

MINUTES

Cumberland Town Council Meeting

West Cumberland Hall

MONDAY, August 13, 2018

7:00 P.M. Call to Order

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

I. APPROVAL OF MINUTES

Motion by Councilor Bingham, seconded by Councilor Gruber, to accept the July 23, 2018 meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

Motion by Councilor Bingham, seconded by Councilor Gruber, to accept the August 2, 2018 special meeting minutes as presented.

VOTE: 7-0 UNANIMOUS

II. MANAGER'S REPORT

None

III. PUBLIC DISCUSSION

Robert Storey of Range Way said that he understands that the Town plans to intervene on CMP's Brightline project. 95% of the towns involved support the project. Are we jeopardizing tax revenue by intervening? We are supposed to be a business friendly community. He urged the Council to think it before intervening and he hopes that it will not waste taxpayer money by doing so.

Cathy Merrill of Tammy Lane said that she would like to see a sidewalk on Blackstrap Road. She has been noticing a lot of children walking on Blackstrap Road heading to the playground or sports field. There is also a lot of construction traffic going back and forth on Blackstrap Road. She would also like to see public access to Forest Lake for canoeing and kayaking.

Bob Maloney of Maloney's Ridge Way thanked the Council for holding their meeting in West Cumberland. He would also like to see the Town become more pedestrian and bike friendly by adding sidewalks on Skillin Road, Gray Road at Morrison's Hill and Blackstrap Road.

Cathy Wright of Skillin Road emailed the following comments:

- Spend money in West Cumberland for its residents. We have nothing here other than the recreation field, which has been here since before my son played baseball. He is 46. Yes, it is now a football field with a small playground, but really is that the best you can do? We have the Payson waterfront, Knights Pond, Twin Brooks, school playgrounds, Rines Forest, Town Forest and tons of sidewalks with more being constructed. West Cumberland needs Forest Lake access for fishing, canoeing and kayaking with at least parking for five. We really don't need more gravel pits!
- Sidewalk up Morrison Hill to Board Barn to allow people safe walking to support local business. And no, the access thru a working sandpit in summer and unplowed in winter does not suffice.
- Install a stove in the West Cumberland rec hall. I was shocked to find out it had none when I was going to rent it for a reunion. Seems like money well spent to me.
- Widen Orchard Road which currently is unsafe for pedestrians like me.

- Install green arrow for left hand turn from Main Street to Blanchard Road. There currently is a left hand arrow for left hand turn from Main to Tuttle which is a safer turn.
- Better vigilance of speed limits and texting while driving. We see little police presence other than at top of Morrison Hill, which seems like a speed trap to me anyway. With all the gravel trucks on Blackstrap and Skillin it is difficult to safely cross the road. Texters are another matter with the sharp corners particularly on Skillin.
- Property Tax Relief for us older residents (over 50% of Cumberland residents are retired). We have to balance fixed income with rising costs of medication, copays, insurance, taxes etc. Both the municipal and school budgets need to be controlled.

IV. LEGISLATION AND POLICY

18 – 106 To hear an overview of the Conservation Subdivision Ordinance from the Planning Board Chairman and the Conservation Subdivision Committee Chairman.

Planning Board Chairman, Steve Moriarty explained that in May of 2014, the Land Use Advisory Committee was formed and given several charges by the Town Council, such as looking at the boundaries of the Rural Residential Zones, the Office Commercial Zones, and study of the three growth areas. Another committee charge was to consider if a Conservation Subdivision Ordinance should be adopted. The committee gave its final report to the Town Council in June of 2015. One of the recommendations at that time was that a separate, independent Conservation Subdivision Subcommittee be appointed to study the issue and bring a fresh perspective to that topic. In November of 2015, a Council charge was adopted for the Conservation Subdivision Committee.

Mr. Moriarty said that the Planning Board met in workshop sessions with members of the Conservation Subdivision Committee and some of the Town Council to review the new ordinance. On June 19th the Planning Board voted to approve the new subdivision ordinance. The new ordinance was presented to the Town Council on July 9th and a lot of public input was received. It was determined that there was more work to do on the ordinance. Since the July 9th Council Meeting, Mr. Moriarty met with Mike Schwindt, Chairman of the Conservation Subdivision Committee, Town Planner Carla Nixon, and Town Manager Shane to review all the comments. There will likely be another workshop meeting in September to review the newest amendments.

Mr. Moriarty explained that the conservation subdivision is a little different than traditional subdivision, in which the lots are as large as existing zoning will allow. We also have the cluster option with allows smaller lots where 25% of the land is preserved for open space. Conservation subdivision takes that one step further and provides for 50% open space within the parcel to be developed. In addition, a 75 foot buffer around the perimeter of the subdivision would be required. There are certain permitted uses for the open space for passive recreation. Conservation subdivisions are only allowed in the RR1 and RR2 zones and the Planning Board will look at both traditional and conservation subdivision plans and determine which plan best suits the needs and goals of the Town.

Chairman Copp asked for public comment.

Chris Neagle of Orchard Road said that he hopes that the conservation subdivision ordinance achieves the subtraction of undevelopable land first, and then make conservation rules for the developable land. First, you would determine the net residential density for the site after taking away wetlands, etc., just as happens for a traditional subdivision. Then, set aside the percentage of the non-developable land as open space, and allow slightly smaller lots than would otherwise be allowed. If you want to call it a conservation subdivision, then you have to consider the percentage of only the developable land.

18 – 107 To hold a Public Hearing to consider and act on a speed limit reduction request to MDOT for Orchard Road.

Assistant Town Manager Bolduc explained that the Town received a request from a couple of different residents to reduce the speed limit on Orchard Road from 35 to 25. MDOT sets the speed limit on all Town and State roads. Approximately 10 years ago, we requested a reduction from 35 to 30 mph on Orchard Road. MDOT did an assessment of the road and determined that 35 mph was correct, but the portion of Orchard Road near Whitney Road should be increased to 40 mph. The area has developed significantly over the past year and now is a good time to make the reduction request.

Chairman Copp opened the Public Hearing.

Public discussion: Elizabeth Tarantino of Daffodil Lane said that she grew up on Orchard Road. As a child, she was able to walk and bike on Orchard Road. She raised her children there and she did not allow her son to ever ride his bike on that road. Children can't do this anymore because of the speed and amount of traffic on Orchard Road.

Paul Alberghini of 14 Orchard Road said that he asked Police Chief Rumsey to do a speed detail on Orchard Road. The report indicated that the average speed is 33.89, the 50th percentile speed is 33.37, the 85th percentile speed is 38.66 and the maximum speed that was captured was 57 mph. He does not feel that the speed sign that the police department uses is accurate and the average speed is higher. There are a lot of children in that area and hopefully MDOT will do the right thing.

Pat Fischer of Orchard Road said that her children used to play kickball on Orchard Road. There are a lot of housing developments in that area now and Orchard Road has become a commuter route. The stretch of road in front of her house is a speedway. She can't walk on Orchard Road anymore, it's too dangerous.

Bill Fischer of Orchard Road said that it is very dangerous to maneuver his farm equipment on Orchard Road and the dump trucks that use Orchard Road go very fast.

Dorothy Riddle of 13 Orchard Road said that her family would like to be able to walk on Orchard Road, but it is just too dangerous.

Motion by Councilor Storey-King, seconded by Councilor Gruber, to authorize the Town Manager to request a speed limit reduction to MDOT for Orchard Road.

VOTE: 7-0 UNANIMOUS

18 – 108 To set a Public Hearing date of August 27th to consider and act on setting sewer user fees for FY2019.

Motion by Councilor Stiles, seconded by Councilor Edes, to set a Public Hearing date of August 27th to consider and act on setting sewer user fees for FY2019.

VOTE: 7-0 UNANIMOUS

18 – 109 To hold a Public Hearing to consider and act on a Mass Gathering Permit for the Cumberland Soccer Club's Labor Day "Just for Fun" Tournament to be held on September 1st and 2nd from 7:00 a.m. to 7:00 p.m. at Twin Brook Recreational Facility.

Assistant Town Manager Bolduc said that staff has met with the organizers of the event and is recommending approval.

Chairman Copp opened the Public Hearing.

Public discussion: none

Chairman Copp closed the Public Hearing.

Motion by Councilor Gruber, seconded by Councilor Bingham, to approve the Mass Gathering Permit for the Cumberland Soccer Club's Labor Day "Just for Fun" Tournament to be held on September 1st and 2nd from 7:00 a.m. to 7:00 p.m. at Twin Brook Recreational Facility.

VOTE: 7-0 UNANIMOUS

18 – 110 To consider and act on setting the following household waste disposal events:

- **Confidential Shredding, Saturday, October 6th from 9:00 a.m. to 1:00 p.m.**
- **Bulky Item Pick-up Week, October 8th through 12th**
- **Universal Waste Collection, Saturday, October 13th from 9:00 a.m. to 1:00 p.m.**

Motion by Councilor Storey-King, seconded by Councilor Stiles, to set the following household waste disposal events:

Confidential Shredding, Saturday, October 6th from 9:00 a.m. to 1:00 p.m.

Bulky Item Pick-up Week, October 8th through 12th

Universal Waste Collection, Saturday, October 13th from 9:00 a.m. to 1:00 p.m.

VOTE: 7-0 UNANIMOUS

18 – 111 To appoint a member to the Planning Board.

Motion by Councilor Bingham, seconded by Councilor Turner, to appoint Ann Sawchuck to the Planning Board.

VOTE: 7-0 UNANIMOUS

V. NEW BUSINESS

Councilor Bingham – none

Councilor Gruber – we had 120 applicants sign up for assistance with the application process for the Senior Property Tax Assistance program.

There will be an article in the Forecaster regarding proceeds from the sale of reusable bags from Hannaford in Yarmouth going to our Food Pantry during the month of August.

Councilor Edes – he has received a lot of messages from people with "sticker shock" after receiving their tax bill. He feels that the Town did their part in trying to not increase property taxes through our budget process.

Councilor Storey-King – some sports started for Greely athletics today.

A portion of Greely Road will be closed on August 15th while the Railroad works on the crossing there.

Chairman Copp – he has also received a lot of calls since tax bills were mailed out. The contact number for the superintendent is printed on the tax bill.

Councilor Stiles – he reminded everyone that his efforts continue in raising money for the 4-H auction at the Cumberland Fair that will benefit our Food Pantry.

Councilor Turner – none

VI. ADJOURNMENT

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

VOTE: 7-0 UNANIMOUS

TIME: 8:44 P.M.

Respectfully submitted by,

Brenda L. Moore
Council Secretary