

*DRAFT Minutes of Sanford City Council Meeting  
held on August 6, 2019.*



# Sanford City Council

City Council Meeting Minutes – August 6, 2019

The Sanford City Council met at 6:00 p.m. in the Chambers of the Sanford City Hall Annex on Tuesday, August 6, 2019. **Mayor:** Thomas P. Cote. **COUNCILORS:** Deputy Mayor Lucas J. Lanigan, Councilor Maura A. Herlihy, Councilor Ayn M. Hanselmann; Councilor John L. Tuttle, Jr.; Councilor Joseph R. Hanslip, Councilor Robert G. Stackpole. **CITY STAFF:** City Manager, Steven Buck; Executive Assistant, Lorisa Ricketts; Director of Community Development, Ian Houseal; City Clerk, Sue Cote; Chief Code Enforcement Officer, Jamie Cole; Code Enforcement Officer, Aaron Lederer; City Treasurer Paula Simpson; Police Chief Tom Connolly; Airport Manager Allison Rogers; Facilities & Emergency Operations Director Alex Hammerle.

## **Pledge of Allegiance**

The regular City Council session began with the Pledge of Allegiance and a moment of silence.

## **Moment of Silence**

## **Roll Call:**

Mayor Cote performed the Council roll call: Councilor Hanselmann, present; Councilor Stackpole, present; Councilor Tuttle, present; Councilor Hanslip, present; Councilor Herlihy, present; Deputy Mayor Lanigan, present.

## **Minutes**

19-426-01 Ordered, to approve the minutes from the City Council Meeting held on July 23, 2019.

Councilor Hanslip moved to approve. Councilor Tuttle seconded. Motion passed 7-0.

19-427-01 Ordered, to approve the minutes from the Executive Session of the City Council held on July 23, 2019.

Councilor Hanslip moved to approve. Councilor Tuttle seconded. Motion passed 7-0.

### **Mayor's Report/City Council Sub-Committee Reports**

Boy Scout Group 327 is working on refinishing the wooden signs leading into Sanford. The one in Springvale has been recently done; thank you to Mr. Sevigny. Thanks to Rick Stanley and the Chamber of Commerce for helping fund the refurbishment of the other signs.

Shout out to Shawn Sullivan who had Mayor Cote as the guest on his inaugural podcast, *Hey Sanford*. There is a really awesome sound studio at the new high school. James Harmon handled the technical aspects of the recording.

No subcommittee reports.

### **City Manager's Report**

See attached.

### **Communications/Presentations**

None.

### **Public Participation**

Roland Cote is here as a concerned citizen. He is very upset about the way people interpret Sanford. He tried to get a casino here several years ago and it was voted down. A few years later Bangor got a casino, then Oxford. If we had a casino now, he feels Sanford wouldn't have issues with funding for infrastructure.

He is very upset at the football program for the High School – Sanford won't be playing Biddeford – a good rivalry – or Massabesic. He is also concerned about the hospital – he feels we no longer have our own hospital now that Goodall has merged with SMHC.

He is very excited about the new high school and the auditorium; he has heard they are going to have shows there. However, he is unhappy that one of the local banks took Sanford out of its name and that some of the buildings in town are being bought by people from other countries. He feels that since we have lost our local paper, we don't get coverage of local and school items like the Sanford News used to have.

Mr. Cote wants to congratulate the Council and the Mayor in particular for the fantastic work they are doing. He feels we need to have Sanford start to believe in Sanford again. We need more industries and more people like doctors staying and moving here.

He is proud of Sanford and doesn't like people being negative about Sanford. He feels things aren't heading in the right direction because people don't have enough fight in them. The new school and the new veteran's cemetery – these are things that Sanford deserves. At some point if possible, Mr. Cote would like to let people in town know what the proposals are to move forward. There are a lot of committees in Sanford; what are some of the plans?

Diane Connolly from Springvale spoke. She has a three-fold problem for the council to look into. Railroad Ave., Main Street in Springvale and 11A are seeing a lot of tandem logging trucks. Starting very early in the morning, they go past, then come down fully loaded, 7-10 times per day, different companies, using jake breaks. We don't have a law about that and she would like that looked into. Why can't the trucks use Main Street and 202? It is a residential neighborhood and residents shouldn't have to listen to them so early and so late. Her complaint is the use of jake breaks, times of use and routes the trucks are traveling through a residential area. She stated that Director Hill can only post roads for the winter. She also said that a lot of other smaller towns have jake brake laws.

### **Public Hearings**

The City Council will take public comment on the following:

19-416-01 A Public Hearing to receive comments on the designation of a Municipal Tax Increment Financing District Known as the "Sanford Airport Omnibus Municipal Development and Tax Increment Financing District". The District consists of approximately 310 acres of property located in and nearby the Sanford Seacoast Regional Airport.

Public Hearing opened at 6:32 PM.

Jim Nimon, Executive Director of the Sanford Regional Economic Growth Council spoke in support of the Sanford Airport Solar TIF. He is very excited about the project. City Manager Steve Buck and Airport Manager Allison Rogers have been critical to moving the project forward. Other important contributors have been Aaron Svedlow from Ranger Solar, Liz Peyton from NextEra, the IDC through Mike Ralston and Bob Hardison, private landowners, City staff, and the City Council who have been supportive of the project. 333 acres will be involved in the project, with almost \$104,000 of original assessed value.

Liz Peyton, Project Director with NextEra Energy Resources, reiterated thanks to the community. This project is the result of a true partnership. There are many levels of complexity to the project.

Liz started the project with Ranger Solar in 2015, then it was acquired by NextEra, the largest producer of power from wind and sun and she now heads the project for them. NextEra has a long-standing relationship with

the state and the region. They are excited about this project because it is the next step in cementing their presence in the region. Has 14 contracted projects in New England.

This is a 50 megawatt project, one of the largest solar projects in New England. It will be the largest in operation when complete. It is fully contracted. It is going to be comprised of over 150,000 solar panels on Sanford Airport and off Rt. 4. Power from the project will go to a central substation, then to another substation owned by Central Maine Power.

Targeting to be on-line by quarter 4 of 2020 and current plan is to start construction in October. Have had to get permits at local, State and Federal levels. Have had considerable interaction with IF&W and DEP and have had great support from the City, particularly from Planning Director Beth Della Valle. Have a signed interconnection agreement with CMP. Had to purchase and subdivide real estate.

NextEra is trying to create a project that leverages many different channels of value: lease revenues; property taxes; substation for CMP will have separate taxes associated with it; City has right of first refusal on vegetation management on the airport.

NextEra have worked with the City on a proposed credit enhancement agreement for \$500,000 annually; \$10,000 per megawatt AC to the city. Ultimately, on a nominal basis, will be \$10 Million over the 20 years of the Tax Increment Financing agreement. NextEra have told the Council why they believe they are eligible for a TIF, whether the project would occur without a TIF, what kinds of employment generation are expected, what the expansion will be to the City tax base, and whether it is a good development for the City – they believe it is, and believe the Council agrees.

Timeline: proposed City Council vote: August 6; Submission of TIF package to DECD: August 15; anticipated DECD approval early to mid-September; Construction Crews break ground October 1. Crews will get as much done as possible this year, may take a break over the winter. Most of the components will be delivered in March through May and installed through the summer. Anticipate project will be interconnected into the grid in October 2020 and hope to be generating megawatts November 1, 2020.

Jim Nimon added that the tight timeframe was laid out to DECD staff and they were supportive of it.

City Manager Buck said he could remember a phone conference with Jim Nimon and a past Governor's Energy Guru who did not think a solar project could be done as an economic development initiative, yet here we

are with a project – showing it can be done as an economic development initiative.

Overall, \$16M positive impact because of other ancillary benefits: fencing, environmental permitting; maintenance agreement, etc.

If we took no action and let it the project go forward without a TIF district, there would only be about a 50% offset, so for every dollar generated in tax revenue, absent the application being put forward tonight, the City would only gain about 50 cents per dollar generated. The tax revenue would be lost to State revenue sharing, decreases to central services, and increases to County tax. By entering this agreement, the City is much further ahead. There is a 31% offset to the developer, but an 18% increase to the City overall, so the City is about \$2.6 Million ahead. The agreement allows the City to take advantage of the State allowance for sheltering the new value.

The power purchase agreement is being sold elsewhere in New England; money comes back into the community. This is the definition of a traded job: produce a good or service sold elsewhere, with money coming back to the community. Manager Buck is very proud of this project. It has been a true partnership with NextEra, thank you. Allison Rogers has been invaluable as the “red tape eraser” to make it happen.

Public Hearing closed at 6:49 PM.

19-394-01 A Public Hearing to receive comments on an application for liquor license renewal with malt, spirituous, vinous privileges from Apple New England LLC, D/ B/A Applebee's Neighborhood Grill & Bar, 1364 Main Street, Sanford, Maine.

Public Hearing opened at 6:49 PM.

No public comments.

Public Hearing closed at 6:49 PM.

19-411-01 A Public Hearing to receive comments on the request from William A. Collins, Jr. for a new Taxi Business License for Front-Line Taxi, 228 A Cottage Street, Sanford, Maine.

Public Hearing opened at 6:49 PM.

No public comments.

Hearing closed at 6:49 PM.

19-396-01 A Public Hearing to receive comments on a proposed Amendment of Chapter 280: Zoning Regarding Site Plan Review.

Public Hearing opened at 6:49 PM.

Planning Director Beth Della Valle gave background on this item. The Planning Board has been working for some time to support the City Council's interest in business-friendliness in its regulatory process. To date, this has involved compressing the review schedule and providing assistance to applicants. Now, they are working on structural changes to ordinances.

3 primary things:

Direct smaller projects to code enforcement officer and the Planning Director for review. Very small projects will go to Code Enforcement; next size step up to Planning Director. Planning Board will continue to look at the same projects they see now. Will take a segment of projects from Site Plan Review Committee to staff level review. Will speed things up tremendously for applicants and reduce burden of applications and workload on staff and committees.

If City is clear on what is needed for process, it will be transparent to the applicants. This typically involves information that is required or requested in the course of reviews. Because it is not currently all listed in the ordinance, it slows the process down.

Clarification of a few approval standards. In some, makes clear there is more flexibility; in a couple, is new language for areas where there are consistently issues with meeting standards. Establishes clarity on what's expected and sets some consequences.

Hearing closed at 6:54 PM.

## **Consent Agenda**

### Consent Agenda

- 19-395-01 Ordered to approve the following license request:
1. An application for liquor license renewal from Apple New England LLC, D/B/A Applebee's Neighborhood Grill & Bar 1364 Main Street, Sanford, Maine.
  2. An application for Game of Chance to hold a Poker Run on September 14, 2019 from Sanford VFW Post 9935 1 Hutchinson Rd, Sanford, Maine.

19-414-01 Ordered, to approve the new Taxi Business License application from William A. Collins, Jr. for Front-Line Taxi, 228 A Cottage Street, Sanford, Maine.

Mayor Cote sought questions or comments from the Council on the Consent Agenda. Seeing no questions or comments, the motion was approved.

### **Old Business**

None.

### **New Business**

19-419-01 Ordered, to approve a Municipal Tax Increment Financing District to be known as the 'Sanford Airport Omnibus Municipal Development and Tax Increment Financing District' pursuant to the long form Order contained at Exhibit D to the Development Program contained within the Council meeting materials.

Legal Counsel Phil Saucier from Bernstein Shur was present and stated that the long form Order did not need to be read into the record; it was made by reference. (Copy of Order is attached.)

Councilor Tuttle moved to approve. Councilor Stackpole seconded. Motion passed 7-0.

Mayor Cote thanked Liz Peyton and NextEra, as well as City Manager Buck for all of his time. This is one of those foundational elements we have been talking about for very long time. There have been mountains of hurdles. He thanked Allison Rogers, Jim Nimon and Director Della Valle for their hard work on this project. He also the thanked the City Council for their support and said they look forward to seeing the first panels up.

Manager Buck said he and Director Nimon initially envisioned solar projects on the landfill; that was all they wanted to do: 5 megawatts there. Now that the Airport Solar project is happening, we are going back to those first steps and will also be doing solar projects with Walden Green Energy on the landfill and on the CGA site. We learned a lot on the large project that we are carrying forward into the smaller ones, even absent full support from the State.

Councilor Tuttle also thanked Allison Rogers for the fine work that she has done; he believes we are lucky to have her. He also thanked Growth Council Director Nimon. It is a big step for our community.

19-422-01 Ordered, to authorize the City Manager to execute a contract with W.P. Davis Excavation, LLC, in the amount of \$304,650.00 for the construction of an access road and repairs to the Emery Mills Dam per the plans and specifications developed by GZA Geoenvironmental and dated May 2019.

Deputy Mayor Lanigan moved to approve. Councilor Hanslip seconded.

Alex Hammerle, Director of Facilities and Emergency Management for the City of Sanford presented the background on this item and asked Manager Buck to discuss the financial aspects of the project.

The city's share would be \$200,000. Acton and Shapleigh would be spending \$100,000 each. That's the debt service portion on the prior \$100,000 loan from the Maine Municipal Bond Bank: \$50,000 for Sanford and \$25,000 each for Acton and Shapleigh. The coalition has agreed that Sanford will commit an additional \$150,000 through our capital program and/or request to MEMA to see if they will allow us to request an additional \$300,000 in low interest loans. To our knowledge, Sanford is the only community to request the funds. Acton and Shapleigh have committed an additional \$75,000 each. We are seeking the City Council's approval to accept the contract as we are owners of the dam and are liable for it; we are grateful to the other coalition partners for helping with the cost.

Deputy Mayor Lanigan asked if the delay on the project is with getting the funds from the other communities? Manager Buck said no; it has been the bid process. Bids were very high and not specific enough, so the project was re-engineered and re-scoped, then put back out to bid.

Deputy Mayor Lanigan asked if there are there any other problems down the road? Manager Buck said the dam is considered a high hazard structure, not because of structural problems, but because of properties downstream which would be in the floodplain if there were a catastrophic failure. This project addresses seepage issue and root penetration upstream; there will be grout injection. The second phase may or may not be done: further abutments downstream – has already been engineered with anticipated costs. At this point, by addressing the primary concerns: the seepage; will be improved for a long time.

Deputy Mayor Lanigan asked if funds being set aside for phase 2? Manager Buck said they have not discussed putting funds aside for phase 2. Have been putting aside funds to date for phase 1.

Director Hammerle said the engineered solution is not a guaranteed fix. They suspect strongly that it will reduce the amount of water coming through by a considerable amount. The best thing they can do is this phase 1 work and then evaluate. Are hopeful that the work done this year will be satisfactory and will reduce flow through the dam so no further work is needed.

Motion passed 7-0.

19-423-01 Ordered, to authorize the City Manager to execute Change Order #3 from GZA Geoenvironmental for construction phase services for the Emery Mills Dam project in an amount not to exceed \$69,166.00.

City Manager Buck wanted to publicly thank John Gallant, the dam operator, who was very helpful. Enabled an easement across his property which made it possible to reach trees. Shapleigh was good to work with on getting permits.

Councilor Hanslip moved to approve. Councilor Stackpole seconded. Motion passed 7-0.

19-439-01 Ordered, to close a portion of Roberts Street between Shaw Street and Trafton Street from 11:00AM to 7:00PM on Saturday, August 17th, 2019 for the Second Annual Sanford on Tap Festival.

City Manager Buck said he expects this to be another great event. There are 9 food trucks signed up and 17 craft brewers, and a good layout for the event. It was very successful last year and anticipates it will be another success this time.

Councilor Herlihy moved to approve. Councilor Tuttle seconded. Motion passed 7-0.

19-397-01 Ordained, Amendment of Chapter 280: Zoning regarding Site Plan Review. (This item must be read on two separate occasions. This is the first reading.)

19-434-01 Ordered, to ratify a 3-Year Collective Bargaining Agreement with the Sanford Regional Communications Association for the period of July 1, 2019 to June 30, 2022.

Councilor Tuttle moved to approve. Deputy Mayor Lanigan seconded.

City Manager Buck pointed out how difficult the dispatcher job is, and how challenging it is to find and retain qualified workers. He summarized the contents of the Collective Bargaining Agreement and noted they have been engaged in an interest-based bargaining arrangement, which is very productive.

Motion passed 7-0.

19-435-01 Ordered, to ratify a 1-Year Collective Bargaining Agreement with the Sanford Police Association, Maine Association of Police, for the period of July 1, 2019 to June 30, 2020.

City Manager Buck explained that these discussions happen in an interest-based bargaining fashion, which means it is a very engaged process. Are requesting only a one year agreement; there were difficult items and they

requested moving the wage piece forward for one year and then re-visiting the trickier issues next year.

Councilor Stackpole moved to approve. Councilor Tuttle seconded.

Motion passed 7-0.

19-421-01 Ordered, to forward to public hearing and joint meeting of the Budget Committee and City Council on August 20, 2019 the review and consideration of a \$6.2 million road bond package for the purpose of road reconstruction work including engineering, site work, and other costs related thereto, pursuant to Charter Section 604.4 & 705.

Councilor Tuttle moved to approve. Deputy Mayor Lanigan seconded.

Mayor Cote explained that this item is simply to move the package forward for a joint public hearing and workshop.

Manager Buck explained the process involved in the joint public hearing, meeting of the budget committee and recommendation to the Council, then a vote by the Council on whether to put on the ballot.

Councilor Stackpole clarified that there would be a public hearing so the public is informed. And this will then go to a referendum vote so citizens have a say.

Mayor Cote said that the Council's action will end at getting this on the ballot for a vote.

Motion passed 7-0.

19-424-01 Ordered, to forward to public hearing and joint meeting of the Budget Committee and City Council on August 20, 2019 the review and consideration of a \$1.0 million bond for the purpose of acquiring and developing land for a future municipal Fire Station or other municipal development, pursuant to Charter Section 604.4 & 705.

Councilor Tuttle moved to approve. Councilor Stackpole seconded.

There will be future consideration of two new fire stations in the City. There needs to be a public committee formed. Engineering has been done to go from a three station to two station plan. There are two properties currently on the market that meet the requirements; we have lost multiple sites that would have been suitable already. This will allow the land to be secured.

Motion carried 7-0.

19-438-01 Ordered, to forward to public hearing and joint meeting of the Budget Committee and City Council on August 20, 2019 the review and consideration of a 20-Year Bond in the amount of \$8,605,246 for renovations at the Converted Middle School, Converted Elementary School and Carl J. Lamb School, as well as an application for School Revolving Renovation Loans for the Converted Elementary and Converted Middle School for a combined total of \$1,394,287. Accordingly, total school bonds in the amount of \$9,999,533.

Councilor Stackpole moved to approve. Councilor Hanslip seconded.

Councilor Herlihy stated that the Carl J. Lamb roof was added when this was being discussed.

Manager Buck said that analysis has been done through 2036. When go to public hearings for the 20<sup>th</sup>, can show and compartmentalize the anticipated impact on the mil rate. Wants to commend the City Council and School Board on their hard work on this, matching need and then not producing a spike in the mil rate.

Motion passed 7-0.

19-436-01 Ordered, to forward to public hearing on August 20<sup>th</sup>, 2019 a proposed Charter Amendment amending the composition of the City Budget Committee to be composed of the seven (7) elected City Councilors and five (5) elected School board Members thereby amending Charter Section 602 Budget Committee.

Councilor Hanslip moved to approve. Councilor Herlihy seconded.

This has gone through legal review and it has been recognized by Phil Saucier, our legal counsel, that this is a Charter Amendment, not a revision.

Diane Connolly asked if the Council is going to consider having community members to be part of the membership. Counselor Herlihy said that will be discussed at the public hearing.

Mayor Cote said that in his experience, it has been challenging to find four members of the public to be involved, and difficult to bring them up to speed on past years. Now the discussions are around really foundational problems, so bringing new people into the process is a very difficult task for newcomers. This also brings the school a more direct voice in the conversation.

Jonathan Mapes, Budget Committee member and School Committee member asked if there could be appointed members from each group. This is something else that can be discussed at the public hearing.

Motion passed 6-1 with Deputy Mayor Lanigan dissenting.

19-425-01 Ordered, to accept and authorize the use of \$17,690.00 of Justice Assistance Grant funds for the police department, to be used by September 30, 2022.

Councilor Tuttle moved to approve. Councilor Stackpole seconded.

Chief Connolly proposed that the entire amount of money received be invested in new technology for LexisNexus online reporting. Allows citizens to log in and report on-line when they see things. All City agencies will be able to utilize this for this price. Any Citizen could log in and provide a report that could go into a mailbox for an individual agency: if there is a piece of park equipment that is broken; an overflowing trash bin; a broken light, etc.

Benefits the police department by reducing need for officer call-outs for these things that are reported on-line; can save up to \$36,000.

Cost is about \$21,000 for two years; grant would cover this. After that, would need to be \$11,000/year budgeted to cover it.

Councilor Hanselmann asked what controls there would be to prevent false claims. Chief Connolly explained that all reports will be reviewed.

Deputy Mayor Lanigan asked how they plan to market this to the citizens. He doesn't expect people to want to do this. Isn't there a text a tip program? How effective is it? Chief Connolly replied that the line is not very effective but this is a reporting system, not a tip line. If something is reported, get a case number. This allows people to report; someone would review, get logged in, they might need to send an officer out. There would be a public information campaign the first year; when people call during the first year, will offer people the option of logging in to make the report. South Portland has been using this for a long time and to the best of his knowledge, it is very effective for them.

Deputy Mayor Lanigan asked if we have capability in-house to test someone for intoxicants? Chief Connolly said no – that would take blood or urine. What if they have a substance on them? There is a small hand-held device on the market that can be used; it can't be used in court. There is concern re handling drugs for field testing because of high toxicity of Fentanyl, etc. If make an arrest and seize drugs, this device would replace current field testing. The department has to have some type of analysis asap so the district attorney will pay for the process; they would accept this device's results for that purpose.

Could the Public Safety committee have a look at this software program? The Chief got notified about the grant last week; he has to have the information within two weeks on what want to use the money for. He is willing to look at a hand-held analyzer and could then look at this program next year. The grant application has to be in to Biddeford; if he was going to change it, he wouldn't have time to have another public hearing before the grant application is due.

Deputy Mayor Lanigan said we need to make sure the various programs can communicate with each other.

Mayor Cote said he is not fundamentally against this, but is a lot to digest and we would need to discuss the ongoing budget piece.

Chief Connolly said he is going to price out the analyzer that they want to buy; it should be in the range of \$10,000. He will buy that and put the rest of the money into training. In the meantime, can have Officer Anderson present to the Public Safety Committee in the spring – maybe March – on the on-line reporting software.

Councilor Herlihy said there is a lot to the software, she likes taking more time to digest it.

Motion passed 7-0.

19-428-01 A hearing to determine the whether the building at 26 Montreal Street, Sanford Maine owned by Michael Quimby identified as Lot 78, on Tax Map I28, and further described in a Deed recorded in the York County Registry of Deeds at Book 13672, Page 192, is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate. Notice of this hearing was duly served on the owner by the Strafford County, New Hampshire, Sheriff on July 16, 2019 as required by Law.

Hearing opened at 8:14.

Ian Houseal, Director of Community Development, reviewed the dangerous building law and the types of questions the Council is considering during the dangerous and hazardous building hearings.

Director Houseal presented on the history and ownership of this property.

Chief Code Enforcement Officer Cole explained that the building sustained a fire last year; there is asbestos on the building, and unknown asbestos in the rubble. The insurance company is working to get the building demolished but he feels it is important to continue this process to ensure the insurance company does not drag its feet.

Almost all of the debris is deemed hazardous, so removal must be done by a licensed contractor.

Michael Quimby, the owner, of Farmington, NH, spoke. A demolition company has been hired to do the work; tests are required; as soon as those are back, the work will be done.

Deputy Mayor Lanigan asked if the garage is part of the property – there appeared to be someone living there. Mr. Quimby said that prior to the fire there was someone living there and taking care of the property, but not paying rent.

Mr. Quimby stated he wants to get this done and out of the way. Sanford Fire Department and Police Department have been very good to deal with.

Hearing closed at 8:33.

19-429-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - The building at 26 Montreal Street, Sanford Maine, Tax Map I28, Lot 78.

Deputy Mayor Lanigan made a motion and stated the Council's findings and order regarding the property (see attached). Councilor Tuttle seconded.

Motion passed 7-0.

19-430-01 A hearing to determine the whether the building at 12 Proulx Court, Sanford Maine owned by the heirs of Marion Dashnaw identified as Lot 38, on Tax Map K15, and further described in a Deed recorded in the York County Registry of Deeds at Book 14553, Page 796, is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate. Notice of this hearing was duly served on the owner by the York County Sheriff on July 29, 2019 and advertised in the newspaper on July 19, July 26, and August 2 as required by Law when an owner or party in interest is unknown or is not ascertainable with reasonable diligence.

Hearing opened at 8:38.

Director Houseal presented on the property and its contribution to blight and negative valuation of neighboring properties, and presented on the ownership and history of the property.

Code Officer Aaron Lederer presented on the condition of the property. There are people living there today.

Councilor Tuttle asked if the owner is present. Patricia Blaisdell, the heir of the owner of the property, was present. She stated that she is the heir but does not own the property. Her parents did not leave a will. They asked her to notify everyone when they passed and move their belongings out the house.

In 2006, she told the downstairs tenants that the month to month agreement they had with her mother would not be continuing. The former tenant harassed them as they were moving her mother's things. Once she moved out her mother's belongings, she locked the doors to the apartment.

The squatters are now living upstairs and running extension cords to get power upstairs. She has heard that they are renting space to other people.

She does not want the property and would be willing to sign a deed to give it to the City. When her mother died, she called the mortgage company and asked how to go about getting rid of it because none of the heirs wanted it. She was told to send a letter and death certificates to them, which she did. The property was then passed to another mortgage company and ownership is clouded.

Mayor Cote asked Director Houseal who he thinks the owner of record is. Director Houseal said that in his opinion this is a zombie property. This process will enable the situation to be resolved in time. Is there any way we can get these people out of the property? Director Houseal said he needs to check with legal counsel but possibly there could be a quitclaim.

Hearing closed at 9:00.

- 19-431-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - The building at 12 Proulx Court, Sanford Maine, Tax Map K15, Lot 38.

Deputy Mayor Lanigan made a motion and stated the Council's findings and order regarding the property (see attached). Councilor Tuttle seconded.

Motion passed 7-0.

- 19-432-01 A hearing to determine the whether the building and property at 11 Grammar Street, Sanford Maine owned by Grammar Property Management LLC identified as Lots 41 and 41A, on Tax Map H29, and further described in a Deed recorded in the York County Registry of Deeds at Book 17122, Page 868, is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate. Notice of this hearing was duly served on the owner's registered agent by the York County Sheriff on July 17 and by certified mail on July 16 as required by Law.

Hearing opened at 9:06 PM.

Director Houseal presented on the property and its history and general condition.

Code Officer Lederer explained the conditions that make the building dangerous.

Director Houseal said that although the property is owned by an LLC, it appears to be a single family residence.

Deputy Mayor Lanigan asked what can be done about the property – it appears to be a blight and has been for years. Could the whole thing be ripped down and have something new be rebuilt? Director Houseal said that it is in the Council's authority.

Deputy Mayor Lanigan asked if the house is even salvageable? It is Director Houseal and Code Enforcement Lederer's opinion that the garage piece has been exposed to the elements for so long that it is not salvageable.

Councilor Tuttle agrees with the Deputy Mayor – he has had more complaints about this property over the last 10 years than any other property in town.

Director Houseal asked that the Council clarify what its intentions are.

Brian Reynolds spoke and explained why the property is in the condition it is in. He said if he was given 30 days, he can get the work done.

Deputy Mayor Lanigan responded that this property has required Council attention and Code Enforcement attention previously.

Mayor Cote asked how long the property has been in the condition it is in. Code Officer Cole said the yard and the garage are the issue. It has been in this condition for approximately 6 years. Mayor Cote said this is six years in the making and he is not interested in a delay. The Council will have to decide what level of code they want the property brought up to.

Councilor Herlihy said she thinks the Council's job is to decide on the declaration.

Director Houseal said that if the property is declared hazardous, Mr. Reynolds would have his 30 days.

Hearing closed at 9:30 PM.

19-433-01 Findings and Order, pursuant to 17 M.R.S.A. §§ 2851-2859 - Dangerous Building - The building and property at 11 Grammar Street, Sanford Maine, Tax Map H29, Lots 41 and 41A.

Deputy Mayor Lanigan made a motion and stated the Council's findings and order regarding the property (see attached). Councilor Tuttle seconded.

Mayor Cote asked if any further language or clarification was needed. Director Houseal stated that if the order was amended to drop the word property and the word structures was made plural, it would accomplish that. Councilor Herlihy stated that the house was also exposed to the elements for at least a winter before being re-sided. She feels a moisture test on the house needs to be done.

Councilor Hanslip asked what level of code the property would need to be brought up to in order to get an occupancy permit. Director Houseal: two options: address the property and accessory structure; or establish the entire property and structures, which would mean the house would also need to be evaluated. There is also a question because it is a single family home, but it is owned by a company.

Councilor Herlihy moved to amend the order to include all buildings on the property, not just accessory structures. Councilor Hanslip seconded.

Motion passed 7-0.

### **Council Member Comments**

Councilor Hanselmann: None.

Councilor Stackpole: Talked about an article he found about a contest that was held in another community where they were able to tap into a grant, and were able to provide business-people with training, mentorship etc. They chose seven businesses to move into the downtown. He will email the article to the Council for their information. He also posted it to Sanford: Maine's Newest City page and will look at comments.

Councilor Tuttle: For the next public safety committee: jake brake law as suggested by Diane Connolly; and would like to talk to Paul Auger and get an update on the remains that were found at the Emerson School site a couple of years ago.

Councilor Hanslip: None.

Councilor Herlihy: Got a text message from a woman who used to live at St. Ignatius that indicates there are issues there and the property manager is telling them that the issues aren't their concern, they should call the police. Add to housing conversation for the next meeting.

Deputy Mayor Lanigan: Encourages all fellow councilors to look at the Budget piece of the referendum closely. Each year, the community votes to look at the school budget each year. Some people want to reinstate the same for the municipal budget. Also, it gives an unfair advantage to the City – 7 members vs. 5 for the school. He thinks the reason that there isn't a drive for people to be on the committee is that they are doing a good job with it. Doesn't think there will be support in the community for it.

Mayor Cote: Reiterated his concern about the downtown, from the Mill District, Bougie Court, etc. The forested area downtown has homeless and drug-users living there. It is a terrible look for the community. Need to look at that area and have a plan of action – maybe thin out the wooded area so it doesn't offer cover for the activities taking place, including illegal dumping. Homelessness is a different subject; he is talking about people who are using drugs. Need to find a solution.

**Future Agenda Items**

None.

**Adjournment**

Deputy Mayor Lanigan moved to adjourn regular meeting at 9:53 PM.

Respectfully submitted by Lorisa Ricketts, Executive Assistant.

## City of Sanford



**From the Desk of  
Steven R. Buck  
City Manager**



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### Memo

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To: City Council  
Subject: Sanford Manager's Report for August 6, 2019  
Date: August 6<sup>th</sup>, 2019

**Stenton Trust:** EPA has started the demolition of the former Stenton Trust Mill complex with demolition to remove Sections B, C, & D leaving the front Tower A for redevelopment along with the basement for structured parking reuse.

Planning Department continues to also work with EPA on the City's now awarded Multi-Purpose Grant of \$800,000 to expedite the Phase II and development of the Remediation Plan as soon as the Demolition contractors are off the site, by the end of September. The City intends to complete the remediation of the Site and receive a VRAP from Maine DEP in this construction season. This will open the Site for redevelopment by the following Spring 2020.



**SanfordNet Fiber:**

Construction was completed this past week on the last connection to 474 Main St. in Springvale to the Maine Behavioral Health Facility via and underground conduit. The testing on the fiber Network was completed two weeks ago. The Optical Network Terminal Equipment has been installed and more than 50% of the Community Anchor Institution network connections have also been tested. All remaining mapping and testing will be completed the week of August 5-9, 2019.

As-builts with fiber mapping and all test results are being compiled by the General Contractor Eustis Cable LLC and reviewed by the City's A/E Contractor Tilson Technology. Upon satisfactory review of the Final Plans, the Network will be turned over to GWI for operation, anticipated as the week of August 19<sup>th</sup>, 2019.

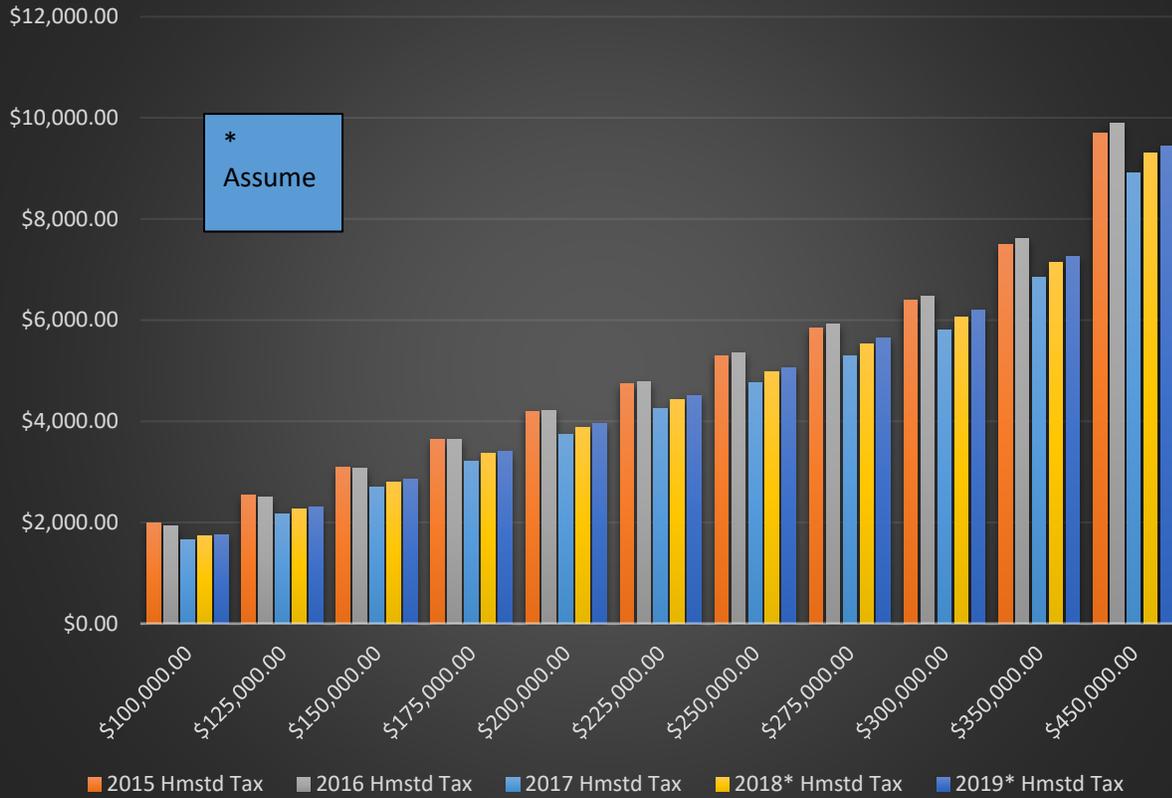
Administration is working with Tilson for a proposed series of amendments to the Network Operator Plan and Dark Fiber Lease to transition to a Network to Network Interface Agreement or eNNI. The analysis is being compiled to compare revenues under each model before making such amendments, if favorable. The eNNI Agreement is the current industry standard for ISP access to networks to provide services to customers.

Any proposed amendments to the Operator Agreement will be brought forward for Council review and consideration.

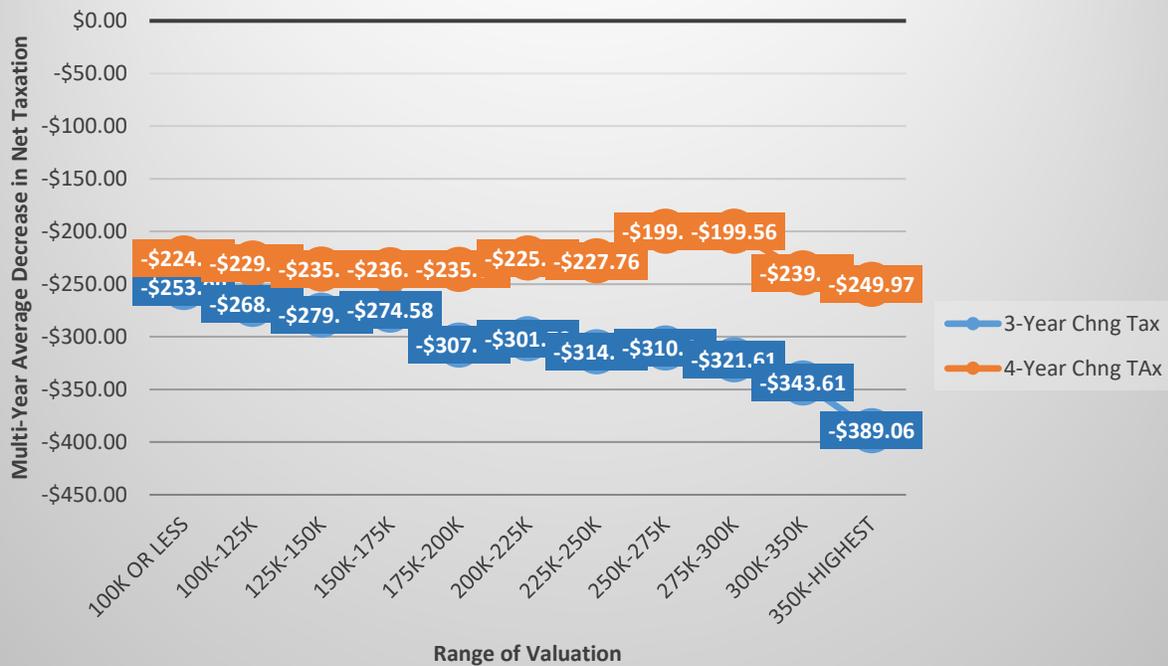
**Sanford Tax Rate Calculation FY 20:**

George Greene, Sanford Tax Assessor, has completed the FY 20 Assessment utilizing the City and School adopted budgets. The Assessor has completed the market analysis and has updated the assessments for this tax cycle. Keeping the Overlay at \$216,193.57 as compared to the last year's Overlay of \$233,259.55, the FY19-20 Mil rate will be set at \$20.70. This compares to the estimated Mil Rate at the end of the budgeting process of \$21.08. The FY 19-20 increase will be \$0.20/\$1,000 of Valuation as opposed to an earlier estimated \$0.58/\$1,000 of valuation. The mil rate reduction was driven by strong growth in values across multiple categories as well as stronger than anticipated newly constructed values. I will report back upon updating the assessment tables within the Budget Tools. The updated impact Graph is as below;

## 5-Yr Hmstd Tax



## Net Change in Homestead Taxed Home Over Last Three Years



**Hussey Seating Expansion to Sanford:** [hussey-seating-reinvesting-in-its-business-buys-sanford-industrial-space](#)

Attached is a link to the MaineBiz Article on Hussey Seating's latest investment into its Company and its expansion into Sanford's Industrial Park in the 45,000 sq. ft. facility at 90 Community Drive. As disclosed in the Article, the purchase of Property in Sanford is part of a multi-year, \$8.2 million enhancement to its manufacturing capabilities. The expansion into Sanford was driven by available industrial space, progressive work with the Sanford Regional Economic Growth Council, and the availability of necessary infrastructure, not the least of which was SanfordNet Fiber. When the Company was inventorying infrastructure, they were amazed at the response to the need of dedicated broadband services capable of supporting the basis of global real time cloud-based engineering and manufacturing technologies. The Company not only reviewed SanfordNet capacities, but also did a full tour of facilities, operational aspects, and interviewed the ISP of GWI. We know for this expansion, the ability to satisfy the question of broadband and having it already built into the facility was a game changer.

**Sanford Planning Partnership Initiative with Maine DOT:**

On July 17, 2019 we received the countersigned and executed Sanford PPI Agreement with MDOT WIN: 024395.00. The Study is a collaborative effort with the City to evaluate safety and mobility improvements in the Study Area, Sanford's Downtown. The PPI Study is a \$100,000 Engineering Study at a 50/50 match City and State. The City will select and hire the Consultant to perform the Study and Engineering resulting in recommended design for traffic and pavement construction through Sanford's Downtown. It will further make the design Project eligible for consideration in the Multi-Year MDOT Work Plan.

The Study Areas is;

- Route 109/Main Street between Route 202/Lebanon Street and Emery Street;
- Washington Street between Route 109/Main Street and High Street; and
- School Street from Washington Street to Elm Street

Public Works has initiated the Selection Process for Qualified Firms to perform the Study. Responses will be tabulated and brought to the City Council for review and selection. The Study should conclude within a year and allow the City to budget for and seek funding for the 2024 construction year.

# **Sanford Airport Solar Tax Increment Financing**

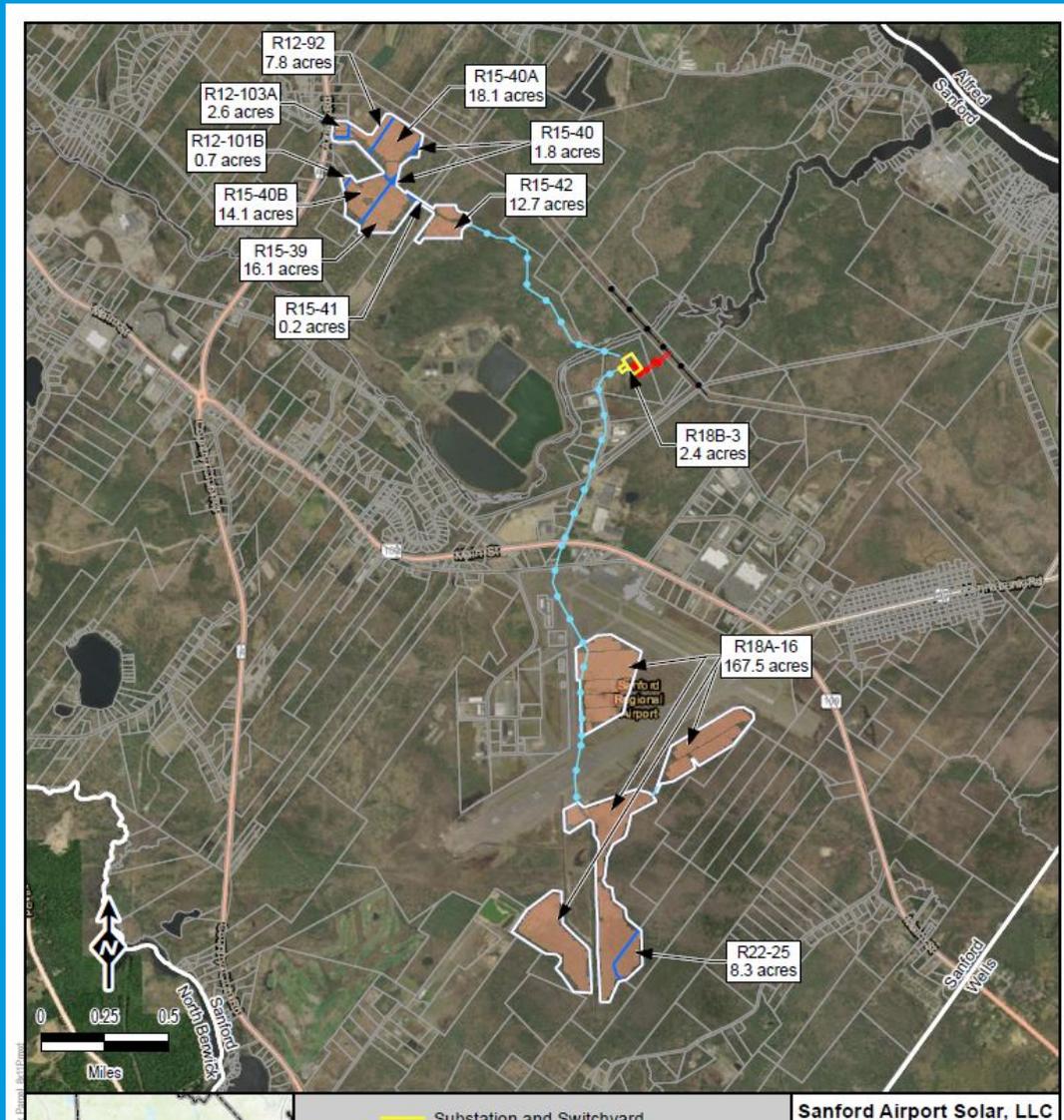
**Sanford City Council: Public Hearing  
August 6, 2019**

# In Favor of the Sanford Airport Solar TIF

Testimony – to present the Sanford City Council and the general public with:

- ▶ A brief overview of the TIF development program;
- ▶ Background on NextEra, the company developing Sanford's precedent-setting, utility-scale renewable energy project;
- ▶ Status report on the Sanford Airport Solar project, including permits, interconnection and real estate matters;
- ▶ Highlights on the need for a TIF to ensure the project's viability; and
- ▶ Schedule for Site Preparation and Construction

# Sanford Airport Solar Parcel Map



# Sanford Airport Solar TIF Parcel Map



# TIF Development Program – Overview

- ▶ Multiple parcels inside and near the Sanford Seacoast Regional Airport consisting of 333 acres with \$103,690 OAV
- ▶ Capture 100% of the IAV of real and personal property over a 30-year term
- ▶ Construct municipal facilities for public safety and snow removal; extend airport infrastructure e.g. water/sewer/SNF
- ▶ Fund economic development administration, marketing and SanfordNet Fiber business network expansion
- ▶ Credit enhancement agreement with solar developer to ensure long-term project viability (20-year term)

# Company Background and Solar Project

- ▶ **Background on NextEra, the company developing Sanford's precedent-setting, utility-scale renewable energy project**
- ▶ **Project**
  - » 50 MW (ac) located on properties owned by the City of Sanford, the Sanford Sewerage District and private entities
  - » Contracted through a long-term power purchase agreement with utilities in New England
  - » Over 150,000 solar panels; at least 100 construction jobs
  - » Targeted operations by Q4 2020

# Permit Status

## ► Permits

### » Federal

- › US Army Corps of Engineers Category II Maine General Permit (associated USFWS Consultation) (approved June, 2019)
- › Federal Aviation Administration 7460 filings and Determinations of No Hazard (approved 2017-2019; temporary construction filings under review)

### » State

- › Site Location of Development Act (Site Law) (approved January, 2019; amendments under review, expected August, 2019)
- › Natural Resources Protection Act Permit (NRPA) (same schedule as Site Law)
- › National Pollutant Discharge Elimination System Stormwater General Permit (same schedule as Site Law)

# Permits, Interconnection, Real Estate

## ► Permits (continued)

### » Local

- › Major Site Review (approved June, 2018; amended approval July, 2019)
- › Facility Exception License (Contractor)
- › Building Permits (Contractor)

## ► Interconnection

- » Interconnection Agreement signed with Central Maine Power (CMP) and ISO New England (ISO-NE) March, 2018
- » Substation engineering process began May, 2018, and is ongoing

## ► Real Estate

- » Subdivision of Lot R18B-3 approved by the Sanford Planning Board for conveyance of substation parcel to CMP

# TIF Support and Project Viability

- ▶ **As a partner with Sanford on the TIF credit enhancement, company has assured the Solar project:**
  - » Would not occur otherwise
  - » Will create or retain employment opportunities
  - » Will significantly expand the City's tax base, and
  - » Conforms to the quality and types of development sought by the City of Sanford
- ▶ **As City Manager stated, endeavored to develop a project that provides substantial economic benefits to the community:**
  - » Lease revenues from use of the Airport property for solar power
  - » Property tax revenues across the Project properties (public & privately-owned)
  - » Property tax revenues from the to-be-constructed switchyard, which will be conveyed to CMP on completion of construction
  - » Right of First Refusal in the City's Airport lease for the vegetation management on the Airport
- ▶ **Credit Enhancement Agreement proposes an annual net tax payment of \$500,000 (\$10,000/MW) to the City of Sanford**

# Schedule for Site Preparation & Construction

- ▶ **Proposed vote on Solar TIF proposal: August 6, 2019**
- ▶ **Submission of TIF package to DECD: August 15, 2019**
- ▶ **DECD approval of TIF package: Early September, 2019**
- ▶ **Construction crews mobilize: October 1, 2019**
  - » Site Preparation; civil work; fence construction and all activities for compliance with seasonal timing restrictions for MESA species
- ▶ **CMP pole construction for substation tie-in: November – December, 2019**
- ▶ **Components arrive and installation: March – August, 2020**
  - » Modules; inverters; cabling; substation
- ▶ **Substantial construction completion: Fall, 2020**
- ▶ **Tie-In to grid: October, 2020**
- ▶ **Targeted commercial operations: November, 2020**

# Before



# After



EXHIBIT D

**Ordered, to approve a Municipal Tax Increment Financing District to be known as the Sanford Airport Omnibus Municipal Development and Tax Increment Financing District and to authorize the City Manager to execute required documents.**

**WHEREAS**, the City of Sanford (the “City”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the City as the Sanford Airport Omnibus Municipal Development and Tax Increment Financing District (the “District”) and to adopt a development program for the District (the “Development Program”); and

**WHEREAS**, there is a need to encourage the retention, improvement, expansion, and attraction of retail, commercial, industrial and professional uses in the City; and

**WHEREAS**, there is a need to provide continuing employment opportunities for the citizens of the City and the surrounding region; to improve and broaden the tax base of the City; and to improve the general economy of the City, the surrounding region and the State of Maine; and

**WHEREAS**, adopting and implementing the District and the Development Program will help to provide continued and new employment for the citizens of the City and the surrounding region; improve and broaden the tax base in the City and improve the economy of the City and the State of Maine; and

**WHEREAS**, the City has held a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. §5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

**WHEREAS**, the City desires to designate the District and to adopt the Development Program for the District; and

**WHEREAS**, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development (“DECD”), approving the designation of the District and the adoption of the Development Program;

**NOW, THEREFORE, BE IT HEREBY VOTED BY THE SANFORD CITY COUNCIL:**

**Section 1.** The City hereby finds and determines that:

(a) At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is in need of rehabilitation, redevelopment or conservation or is suitable for commercial uses as defined in 30-A M.R.S.A. §5223(3); and

## EXHIBIT D

(b) The total area of the District does not exceed two percent (2%) of the total acreage of the City, and the total area of all development districts within the City (including the District) does not exceed five percent (5%) of the total acreage of the City; and

(c) The aggregate original assessed value of the District plus the original assessed value of all other existing tax increment financing districts in the City does not exceed five percent (5%) of the total value of taxable property within the City as of April 1, 2018; and

(d) The City Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that any such adverse economic effect on or detriment to any existing business is outweighed by the contribution expected to be made through the District and the adoption of the Development Program. The projects and improvements described in the Development Program will contribute to the economic growth and well-being of the City and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City, including employment opportunities, a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

**Section 2.** Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the District and adopts the Development Program all as more particularly described in the Development Program presented to the City Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

**Section 3.** Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of increased assessed value to be retained in the District as captured assessed value and the term for which it will be retained is hereby established as set forth in the Development Program.

**Section 4.** The City Manager be, and hereby is, authorized, empowered and directed to submit the designation of the District and the Development Program to DECD for review and approval pursuant to the requirements of 30-A M.R.S.A. §5226(2).

**Section 5.** The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the City of approval of the designation of the District and adoption of the Development Program by DECD, without requirement of any further action by the City, the City Council, or any other party.

**Section 6.** The City Manager be and hereby is authorized and empowered, at his discretion, from time to time, to make such revisions and corrections to the Development Program or to the scope, cost or description of the public improvements to be financed with tax increment revenues generated by the District as described in the Development Program, and to the exhibits to the Development Program, as the City Manager deems reasonably necessary or convenient, necessary in order to facilitate the process for review and approval of the District or the Development Program by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

EXHIBIT D

**Section 7.** The City Council hereby determines that the requirements of the Tax Increment Financing Policy have been met with respect to the credit enhancement agreement contemplated by the Development Program and the City Manager be and hereby is authorized and directed to enter into such credit enhancement agreement, in the name of and on behalf of the City, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the City Manager may approve, the City Manager's approval to be conclusively evidenced by his execution thereof.

**Section 8.** This Order shall take effect immediately upon adoption.

Approved August 6, 2019, by the City Council of the City of Sanford, at a meeting duly convened and conducted at Sanford, Maine.

Attest:

---

Sanford City Clerk  
Attestation Dated:

**FINDINGS AND ORDER**

Pursuant to 17 M.R.S.A. §§ 2851-2859

Dangerous Buildings

MICHAEL QUIMBY  
PO BOX 244  
UNION, NH 03887

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.  
PO BOX 2026  
FLINT, MI 48501

MICHAEL QUIMBY  
367 CHESTNUT HILL ROAD  
FARMINGTON, NH 03835

RBS CITIZENS, NA  
443 JEFFERSON BOULEVARD  
WARWICK, RI 02886

**26 MONTREAL STREET, SANFORD, MAINE**

On August 6, 2019 at 6:00 PM at City Hall, the Municipal Officers of the City of Sanford, Maine held a hearing to determine whether the building and property at 26 Montreal Street, Sanford, Maine identified as Lot 78, on Tax Map I28 and further described in a deed recorded in the York County Registry of Deeds at Book 13672, Page 192 is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate. Notice of this hearing was duly served on the owner by the Strafford County, New Hampshire, Sheriff on July 16 and parties in interest by certified mail on July 16 and July 17 as required by Law.

The following persons were present and testified:

- A. City of Sanford Director of Community Development, Ian Houseal
- B. City of Sanford Jamie Cole, Chief Code Enforcement Officer
- C. Property Owner/Representative: Michael Quimby

Based on the testimony of those present and other evidence presented and made part of the record, the Sanford City Council hereby attests to the testimony and evidence and hereby finds the following facts:

- A. Michael Quimby has owned the building (the property), since November 5, 2003.
- B. The owner was informed of the requirement to obtain a rental housing license pursuant to City Code § 149-5.1 et seq. on January 8, 2018.
- C. The owner did not obtain a rental housing license or a vacant building license pursuant to City Code § 149-6.1 et seq.
- D. The building is unsafe, structurally unstable, and was severely damaged by a fire on July 6, 2019.
- E. An inspection on July 9, 2019 by the Fire Marshall found the following violations of City Code § 128-25A(1), *2009 National Fire Protection Association, Uniform Fire Code (NFPA 1)* as adopted by reference:
  - § 1.7.6.2. Remove or remedy dangerous or hazardous condition or material.
  - § 7.7.7. Abate hazardous condition.
- F. A party in interest obtained a vacant building license on July 29, 2019.

Pursuant to 17 M.R.S.A § 2851, 2-A: "To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or

safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.”

Based on the foregoing findings, the Municipal Officers conclude that the building and property is dangerous and a nuisance because the building is unsafe and structurally unstable; and is otherwise dangerous to life and property because the fire damaged structure and condition of the property is dangerous and contributes to blight which negatively impacts the property value, health, safety, and welfare of surrounding properties and their occupants.

THEREFORE IT IS ORDERED that to protect the health, safety, and welfare, the building and property is to be immediately secured to prevent occupancy or use within 24 hours.

AND BE IT FURTHER ORDERED that any and all rubbish, debris, vehicles, equipment, household/human/hazardous waste, and dangerous materials are to be removed from the property and properly disposed and the premises maintained free of debris and plant growth within 30 days.

AND BE IT FURTHER ORDERED that to protect the health, safety, and welfare, the said dangerous building and nuisance is to be immediately abated (building removed/ disposed/ secured.)

AND BE IT FURTHER ORDERED, if the owner or party in interest demonstrates the ability and willingness to satisfactorily rehabilitate the property by submitting and having a rehabilitation plan approved by the City Manager within 30 days of recording this Order and carrying out such rehabilitation plan in a timely manner, the Order to immediately abate the nuisance may be delayed. Such rehabilitation plan must include:

- At a minimum, all deficiencies listed as part of the findings of fact as herein set forth are corrected in the approved timeframes;
- The said property is rehabilitated and brought into compliance with all applicable State and Local Codes and all applicable State and Local permits and licenses are obtained prior to making any rehabilitation;
- There shall be no occupancy or use of the property until a Certificate of Occupancy has been issued by the City upon satisfactory rehabilitation of the property.

AND BE IT FURTHER ORDERED that the City Clerk record this Order in the York County Registry of Deeds and cause attested copies of this Order to be served upon the persons as required by law.

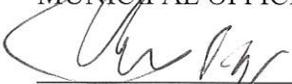
AND BE IT FURTHER ORDERED that, if this Order is not complied with, the City Manager is hereby authorized and directed to ask for bids for the abatement (buildings removal/ disposal/ securing) of the said dangerous property and nuisance.

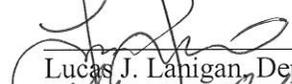
AND BE IT FURTHER ORDERED that, if this Order is not timely complied with and no timely appeal is taken, the City Manager may undertake the ordered corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action.

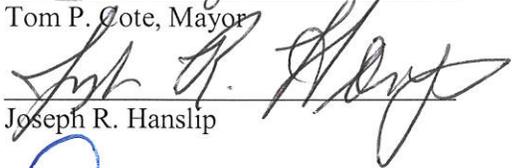
This decision may be appealed to Superior Court pursuant to Maine Rule of Civil Procedure 80B.

MUNICIPAL OFFICERS OF THE CITY OF SANFORD

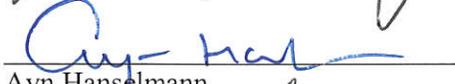
Dated: 8/6/19

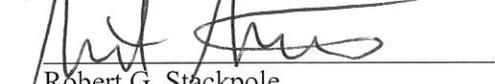
  
\_\_\_\_\_  
Tom P. Cote, Mayor

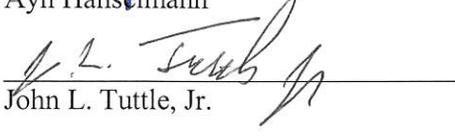
  
\_\_\_\_\_  
Lucas J. Lanigan, Deputy Mayor

  
\_\_\_\_\_  
Joseph R. Hanslip

  
\_\_\_\_\_  
Maura A. Herlihy

  
\_\_\_\_\_  
Ayn Hanselmann

  
\_\_\_\_\_  
Robert G. Stackpole

  
\_\_\_\_\_  
John L. Tuttle, Jr.

STATE OF MAINE, York County, ss.

Dated: 8/6/19

Personally appeared before me the above-named City Council, of the City of Sanford, Maine and each acknowledged the foregoing instrument to be his/her free act and deed.

  
\_\_\_\_\_  
Notary Public

**Loris Ricketts**  
Notary Public, State of Maine  
My Commission Expires April 16, 2022

**FINDINGS AND ORDER**

Pursuant to 17 M.R.S.A. §§ 2851-2859

Dangerous Buildings

PATRICIA BLAISDELL  
16 GEORGE STREET  
NORTH WATERBORO, ME 04061

HEIRS OF MARION DASHNAW

**12 PROULX COURT, SANFORD, MAINE**

On August 6, 2019 at 6:00 PM at City Hall, the Municipal Officers of the City of Sanford, Maine held a hearing to determine whether the building and property at 12 Proulx Court, Sanford, Maine identified as Lot 38, on Tax Map K15 and further described in a deed recorded in the York County Registry of Deeds at Book 14553, Page 796 is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate. Notice of this hearing was duly served on the owner's heir by the York County Sheriff on July 29 and advertised in the newspaper on July 19, July 26, and August 2 as required by Law when an owner or party in interest is unknown or is not ascertainable with reasonable diligence.

The following persons were present and testified:

- A. City of Sanford Director of Community Development, Ian Houseal
- B. City of Sanford Code Enforcement Officer, Aaron Lederer
- C. Property Owner/Representative: Patricia Blaisdell

Based on the testimony of those present and other evidence presented and made part of the record, the Sanford City Council hereby attests to the testimony and evidence and hereby finds the following facts:

- A. Marion Danshaw has owned the building (the property), since August 4, 2005.
- B. The owner died on October 25, 2016
- C. There is one property tax liens assessed on the property with \$4,825.04 owing and three sewer service liens assessed on the property with \$2,929.02 in sewer service fees owing as of August 5, 2019.
- D. The building is unsafe, unsanitary, and a hazard to health and safety because of inadequate maintenance and abandonment.
- E. An inspection on January 18, 2019 found a violation of City Code § 149-5.4, rental housing license required.
- F. An inspection on April 19, 2019 found a violation of City Code § 90-13B(5), *2015 International Property Maintenance Code* § 308.1. The accumulation of rubbish and garbage is unsanitary and a fire hazard.
- G. An inspection on July 8, 2019 found the following violations of City Code § 90-13B(5), *2015 International Property Maintenance Code (2015 IPMC)* as adopted by reference:
  - Dangerous structure or premises. § 108.1.5.3. The abandoned, deteriorated, and neglected building is dangerous.
  - Sanitation. § 302.1. The building and property is unsanitary and unsafe.

H. On July 29, 2019 the building was ordered vacated and secured and was posted unfit for human occupancy or use after September 27, 2019 pursuant to City Code § 90-22, 2015 IPMC §§ 105.1, 105.2, 105.4, 107.1, 107.3, and 108.3.

Pursuant to 17 M.R.S.A § 2851, 2-A: “To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.”

Based on the foregoing findings, the Municipal Officers conclude that the building and property is dangerous and a nuisance because the building is unsafe and unsanitary; constitutes a fire hazard; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, and abandonment; and is otherwise dangerous to life and property because the abandoned building and condition of the property is dangerous and contributes to blight which negatively impacts the property value, health, safety, and welfare of surrounding properties and their occupants.

THEREFORE IT IS ORDERED that to protect the health, safety, and welfare, the building and property is to be immediately secured to prevent occupancy or use within 24 hours.

AND BE IT FURTHER ORDERED that any and all rubbish, debris, vehicles, equipment, household/human/hazardous waste, and dangerous materials are to be removed from the property and properly disposed and the premises maintained free of debris and plant growth within 30 days.

AND BE IT FURTHER ORDERED that to protect the health, safety, and welfare, the said dangerous building and nuisance is to be immediately abated (building removed/ disposed/ secured.)

AND BE IT FURTHER ORDERED, if the owner or party in interest demonstrates the ability and willingness to satisfactorily rehabilitate the property by submitting and having a rehabilitation plan approved by the City Manager within 30 days of recording this Order and carrying out such rehabilitation plan in a timely manner, the Order to immediately abate the nuisance may be delayed. Such rehabilitation plan must include:

- At a minimum, all deficiencies listed as part of the findings of fact as herein set forth are corrected in the approved timeframes;
- The said property is rehabilitated and brought into compliance with all applicable State and Local Codes and all applicable State and Local permits and licenses are obtained prior to making any rehabilitation;
- There shall be no occupancy or use of the property until a Certificate of Occupancy has been issued by the City upon satisfactory rehabilitation of the property.

AND BE IT FURTHER ORDERED that the City Clerk record this Order in the York County Registry of Deeds and cause attested copies of this Order to be served upon the persons as required by law.

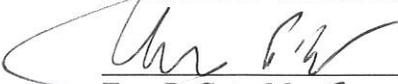
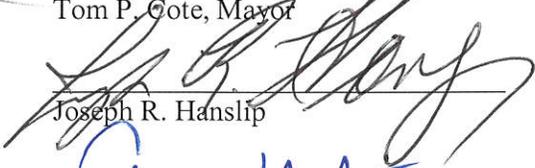
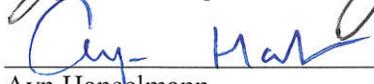
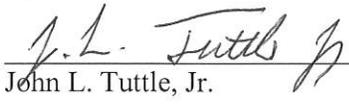
AND BE IT FURTHER ORDERED that, if this Order is not complied with, the City Manager is hereby authorized and directed to ask for bids for the abatement (buildings removal/ disposal/ securing) of the said dangerous property and nuisance.

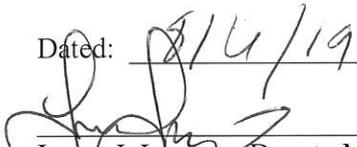
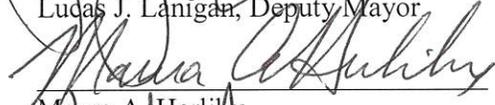
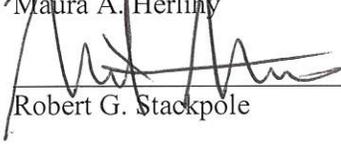
AND BE IT FURTHER ORDERED that, if this Order is not timely complied with and no timely appeal is taken, the City Manager may undertake the ordered corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action.

This decision may be appealed to Superior Court pursuant to Maine Rule of Civil Procedure 80B.

MUNICIPAL OFFICERS OF THE CITY OF SANFORD

Dated: 8/6/19

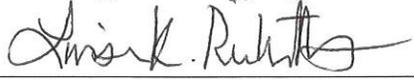
  
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Tom P. Gote, Mayor  
  
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Joseph R. Hanslip  
  
\_\_\_\_\_  
Ayn Hanselmann  
  
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John L. Tuttle, Jr.

  
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Lucas J. Lanigan, Deputy Mayor  
  
\_\_\_\_\_  
Maura A. Herlihy  
  
\_\_\_\_\_  
Robert G. Stackpole

STATE OF MAINE, York County, ss.

Dated: 8/6/19

Personally appeared before me the above-named City Council, of the City of Sanford, Maine and each acknowledged the foregoing instrument to be his/her free act and deed.

  
\_\_\_\_\_  
Notary Public

**Lorisa Ricketts**  
Notary Public, State of Maine  
My Commission Expires April 16, 2022

**FINDINGS AND ORDER**

Pursuant to 17 M.R.S.A. §§ 2851-2859  
Dangerous Buildings

GRAMMAR PROPERTY MAINTENANCE LLC  
LISA REYNOLDS  
11 GRAMMAR STREET  
SANFORD, ME 04073

SCARBOROUGH WOODS LLC  
KING WEINSTEIN  
198 SACO AVENUE  
OLD ORCHARD BEACH, ME 04064

**11 GRAMMAR STREET, SANFORD, MAINE**

On August 6, 2019 at 6:00 PM at City Hall, the Municipal Officers of the City of Sanford, Maine held a hearing to determine whether the building and property at 11 Grammar Street, Sanford, Maine identified as Lots 41 and 41A, on Tax Map H29 and further described in a deed recorded in the York County Registry of Deeds at Book 17122, Page 868 is a dangerous building or nuisance within the meaning of 17 M.R.S.A. §§ 2851-2859, and to determine what, if any, remedy is appropriate. Notice of this hearing was duly served on the owner's registered agent by the York County Sheriff on July 17 and by certified mail on July 16 as required by Law.

The following persons were present and testified:

- A. City of Sanford Director of Community Development, Ian Houseal
- B. City of Sanford Code Enforcement Officer, Aaron Lederer
- C. Property Owner/Representative: Brian Reynolds

Based on the testimony of those present and other evidence presented and made part of the record, the Sanford City Council hereby attests to the testimony and evidence and hereby finds the following facts:

- A. Grammar Property Maintenance LLC has owned the building (the property), since October 15, 2015.
- B. Since Grammar Property Maintenance LLC has owned the property, there have been three property tax liens assessed and discharged on the property with \$1,863.43 owing as of August 5, 2019.
- C. Since Grammar Property Maintenance LLC has owned the property, the property has fallen into a state of dilapidation and disrepair because of inadequate maintenance, care, and improper and unsuitable use.
- D. An inspection on May 2, 2019 found the following violations of City Code § 90-13B(5), 2015 *International Property Maintenance Code (2015 IPMC)* as adopted by reference:
  - Sanitation. § 302.1. The accumulation of debris on the property is unsafe, unsanitary and a fire hazard.
  - Motor vehicles. § 302.8. The accumulation of disabled motor vehicles is unsanitary and unsafe.
  - Exterior structure. § 304.1. The buildings are structurally unstable, not in good repair, and unsanitary.

Pursuant to 17 M.R.S.A § 2851, 2-A: "To adjudge a building to be a nuisance or dangerous, the municipal officers must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or

safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.”

Based on the foregoing findings, the Municipal Officers conclude that the buildings and property are dangerous and a nuisance because the building and property are unsafe, structurally unstable, unsanitary, a fire hazard, improper to the use to which the buildings and property are put; constitutes a hazard to health or safety because of inadequate maintenance and dilapidation; and is otherwise dangerous to life and property because the buildings and condition of the surrounding property is dangerous and contributes to blight which negatively impacts the property value, health, safety, and welfare of surrounding properties and their occupants and the community, in general.

THEREFORE IT IS ORDERED that to protect the health, safety, and welfare, the buildings and property are to be immediately secured to prevent occupancy or use within 24 hours.

AND BE IT FURTHER ORDERED that any and all rubbish, debris, vehicles, equipment, household/human/hazardous waste, and dangerous materials are to be removed from the property and properly disposed and the premises maintained free of debris and plant growth within 30 days.

AND BE IT FURTHER ORDERED that to protect the health, safety, and welfare, the said dangerous buildings and nuisance is to be immediately abated (building removed/ disposed/ secured.)

AND BE IT FURTHER ORDERED, if the owner or party in interest demonstrates the ability and willingness to satisfactorily rehabilitate the property by submitting and having a rehabilitation plan approved by the City Manager within 30 days of recording this Order and carrying out such rehabilitation plan in a timely manner, the Order to immediately abate the nuisance may be delayed. Such rehabilitation plan must include:

- At a minimum, all deficiencies listed as part of the findings of fact as herein set forth are corrected in the approved timeframes;
- The said property is rehabilitated and brought into compliance with all applicable State and Local Codes and all applicable State and Local permits and licenses are obtained prior to making any rehabilitation;
- There shall be no occupancy or use of the property until a Certificate of Occupancy has been issued by the City upon satisfactory rehabilitation of the property.

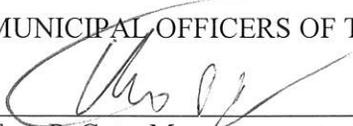
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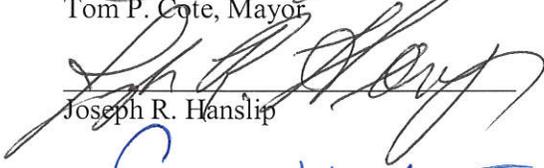
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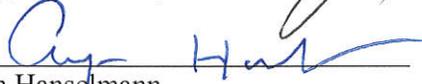
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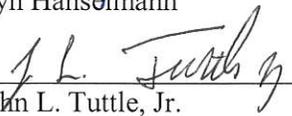
This decision may be appealed to Superior Court pursuant to Maine Rule of Civil Procedure 80B.

MUNICIPAL OFFICERS OF THE CITY OF SANFORD

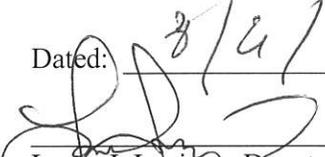
  
\_\_\_\_\_  
Tom P. Cote, Mayor

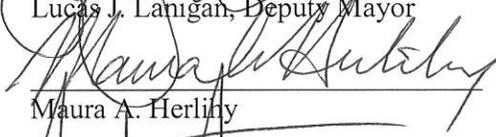
  
\_\_\_\_\_  
Joseph R. Hanslip

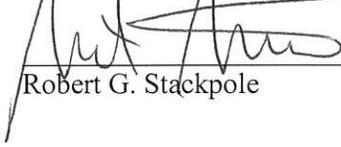
  
\_\_\_\_\_  
Ayn Hanselmann

  
\_\_\_\_\_  
John L. Tuttle, Jr.

Dated: 8/6/19

  
\_\_\_\_\_  
Lucas J. Lanigan, Deputy Mayor

  
\_\_\_\_\_  
Maura A. Herlihy

  
\_\_\_\_\_  
Robert G. Stackpole

STATE OF MAINE, York County, ss.

Dated: 8/6/19

Personally appeared before me the above-named City Council, of the City of Sanford, Maine and each acknowledged the foregoing instrument to be his/her free act and deed.

  
\_\_\_\_\_  
Notary Public

Lorisa Ricketts  
Notary Public, State of Maine  
My Commission Expires April 16, 2022