

# MINUTES

Cumberland Town Council Meeting  
Town Council Chambers

**MONDAY, March 25, 2019**

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

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

Excused: Councilor Stiles

### I. APPROVAL OF MINUTES

Motion by Councilor Gruber, seconded by Councilor Bingham, to accept the March 11, 2019 meeting minutes as presented.

VOTE: 6-0 UNANIMOUS

### II. MANAGER'S REPORT

Town Manager Shane said that he will hold his report until New Business.

### III. PUBLIC DISCUSSION

None

### IV. LEGISLATION AND POLICY

**19 – 040 To hold a Public Hearing to consider and act on sending an application to the Planning Board for a new compost, brush facility, and salt shed to be located on Greely Road near the railroad tracks.**

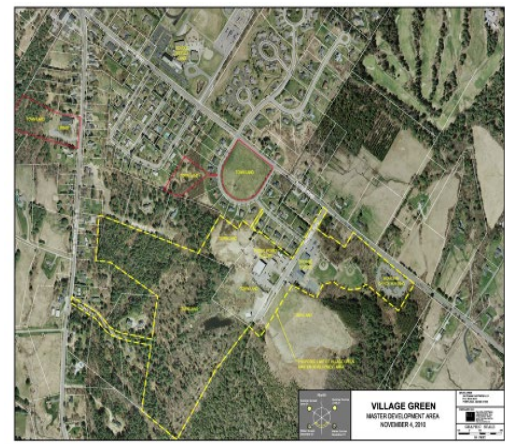
Town Manager Shane presented the following:

Compost & Brush Area  
and  
Sand / Salt Shed Relocation Meeting  
Greely Road

March 25, 2019

William R. Shane, P.E.  
Town Manager

In 2010, the Town Council directed staff to go to RFP for a proposal to develop the Property behind the Town Garage.



Bateman Partners of Portland, presented a multi-phased Master Plan to the Town Council and the Planning Board for the Development of the properties that included everything from Town Hall Way through Wyman Way including the Town Garage



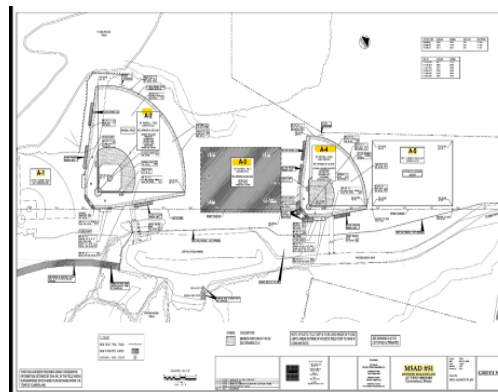
Is there any written legal agreement to Move? Do we have to Move?  
No.

Is there any written legal agreement in the deed with any restrictions for Twin Brook ?

No, except for MSAD 51 – 99 year Lease ( see next slide)

What is this section of Twinbrook being used for today?

- With permission, Springbrook Farm has used this area for grazing of animals.
- They have a 10 year agreement for cutting wood in Twinbrook as part of an approved Forest Management Plan
- The Farm annually mows all sides of Twinbrook for hay – good years all the fields are cut twice. The hay is used to support the Farm.



A1- Future LL  
A-2 Varsity Baseball  
A-3 Football Practice  
A-4 Varsity Softball  
A-5 – (F) Field Hockey



## What about the MOU? And the Idea of a Conservation easement?

Manager Report to Town Council on July 7, 2005

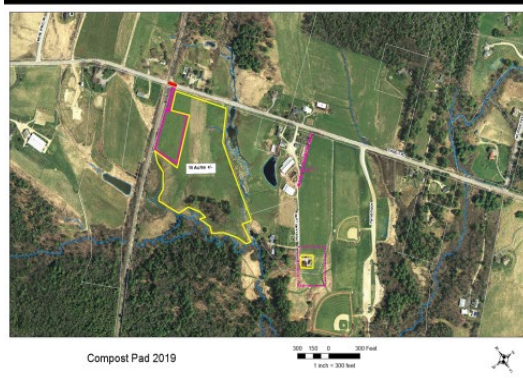
Town Council Meeting August 22, 2005 Item 05-144

- Referred to Twin Brook Committee
- Chebeague Island Session Talks begin the same evening

Nov 3, 2005 Twin Brook Committee recommended

Recommended a 2 year License  
Clean up of the Equipment and Farm Waste in rear of property  
Provide a Certificate of Insurance

No formal action by Council taken after Committee report. Manager instructed to work with Fowlers on using property on an annual basis. That has occurred since the sale for \$390,000 100 acres in 1996- Council Item 96-117 – Gift Letter of \$135,000 to Fowlers sold be Appraised Value of \$525,000



Option  
Explored  
in January  
2019 with  
Jeff Storey  
Compost  
& Brush Only



## So Why Move? Why not stay and fix the Garage?

We Are Staying at Drowne Road and will:

- Will need to Upgrade:
- HVAC
- Lighting & Electrical
- Locker Rooms
- Fuel Tanks & Canopy – possibly offsite in North Yarmouth
- Move Sand & Salt Storage – Offsite to Greely Road
- Move 2 Acre Compost & Brush Area to Greely Road (on top of a landfill ( temporarily))

**\$ 3M to Stay in Place** vs. **\$8.6M Skillin Road or New Site**  
**\$240,000 / year 20 yr. Bond** **\$688,000 / \$20 yr. Bond**



Town maintains \$6 Million in rolling stock equipment (\$9M replacement value)  
MSAD has 24 buses and a small garage onsite.



Brush Storage  
&  
Compost Site



Site  
Expansion  
Not an  
Option

## Sites looked at since 2014

### 12 Sites + Riding Club Site

- Pike- Blue Rock- now Chase Pit- Blackstrap Road
- Town Pit – Goose Pond Road
- Former Nelma Site- Tuttle Road near Town Forest
- Former Harwood /Railroad Site- Near Town Forest – Tuttle Road
- Twin Brook – Greely Road near RR tracks
- Tuttle Road Site near Drowne Road entrance
- Harris Road
- Greely Road near Hillside
- Longwoods Road Near Cross
- Former Anderson Equipment Site – Middle Road
- Storey Brothers- Middle Road
- Doughty Road
- Skillin Road

### Rejected Due to:

- Environmental – Wetland Survey
- Inventory of Existing Utilities
- MDEP & Planning Board potential issues

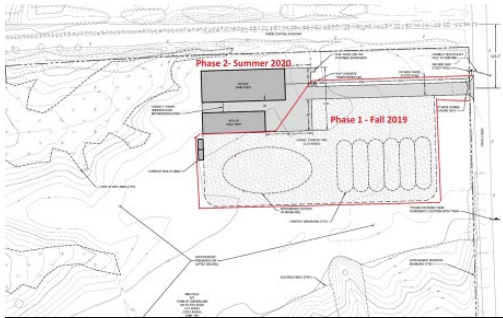
## Preliminary Costs

### Phase 1- Less Than \$50,000 Late Summer – Fall 2019

2 Acre Gravel Brush Pad  
Road into site – 400'  
Planning Board & MDEP May 2019

### Phase 2 – Sand & Salt Buildings -

Buildings - \$1 M  
Paving & Site Work - \$500,000  
Restoration at Garage – LT \$75,000



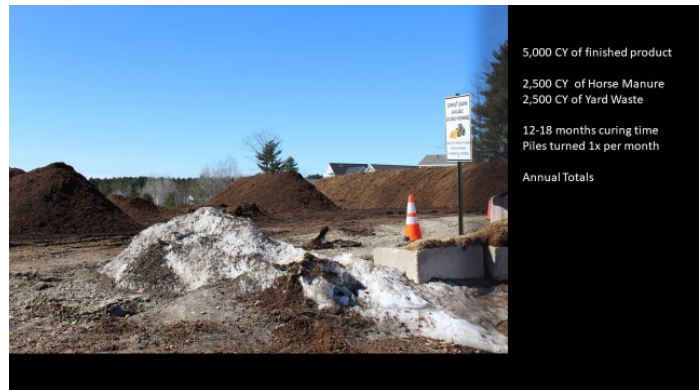
### Phase 1 Fall 2019

- Compost & Brush Pad
- Stormwater Detention

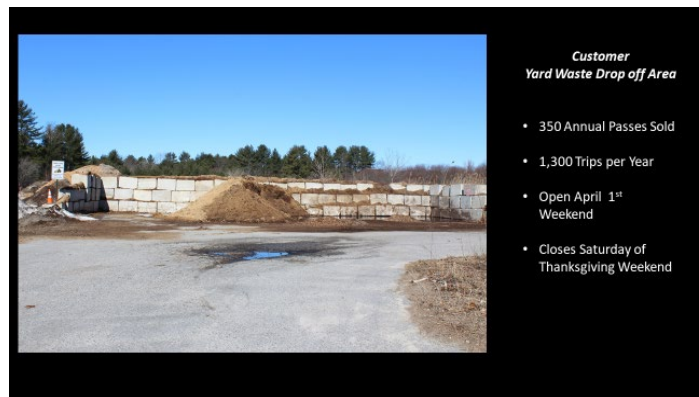
### Phase 2 Summer 2020

- Sand & Salt
- Power
- Paving

Do both projects have to occur now? No.



5,000 CY of finished product  
2,500 CY of Horse Manure  
2,500 CY of Yard Waste  
12-18 months curing time  
Piles turned 1x per month  
Annual Totals



**Customer  
Yard Waste Drop off Area**

- 350 Annual Passes Sold
- 1,300 Trips per Year
- Open April 1<sup>st</sup> Weekend
- Closes Saturday of Thanksgiving Weekend







### Next Steps

1. Decide on what will be moved- Sand/Salt and or Compost/Brush
2. With Council Approval - to move to Planning Board
3. Planning Board in May
4. MDEP Approval – 3-5 months
5. Bonding for Building – Summer 2019
6. Construct Pad – Fall 2019
7. Open Brush & Compost Pad - Spring 2020
8. Build Sand & Salt Sheds Summer 2020

End Presentation

Chairman Copp opened the Public Hearing.

Public discussion:

Alan Blanchard of 169 Greely Road said that we should not be here this evening talking about this. If the Town or a real estate official made a promise that the current location would be “taken care of” before a fully funded and viable plan was in place that is an ethical problem. It is not right to put this problem on us. This parcel is one of the last in Town where a mother and child can stop at the end of the road and see a mother cow with her calf. The view scape is part of this Town’s brand. Our comprehensive plan’s vision statement says “the Town of Cumberland’s vision for the next 10 years is to preserve the community’s rich agricultural heritage, to implement programs and practices to ensure environmental sustainability, to make available quality affordable housing for people of all ages and income levels, to expand non-residential tax base, and to facilitate moderate growth through prudent planning.” This parcel of land was sold to the Town in the late 1990’s with the understanding that it was to be preserved as open space and to the extent possible, used for agriculture.

David Goldman of 15 Bradbury Way spoke in support of the proposed location. If the current facility wasn’t located where it is today, nobody would think it was a good idea to place it in the dead center of Town, a handful of feet from two densely packed residential neighborhoods, across from a senior apartment complex, and next to a pond. The bottom line is that there is no perfect solution. Cumberland doesn’t really have an industrial district. It does have some relatively sparsely populated areas of which the Greely Road location is one, despite being close to the center of Town. Further, that location is next to the train tracks, which mitigates some of the concept that there is silence in that area. There are a number of properties in that area that are commercial, as opposed to residential, which from his prospective, makes it less intrusive to put it there as opposed to a densely populated



neighborhood. Finally, Greely Road itself is not a little used rural road. It is one of the primary through roads that connects Cumberland with Yarmouth. This is also land that the Town already owns. The Town has spent years and extraordinary effort looking for the perfect spot to relocate the Town garage. The Greely Road site is a reasonable solution to the problem of where to relocate it. There is no reason to believe that a better solution will ever come along. The Village Green neighborhood has been very patient throughout this process over the years, and he urged the Town Council to finally bring the process to a close and approve this proposal.

John Law of Baxter Lane thanked his neighbors who are present here tonight and have been patient in looking for some positive news. Instead, the neighborhood has experienced two negative impacts:

- 1) 4-acres of solar panels approved by the Town Council to be constructed on the former landfill site that abuts Drowne Road and the Town Forest. The solar panels will be raised so a tractor can mow under them. As a result of the solar panels being on that site, the entire 12+ acres of landfill will be enclosed with a 7-foot high fence prohibiting wildlife crossing, cross-country skiing, snowshoeing and dog walking. Everyone will see the panels on the hill.
- 2) Discovery of dangerously high levels of methane gas on the landfill that abuts Village Green and public works. While we sincerely appreciate the Town taking prompt action to mitigate the issue, there are now more landfill pipes, some bordering the backyards of Village Green. Additionally, this methane issue has negatively reduced the useable land available to Cumberland to develop additional housing and/or other commercial development. Given the reduction of useable land available, we understand the Town Council's decision to keep the current public works operations at the Drowne Road location. The temporary locations of the sand and salt shed and brush/compost piles need to be relocated. As Bill Shane has already presented, the Town has looked at 12 sites. As we residents know, Cumberland is not an industrial Town. If it were, then selecting an industrial site would be an easier decision. Instead, we are a Town of neighborhoods and farms. The proposal that the Town Council has before them tonight is asking us, the neighborhoods and farms that reside on Greely Road and neighbors surrounding the current public works location, to share in supporting public works requirements in two locations in Town, and not put the full burden in one residential area. We all need public works vital services. The Town Council has spent a lot of time and energy trying to locate a suitable site. No site is perfect and this option is financially attractive for the Town. Please support this plan.

Adam Lee of Harris Road said that many years ago, the Fowler's gave a great gift of land to the Town. They could have sold it to a developer, but they didn't because they wanted to preserve open space in Town. This was a great gift to our Town and all the Towns and Schools who use it. Approximately 4 years ago, they found a way to preserve this wonderful farm by leasing it to Jeff Storey. This land has been farmed for over 200 years. The fact that the Town wants to put a salt shed on this property is the worst idea that he has ever heard. There are farms all over the state that are polluted, causing cow's milk to be unusable because they ate contaminated grass. Putting a salt shed next to a farm is a mistake. Salt is deadly to agriculture. Jeff, the Fowler's, and the hundreds of people who buy their food cannot run the risk that there might be an accident of some sort that would allow the salt to leech into the land. This is the wrong place for the salt shed.

Tom Netland of 212 Greely Road said that he supports the Fowler's and the Blanchard's and is opposed to this plan. Someone made the statement that there are no industrial zones in Cumberland. This is not true. There are industrial and commercial zones in Town, and if this facility should be moved, it should be moved to one of those zones. Greely Road is not a major through road. If we start sending large trucks down that road it will cause safety issues as well as issues with the road itself, which already in need of repair. We need to think about all the other significant issues with this plan. This facility clearly does not belong in this location and the entire proposal is flawed. He requested that the Council withdraw the proposal.

Frank Whittier of Flintlock Road said that we are lucky as a Town to have Twin Brook and the open space. When the Flintlock neighborhood was developed, the Town Council at the time had the wisdom to protect our open space. He and his family moved to Cumberland because of the open space. He asked the Town Council to protect and guard our open space, just as our Town Council did back in 2000.

Melissa Richter of Solar Way said that there are plenty of other areas in Town where this could go. We need to look for a location in our industrial zone.

Sam York of the Lands & Conservation Commission said that the rural nature of Greely Road would not be the same with a lot of truck activity. The Commission would recommend leaving the salt shed at the public works facility. He recommended that the Council create an ad hoc committee to give this a fresh look at what we need and location options.

Ellen Josephs of 189 Greely Road said that she feels that this proposal will destroy one of the last little pockets of agricultural property left in Town. Over the weekend, people flocked to the farm to experience Maple Syrup Sunday. It was a very warm experience and there were a lot of smiling people visiting the farm. Spring Brook is giving their all to farming and she hopes that the Town Council will reconsider this location.

Katie Josephs of 189 Greely Road said that she just spent some time in Washington, D.C. advocating for agriculture in Maine, so this a little disappointing for her. She works to push young people to keep farming and this is sad for her. She urged the Council to remember the young people and the impact to their future.

Kimberly Couch of 78 Wyman Way said that she takes exception when people say that Village Green residents knew what that they were getting into when they purchased their homes. The public works facility was all supposed to be gone and now it has expanded. She has the best, worst view of the facility from her home and she is one of the homes effected by the methane gas. She spoke with someone from the DEP today and they confirmed that the space is too small for what is being done there and the piles of mulch, brush and debris are getting spread out over the landfill caps and this is illegal. It also contributes to the methane problem. Nobody wants to ruin anything for anybody, but we have to find a solution and it has to be moved somewhere. It's not right that the Village Green neighborhood has the entire problem.

Stacey Carlson of the Val Halla neighborhood asked that the Town Council give this some serious thought and bring this issue to the voters. The habitat that this farm provides for the wildlife of our community will be completely disrupted by this. She feels that the Town has not had the opportunity to discuss this and vote on it.

Fred Field of Laurel Lane is a photo journalist so he looks for beauty. He understands both sides of this issue and he was attracted to this Town because of how beautiful it is. He hopes that iconic farm stays as it is. This is a commercial use and perhaps we have to purchase land on Route 1 or Route 100 for it.

Beth Waldman of Village Green said that Cumberland is not an industrial Town. This is a very emotional issue and she feels that these locations are being presented after thorough consideration by the Town Council and it comes down to whoever can scream the loudest, make the most noise, or become the most emotional, wins. Public works is staying where it is and that brings us to our present reality. The methane has removed the possibility of the facility moving from its present site. However, there are two outlying operations that can and should be moved. Salt shed and compost operations need a location away from residential neighborhoods with adequate space. The Greely acreage sits along the railroad tracks in a large open field, away from dense residential housing. There are nearby commercial businesses, like the farm and the animal clinic, that have bright lighting, paved lots, concrete, and frequent customer traffic. These businesses have established that stretch of



Greely Road as a business zone and Greely Road can withstand the traffic better than Drowne Road. She hopes that the Council will consider giving this proposal to the Planning Board for the consideration it deserves.

Adam Dews of Farwell Avenue said that other costs have to be considered with moving the current location, such as wear and tear on the trucks, etc.

Lauren Leeman of Tacoma Lane said that she has been troubled throughout this process because it is putting neighbor against neighbor. She appreciates that the Town Council recognizes that the current location is not appropriate for a residential neighborhood and it has to be moved. It bothers her that during this process, she keeps hearing that the Village Green neighborhood knew what they were getting into so they should live with the nuisance. As a community, we should support the reservations that other people have with what is being proposed to be put in their neighborhood. She would hope that people would understand why people in Village Green shouldn't have to put up with the same issues, even though they were there when they moved in. She thanked the Council for continuing to look for alternative sites.

Casey Hughes of 250 Greely Road said that he respects the Drowne Road neighborhood and he wonders why we are pressured to do this right now. Can we wait a little while? The Town held Ocean View's feet to the fire to protect the rural nature of the Godsoe property and we see that same view from the farm. He is concerned with the salt getting to the stream and big trucks traveling on Greely Road. This is not the place for this.

Joyce Mongeau of Brookside Drive said that she feels that the salt shed does not belong on this view shed. It will ruin the farm and she is concerned about the environmental impact.

Meg Coon of Village Green said that she loves Cumberland and she loves Spring Brook Farm, but she does not love the salt shed, the compost pile, and the noise and smell that has gotten worse over the last couple of years. She agrees that Greely Road is not the right place for the salt shed. She encouraged the Council to keep looking for a new location.

Bill Full of Balsam Drive asked the Council to think about what happens 10 years from now when we discover that improperly built and improperly contained salt and compost is not what we thought it was. It will be very difficult to remediate that problem. The Town as a whole has a responsibility to the Fowler's. There were verbal commitments made and they believed that the land would be maintained as they wished it to be. How can we think that in the future anyone would donate land to the Town if the trust of the Fowler's is violated? We have a responsibility to each other to find a good solution for this.

Janna Vaccarello of 198 Greely Road said that she feels for the Village Green neighborhood. If they were promised that the public works facility would be moved, then it should be moved, but not to a farm. This is one of the last farms in Cumberland. She does not agree that Greely Road is the perfect place for this.

Heather Jacoma of 12 Pond Shore Drive said that we must preserve the original intent and the Fowler's intent for this property. We must preserve the character of the intent of the property which was conservation and open space for the people of Cumberland, and preservation of our glorious farm lands. Other residents may want to consider donating their land to the Town for the public trust for the people of this Town. An ill wind will blow if the current people of this Town cannot maintain the character of the intent of a previous landowner's generosity.

Jason Silevinac of 25 Mustang Lane said that if a decision did not have to be made tonight, he would be up for revisiting Jeff Storey's original proposal, if they were still interested. He originally did not want it in his back yard, but if they are still open to a discussion, he would be willing to revisit it.

Chris Coleman of Greely Road reminded everyone that having healthy, safe, nutritious food is the most important thing anyone can do for their health. Food is medicine and where that food comes from matters. She asked the Council to think really hard about the land that grows their food in our community for future generations.

Mike Schwindt, Chairman of the Lands & Conservation Commission said that Section 3015 of the Cumberland Code identifies the role of the Commission and it says that the Commission must input and make a recommendation to the Town Council regarding any proposed development of Town owned property or any significant proposed change on the property. He looked at the schedule of events in the manager's presentation and the Lands and Conservation Commission has never had this on any of its agenda. He asked the Council to either get this referred to the Commission or change the ordinance so we are not out of compliance.

Jeff Storey of 22 Storey Brook Lane and manager of Spring Brook Farm asked how much land the Town owns on Route One.

Town Manager Shane said that the parcel is approximately 7 acres, but 5 acres is wetlands and not developable.

Mr. Storey said that his business is run only on the income from this community and many people don't realize that the farm doesn't own this property. He realizes that legally, the Town can do what they want to with the property, but morally and ethically, it should be left alone. Since he took the farm over 5 years ago, the farm has grown. They grow their animals and vegetables organically on the property and contamination of this land will change the quality of their products. Brooks, wells, aquifer, animals, food, scenic views and taxpayer money will all be affected by this. If the property gets contaminated, and it will, it will jeopardize the farm. There is no way that the farm could ever afford to pay for metered water as they use thousands of gallons of water. He feeds many people in this community from the land that he farms. They are not just a farm in the middle of Town. They are a community based operation that relies on everybody to help them succeed and to provide good food and educational events. Standing here this evening in front of this large crowd, he hopes that the Town Council hears us and says no to this project. He also asked that the Council take the steps to preserve this piece of land forever.

Kay Fowler spoke of the many generations of her family that have owned Spring Brook Farm for almost 200 years. They lease the land to Jeff Storey and are extremely proud and grateful of what Jeff is doing for the farm. Over the last 5 years he has improved the farm services for our community. Her husband Greg has dementia now, but no matter how much Greg loses his memory, he will never lose his love for this land and this Town. Last Friday, she and Jeff were in the office discussing what the Town was proposing to do with that field. Greg came into the office and looked at the pictures of the proposal and asked what the buildings in the pictures were for. She explained it to him and he became quiet. She looked at him and he had tears in his eyes. He then said three words...that beautiful field.

***Testimony sent via email:***

*From Steve Greenlee, 15 Aspen Crest Road:*

I cannot attend the Town Council meeting on Monday night, but I'd like to state my opposition to the proposal to create a compost, brush facility and salt shed off Greely Road.

Unlike Tuttle Road, Greely Road is a narrow road with no shoulders. It is already difficult to walk or run along Greely Road (something I do daily) without dodging vehicles. Adding more trucks – and dump trucks – to the traffic on Greely is inadvisable. Also, the road itself is in terrible shape and does not need more heavy loads. On a more aesthetic note, creating this type of operation on that property would destroy both the natural beauty of that area and the experience of visiting Twin Brook.

Let's not ruin one of the more peaceful and beautiful parts of our town.

Thank you for considering my objection.



*From Marjorie Ferris, 54 Drowne Road:*

I am writing to express my views on the proposed move of the brush pile, compost, and sand pile from Drowne Road to Greely Road.

I live in Village Green at 54 Drowne Road. My home is on the opposite side of Drowne Road from the brush, compost, and sand piles. I normally enter and exit the Village Green neighborhood from Route 9. I do not have views of the brush, compost and sand piles from any angle of my home, nor do I drive past them during my routine travels. From an aesthetic viewpoint, the current location of the brush, compost and sand piles, has no impact on my home. From a neighborhood viewpoint, I strongly believe the proposed Greely Road location is far more suitable than the Drowne Road location.

Village Green is a neighborhood consisting of 56 single family homes as well as senior housing apartments. The sidewalks throughout the neighborhood are used by children and adults for walking, biking, running, pushing strollers, dog walking, skate boarding, children playing, etc. These sidewalks are utilized daily by Village Green residents as well as residents throughout Cumberland. The Drowne Road cut-through between Tuttle Road and Route 9 as well as the entrance into the Cumberland trails, attracts many runners, walkers and bikers throughout Cumberland. Drowne Road is a narrow, side-walked street, with speed bumps and a 15-25mph maximum speed limit. Drowne Road accommodates and welcomes an enormous amount of foot and bike traffic. There are no commercial properties within the neighborhood. Village Green roads, residents, and visitors cannot accommodate the commercial and industrial traffic that the brush, compost, and sand piles bring in.

The proposed Greely Road location is far more suitable for accommodating the brush, compost and sand piles. This proposed location is directly next to a railroad crossing and surrounded by commercial properties including an animal clinic, a farm, and a farm store – which are already accommodating trucks, parking lots, and farm equipment. The speed limit on Greely Road is 35-45mph. Greely Road does not have sidewalks. It is not a road that invites walkers, strollers, or children playing. Though there are occasional runners and bikers on Greely Road, this usage is minimal due to the railroad tracks, lack of sidewalks, and commercial properties already located there.

There is one home, next to the railroad crossing, that will be seriously impacted by moving the brush, compost and sand piles to this proposed location on Greely Road. I would encourage and support the Town of Cumberland to provide a buffer of trees, fencing, or screening for this one property. As this home is already located immediately next to the railroad crossing with no buffer, I would imagine that a new sound and sight buffer would be a welcome addition to the residents of that home.

*From John Paynter, 445 Greely Road Ext:*

First of all, I would like to commend this Council for their efforts over the last many years on behalf of land conservation. Creating open space and conservation lands such as Knight's Pond, Rines Forest and the Town Landing are examples of this Council's good work. Thank you so much preserving these town treasures. Therefore, I ask you to continue in the spirit of preservation and vote **NO** on the proposed salt and sand sheds, town brush dump and composting area proposed for Greely Road. Here's why:

Scenic Road: Take a ride up Greely Road any time of the year and you will see views worthy of a Currier and Ives print, a Wyeth painting, or a Downeast Magazine cover. The facility proposed will be an eyesore in one of our town's most scenic areas.

Twin Brook land: The Twin Brook Recreation Area was created to be just that, preserved open space and woodlands for public recreation. This proposed facility does not belong in such an area that was designated for

recreational uses. Twin Brook is a town treasure and must be preserved as such.

Rural Zoning: This Greely Road area is in the Rural Residential Zone. Such an industrial use does not belong in the rural zone. Next door is Spring Brook Farm, another town treasure. There are other working farms along Greely Road. We don't need to put the sand and salt sheds next to these beautiful farms.

Environmental Concerns: The area for the proposed facility lies directly between two important watersheds, wetlands and Shoreland Zone areas. The runoff from the materials stored in such a facility will endanger these ecosystems.

Road Conditions: Greely Road is already in bad condition. What will all the heavy truck traffic do to this road as materials are brought to the facility and then hauled out to be spread around the town roads? Greely road is posted closed to heavy traffic during mud season. Will we have to rebuild Greely Road to accommodate all the heavy trucks? Think of the expense of that! And how much will it cost to build the 400' two lane road to access the facility?

I ask the Council to consider other areas for this facility. Place it in an appropriately zoned area for this use. Place it in along the Route 1/ I-295 corridor or in the industrial area of Route 100, for example. These state roads are built to handle heavy vehicles. And similar uses are already in place along these roads. The argument can be made that the town already owns the Greely land. I argue that the cost of building the 400' access road will be more than the cost of buying a piece of land elsewhere that is closer to the main road negating the need for such a long access road.

So, please consider a different location for this facility. Thank you for your consideration.

*From Katherine Pelletreau:*

I am writing to express my views on the proposed move of the brush pile, compost, sand and salt from Drowne Road to Greely Road.

My current home is in Village Green at 55 Drowne Road, directly across the pond from the brush and compost piles. I have advocated for the removal of the full Public Works and now, since the methane, for the lesser objective of its associated piles and dumps.

Prior to moving to Village Green, I lived for over 20 years less than half a mile from the new proposed location on Greely Road. I am very familiar with both areas and neighborhoods and have people I consider friends living in both locations. This process that pits residents and neighborhoods against one another and against the Town Council is terribly unfortunate and some people will likely have residual hurts and resentments whatever the Council decides.

That said, you, as elected leaders of our town, willingly bear this burden and have accepted the charge of making difficult decisions in the best interests of the town and its residents even when they are conflicted. This is one of those decisions. It is difficult, but it must be made. There are clear reasons that compel the move and definitive advantages of the new location.

- As you have heard from town staff multiple times, the current location does not suit the town's needs. It does not have sufficient room for expansion and is too close to the surrounding residential neighborhood.
- The current salt and sand location is only approved as a temporary site. Plus, the state requires that both salt and sand be covered, which is not possible in the current location given its proximity to the road and the capped landfill.
- The current facilities are situated in the heart of a residential neighborhood, surrounded on all sides by single family homes or senior housing apartments. Some houses are inside of 50 ft from certain piles and many houses are affected visually and otherwise.
- Access to the current site requires travel on Drowne Road, a road that is posted at 25 MPH, and at least in one direction, has speed bumps (posted at 15 MPH) and winds along curves right through the center of our



densely populated neighborhood to get through to Rt. 9. The passage is impractical at best and a loud and noxious nuisance at worst. This traffic is incompatible with children and dog-walkers out constantly walking and playing on the sidewalks.

- Comparatively, Greely Road is posted at 35-45 MPH with traffic and trucks routinely passing through. There is only one home, directly across the street and next to the RR tracks, that will be seriously impacted, and it will be severe. Otherwise, the next closest neighbors are Spring Brook Farm across a large field and the Netlands, on the other side of the RR tracks and shielded by trees.
- The new location is in a field currently owned by the town and with limited utility for other purposes because it is right next to the RR tracks.
- Greely Road has existing commercial establishments close by including Spring Brook Farm Store and the Cumberland Animal Clinic that have parking lots and lights, increase traffic and bring delivery trucks and heavy farm equipment to the area. There is also Twin Brook close by that generates bus and car traffic and noise from athletic events. These are all features that contribute to the suitability of the Greely Road location.

The Town needs an appropriately housed and approved facility for brush, compost, salt and sand, located where it is least disruptive to a small number of residents, highly accessible, and has good functionality such as the ability for trucks to turn around easily and for sand and salt to be covered.

I realize that there are people in opposition to the move and I would support the town offering screening or fencing to protect the few adjacent properties that will be affected.

Thank you for your leadership on this issue.

*From Suzy Adams, 5 Baxter Lane:*

We are writing to add our support to the letter you received from Katherine Pelletreau, our Village Green neighbor. We agree that moving the brush dump and salt shed to the Greely Road location seems like the best solution to this longstanding and difficult issue. We certainly hope that you will decide to act on this proposal.

*From Ivy Frignoca, 2 Sparhawk Lane:*

I am unable to attend tonight's hearing due to a work conflict. As a resident of Cumberland and frequent user of Greely Road and Twin Brook for recreation, I have concerns about your proposal to move salt and sand facilities as well as other transfer station services to Twin Brook. This move seems antithetical to the purposes of Twin Brook. In addition, placing sand and salt facilities with their attendant increase in impervious surface and vehicular traffic could well threaten the health of the nearby wetlands, parkland and farmland. Finally, Greely Road is a well-used path of runners, walkers and bikers. Adding a lot of vehicular traffic on a road with no shoulders - that is used for recreation- is not a good idea.

My apologies for typing this out quickly by phone. If there is additional time or opportunities for public comment, please let me know.

Thank you for considering these and other public comments.

*Wendy Donofrio, 20 Hillside Avenue:*

We as Cumberland residents do not want another trash site. We do not want a 24/7 lighted operation. The thing that makes us the unhappy is the fact that the Town is proposing to build this on what was designated as protected land. The thing that worries me the most is what will happen with the water table and pollution and most of all, the migratory patterns of the Canadian geese that find that land as a safe haven. I reject this proposal and will fight to make sure it never happens.

Chairman Copp closed the Public Hearing.

Councilor Bingham said that over the past 6 years, the Town has acquired property at Broad Cove Reserve, Knight's Pond and Rines Forest. Several of these acquisitions were because people gave the Town a considerable discount on the parcels, so it is disingenuous to say anything we have done has resulted in people to not be willing to sell property to us. The Council's record on open space over the last 6 years is equal to any Town in the state. We also just passed one of the most significant pieces of legislation over the last 30 years, which is to change our subdivision ordinance and create a conservation subdivision option. This Council is very conscience of conserving land. Over the years, the Town has supported Spring Brook Farm. We are not anti-farming. The Town does own this property and any expectation that we would never do anything there, especially near the railroad tracks, he is not sure that was ever agreed upon. He would be in favor of proceeding with phase one of the plan. He does not think that brush and compost activity will affect the views any more than manure piles do.

Councilor Storey-King said that she has been thinking about this a lot. She feels that the proposed 400 feet from the road is not very far. She has concerns about the pond and the animals. From the beginning, she has not felt that this is the right place for this. Perhaps the fairgrounds is a better location for the compost and brush piles since compost is made from horse manure that we get from the fairgrounds. It may be time to revisit some of the previous sites we looked at now that we've decided to split up Public Works operations. She does not support this plan.

Councilor Gruber thanked everyone for being respectful to each other this evening. He feels that we need to do something for the Village Green neighborhood. He would be in favor of going to the Planning Board with phase one and finding a different location for the salt shed.

Councilor Turner said that handled properly, the brush and compost operation are not completely out of line with agriculture. He is not in favor of this site. He feels that the Skillin Road site was superior to this site.

Councilor Edes said that this is in his back yard. He does not want to see that land developed, but he wants the Village Green neighborhood to know that he realizes that they have to find a new location. He is not in favor of this.

Chairman Copp said that he has compassion for everyone in this Town and we have looked at 12 different sites for this. He is not sure yet how he vote on this. He feels that we owe Jeff Storey and the Fowler's something, and he feels that we also owe the residents of Village Green something. They have been very patient.

Motion by Councilor Bingham, seconded by Councilor Gruber, to send an application to the Planning Board for a new compost and brush facility, to be located on Greely Road near the railroad tracks.

VOTE: 3-3 (Turner, Edes and Storey-King opposed) MOTION FAILS

**19 – 041 To hold a Public Hearing to consider and act on repealing Chapter 315 (Zoning), Section 4 (Word usage and definitions), Section 18 (Village Mixed Use Zone), Section 43 (Clustered, dispersed, and traditional residential developments), Section 47 (Daycare centers and nursery schools), Section 56G (Mobile home parks - Roads), and Section 71 (Residential care facilities), of the Cumberland Code, as recommended by the Planning Board.**

Town Manager Shane explained that a lot of this is housekeeping related to our recently amended subdivision ordinance. We noticed some issues with section and article numbers have to be fixed throughout the entire ordinance.



Chairman Copp opened the Public Hearing.  
Public discussion: none  
Chairman Copp closed the Public Hearing.

Motion by Councilor Bingham, seconded by Councilor Gruber, to repeal Chapter 315 (Zoning), Section 4 (Word usage and definitions), Section 18 (Village Mixed Use Zone), Section 43 (Clustered, dispersed, and traditional residential developments), Section 47 (Daycare centers and nursery schools), Section 56G (Mobile home parks - Roads), and Section 71 (Residential care facilities), of the Cumberland Code, as recommended by the Planning Board, and also authorize amendments to the Zoning Ordinance to update articles and section numbers.  
VOTE: 6-0 UNANIMOUS

**19 – 042 To consider and act authorizing the Town Manager to execute a contract with Waste Management for trash and recycling services.**

Town Manager Shane said that staff is recommending this 5-year contract renewal with Waste Management.

Chairman asked for any public comment.  
No public comment.

Motion by Councilor Gruber, seconded by Councilor Bingham, to authorize the Town Manager to execute a contract with Waste Management for trash and recycling services.  
VOTE: 5-0-1 (Copp abstained) MOTION PASSES

**19 - 043 To set a Public Hearing date of April 8<sup>th</sup> to consider and act on forwarding a Contract Zone Agreement amendment with Heritage Village Development Group, LLC to the Planning Board for a Public Hearing and recommendation.**

Chairman Copp asked for public comment.

Jen Grasso of Clipper Street and President of the HOA that abuts the property said that most of the neighborhood is in favor of a mixed use plan. They are in favor of moving this Contract Zone amendment forward and seeing what it brings.

Elaine Clark of Nautical Drive said that her neighborhood would like to state that they are not opposed to residential development next to them. The one suggestion that she would have for the Council is that if they want to prioritize commercial development, they could do that in the Contract Zone stating that the priority is commercial, followed by mixed, follow by residential. They hope that residential will not be ruled out, since that is what the neighbors would like to see move forward.

Chris Kennedy of Clipper Street asked the Town Council to keep an open mind and keep residential on the table.

Phil Gleason said that without some component of residential development on this parcel, it is likely that nothing will happen with it anytime soon.

Chairman Copp closed public comment.

Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of April 8<sup>th</sup> to consider and act on forwarding a Contract Zone Agreement amendment with Heritage Village Development Group, LLC to the Planning Board for a Public Hearing and recommendation.

VOTE: 5-1 (Edes opposed) MOTION PASSES

**19 – 044 To set a Public Hearing date of April 8th to consider and act on adoption of the FY2020 Municipal Budget.**

Chairman Copp asked for public comment.

No public comment.

Motion by Councilor Bingham, seconded by Councilor Turner, to set a Public Hearing date of April 8th to consider and act on adoption of the FY2020 Municipal Budget.

VOTE: 7-0 UNANIMOUS

**V. NEW BUSINESS**

**Councilor Bingham** – None

**Councilor Gruber** – The Aging in Place Committee met last week. The meeting was well attended and a lot of good input was given by the committee.

Yesterday, the Cumberland Municipal Committee held a presentation here at Town Hall by Representative Seth Berry, the Chairman of the Energy, Utilities and Technology Committee for the State. It was well attended and Seth discussed his proposal for a state owned electrical utility to replace CMP. He had the opportunity to speak to Seth about the proposed transmission lines and the impact on Town resident's property values in Cumberland.

Now that we have grant funding available for the walk in freezer, the relocation of the pantry can now be planned.

Baseball season is around the corner and the playing fields are looking terrific.

**Councilor Edes** – None

**Councilor Storey-King** – She complimented Chairman Copp on a very well run meeting last week with residents of West Cumberland. There was a lot of very good discussion at the meeting.

Emma Fitzpatrick, senior at Greely High School, was awarded a complete scholarship to the University of Maine for her science presentation on invasive species.

**Chairman Copp** – 54 people attended the meeting of West Cumberland residents last week. It was a very good meeting where many topics were discussed.

He was in Presque Isle over the weekend and he saw a news story that the Presque Isle Food Pantry serves 13 families. He finds this amazing since Cumberland serves over 40 families.

**Councilor Turner** – None

**Town Manager Shane** – The Planning Board adopted the Capital Improvement Plan recently with staff's recommendation for no changes to the current growth permits of 65 annually. They asked to revisit this each year for the next few years to see if any demographic or census information may be able to correlate the impacts to community related non-school aged growth. He will reach out to GPCOG to determine if they have or can develop any reports to fulfill this request.

**VI. ADJOURNMENT**

Motion by Councilor Edes, seconded by Councilor Storey-King, to adjourn.

VOTE: 6-0                      UNANIMOUS

TIME: 10:34 P.M.

Respectfully submitted by,

Brenda L. Moore  
Council Secretary