

**CUMBERLAND PLANNING BOARD MEETING MINUTES**  
**January 20, 2026**

Meetings can be viewed at [www.townofcumberlandmaine.gov](http://www.townofcumberlandmaine.gov) - "Meetings on Demand".

**A. Call to Order:** Chair Bingham opened the meeting at 7 pm.

**B. Roll Call:** Peter Bingham - Chair, Stacie Daigle, Robert LeBlanc, David Noonan, Lorraine Rardin, Joshua Saunders & Ann Sawchuck - Vice Chair. **Staff:** Bridget Perry - Director of Planning and Sustainability & Christina Silberman - Admin. Asst.

**C. Election of Officers:**

**1. Election of Chair:** Ms. Daigle moved to nominate Peter Bingham as the Planning Board Chair for 2026, seconded by Ms. Rardin. Mr. Saunders moved to cease nominations for the position of Chair, seconded by Mr. LeBlanc and **VOTED, 7 years, unanimous – motion carries**. The motion for Peter Bingham to serve as the Planning Board Chair for 2026 was then **VOTED, 6 years, 1 abstained (Bingham) – motion carries**.

**2. Election of Vice Chair:** Ms. Daigle moved to nominate Anne Sawchuck as the Planning Board Vice Chair for 2026, seconded by Mr. Saunders. Mr. Saunders moved to cease nominations for the position of Vice Chair, seconded by Ms. Rardin and **VOTED, 6 years, 1 abstained (Sawchuck) – motion carries**. The motion for Anne Sawchuck to serve as the Planning Board Vice Chair for 2026 was then **VOTED, 6 years, 1 abstained (Sawchuck) – motion carries**.

**D. Approval of Meeting Minutes:**

**1. Minutes of the November 18, 2025 meeting.** Mr. Saunders moved to approve the minutes of November 18<sup>th</sup> meeting as written, seconded by Mr. Noonan, and **VOTED, 7 years - unanimous, motion carries**.

**D. Staff Site Plan Approvals:** None.

**E. Minor Change Approvals:** None.

**F. Hearings and Presentations:**

**1. Public Hearing:** Site Plan Review for issuance of a Five-Year Special Permit for the operation of the Storey Brothers Gravel Pit located at 48 Goose Pond Road as shown on Tax Assessor Map R07, Lot 48. **Applicant/Representative:** Robert Storey. **Owner:** RJT Properties, Inc.

Chair Bingham introduced the item.

Ms. Perry explained that Storey Brothers is seeking a five-year permit to operate their gravel pit. A five-year permit may be issued per Town ordinance following approval of five, annual permit approvals. Ms. Perry has confirmed with Code Enforcement Officer Bill Longley that no complaints have been received.

Robert Storey, Storey Bros., stated he is here to request a five-year special permit for the Storey Bros gravel pit. Mr. Storey reported that Storey Brothers obtained their first annual permit in October, 2019 and it has been renewed annually without issue.

Ms. Sawchuck asked about storage of materials on site, gravel pit activity on the adjacent properties owned by Storey Brothers and about DEP review thresholds. Mr. Storey clarified that only extracted gravel from the pit is present and no other materials are stored on-site, neighboring parcels were formerly gravel pits and the materials have been extracted and the DEP permit-by-rule approval was obtained in 2020.

Chair Bingham opened the public hearing. There were no public comments. Chair Bingham closed the public hearing.

Ms. Rardin asked if the Planning Board would see the applicant again if there was a complaint during the next five-year period. Ms. Perry replied that perhaps in an extreme situation the Planning Board may be involved but complaints would initially be handled by Code Enforcement. Any amendment to the site plan would require Planning Board approval.

Mr. Saunders moved to waive the reading of the findings of fact, seconded by Ms. Daigle and **VOTED, 7 yeas – unanimous, motion carries.**

Mr. Saunders moved to adopt the findings of fact as written, seconded by Ms. Daigle, and **VOTED, 7 yeas – unanimous, motion carries.**

There are no proposed conditions of approval.

Mr. Saunders moved that the Planning Board approve site plan review for the issuance of a five-year special permit for the operation of the Storey Brothers Gravel Pit located at 48 Goose Pond Road as shown on Tax Assessor Map R07, Lot 48 subject to the limitation of approval and the standard condition of approval, seconded by Ms. Rardin, and **VOTED, 7 yeas – unanimous, motion carries.**

**Chapter 229 - Site Plan Review, Section 10: Approval Standards and Criteria:**

**A. Utilization of the Site:** The Planning Board finds this standard is satisfied because the site has been previously permitted for use as a gravel pit. The maximum side slope within the pit of 3:1 will reduce the potential for erosion of the pit site.

**B. Traffic, Circulation and Parking:** The Planning Board finds this standard is satisfied because the continued use of the site as a gravel pit will not have an adverse effect on the existing traffic conditions and no change is proposed for the existing site access.

**C. Stormwater Management and Erosion Control:** The Planning Board finds this standard is satisfied because the stormwater runoff from the existing site will not be altered due to the proposed continued use of the site. The maximum side slope within the pit of 3:1 will reduce the potential for erosion of the pit site.

**D. Water, Sewer, and Fire Protection:** The Planning Board finds this standard is satisfied because the proposed continuation of the site as a gravel pit does not require water or sewer service. The access to the site is not proposed to change and will therefore not have an adverse effect on fire service to the site. A "Certificate of Compliance" from the Fire Chief is not required as there are no changes to the site.

**E. Water Protection:** The Planning Board finds the site is located within the Town Aquifer Protection Area. The Planning Board finds this standard is satisfied because there are no septic systems needed for this use; there will be no storage facilities for fuel, chemicals, chemical or industrial wastes or biodegradable raw materials; nor will there be any discharge of liquid, gaseous or solid materials.

**F. Floodplain Management:** The Planning Board finds this standard is satisfied because the site is not located within a floodplain according to FEMA.

**G. Historic and Archaeological Resources:** The Planning Board finds this standard is satisfied because the site was permitted as a gravel pit in 1995. The proposed use will be in compliance with that permit and will not have an adverse effect on any historical or archaeological resources.

**H. Exterior Lighting:** The Planning Board finds this standard is not applicable because no exterior lighting is proposed.

**I. Buffering and Landscaping:** The Planning Board finds this standard is satisfied because a minimum 200' buffer is maintained from the Goose Pond Road right of way. The remaining three sides of the property abut existing contractor stockyards and therefore are not required to be buffered from the project site. Excavation machinery will be screened from the Goose Pond Road right of way by the minimum 200' buffer required by the ordinance. Due to the unique attributes of the site, no additional landscaping buffer is feasible.

**J. Noise:** The Planning Board finds this standard is satisfied because the continued use of the site as a gravel pit will not result in adverse noise to surrounding properties above existing levels.

**K. Storage of Materials:** The Planning Board finds this standard is satisfied because no materials will be stored on site.

**L. Capacity of the Applicant:** The Planning Board finds the applicant has technical and financial capacity because they retained Gorrill Palmer engineers to prepare plans and site permit application and also utilized Boundary Points Land Surveyors for survey services and no funding is required to continue to utilize the pit in accordance with the ordinances.

**M. Design and Performance Standards**

(1) Route 100 Design Standards - NA

(2) Route 1 Design Standards - NA

(3) Town Center District Design and Performance Standards - NA

(4) Village Mixed Use Performance Standards. - NA

(5) Extraction of Earth Materials (Zoning Ordinance Section 315-49 Extraction of Earth Materials)

**Review of Zoning Chapter 315-49 Extraction of Earth Materials**

(1) **Adequate Buffer Area:** The Planning Board finds this standard is satisfied because a 200' buffer will be maintained on the southern boundary adjacent to Goose Pond Rd. Buffers will not be maintained on all other boundaries (see section 2 below).

(2) **Removal of Buffer Area:** The Planning Board finds this standard is satisfied because the Applicant is also the owner of the adjacent contractor stockyards; therefore, the removal of the buffer zone is mutually and voluntarily consensual. The existing gravel pit on the parcel has no buffer on these boundaries.

(3) **Avoid hazards from excessive slopes and/or standing water:** The Planning Board finds this standard is satisfied because upon closure of the facility, the bottom most elevation of the pit will not be less than 5' above the existing seasonal water table. 3:1 slopes will be maintained on areas not currently being excavated.

(4) **Standing Water:** The Planning Board finds this standard is satisfied because standing water will not be allowed to remain for longer than two weeks.

(5) **Excavation depth greater than 20 feet:** The Planning Board finds this standard is satisfied because it is not anticipated that the gravel pit will have a depth of greater than 20 feet below the existing grade with a side slope equal to or less than 3:1.

(6) **Right-of-way:** The Planning Board finds this standard is satisfied because a 200' buffer will remain from the edge of the right-of-way.

(7) **Stormwater:** The Planning Board finds this standard is satisfied because the stormwater runoff from the existing site will not be altered due to the proposed continued use of the site. The maximum side slope within the pit of 3:1 will reduce the potential for erosion of the pit site.

(8) **Topsoil:** The Planning Board finds this standard is satisfied because topsoil will be stockpiled from new areas of excavation. Sufficient topsoil to reclaim the site will be provided by the Applicant prior to cessation of excavation on-site.

(9) **Covered Vehicles:** The Planning Board finds this standard is satisfied because the Applicant's trucks are equipped with tarp covers to prevent contents from spilling or blowing.

(10) **Treated Road:** The Planning Board finds this standard is satisfied because the access road will be treated with stone, calcium or other suitable materials.

**LIMITATION OF APPROVAL:** Construction of the improvements covered by any site plan approval must be substantially commenced within twelve (12) months of the date upon which the approval was granted. If construction has not been substantially commenced and substantially completed within the specified period, the approval shall be null and void. The applicant may request an extension of the approval deadline prior to expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant up to two (2), six (6) month extensions to the periods if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

**STANDARD CONDITION OF APPROVAL:** This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted by the applicant. Any variation from the plans, proposals and supporting documents, except de minimis changes as so determined by the Town Planner which do not affect approval standards, is subject to review and approval of the Planning Board prior to implementation.

**2. Public Workshop:** Preapplication workshop for a major conservation subdivision at 147 Bruce Hill Rd as shown on Tax Assessor Map R05, Lot 48, in the RR2 zoning district. **Representative:** Henry Hess, RLA of Sebago Technics **Owner:** ESPY Management LLC

Chair Bingham introduced the item and outlined the preapplication workshop process.

Ms. Perry provided background history of the project.

Henry Hess, LA – Sebago Technics, Inc., described the plan for a conservation subdivision proposal on an approximate 29-acre parcel located across from the Cumberland Fairgrounds. Mr. Hess reviewed the following information and answered questions from the Board:

- Municipal water would be extended from Bruce Hill Road.
- Septic systems would serve each lot.
- Roads would be built to town standards with the intent of eventual town acceptance.
- Wetlands have been identified with no impacts proposed.
- Open space is proposed to connect with existing town-owned land and trail systems, with potential future donation to the town.
- Review of an existing access easement for an abutting property with the intent to preserve the abutters' access.

Planning Board members asked about the access easement, access issues during construction, buffering, lot sizes, water pressure, wetlands, traffic, and road layout. Environmental studies, timing, and state regulatory requirements were discussed.

Mr. Hess identified an existing structure on the proposed plan that would be located within the proposed subdivision boundary that will need to be addressed, possibly with a waiver.

John Jensenius, Lands and Conservation Commission (LCC), referred to the LCC process for reviewing subdivisions for proximity to town owned land and trails. Mr. Jensenius stated that the LCC is supportive of the proposed proposal of open space abutting town-owned land. Mr. Jensenius noted the presence of an important

snowmobile trail and said the LCC would like to see an easement for the snowmobile trail if the open space is not conveyed to the town.

Chair Bingham opened the public hearing.

Derick Hardy, speaking on behalf of relatives on Rosa Way, asked about deed restrictions and the access easement across the subject property. Ms. Perry explained that deed restrictions would be reviewed at the future preliminary plan review stage. Ms. Perry noted that there will be future public hearing opportunities as the proposal moves through the approval process.

Mary Johnson, 10 Rosa Way, expressed concern about traffic changes and emergency access during construction. Chair Bingham said that access protections could be addressed through future conditions of approval.

Cassie Pitassi, Rosa Way, clarified that she and her husband own the private road Rosa Way and provided an easement to a previous owner to grant access across their property for one home. Ms. Pitassi raised concerns about other uses of the easement such as installing utilities and any impacts to a nearby pond. Mr. Hess said the intent is to leave the easement as is and no other uses are proposed within the easement area. Ms. Pitassi invited the Board to do a site visit.

Chair Bingham closed the public hearing.

Ms. Perry noted that no other subdivision style has been proposed for the project. Board members confirmed verbally that they are good with the conservation subdivision style proposal.

**3. Public Hearing:** Amendment to an approved site plan for Maine School Administrative District #51 (MSAD#51) for changes to drainage, landscaping, scoreboard location, etc. located off Tuttle Road Tax Assessor Map U11, Lots 1, 4A, 8, 9 and Main Street at Tax Assessor Map U11/U13, Lot 1/112. **Applicant/Owner:** MSAD #51 **Representative:** Patrick Carroll, Carroll Associates Landscape Architects.

Chair Bingham introduced the item.

Ms. Perry noted that there is no representative from MSAD #51 present.

Mr. Saunders moved to table the public hearing for an amendment to an approved site plan for Maine School Administrative District #51 (MSAD#51) for changes to drainage, landscaping, scoreboard location, etc. located off Tuttle Road Tax Assessor Map U11, Lots 1, 4A, 8, 9 and Main Street at Tax Assessor Map U11/U13, Lot 1/112, seconded by Ms. Rardin, and **VOTED, 5 yeas, 2 nays (Daigle & Noonan), motion carries.**

Chair Bingham said because the applicants are not present, the Board cannot move forward with any action on the item but anyone that is present will be heard.

Lane Kaplan, Newell Ridge Road, speaking on behalf of his son on Farwell Drive, expressed concerns about drainage changes near the rear of the campus. Ms. Perry described the area of the drainage changes and said that this drainage work has already been done by the school.

Board members expressed dissatisfaction regarding the applicant's failure to attend, the history of retroactive approvals, and compliance with approved site plans.

**4. Public Hearing:** Review and make a recommendation to Town Council regarding amendments to Cumberland Code of Ordinances Chapter 315-39-Domesticated chickens.

Chair Bingham introduced the item.

Ms. Perry explained that after staff conversation, this item is coming back to the Board for further review and amendment including a proposal to remove the annual licensing requirement.

The Board reviewed the proposed ordinance amendments. Discussion focused on lot size requirements, number of chickens allowed, neighborhood impacts, and consistency with other zoning ordinance provisions. Board members raised concerns regarding potential nuisances and the lack of limits for larger lots. Following the discussion, a consensus was reached to recommend a two-acre lot size for the keeping of up to six domesticated chickens.

There were no members of the public remaining to participate in a public hearing.

Mr. Saunders moved that the Board recommend to the Town Council to make amendments to Cumberland Code of Ordinances, Chapter 315-39, domesticated chickens, as written and amended here tonight, seconded by Ms. Daigle, and **VOTED, 7 yeas - unanimous, motion carries.**

**NEW BUSINESS:** Ms. Perry reported that applications have been received for the February 17<sup>th</sup> Planning Board meeting for a site plan review for a mixed-use building at 80 Gray Rd., a site plan amendment for expansion of the Town's solar array and for the MSAD51 site plan amendment item that was tabled tonight.

**G. Adjournment:** Mr. Saunders moved to adjourn the meeting, seconded by Ms. Daigle, and **VOTED, 7 yeas - unanimous, motion carries.**

**A TRUE COPY ATTEST:**

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Peter Bingham, Planning Board Chair

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Christina Silberman, Administrative Asst.