VOTE: 6-0 UNANIMOUS



**16 – 027 To hold a Public Hearing to consider and act on a Liquor License renewal for Rachel's On the Green.**

Town Manager Shane said that staff is recommending approval.

Chairman Bingham opened the Public Hearing.

Public Discussion: none

Chairman Bingham closed the Public Hearing.

Motion by Councilor Stiles, seconded by Councilor Copp, to approve the Liquor License renewal for Rachel's On the Green for the period of March 29, 2016 through March 29, 2017.

VOTE: 6-0 UNANIMOUS

**16 – 028 To consider and act on authorizing the Town Manager to execute a 3-year lease agreement with Rachel's On the Green.**

Town Manager Shane said that the partnership between the Town and Rachel's On the Green has been a wonderful one. He recommends another 3-year lease agreement.

Motion by Councilor Stiles, seconded by Councilor Gruber, to authorize the Town Manager to execute a 3-year lease agreement with Rachel's On the Green.

VOTE: 6-0 UNANIMOUS

**16 – 029 To consider and act on authorizing the Town Manager to execute a 3-year contract with Waste Management of Maine, Inc. for solid waste and recycling collection.**

Town Manager Shane said that the Finance Committee has reviewed this and has given their approval, and staff is also recommending approval. Waste Management has been an excellent service provider in trash collection and recycling.

Motion by Councilor Gruber, seconded by Councilor Stiles, to authorize the Town Manager to execute a 3-year contract with Waste Management of Maine, Inc. for solid waste and recycling collection.

VOTE: 5-0-1 (Copp abstained) MOTION PASSES

**16 – 030 To consider and act on forwarding to the Planning Board for a Public Hearing and recommendation, amendments to Road Standards as recommended by the Ordinance Committee.**

Town Manager Shane explained that our road standards in our subdivision plan are excessive. When approved, the smallest subdivision road can be up to almost 30 feet wide. The costs for the Town to maintain these roads are unnecessarily high. We want to make the road standards a little smaller to save money in the future.

Motion by Councilor Stiles, seconded by Councilor Storey-King, to forward to the Planning Board for a Public Hearing and recommendation, amendments to Road Standards as recommended by the Ordinance Committee.

VOTE: 6-0 UNANIMOUS

**16 – 031 To set a Public Hearing date of March 28<sup>th</sup> to consider and act on creating a Multiplex, Retail and Restaurant Overlay District for an area shown on Tax Assessor Map R1/Lots 13, 14, 14A & 14B in the Office Commercial South (OC-S) Zone, as recommended by the Planning Board.**

Town Manager Shane said that this item will have to be tabled due to the Planning Board meeting being moved to March 29<sup>th</sup>.

Motion by Councilor Stiles, seconded by Councilor Copp, to table to April 11<sup>th</sup>.

VOTE: 6-0 UNANIMOUS

**16 – 032 To set a Public Hearing date of March 28<sup>th</sup> to consider and act on a liquor license renewal for The Golf Learning Center.**

Motion by Councilor Stiles, seconded by Councilor Turner, to set a Public Hearing date of March 28<sup>th</sup> to consider and act on a liquor license renewal for The Golf Learning Center.

VOTE: 6-0 UNANIMOUS

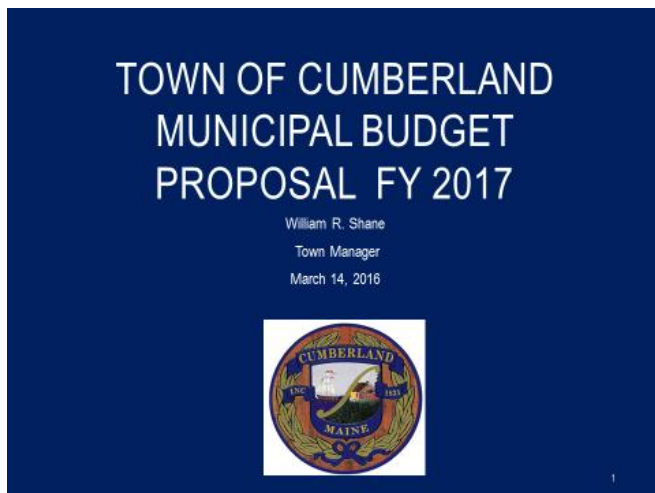
**16 – 033 To hear a report from the Nominating Committee and to appoint members to vacant Board/Committee seats.**

Motion by Councilor Copp, seconded by Councilor Stiles, to appoint:  
Adrian Kendall to the Central Fire Station Building Committee  
William Moulton to the Conservation Subdivision Advisory Committee  
Robert Baldacci to the Recreation/Community Education Advisory Board  
Dale Bouton, Nancy Storey and Dave Moody to the Val Halla Board of Trustees

VOTE: 6-0 UNANIMOUS

**16 – 034 To hear a presentation from the Town Manager re: FY2017 Budget.**

Town Manager Shane presented the following:



Budget Proposal FY 2017

Town Charter Requirements – Article V Budget

- Town Manager shall submit a budget prior to May 26<sup>th</sup>
- "The budget authority of the Council shall be limited to the final determination of the total appropriation to be made to each of the several offices, departments and agencies of the town."

**Budget Shall Include :**

- a. Statement of Financial Condition of the Town
- b. Detail of Expenditures, past, current and proposed
- c. Proposed Capital Budget
- d. Itemized Revenues
- e. Debt Service Budget- Interest & Principal detailed
- f. Other information as required by Town Council

Budget Proposal FY 2017

A. Financial Condition Overview

- The Town is in a very good Financial Position
- Closed FY 2015 with \$2.1 M Fund balance with all of it unassigned - no more "deficit funds"
- Bond Ratings Held at A 3 for Moody's and AA+ Standard & Poor's
- Tax Payments were at a near all-time high collection of 99% and Foreclosed properties less than \$10,000 uncollected

Budget Proposal FY 2017

B. Expenditures – Past - Current- Proposed

	FY2013 Actual	FY2014 Actual	FY2015 Actual	FY2016 Budget	FY2017 Proposed
<b>Total Expenses</b>	<b>\$8,777,049</b>	<b>\$9,043,008</b>	<b>\$9,562,512</b>	<b>\$10,355,079</b>	<b>\$10,726,164</b>
Operating Expenses	\$7,880,912	\$7,909,315	\$8,238,644	\$9,173,579	\$9,557,566
Capital Expenses	\$896,137	\$1,133,693	\$1,323,868	\$1,181,500	\$1,168,598



## Budget Proposal FY 2017



### C. Capital Improvements Overview

- Payson Property development moving forward
- Town Garage relocation delayed to FY 2018
- Closing of the Stump Dump Summer of 2017
- Over \$1M in paving prosed this Summer
- Fire Station Committee Appointed
- Middle Road Waterline & Recon beginning Engineering

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## Budget Proposal FY 2017



### D. Revenues

	FY2013 Actual	FY2014 Actual	FY2015 Actual	FY2016 Budget	FY2017 Proposed
Total Revenues	4,264,445	4,251,908	4,487,020	4,555,489	4,535,720
Revenue Sharing	612,537	424,348	421,155	385,710	385,710
Rev Shar as % of Total	14%	10%	9%	8%	9%

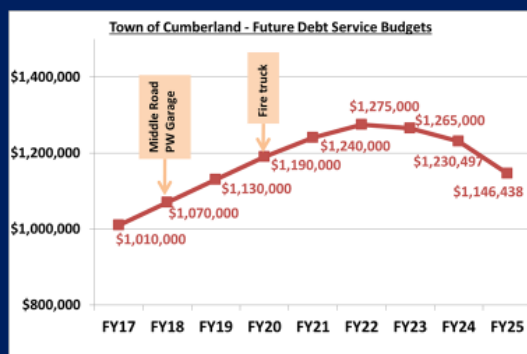
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## Budget Proposal FY 2017



### E. Debt Service - Original



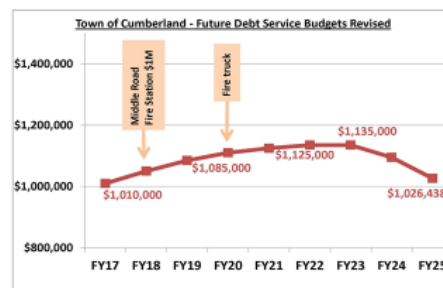
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## Budget Proposal FY 2017



### E. Debt Service – by Finance Committee



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## Budget Proposal FY 2017



### Knowns

- Loss of Homestead Reimbursement - \$ 8M in Value
- Reduce Overlay to \$200,000 – slows Fund Balance Growth
- Debt Service Town- Very measured & predictable
- Health Insurance- 20% Increase
- Increase in Property Value – Expect \$12 M

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## Budget Proposal FY 2016



### Unknowns

- MSAD 51 Budget – presented March 21st

10

Budget Proposal FY 2016			
<u>Preliminary Tax Rate Impact</u>			
Municipal		\$343,142	
Payson Debt	\$185,000		1.8%
Insurance	\$100,000		1.0%
Remainder of Town Budget	\$ 58,142		0.5 %
	\$343,142		
County Tax Increase		\$ 27,943	0.3%
Total Increase without Schools		\$371,085	3.6%
County + Town - 1.4% Increase to Mil Rate			\$0.26

Budget Proposal FY 2017	
<u>Next Steps</u>	
<ul style="list-style-type: none"> <li>Budget Workshop - Saturday, March 19, 2016 8 AM until Completed</li> <li>March 28, 2016 Public Hearing FY 2017 Budget – 7 PM</li> </ul>	

Chairman Bingham reminded the public that the Town Council will be holding their annual Saturday budget workshop this Saturday beginning at 8:00 a.m. The public is encouraged to attend.

**16 – 035 To set a Public Hearing date of March 28<sup>th</sup> to consider and act on adoption of the FY’17 Municipal Budget.**

Motion by Councilor Stiles, seconded by Councilor Turner, to set a Public Hearing date of March 28<sup>th</sup> to consider and act on adoption of the FY’17 Municipal Budget.

VOTE: 6-0 UNANIMOUS

**16 – 036 To consider and act on reconsideration of Item #16-019 Contract Zone Agreement for Cumberland Foreside Village.**

Town Manager Shane explained that per our ordinance any contract zone amendment is required to be noticed to abutters within a 500 foot radius. We discovered that this did not happen due to new employees and being short staffed in the Planning and Code Enforcement Departments. In an effort to be fair staff is recommending reconsideration. He met with David Chase and apologized for the oversight. Mr. Chase is in agreement that the process should begin with the correct number of notices. This setback has also allowed us to discuss some other concerns that have risen in the past few weeks and he has agreed to:

- 205 of the 96 units will be 55+ (19 units)
- Providing landscaped berms to block headlights east and west side parking areas
- Use of earth tone colored siding to better blend in with existing buffers

Motion by Councilor Gruber, seconded by Turner, to reconsider item # 16-019 from February 22, 2016, Contract Zone Agreement for Cumberland Foreside Village.

VOTE: 5-0-1 (Storey-King abstained) MOTION PASSES

Councilor Storey-King requested permission to go to the podium and address the Council as a citizen. She is a direct abutter to the project and she has some comments and photos to share.



# Concerns about the Foreside Village CZA

## Impact

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## Introduction

Have supported this all along, even when I was not clear on the public benefit of the CZA.

An awareness of the impact was not obvious until the houses started going up.

While I don't like the houses, I don't own the land.

I do not and will not support the apartment buildings (multiplexes).

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This house appeared last week after the Council's acceptance of the Planning Board decision.



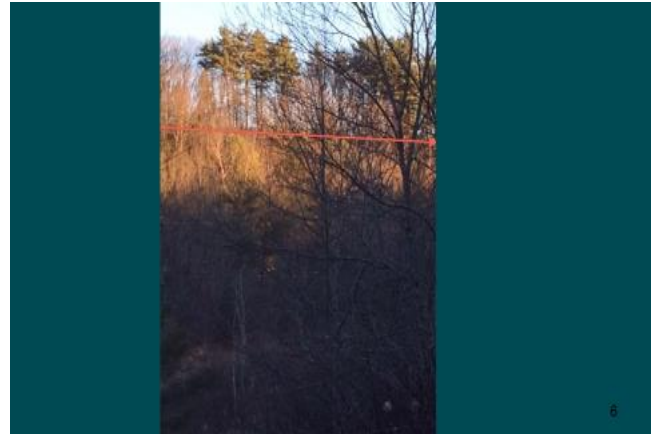
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The red line is where the apartments will be built. 8 buildings, 40 feet tall.



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This is the previous view (same tree circled on previous photo).



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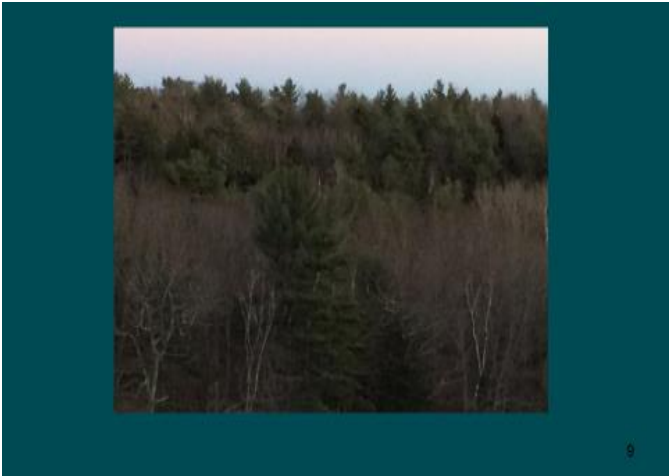
The red line is where the houses will be constructed. They will be sitting on the flat above the line.



Same view in the winter. No vegetation on the ridge.



Where there is blue sky, there will soon be buildings.



## Misunderstandings...

Impact, as just illustrated.

Public benefit...there is none to this proposal. These apartments could be built four hundred feet from any of you if the sole benefit of a need for apartments expressed in the Comprehensive Plan was the criteria.

I feel strongly that this was rushed and I do not believe all concerns were obvious at the time.

## Timeline

Planning board notes  
1.2.15  
Full plan for residential development  
Mention of plan to purchase town land

2.27.15  
PSA for town land

4.21.15  
Phase I 22 homes  
Phase II 23 homes  
Phase III 32 apartments in 2-4 buildings

From the minutes:  
*Mr. Shane stated we are anticipating forty units of affordable senior housing units for the apartments and trying to separate residential and commercial development traffic.*

5.19.15  
Changed from three to two phases

From the minutes:  
*The development plan for the second phase has not yet been finalized. There has been discussion of constructing 32 apartment units for seniors.*

7.21.15  
Nothing noted in the minutes

7.30.15  
*Public Hearing: Major Subdivision Review*  
*Cumberland Foreside Village Housing a development to include 45 single family home lots as well as one additional lot for which is proposed site preparation only including blasting (for future 32 apartment units), for Cumberland Foreside Village, LLC, Tax Assessor Map R01, Lots 11, 7, 11A and lot 12 in the Office David Chase, Cumberland Foreside Village, LLC, Owner, Applicant, Tom Greer, P.E. Pinkham & Greer Civil Engineers, Representative.*

No comments noted in the minutes about the lot intended for apartments.

8.18.15  
Discussion of commercial lot

## Conclusion

Not just a NIMBY

We owe it to the process to be informed and do it correctly.

Thank you.

1.19.16  
*Sketch Plan Review:*  
*Concept plan for a 96 unit, market rate apartment complex; U.S. Route 1, Tax Assessor Map R01, Lot 12 in the Office Commercial South (OC-S) district, with a contract zone agreement to be amended; Cumberland Foreside Village, LLC, David Chase, Owner, Applicant, Tom Greer, P.E. Pinkham & Greer Civil Engineers, Representative.*

Notice the jump from 32 apartments to 96 units. Lost are affordability standards and senior housing, except that TC added in a senior unit per building.

From the Town Council minutes:  
*Town Manager Shane explained that David Chase requested a Contract Zone Agreement to allow up to 96 apartments to be built in his Route One development.*

*Councilor Storey-King commented that this particular Contract Zone Agreement has been amended so many times that it has lost its integrity and she is still trying to figure out what the public benefit is.*

Tom voted against it.

2.16.16  
No planning board minutes available.

Councilor Storey-King said that her intent is not to villainize Mr. Chase. She is simply saying that this project is a lot more than she expected it to be.

Councilor Turner said that he differs with Councilor Storey-King on one respect, which is that 96 apartment units do not have any public benefit. We have a Comprehensive Plan that calls for more apartments in Town and we all know that we currently have very few. As far as the view is concerned, he understands Councilor Storey-King's concern, but he has lived in his house for 36 years and you eventually get used to your environment and the view around you, even when it changes. He is not sure that this issue rises to the level of compromising a multi-million dollar project.

Councilor Storey-King said that she realizes that moving this forward to the Planning Board means that the Council supports the project. She wants to address the issue of the location. If we are going to approve a contract zone amendment with public benefit to 8 apartment buildings, we could have anyone in this community come and ask for a contract zone amendment so that they can also build 8 apartment buildings for 96 residents anywhere in Town. Not just this location. Precedent would have been set.

Councilor Gruber said that he agrees that sending this back to the Planning Board will give the opportunity for good, public discussion.

Motion by Councilor Gruber, seconded by Councilor Copp to send the revised Contract Zone Agreement for Cumberland Foreside Village with the 3 additional conditions (20% of the 96 units will be 55+, landscaped berms to block headlights and earth tone siding to blend with existing buffers) to the Planning Board for a public hearing and recommendation.

VOTE: 5-1 (Storey-King opposed)                      MOTION PASSES

## **NEW BUSINESS**

**Councilor Gruber** – None

**Councilor Storey-King** – Thank you to the Town Clerk and Town Manager for working the caucus. The turnout was spectacular.

There will be a retirement party on March 31<sup>st</sup> from 2:00 – 4:00 p.m. for Police Chief Charron. The public is welcome to stop by and wish him well.

Congratulations to the Greely Jazz Band. They won the title for best in their division.

Congratulations to Ashley Storey for being selected for the Northeast Region Rookie Team.

Happy birthday to her mom tomorrow. She will be turning 83.

**Councilor Turner** – he sent condolences to Margelia Potter's family. Margelia was a wonderful lady who lived a wonderful life.

**Chairman Bingham** – there were 3 Blanchard girls, Estelle, Barbara and Margelia. Their family played a huge part in this community. Margelia was the last of them.

**Councilor Stiles** – he reminded everyone that he continues his efforts to collect donations for the 4-H auction to benefit the food pantry. If everyone donates just \$10, it will supply the food pantry with a lot of meat product.

**Councilor Copp** – he commended Councilor Storey-King for speaking up this evening on the contract zone issue.

**V. ADJOURNMENT**

Motion by Councilor Gruber, seconded by Councilor Turner, to adjourn.

VOTE: 6-0 UNANIMOUS

TIME: 9:52 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary