

**City Council Workshop & Meeting**  
**April 5, 2021**  
**Agenda**

This City Council workshop and meeting will be conducted in Council Chambers. The meeting will be broadcast as usual on Great Falls TV (cable channel 11) and on the City of Auburn [YouTube](#) channel.

Members of the public may watch in the Community Room, across from Council Chambers. If you attend and wish to offer public comment during the meeting, you may do so by speaking at the podium that will be located in the Community Room.

We will continue taking public comment in writing for those who are not comfortable attending a public meeting at this time, please send your remarks via email to: [comments@auburnmaine.gov](mailto:comments@auburnmaine.gov). Your comments will be included in the meeting minutes.

**5:30 P.M. City Council Workshop**

- A. Mil rate discussion – Karen Scammon & Jill Eastman (15 minutes)
- B. Budget discussion – Phil Crowell (60 minutes)

**7:00 P.M. City Council Meeting** - Roll call votes will begin with Councilor MacLeod

**Pledge of Allegiance**

- I. **Consent Items** - All items with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.
  - 1. **Order 34-04052021\***  
Setting the date for the second regular council meeting in April to be held on Tuesday, April 20, 2021.
  - 2. **Order 35-04052021\***  
Authorizing the City Manager to execute the Edward Byrne Justice Assistance Grant Program FY2020 local solicitation - Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the grant application.
- II. **Minutes** – March 15, 2021 Regular Council Meeting
- III. **Communications, Presentations and Recognitions**

- Communication - St. Mary's Nutrition Center Annual Report (Auburn Community Gardens)
- Agricultural Committee Update – Katie Boss
- Permit Fees Update – Tim MacLeod and Katie Boss
- Council Communications (about and to the community)

**IV. Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

**V. Unfinished Business - None**

**VI. New Business**

**1. Order 36-04052021**

Authorizing the sale of real property to Tambrands, Inc.

**2. Order 37-04052021**

Disposition of building located at 16 Walnut Street under dangerous building statute.

Hearing for parties with interest in property.

***Council may enter into Executive Session pursuant to 1 M.R.S.A. Sec. 405 (6)(C).***

**3. Order 38-04052021**

Disposition of building located at 32 High Street under dangerous building statute.

Hearing for parties with interest in property.

***Council may enter into Executive Session pursuant to 1 M.R.S.A. Sec. 405 (6)(C).***

**4. Ordinance 18-04052021**

Amending the Code of Ordinances Section 60-34, Buildings per Lot (secondary dwellings). First reading.

**VII. Open Session** – *Members of the public are invited to speak to the Council about any issue directly related to City business or any item that does not appear on the agenda.*

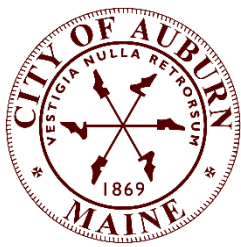
**VIII. Reports (from sub-committees to Council)**

- Mayor's Report
- City Councilors' Reports
- City Manager Report

**IX. Executive Session**

- Property acquisition, pursuant to 1 M.R.S.A. Sec. 405 (6)(C)
- Economic Development, pursuant to 1 M.R.S.A. Sec. 405 (6)(C)

**X. Adjournment**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** Monday April 5, 2021

**Author:** Karen Scammon, Assessor

**Subject:** Mil Rate, Valuation , Certified Ratio

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**Information:** There will be a Power Point presentation

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Discussion

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**Previous Meetings and History:** None

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**City Manager Comments:**

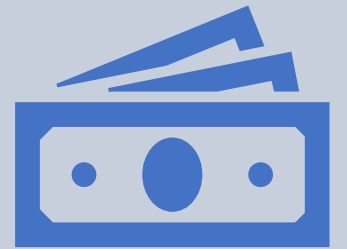
I concur with the recommendation. Signature:



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**Attachments:** Power Point Presentation

# Mil Rate, Valuation, and Certified Ratio



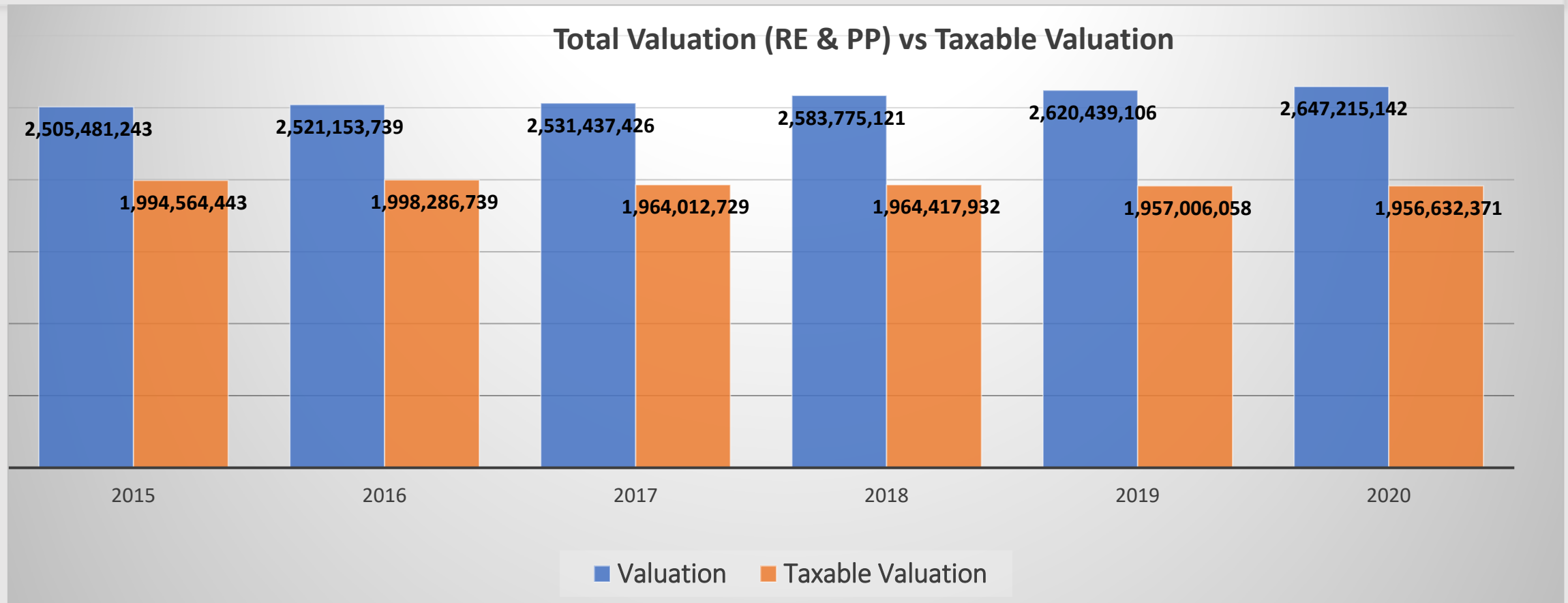
**Taxes divided by net valuation = mil rate**

**Ex:  $\$50,000,000 / 2,000,000,00 = 25$  mil rate**



## Total Valuation Vs Taxable Valuation

- RE & PP valuation – exemptions = total taxable valuation



# Certified Ratio

- The Assessor certifies the ratio of the municipality each year
- The certified ratio is based on the sales ratio study provided to the Maine Revenue Service who analyzes the sales to determine an overall ratio for the municipality.
- The current certified ratio is 100%
- The certified ratio will be less than 100% for the 2021 tax year
- Lowering the certified ratio will not affect the **valuation** of properties
- Lowering the certified ratio will affect exemptions and reimbursements to the municipality
- Example: HS exempt reimbursement (70%) at 100% ratio vs 95% ratio;
- 77,987,700 vs 74,088,315 (3,899,385)

# How will the Exemptions and Taxes be Affected by Lowering the Certified Ratio?

- **Homestead Exemption**

- 100% ratio;

<u>Valuation</u>	<u>Exemption</u>	<u>Taxable Valuation (- exemption)</u>	<u>Mil Rate</u>	<u>Taxes</u>
• 200,000	25,000	175,000	23.75	\$4,156

- 95% ratio;

• 200,000	23,750	176,250	23.75	\$4,186
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- **Veteran's Exemption**

- 100% ratio;

• 200,000	6,000	194,000	23.75	\$4,608
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- 95% ratio

• 200,000	5,700	194,300	23.75	\$4,615
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# Affect of the Certified Ratio on Taxable Valuation

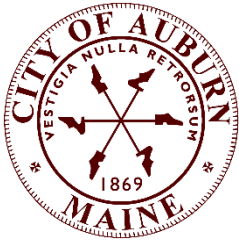
- When the ratio is adjusted (up or down) all exemptions, Special Land Use pricing and BETE Exempt assets must be adjusted to the ratio.
- Example based on 2020 exemption numbers (not including BETE);

- 100% ratio

<u>Total RE valuation</u>	<u>Total value of RE exemptions</u>	<u>Total taxable RE valuation</u>
• 2,307,304,671	465,836,207	1,841,328,464

- 95% ratio

• 2,307,304,671	442,544,397	1,864,760,274
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**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 5, 2021

**Author:** Sue Clements-Dallaire, City Clerk

**Subject:** Budget Discussion

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**Information:**

- Administration (Clerk, City Manager, Finance, HR, Communications, Technology, Engagement, and Mayor and Council)
- Community Services (Health & Social Services, Eco. Development, Business and Community Development, Planning and Permitting, Recreation, and Public Library)

We will work through these departments as time allows. If not completed we will continue the review at our next budget workshop on April 12<sup>th</sup>.

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**City Budgetary Impacts:**

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**Staff Recommended Action:** Discussion

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**Previous Meetings and History:** 12/21/2020 Joint School/Council Budget Discussion, 1/4/2021 FY22 Budget Goals/FY21 CIP update, 3/15/2021 Joint City/School CIP Presentation, School Budget Discussion, and City Manager's Preliminary Budget

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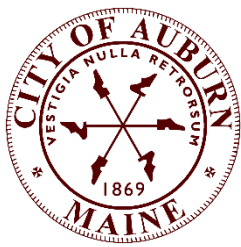
**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 5, 2021

**Order:** 34-04052021

**Author:** Sue Clements-Dallaire, City Clerk

**Subject:** Proposed date change for the second Regular City Council meeting of April 2021

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**Information:** Recommend changing the second Regular City Council meeting date to Tuesday, April 20, 2021. The second meeting falls on a holiday and rather than pushing the meeting out another week, we are recommending that the meeting be held the Tuesday after the holiday (change from April 26, 2021 to April 20, 2021).

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**City Budgetary Impacts:** None.

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**Staff Recommended Action:** Approve moving the second regular meeting of April to Tuesday, April 20, 2021.

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**Previous Meetings and History:** In past years, we have held meetings that would have fallen on a holiday on the Tuesday immediately following that date.

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:**



**ORDER 34-04052021**

# City Council Order

## IN CITY COUNCIL

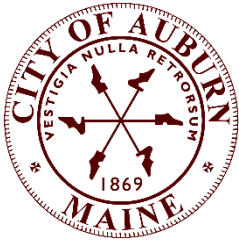
**ORDERED**, that the City Council hereby authorizes changing the second regular meeting of the City Council from Monday, April 26, 2021 to Tuesday, April 20, 2021.

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**Holly C. Lasagna**, Ward One  
**Brian S. Carrier**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy B. MacLeod**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Katherine E. Boss**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** Monday, April 5, 2021

**Order:** 35-04052021

**Author:** Rita Beaudry, Grant Manager

**Subject:** 2020 Byrne Jag Grant – Auburn Police Department

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**Information:** The Auburn Police Department has been awarded a 2020 \$14,159 Edward Byrne Justice Assistance Grant. The formula grant application includes funds to purchase: two laptops for new officers attending the Maine Criminal Justice Academy, purchase of COP Cards, emergency tourniquets for police officers and two pole speed signs. The grant requires Certifications and Assurances by the Chief Executive of the Applicant Government.

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**City Budgetary Impacts:** None

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**Staff Recommended Action:** Execute an order that provides for City Manager Phillip L. Crowell, Jr. to sign and submit the Certifications and Assurances by the Chief Executive of the Applicant Government for this grant solicitation.

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**Previous Meetings and History:** None

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**City Manager Comments:**

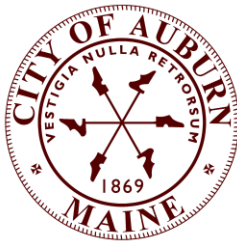
*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:**





**ORDER 35-04052021**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that City Manager Phillip L. Crowell, Jr., on behalf of the City of Auburn, execute the Edward Byrne Justice Assistance Grant Program FY 2020 Local Solicitation – Certifications and Assurances by the Chief Executive of the Applicant Government document to be submitted with the grant application.

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**Holly C. Lasagna**, Ward One  
**Brian S. Carrier**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy B. MacLeod**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Katherine E. Boss**, At Large  
**Phillip L. Crowell, Jr.**, City Manager

Mayor Levesque called the meeting to order at 7:07 P.M. in the Council Chambers of Auburn Hall and led the assembly in the salute to the flag.

All Councilors were present.

**I. Consent Items - None**

**II. Minutes – March 1, 2021 Regular Council Meeting**

Motion was made by Councilor Walker and seconded by Councilor Carrier to approve the minutes of the March 1, 2021 Regular Council Meeting.

Passage 7-0.

**III. Communications, Presentations and Recognitions**

- Recognition – The Mayor John Jenkins Hands & Hearts Leadership Service Award was awarded to Deputy Fire Chief, Matt Fifield
- Presentation of the City Manager's Preliminary Budget
- Proclamation – Greek Independence Day
- Recognition – The Maine Recreation and Parks Association has awarded the Auburn Parks and Recreation Department with the Facility of Merit Award for the Auburn Senior Community Center
- Council Communications (about and to the community)

**Mayor Levesque** – reminded everyone that the Auburn Mall is the host of the Androscoggin County mass vaccination site.

**Councilor Gerry** – noted that the LA transit bus will be stopping at the Auburn Mall for anyone that needs transportation to get their vaccine.

**Councilor Lasagna** - added that there is also free transportation to vaccination sites throughout the State which can be found on the Maine CDC website. She also said that she has been getting a lot of questions regarding the new proposed zoning and asked if we could hold a question & answer forum on this item.

**Councilor Walker** – announced that the Age Friendly Committee is going to offer a movie at the Senior Center for up to 30 people. Anyone interested should call the Recreation Department to make sure there is room. This will be held on March 17<sup>th</sup> starting at 1:00 pm. They will be offering another one next month. He also reminded everyone of the Walk in the Park event to be held on March 30<sup>th</sup> at noon.

**IV. Open Session – no one from the public spoke.**

**V. Unfinished Business**

**1. Ordinance 11-03012021**

Amending Chapter 60 to correct spelling, capitalization and word placement errors. Public hearing and second reading.

Motion was made by Councilor MacLeod and seconded by Councilor Milks for passage.

Public hearing - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

**2. Ordinance 12-03012021**

Amending Chapter 60, Article XVII re-zoning a portion of Parcels PID 057-003, 057-003-001, 057-002, 057-001 on Trapp Road from Rural Residential to Agriculture/Resource Protection. Public hearing and second reading.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage.

Public hearing – No one from the public spoke.

Passage 7-0. A roll call vote was taken.

**3. Ordinance 13-03012021**

Amending Chapter 60, Article XVII expanding the form-based code zoning district T-4.2 Traditional Downtown Neighborhood, In the Court/Lake Street and Lake Auburn Avenue, Union, Lake, and Whitney Streets areas. Public hearing and second reading.

Motion was made by Councilor Milks and seconded by Councilor Walker for passage.

Public hearing - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

**4. Ordinance 14-03012021**

Amending Chapter 52 – Traffic. Second reading.

Motion was made by Councilor MacLeod and seconded by Councilor Carrier for passage.

Public comment - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

**5. Ordinance 15-03012021**

Amending Chapter 24 - General Assistance. Second reading.

Motion was made by Councilor MacLeod and seconded by Councilor Walker for passage.

Public comment - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

**6. Ordinance 16-03012021**

Amending Chapter 61, Section 61-1 – Moratorium on social clubs and retail medical marijuana caregiver storefronts. Public hearing and second reading.

Motion was made by Councilor MacLeod and seconded by Councilor Walker for passage.

Public hearing - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

**7. Ordinance 17-03012021**

Amending the Code, Appendix A to include language for the Veteran Relocation and Development Incentive Program. Second reading.

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage.

Public comment – No one From the public spoke.

Passage 7-0. A roll call vote was taken.

**VI. New Business**

**1. Order 30-03152021**

Re-appointing Bruce Bickford to the Railroad Company to serve from April 2021-April 2024.

Motion was made by Councilor Walker and seconded by Councilor Lasagna for passage.

Public comment - No one from the public spoke.

Passage 7-0.

**2. Order 31-03152021**

Appointing Mayor Jason Levesque to the Railroad Company filling the remaining term of outgoing Director, Richard Trafton, serving from April 2021-April 2023.

Motion was made by Councilor Gerry and seconded by Councilor Walker for passage.

Public comment - No one from the public spoke.

Passage 7-0.

**3. Order 32-03152021**

Initiating a Planning Board Ordinance Change to Amend Chapter 60 – Secondary dwellings.

Motion was made by Councilor Carrier and seconded by Councilor Walker for passage.

Public comment - No one from the public spoke.

Passage 7-0. A roll call vote was taken.

**4. Order 33-03152021**

Ratifying the contract for (FOP) Fraternal Order of Police Patrol Detectives.

Motion was made by Councilor MacLeod and seconded by Councilor Milks for passage.

Public comment - No one from the public spoke.

Passage 7-0.

**VII. Open Session** – No one from the public spoke.

**VIII. Reports (from sub-committees to Council)**

**Mayor Levesque** – provided an update on proposed legislation, reported that he was invited by MMA to give a presentation to Rep. Golden on Thursday to talk about Auburn and how we are moving forward during COVID, and how we are using the stimulus funds and more.

**Councilor Milks** – reported that the Sewer Trustees will be meeting on Tuesday at 4:00 pm and the Water Trustees will be meeting on Wednesday at 4:00 pm.

**Councilor Macleod** – reported on the last LATC meeting, and the Permits and Fees sub-committee.

**Councilor Lasagna** – commented on the new ELHS Building outline and added that they are working on plans for the ground-breaking.

**Councilor Carrier** – reported that if anyone has questions for the School Committee budget, let him know and he will try to get the questions answered.

**Manager Crowell** – thanked the Finance Director and Department Directors for their work on the budget. He pointed out that he included an Annual Report in the Councilors budget packet adding that it will be available on our website for the public to view. He pointed out that the CIP plan can also be found in their workbooks. He talked about the traffic plan around the ELHS construction. He also went over the budget schedule.

**Jill Eastman, Finance Director – February 2021 Final Monthly Report**

Motion was made by Councilor Carrier and seconded by Councilor Milks to accept and place on file the February 2021 Final Monthly Report.

Passage 7-0.

**VIII. Executive Sessions:**

**Economic development, pursuant to 1 M.R.S.A. Sec. 405 (6)(C)**

Motion was made by Councilor MacLeod and seconded by Councilor Walker to enter into executive session.

Passage 7-0. Time 8:17 pm.

Council was declared out of executive session at 8:33 pm.

**Personnel matter, pursuant to 1 M.R.S.A. Sec. 405 (6)(A)**



Motion was made by Councilor MacLeod and seconded by Councilor Milks to enter into executive session.

Passage 7-0. Time 8:33 pm.

Council was declared out of executive session at 8:50 pm.

**X. Adjournment**

Motion was made by Councilor Lasagna and seconded by Councilor Milks to adjourn.  
Unanimously approved, adjourned at 8:50 pm.

A TRUE COPY

ATTEST *Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk

## APPENDIX C – DEMOGRAPHIC REPORT OF GARDEN PARTICIPANTS

**Reporting Period:** April 1, 2020 – November 30, 2020

**Name of Agency:** St. Mary's Nutrition Center

**Source of Data:** Collected using Participant Certification

**Assisted Households:** 32 **# of Auburn Households:** 32 **# of Non-Auburn Households:** 0

**Total Number of Auburn Households with Female Head of Household:** *Not gathered*

### Total Number by Race and Ethnicity

<u>Race Code</u>	<u>Race</u>	<u># of Households Assisted</u>	<u># Hispanic or Latino</u>
11	White	28	1
12	Black or African American	3	
13	Asian		
14	American Indian/Alaska Native		
15	Native Hawaiian or Other/Pacific Islander		
16	American Indian/Alaskan Native & White	1	
17	Asian & White		
18	Black/African American & White		
19	American Indian/Alaskan Native & Black/African American		
20	Other Multi-Racial		

### Total Number of Households by Income

<u>Income Range</u>	<u>Number of Households</u>
0-30% of Median Income (Extremely Low)	10
30% to 50% of Median Income (Very Low)	10
50% to 80% of Median Income (Low)	6
Above 80% of Median Income (Moderate)	5
Declined to report	1

The household data reported above is for both Newbury and Webster Street Gardens. A total of 74 individuals in 32 households were engaged in the Auburn Community Gardens.

**DATE:** December 28, 2020

**PREPARED BY:**



**Kirsten Walter**  
**Director, St. Mary's Nutrition Center**

## **APPENDIX D – PERFORMANCE MEASURES**

**Name of Agency:** St. Mary's Nutrition Center

### **Intended Outcomes for Newbury and Webster Street Gardens:**

- 50 households engaged as community gardeners in 2020
- 75% of community gardeners successfully complete growing season
- 60% of gardeners report increase in household vegetable consumption
- 65% of gardeners report that they feel more connected to community and neighbors
- 70% of gardeners report that they have greater knowledge in growing their own food

### **Collaboration and Partnership Objectives:**

- A minimum of ten volunteers engaged
- A minimum of five partner organizations and businesses involved through volunteering or in-kind support

### **Describe how these outcomes were measured. Describe progress made.**

Below is the summary of the outcomes reached. Information was collected through gardener registrations, gardener participation certifications, a gardener end-of-season survey, as well as through tracking volunteer and partner involvement.

The following outcomes refer to those that were projected in the Project Proposal submitted to the City of Auburn and outlined in the Memorandum of Understanding between the Nutrition Center and the City of Auburn.

Because of the global pandemic and subsequent restrictions, 2020 programming required substantial adjustments, most notably delaying the construction of the new Whitney Street Community Garden. Some initial infrastructure was installed in Fall 2020, including the garden shed, to help jumpstart construction in Spring 2021. Additionally some registered gardeners dropped out mid-season due to pandemic-related or personal reasons. Finally, garden volunteer and community engagement outcomes were impacted due to restrictions on gathering in groups during the 2020 season. The Auburn Community Garden team prioritized in-person garden support, with "Garden Guides" present during community garden blocks. The team also prioritized communication via email, zoom, phone/text, in person, and end-of-season survey. The feedback from gardeners, along with the learning from this season, will position the gardens for increased impact in 2021 (including completing construction of the Whitney Street Garden).



- 32 households engaged as community gardeners, serving 74 people. This number was lower than projected in large part because the Whitney Street garden was not constructed, and thus new beds were not available.
- 81.25% or 26 out of 32 households completed the season; 6 gardener households dropped out due to pandemic-related or personal reasons
- 85.7% of gardeners report increase in household vegetable consumption
- 76.2% of gardeners report that they feel more connected to community and neighbors
- 85.7% of gardeners report that they increased their garden knowledge.
- Three committed volunteers helped maintain the Auburn Community Gardens program this season.
- Organizations involved in this season of the Auburn Community Gardens included: St. Mary's Nutrition Center, University of Maine Cooperative Extension, City of Auburn, Auburn Recreation Department, Androscoggin Land Trust, Goodwill of Northern New England Take 2, and Walmart.

**Another stated goal of the Auburn Community Gardens effort** was to reach neighbors of limited income and at greater risk of food insecurity.

**Outcome:** A large majority of households (81%) had incomes below 80% of median income, the threshold identified by HUD.

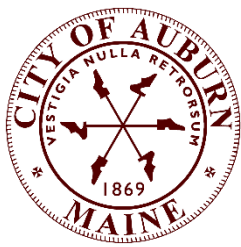
**DATE:** December 28, 2020

**PREPARED BY:**



**Kirsten Walter**

**Director, St. Mary's Nutrition Center**



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 5, 2021

**Order:** 36-04052021

**Author:** Sue Clements-Dallaire, City Clerk

**Subject:** Sale of Airport land to P & G (Tambrands).

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**Information:**

The Airport is requesting that the City Council approves the sale of 15 acres of airport designated land to Tambrands (P&G) and authorizes Rick Lanman, Airport Director, to be the representative to negotiate, execute and deliver all documents necessary to complete the transaction.

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**City Budgetary Impacts:** N/A

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**Staff Recommended Action:** Approval

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**Previous Meetings and History:** N/A

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**City Manager Comments:**

I concur with the recommendation. Signature:



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**Attachments:**

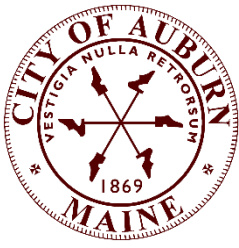


# City Council Order

## IN CITY COUNCIL

**ORDERED,** That the City of Auburn, Maine (the “City”) be, and hereby is, authorized and empowered to sell to Tambrands, Inc., a Delaware corporation and subsidiary of Proctor and Gamble (the “Purchaser”), an approximately 15-acre parcel of land located at the Auburn-Lewiston Municipal Airport on Kitty Hawk Drive in the City of Auburn, being the easterly portion of Tax Parcel 119-002 situated adjacent to Tax Parcel 120-001 which the Purchaser currently owns, for a sale price equal to the greater of: (i) the appraised fair market value of said parcel determined as necessary to obtain a release of said parcel from the FAA (but not to exceed \$40,000.00, nor less than \$27,000.00); and

That Richard Lanman, in his capacity as the Airport Director of the Auburn-Lewiston Municipal Airport and the duly authorized representative of the City of Auburn, Maine be and hereby is, authorized and empowered, for and on behalf of the City, to take such actions and negotiate, execute and deliver any and all documents, including without limitation, a contract to purchase real estate, a deed, title insurance affidavits, a closing statement, and any other documents he deems necessary or appropriate in order to consummate the transaction set forth above, all in the form approved by such authorized representative, such approval to be conclusive by his execution and delivery thereof.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 5, 2021

Order: 37-04052021

**Author:** Eric Cousens, Director of Planning and Permitting and Kris Beaudoin Building and Housing Code Compliance Officer

**Subject:** Dangerous Building at 16 Walnut Street, Auburn, Maine, Parcel ID 250-325, Book 7088, Page 131

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**Information:** The City of Auburn staff has responded to complaints of dangerous conditions at the property over an extended period. Dangerous conditions have been confirmed to exist at the property and the owners of the property have not responded to resolve the issues.

To address the issues at the property and eliminate the dangerous conditions the Auburn City Council will hold a dangerous building hearing regarding the above-captioned property on April 5, 2021, at 7:00 PM. The hearing will be held at Auburn, Hall, 60 Court Street, Auburn, Maine. During the hearing, the City Council will consider whether the buildings located on the property constitute dangerous buildings under 17 M.R.S. § 2851, with possible actions and orders to follow.

*To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners 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.*

Property notice to parties of interest have been made. At the meeting staff will provide a review of conditions at the property and attempts to convince the owners to remedy the dangerous conditions in order to protect the public from harm. After a public hearing the Council will be asked to review draft findings of fact and determine if an order to abate the hazardous conditions is warranted under 17 M.R.S. § 2851. The draft findings and order will be provided by the City Attorney at the meeting. If the property constitutes a dangerous building under 17 M.R.S. § 2851, the Council should order the abatement of the hazardous conditions within 30-days.

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**City Budgetary Impacts:** Reduce blight and risk of injury, demolition costs if owner does not abate violations. Estimated demolition costs include \$10k-20k for abatement and \$15-\$25k for demolition and site stabilization.

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**Staff Recommended Action:** Review information, hold a public hearing and order the abatement of violations.

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**Previous Meetings and History:** None

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

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**Attachments:** Affidavit of Kris Beaudoin, Building and Housing Code Compliance Officer and supporting information.

**CITY OF AUBURN CITY COUNCIL  
FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND ORDER OF DEMOLITION**

**16 WALNUT STREET**

On April 5, 2021, at 7:00 p.m. the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the \_\_ structures (the “Structures”) at 16 Walnut Street in Auburn, Maine, further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 7088, Page 131 (the “Premises”), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structures be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, Director of Planning and Permitting, and Kris Beaudoin, Code Enforcement Officer. The following individuals appeared on behalf of the owner and/or parties in interest:

---

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by Donald W. Bright Jr. and Donna K. Bright (the “Owners”). Planning, Permitting & Code Department (“Department”) **Exhibits 1.**
2. The Owners, through Donald Bright, acknowledge receipt of notice of this hearing and waived service of the same on March 29, 2021. **Exhibit 2.**
3. Party-in-Interest Community Loan Servicing, LLC, was served with a copy of the Notice on March 25, 2021. **Exhibit 3.**
4. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds at on April 1, 2021. **Exhibit 4.**
5. The Council accepts and incorporates the facts and supporting exhibits contained in the affidavit of Kris Beaudoin and attached as **Exhibit 5.**
6. The Structures are structurally unsafe.
7. The Structures are unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage.
8. The Structures constitute a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.
9. The Structures are unsanitary due to the fact that the interior of each structure is open to the elements.

10. The Structures are heightened fire hazards and attractive to vandals.
11. The Owners have been given the opportunity to remedy the conditions at the Premises but have failed to do so.

#### Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

12. The Structures are structurally unsafe and unstable.
13. The Structures are unsanitary.
14. The Structures constitutes a fire hazard.
15. The Structures are unsuitable and improper for human habitation.
16. The Structures are a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
17. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are a nuisance and dangerous buildings, and the Council hereby concludes that the Structures at 16 Walnut Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851.

#### Order

Having found that the Structures at 16 Walnut Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

18. That the Owner, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
19. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
20. That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.
21. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

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

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on April 5, 2021, the City of Auburn City Council adopted the above Order.

Dated:

---

Susan Clements-Dallaire  
City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

April 5, 2021

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

---

Notary Public/Attorney at Law




A N A N

Certain lots or parcels of land situated in the City of Auburn, County of Androscoggin, State of Maine,  
bounded and described as follows:

**MAINE REAL ESTATE  
TRANSFER TAX PAID**

**In Witness Whereof**, I've set my hand this 19<sup>th</sup> day of March, 2007.

  
Douglas J. Caron

Then personally appeared the above named Douglas J. Caron and acknowledged the foregoing instrument to be his free act and deed.

Printed Name: THOMAS E. MARKE, ESQ.  
Seal (if any):

## EXHIBIT 2

### ACKNOWLEDGEMENT AND ACCEPTANCE OF SERVICE

I, Donald W. Bright, Jr., do hereby acknowledge receipt of the Notice of Hearing on Dangerous Building dated March 19, 2019, pertaining to the real estate located at 16 Walnut Street, Auburn, Maine, on behalf of all owners of record, and do hereby waive any further requirement of service of process of the foregoing, upon all owners of record.

Dated as of March 29, 2021

*Donald Bright Jr.*

---

Donald W. Bright, Jr.

S

**NOTICE OF HEARING ON DANGEROUS BUILDING**

**17 M.R.S. § 2851, et seq.**

Property Address: 16 Walnut Street, Auburn, Maine

Book 7088, Page 131

March 19, 2021

DONALD W. BRIGHT JR.  
DONNA K. BRIGHT  
14 MAPLE STREET  
LISBON FALLS, ME 04252

COMMUNITY LOAN SERVICING, LLC  
f/k/a Bayview Loan Servicing, LLC  
c/o Corporation Service Company  
45 Memorial Circle  
Augusta, ME 04330

RE: 16 WALNUT ST. – NOTICE OF HEARING ON DANGEROUS BUILDING

Dear Sir or Madam:

You are hereby notified that the Auburn City Council will hold a dangerous building hearing regarding the above-captioned property on April 5, 2021, at 7:00 PM. The hearing will be held at Auburn, Hall, 60 Court Street, Auburn, Maine. During the hearing, the City Council will consider whether the buildings located on the property constitute dangerous buildings under 17 M.R.S. § 2851, with possible actions and orders to follow. You have the right to attend that hearing and to be heard. If you fail to do so, you may be deemed to have waived your right to further review or to be heard at a later date.

Sincerely,

*Susan Clements-Dallaire*

Susan Clements-Dallaire, City Clerk  
City of Auburn  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601

DB

STATE OF MAINE  
ANDROSCOGGIN,ss

March 19, 2021

ACKNOWLEDGEMENT

I, Susan Clements-Dallaire, the City Clerk of the City of Auburn, do hereby acknowledge that the foregoing Notice of Hearing is my free act and deed in my said capacity for the City of Auburn.

*Susan Clements-Dallaire*

Susan Clements-Dallaire  
City Clerk, City of Auburn

*Beckie-Jo Drew*  
Print Name: *Beckie-Jo Drew*

Notary Public/Attorney at Law

My Commission Expires: *10/14/2022*

*Beckie-Jo Drew*  
*Notary Public - Maine*  
*My Comm Expires Oct. 14, 2022*



CITY OF AUBURN  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
17 M.R.S. §§2851-59  
16 Walnut Street, Auburn, Maine  
Dangerous Buildings

On \_\_\_\_\_, 2021, I served the above-referenced NOTICE OF  
HEARING, a copy of which is attached hereto, on \_\_\_\_\_, by service in  
hand at \_\_\_\_\_.

\_\_\_\_\_  
Print Name:  
Androscoggin County Sheriff's Department

Date: \_\_\_\_\_

<b>TITLE</b>	2021-03-29-Bright Acknowledgement.pdf
<b>FILE NAME</b>	2021-03-29-Bright%20Acknowledgement.pdf
<b>DOCUMENT ID</b>	6a3bd730e65ba1ac8d9338988baff4b179720b50
<b>AUDIT TRAIL DATE FORMAT</b>	MM / DD / YYYY
<b>STATUS</b>	● Completed

This document was requested from [app.clio.com](https://app.clio.com)

## Document History



SENT

**03 / 29 / 2021**

19:29:40 UTC

Sent for signature to Donald W Bright (Jr)  
(brightjr7@gmail.com) from msm@malloyfirmmaine.com  
IP: 216.107.222.234



VIEWED

**03 / 29 / 2021**

19:58:45 UTC

Viewed by Donald W Bright (Jr) (brightjr7@gmail.com)  
IP: 97.103.218.61



SIGNED

**03 / 29 / 2021**

20:05:46 UTC

Signed by Donald W Bright (Jr) (brightjr7@gmail.com)  
IP: 97.103.218.61



COMPLETED

**03 / 29 / 2021**

20:05:46 UTC

The document has been completed.

**NOTICE OF HEARING ON DANGEROUS BUILDING**

**17 M.R.S. § 2851, et seq.**

Property Address: 16 Walnut Street, Auburn, Maine  
Book 7088, Page 131

March 19, 2021

DONALD W. BRIGHT JR.  
DONNA K. BRIGHT  
14 MAPLE STREET  
LISBON FALLS, ME 04252

**COMMUNITY LOAN SERVICING, LLC**

f/k/a Bayview Loan Servicing, LLC  
c/o Corporation Service Company  
45 Memorial Circle  
Augusta, ME 04330

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Sincerely,

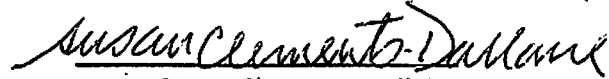


Susan Clements-Dallaire, City Clerk  
City of Auburn  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601

March 19, 2021

ACKNOWLEDGEMENT

I, Susan Clements-Dallaire, the City Clerk of the City of Auburn, do hereby acknowledge that the foregoing Notice of Hearing is my free act and deed in my said capacity for the City of Auburn.



Susan Clements-Dallaire  
City Clerk, City of Auburn



Print Name: Bechie-Jo Drew

Notary Public/Attorney at Law

My Commission Expires: 10/14/2022



*Bechie-Jo Drew*  
*Notary Public - Maine*  
*My Comm Expires Oct. 14, 2022*



CITY OF AUBURN  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
17 M.R.S. §§2851-59  
16 Walnut Street, Auburn, Maine  
Dangerous Buildings

On MAR 25 2021, 2021, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Community Loan Servicing LLC, by service in hand at CLS Corporation Service Agent.

  
Print Name: \_\_\_\_\_  
Kennebec County Sheriff's Department

Date: MAR 25 2021

HARRY MCKENNEY  
Chief Civil Deputy  
KENNEBEC COUNTY  
SHERIFF'S OFFICE

EXHIBIT 4

**NOTICE OF HEARING ON DANGEROUS BUILDING**

**17 M.R.S. § 2851, et seq.**

Property Address: 16 Walnut Street, Auburn, Maine  
Book 7088, Page 131

March 19, 2021

DONALD W. BRIGHT JR.  
DONNA K. BRIGHT  
14 MAPLE STREET  
LISBON FALLS, ME 04252


COMMUNITY LOAN SERVICING, LLC  
f/k/a Bayview Loan Servicing, LLC  
c/o Corporation Service Company  
45 Memorial Circle  
Augusta, ME 04330

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Sincerely,

  
Susan Clements-Dallaire, City Clerk  
City of Auburn  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601

STATE OF MAINE  
ANDROSCOGGIN,ss

March 19, 2021

ACKNOWLEDGEMENT

I, Susan Clements-Dallaire, the City Clerk of the City of Auburn, do hereby acknowledge that the foregoing Notice of Hearing is my free act and deed in my said capacity for the City of Auburn.

*Susan Clements-Dallaire*

Susan Clements-Dallaire  
City Clerk, City of Auburn

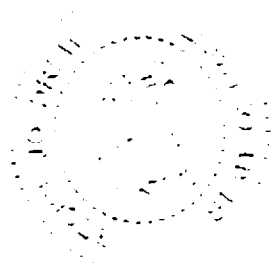
*Beckie-Jo Drew*

Print Name: *Beckie-Jo Drew*

Notary Public/Attorney at Law

My Commission Expires: *10/14/2022*

*Beckie-Jo Drew*  
Notary Public - Maine  
My Comm Expires Oct. 14, 2022



**AFFIDAVIT OF KRIS BEAUDOIN**

I, Kris Beaudoin, being duly sworn, state the following based upon my personal knowledge:

1. I am a Code Enforcement Officer for the City of Auburn, Maine (the "City").
2. In connection with that position, I enforce Housing code and ordinances.
3. In the course of my duties for the City, I have become familiar with the property owned by Donald Bright Jr and located at 16 Walnut St (the "Walnut street property") within the City limits.
4. The City has received numerous complaints regarding the condition of the Walnut St property.
5. The structural elements of the Walnut Street Property have not been maintained in a manner that is hazard free and suitable for the intended use.
6. The plumbing facilities of the Walnut Street Property have not been maintained in good sanitary working condition and are not connected to an adequate supply of water.
7. The heating and ventilation system of the Walnut Street Property has not been maintained in safe operating condition.
8. The electrical and lighting of the Walnut St Property has not been maintained in good, safe, and suitable electrical order.
9. The pool gate of the Walnut St Property is not capable of being securely fastened at all times when not in use.
10. In recent months, I have personally observed the structural elements of the property deteriorate and the chronically unsecured nature of the structures create a safety hazard for the neighborhood.
  - a. On August 27, 2020, I viewed the Walnut Street Property from the road, in response to public complaints about its condition. During that time, there were unsecured areas and significant deterioration of the roof. Attached as **Exhibit A** are photographs that I took of the Walnut Street Property at that time.
  - b. On September 3, 2020, I issued Mr. Bright a Notice of Violation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit B**.
  - c. On September 18, 2020 I visited the Walnut Street Property following up on the previous Notice of Violation. From the road, I observed no change from the previous notice. On that day I issued Mr. Bright the First Citation for the

conditions I observed, a true and accurate copy of which is attached as **Exhibit C**.

- d. On September 28, 2020 I visited the Walnut Street Property with Eric Cousens Director of Planning & Permitting and Scot St.Hilaire a contractor representing Mortgage Contracting Services. During that visit it was observed that the garage had been broken into and a verbal agreement to secure the structure was made. Attached as **Exhibit D** are photographs that I took of the Walnut Street Property at that time.
- e. On October 6, 2020, I visited the Walnut Street Property following up on the previous verbal agreement. From the road, I observed no change from the previous property condition. I issued Mr. Bright a Notice of Violation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit E**.
- f. On October 16, 2020 I visited the Walnut Street Property following up on the previous Notice of Violation. From the road, I observed no change from the previous notice. On that day I issued Mr. Bright the First Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit F**.
- g. On October 20, 2020 I visited the Walnut Street Property following up on the First Citation. From the road, I observed no change from the previous notice. On that day I issued Mr. Bright the Second Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit G**.
- h. On October 23, 2020, I visited the walnut Street property with Eric Cousens. The garage door was open, and the main structure was unsecured, the property was entered to be sure no one was inside and during that time numerous structural, electrical, and plumbing issues were observed. Prior to leaving Eric Cousens locked and closed the door. Attached as **Exhibit H** are photographs that I took of the Walnut Street property at that time.
- i. On October 29, 2020 I visited the Walnut Street Property following up on the Second Citation. From the road, I observed no change from the previous notice. On that day I issued Mr. Bright the Third Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit I**.
- j. On November 6, 2020 I visited the Walnut Street Property following up on the Third Citation. From the road, I observed no change from the previous notice. On that day I issued Mr. Bright the fourth Citation for the conditions I observed, a true and accurate copy of which is attached as **Exhibit J**.
- k. On December 8, 2020 I visited the Walnut Street Property with David O'Connell Fire Prevention Officer for The City. When I arrived, I found the entrance door to the building unsecured. We announced ourselves, entered the property and made sure there was no one in the building, we then locked and

closed the door. Prior to leaving the property, I placed placards on all four of the property entry doors and attached a placard to the side garage window and main garage overhead door. Attached as **Exhibit K** are photographs that I took of the Walnut Street Property after placards were attached to the structures.

11. As a result of the conditions described above, I believe that Mr. Bright's has no intent of properly securing or making necessary repairs to the Walnut Street Property, and that the lack of actions constitute a nuisance in violation of the City ordinances and state law and a dangerous building as defined at 17 MRS s. 2851.
12. Based upon these circumstances, Mr. Bright's inaction to properly secure and maintain the Walnut Street property is in such a manner as to be unsightly, detracting from the natural scenery, injurious to the happiness of individuals and the public, and injurious to the property rights of abutters and of the citizens of Auburn.

Dated: April 1, 2021

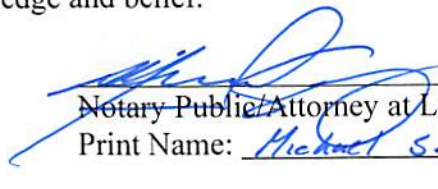


Kris Beaudoin

STATE OF MAINE  
COUNTY OF ANDROSCOGGIN

April 1, 2021

Personally, appeared the above-named Kris Beaudoin and made oath that the foregoing statements are true to the best of his knowledge and belief.



Notary Public/Attorney at Law  
Print Name: Michael S. Mallory

Pictures Taken on August 27, 2020 by Kris Beaudoin



Missing gates leading to pool area

Violation: MRS title 22 §1632. Enclosure of swimming pool required



Holes and deterioration of the roof

Violation: Sec. 12-226. - Maintenance



Pictures Taken on September 3, 2020 by Kris Beaudoin



Holes and deterioration of the roof allowing the exterior elements inside

Violation: Sec. 12-226. - Maintenance



Missing gates leading to pool area

Violation: MRS title 22 §1632. Enclosure of swimming pool required





City of Auburn, Maine  
Economic & Community Development  
Michael Chammings, Director  
60 Court Street | Auburn, Maine 04210  
www.auburnmaine.gov | 207.333.6601

**NOTICE OF VIOLATION**  
**CODE-1839-2020**

September 3, 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

91 7199 9991 7038 5324 7119

91 7199 9991 7038 5324 7119

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

\*Deterioration of the roofing system.

**Violation: Chapter 12, Section 12-226; MAINTENANCE**

**Revision:** All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

**Corrective Action:** Repair or replace the deteriorated roof system and contact this office to schedule an interior inspection of the building to determine the extent of the water damage caused by the deteriorated roofing system.

**Compliance Date:** September 17, 2020

\* Missing gate around pool allowing unsecured access.

**Violation: MRS Title 22, Chapter 266. SWIMMING POOLS**

**Revision:** §1632. Enclosure of swimming pool required A fence shall be erected and maintained around every swimming pool, except that portable aboveground swimming pools with sidewalls of at least 24 inches in height are exempted. A dwelling house or accessory building may be used as part of this enclosure. All gates or doors opening through this enclosure shall be capable of being securely fastened at all times when not in actual use. [PL 1983, c. 436 (NEW).]

**Corrective Action:** Install a gate and secure the exterior swimming pool area

**Compliance Date:** September 17, 2020

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date given. Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 2, Article VIII of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and five dollars (\$105.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

This notice is a warning only and therefore represents potential rather than actual enforcement of the ordinance provisions listed above. Administrative reviews of potential enforcement actions result in advisory opinions only, and therefore do not permit subsequent judicial review. This notice is therefore not open to administrative appeal. However, commencement of actual enforcement action of the sort listed above for failure to correct the violation(s) as requested, if any, shall give rise to a right to appeal that action directly. Such right shall not arise until and unless enforcement action actually commences. Any and all potential act(s) of enforcement as referenced above shall include written notice of your right to appeal. That notice shall specifically outline municipal procedure, and reference Maine civil procedure, for use in the event an administrative appeal is desired.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer, LPI  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Economic and Community Development





City of Auburn, Maine  
Economic & Community Development  
Michael Chammings, Director  
60 Court Street | Auburn, Maine 04210  
www.auburnmaine.gov | 207.333.6601

**NOTICE OF VIOLATION**  
**CODE-1839-2020**

September 3, 2020

DONALD BRIGHT  
16 WALNUT ST  
AUBURN, ME 04210

91 7199 9991 7038 5324 7102

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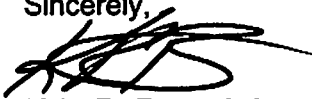
In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 2, Article VIII of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and five dollars (\$105.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

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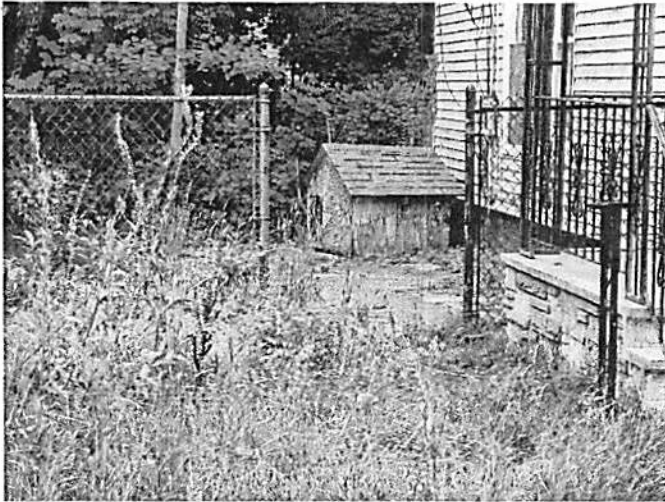
Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer, LPI  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Economic and Community Development





City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210

CERTIFIED MAIL



91 7199 9991 7038 5324 7119

DONALD BRIGHT  
90 PINEWOODS RD  
LISBON, ME 04250



U.S. POSTAGE >> PITNEY BOWES  
ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 SEP 04 2020

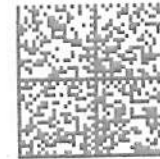
CERTIFIED MAIL

City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210



91 7199 9991 7038 5324 7102

DONALD BRIGHT  
16 WALNUT ST  
AUBURN, ME 04210



U.S. POSTAGE >> PITNEY BOWES  
ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 SEP 04 2020

Confirmation Services	Package ID: 9171999991703853247102	Electronic Return Receipt
	Destination ZIP Code: 04210	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____	Serial #: 0335788 SEP 04 2020 8:21 AM

Confirmation Services	Package ID: 9171999991703853247119	Electronic Return Receipt
	Destination ZIP Code: 04250	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____	Serial #: 0335788 SEP 04 2020 8:20 AM





## City of Auburn, Maine

Economic & Community Development  
Michael Chammings, Director  
60 Court Street | Auburn, Maine 04210  
www.auburnmaine.gov | 207.333.6601



### FIRST CITATION - \$105 CODE-1839-2020

September 18, 2020

DONALD BRIGHT  
16 WALNUT ST  
AUBURN, ME 04210

91 7199 9991 7038 5362 5658  
91 7199 9991 7038 5362 5658

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

\*Deterioration of the roofing system.

#### **Violation: Chapter 12, Section 12-226; MAINTENANCE**

**Revision:** All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

**Corrective Action:** Repair or replace the deteriorated roof system and contact this office to schedule an interior inspection of the building to determine the extent of the water damage caused by the deteriorated roofing system.

**Compliance Date:** September 24, 2020

\* Missing gate around pool allowing unsecured access.

#### **Violation: MRS Title 22, Chapter 266. SWIMMING POOLS**

**Revision:** §1632. Enclosure of swimming pool required A fence shall be erected and maintained around every swimming pool, except that portable aboveground swimming pools with sidewalls of at least 24 inches in height are exempted. A dwelling house or accessory building may be used as part of this enclosure. All gates or doors opening through this enclosure shall be capable of being securely fastened at all times when not in actual use. [PL 1983, c. 436 (NEW).]

**Corrective Action:** Install a gate and secure the exterior swimming pool area

**Compliance Date:** September 24, 2020

60 Court Street • Auburn, ME 04210

16 Walnut St. Dangerous Building Hearing Voice • (207) 333-6601 Automated • (207) 333-6625 Fax

www.auburnmaine.gov

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **one hundred and five dollars (\$105)** to the City of Auburn. **This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to City Of Auburn, C/O Economic & Community Development Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.**

**You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a second citation with a civil penalty in the amount of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.**

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

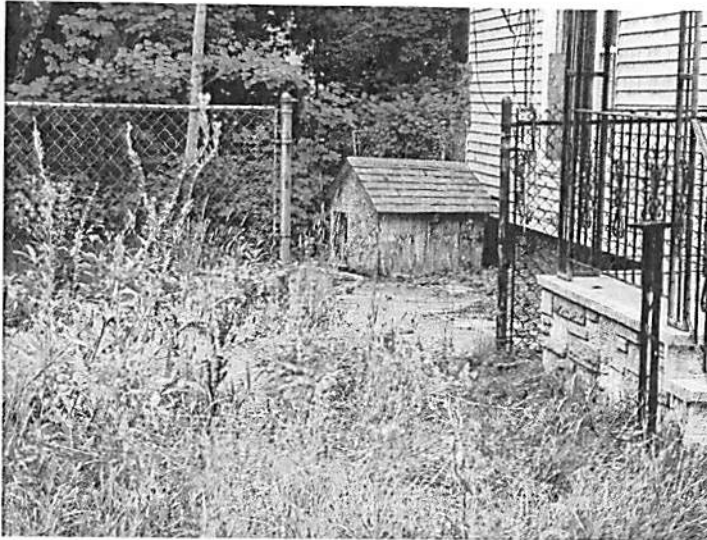
If you have any questions about what you need to do to comply with this Notice and Order, please contact this office immediately. I can be reached directly at (207) 333-6604

Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer  
City of Auburn  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Economic and Community Development





City of Auburn, Maine  
Economic & Community Development  
Michael Chammings, Director  
60 Court Street | Auburn, Maine 04210  
www.auburnmaine.gov | 207.333.6601

**FIRST CITATION - \$105**  
**CODE-1839-2020**

September 18, 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

91 7199 9991 7038 5362 5764

91 7199 9991 7038 5362 5764

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

\*Deterioration of the roofing system.

**Violation: Chapter 12, Section 12-226; MAINTENANCE**

**Revision:** All structures and structural elements shall be maintained structurally sound, in good repair, hazard free and suitable for the intended use.

**Corrective Action:** Repair or replace the deteriorated roof system and contact this office to schedule an interior inspection of the building to determine the extent of the water damage caused by the deteriorated roofing system.

**Compliance Date:** September 24, 2020

\* Missing gate around pool allowing unsecured access.

**Violation: MRS Title 22, Chapter 266. SWIMMING POOLS**

**Revision:** §1632. Enclosure of swimming pool required A fence shall be erected and maintained around every swimming pool, except that portable aboveground swimming pools with sidewalls of at least 24 inches in height are exempted. A dwelling house or accessory building may be used as part of this enclosure. All gates or doors opening through this enclosure shall be capable of being securely fastened at all times when not in actual use. [PL 1983, c. 436 (NEW).]

**Corrective Action:** Install a gate and secure the exterior swimming pool area

**Compliance Date:** September 24, 2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **one hundred and five dollars (\$105)** to the City of Auburn. **This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to City Of Auburn, C/O Economic & Community Development Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.**

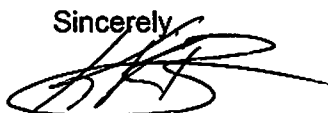
**You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a second citation with a civil penalty in the amount of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.**

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

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If you have any questions about what you need to do to comply with this Notice and Order, please contact this office immediately. I can be reached directly at (207) 333-6604

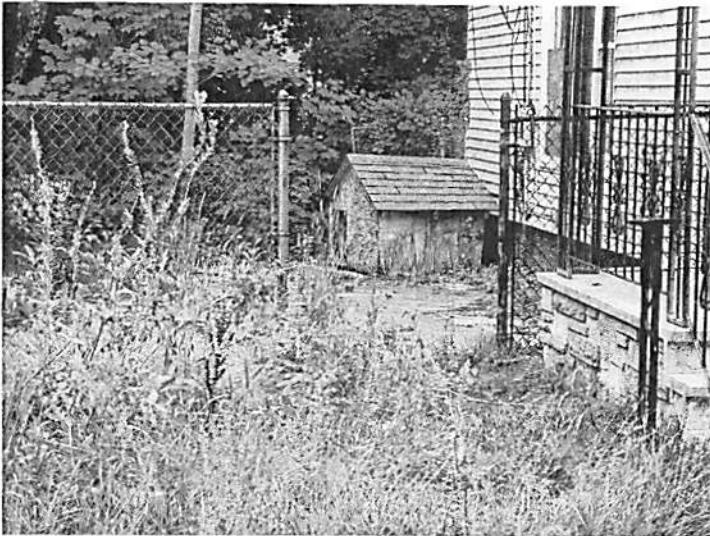
Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Economic and Community Development





City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210

CERTIFIED MAIL



91 7199 9991 7038 5362 5764

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250



U.S. POSTAGE >> PITNEY BOWES  
ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 SEP 18 2020

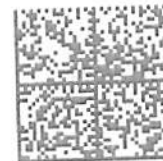
City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210

CERTIFIED MAIL



91 7199 9991 7038 5362 5658

DONALD BRIGHT  
16 WALNUT ST  
AUBURN, ME 04210



U.S. POSTAGE >> PITNEY BOWES  
ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 SEP 18 2020

Confirmation Services	Package ID: 9171999901703853625784	Electronic Return Receipt
	Destination ZIP Code: 04250	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15069204
	Address: _____	Serial #: 0335788 SEP 18 2020 10:33 AM

Confirmation Services	Package ID: 9171999991703853625659	Electronic Return Receipt
	Destination ZIP Code: 04210	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____	Serial #: 0335788 SEP 18 2020 10:34 AM





**1<sup>st</sup> floor deteriorated flooring to due exterior elements**

**Violation: Sec. 12-226. - Maintenance**



**Missing ceiling, hanging electrical, missing/damaged plumbing, damaged structural elements**

**Violation: Sec. 12-226. – Maintenance, Sec. 12-229. - Electrical and lighting & Sec. 12-227. - Plumbing**



**Continuation of roof deterioration**  
**Violation: Sec. 12-226. - Maintenance**

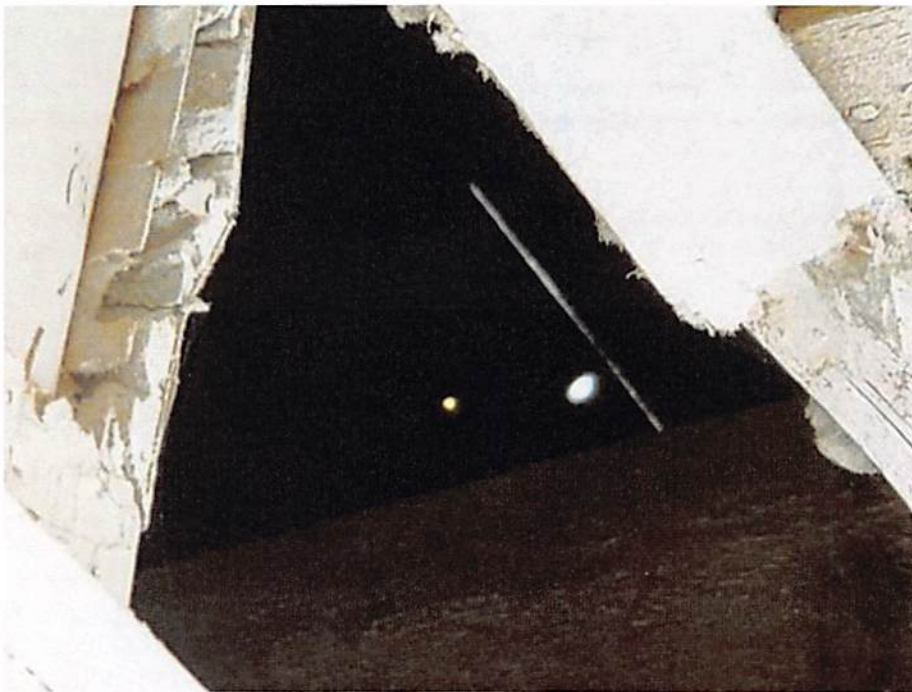


**2<sup>nd</sup> Floor deterioration (structural) due to exterior moisture intrusion**  
**Violation: Sec. 12-226. - Maintenance**





**Deterioration caused by exterior elements and rodents**  
**Violation: Sec. 12-226. – Maintenance & Sec. 12-232. - Insect and rodent control.**



**Viewable section of roof with large holes and ceiling damage**  
**Violation: Sec. 12-226. - Maintenance**



## City of Auburn, Maine

Economic & Community Development  
Michael Chammings, Director  
60 Court Street | Auburn, Maine 04210  
www.auburnmaine.gov | 207.333.6601

### NOTICE OF VIOLATION CODE - 1839-2020

October 6, 2020

DONALD BRIGHT  
16 WALNUT ST  
AUBURN ME 04210

91 7199 9991 7038 5362 5696

91 7199 9991 7038 5362 5696

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

- Due to being chronically unsecured, 16 Walnut St has become unsafe and is a hazard to the safety of the public.

#### **Violation: 17 M.R.S.A § 2851; DANGEROUS BUILDING**

**Revision:** Whenever the municipal officers in the case of a municipality... find that a building or structure or any portion thereof ... is structurally unsafe; unstable; 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, they may after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure.

**Action:** Properly secure the structure; this includes windows, doors, garage and pool areas.

**Compliance Date:** 10/07/2020

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date given. Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any



questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 2, Article VIII of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and five dollars (\$105.00) for the first citation and you will be reordereed to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

This notice is a warning only and therefore represents potential rather than actual enforcement of the ordinance provisions listed above. Administrative reviews of potential enforcement actions result in advisory opinions only, and therefore do not permit subsequent judicial review. This notice is therefore not open to administrative appeal. However, commencement of actual enforcement action of the sort listed above for failure to correct the violation(s) as requested, if any, shall give rise to a right to appeal that action directly. Such right shall not arise until and unless enforcement action actually commences. Any and all potential act(s) of enforcement as referenced above shall include written notice of your right to appeal. That notice shall specifically outline municipal procedure, and reference Maine civil procedure, for use in the event an administrative appeal is desired.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Kris Beaudoin**  
Code Compliance Officer, LPI  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
kbeaudoin@auburnmaine.gov



Cc: Eric Cousens, Deputy Director of Economic and Community Development



## City of Auburn, Maine

Economic & Community Development

Michael Chammings, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

### **NOTICE OF VIOLATION CODE - 1839-2020**

October 6, 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

91 7199 9991 7038 5362 5689

91 7199 9991 7038 5362 5689

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

- 
- Due to being chronically unsecured, 16 Walnut St has become unsafe and is a hazard to the safety of the public.

#### **Violation: 17 M.R.S.A § 2851; DANGEROUS BUILDING**

**Revision:** Whenever the municipal officers in the case of a municipality... find that a building or structure or any portion thereof ... is structurally unsafe; unstable; 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, they may after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure.

**Action:** Properly secure the structure; this includes windows, doors, garage and pool areas.

**Compliance Date:** 10/07/2020

---

Therefore, in accordance with the above referenced ordinance requirements, you are hereby ordered to complete the above corrective action by the compliance date given. Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any

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If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Kris Beaudoin**

Code Compliance Officer, LPI

**City of Auburn**

60 Court Street

Auburn, ME 04210

(207) 333-6601 Ext. 1150

kbeaudoin@auburnmaine.gov



Cc: Eric Cousens, Deputy Director of Economic and Community Development

City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210



91 7199 9991 7038 5362 5696

DONALD BRIGHT  
16 WALNUT ST  
AUBURN ME 04210



U.S. POSTAGE >> PITNEY BOWES



ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 OCT 07 2020

*CERTIFIED MAIL*

City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210



91 7199 9991 7038 5362 5689

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250



U.S. POSTAGE >> PITNEY BOWES



ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 OCT 07 2020



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Confirmation Services	Package ID: 9171999991703853625696	Electronic Return Receipt
	Destination ZIP Code: 04210	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____	Serial #: 0335788
		OCT 07 2020 8:12 AM

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Confirmation Services	Package ID: 9171999991703853625689	Electronic Return Receipt
	Destination ZIP Code: 04250	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____	Serial #: 0335788
		OCT 07 2020 8:13 AM



## City of Auburn, Maine

Economic & Community Development

Eric Cousens, Interim Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601



**FIRST CITATION - \$105  
NOTICE OF CIVIL PENALTY  
CODE 1839-2020**

October 16, 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

9489 0090 0027 6269 5894 67

9489 0090 0027 6269 5894 67

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

- Due to being chronically unsecured, 16 Walnut St has become unsafe and is a hazard to the safety of the public.

**Violation: 17 M.R.S.A § 2851; DANGEROUS BUILDING**

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**Action:** Properly secure the structure; this includes windows, doors, garage and pool areas.

**Compliance Date:** 10/17/2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **one hundred and five dollars (\$105)** to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn

Hall, C/O Economic & Community Development Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a second citation with a civil penalty in the amount of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

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Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer, LPI  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Deputy Director of Economic and Community Development

City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210



CERTIFIED MAIL®



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ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 OCT 16 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

<b>Confirmation Services</b>	<div> <div> Package ID: 9489009000276269589467  Destination ZIP Code: 04250  Customer Reference:  Recipient Address: </div> <div> Electronic Return Receipt  First Class Letter  PBP Account #: 15089204  Serial #: 0335788  OCT 16 2020 3:07 PM </div> </div>
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## City of Auburn, Maine

Economic & Community Development

Eric Cousens, Interim Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601



**SECOND CITATION - \$210**  
**NOTICE OF CIVIL PENALTY**  
**VIA FIRST CLASS & CERTIFIED MAIL**  
**CODE-1839-2020**

October 20, 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

9489 0090 0027 6269 5893 75

9489 0090 0027 6269 5893 75

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

- Due to being chronically unsecured, 16 Walnut St has become unsafe and is a hazard to the safety of the public.

**Violation: 17 M.R.S.A § 2851; DANGEROUS BUILDING**

**Revision:** Whenever the municipal officers in the case of a municipality... find that a building or structure or any portion thereof ... is structurally unsafe; unstable; 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, they may after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure.

**Action:** Properly secure the structure; this includes windows, doors, garage, and pool areas.

**Compliance Date:** 10/21/2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **two hundred and ten dollars**



**(\$210)** to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

**You are further ordered to correct the violation by the Compliance Date listed above.** Failure to correct the violation by the compliance date will result in the issuance of the third citation which is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 EXT 1150

Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6604  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Interim Director of Economic & Community Development

City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210



9489 0090 0027 6269 5893 75

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Pitney Bowes



U.S. POSTAGE PITNEY BOWES



ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 OCT. 20. 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250





<b>Confirmation Services</b>	Package ID: 9489009000276269589375	Electronic Return Receipt
	Destination ZIP Code: 04850	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____ _____ _____	Serial #: 033-788 OCT 20 2020 10:43 AM



Pictures Taken on October 23, 2020 by Kris Beaudoin



Broken garage door and window  
Violation: Sec. 12-226. - Maintenance

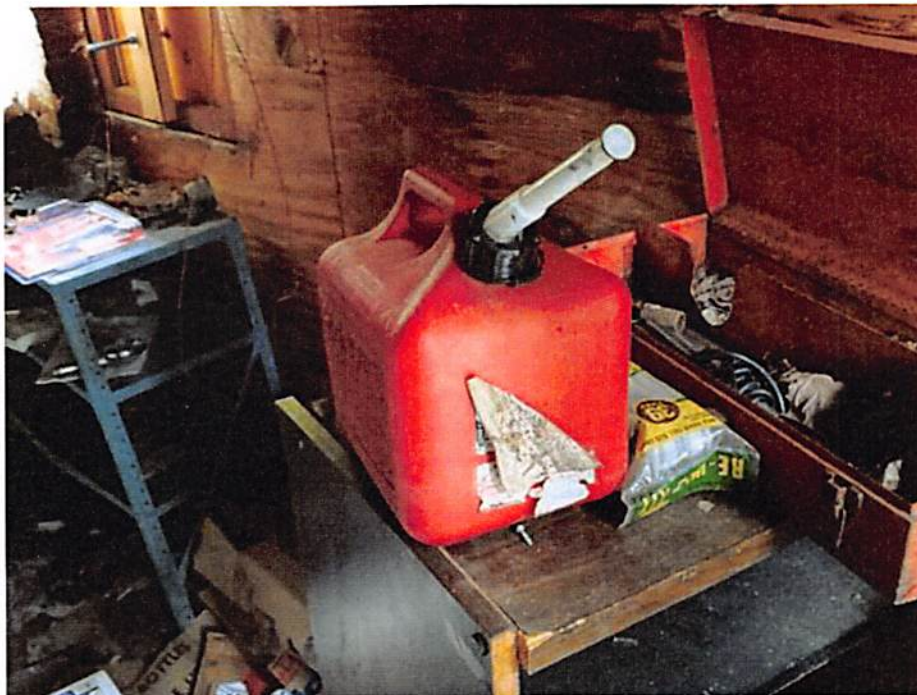


Build up of trash and debris in garage  
Violation: Sec. 12-230. - Passageways, stairways and exits. & Sec. 12-231. - Garbage and rubbish.



2<sup>nd</sup> view of interior of garage

Violation: Sec. 12-230. - Passageways, stairways and exits. & Sec. 12-231. - Garbage and rubbish.



3<sup>rd</sup> View of garage interior

Violation: Sec. 12-230. - Passageways, stairways and exits. & Sec. 12-231. - Garbage and rubbish.





## City of Auburn, Maine

Economic & Community Development

Eric Cousens, Interim Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601



**THIRD CITATION - \$420**  
**NOTICE OF CIVIL PENALTY**  
**VIA FIRST CLASS & CERTIFIED MAIL**  
**CODE-1839-2020**

October 29, 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

9489 0090 0027 6269 5894 43

9489 0090 0027 6269 5894 43

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

- Due to being chronically unsecured, 16 Walnut St has become unsafe and is a hazard to the safety of the public.

**Violation: 17 M.R.S.A § 2851; DANGEROUS BUILDING**

**Revision:** Whenever the municipal officers in the case of a municipality... find that a building or structure or any portion thereof ... is structurally unsafe; unstable; 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, they may after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure.

**Action:** Properly secure the structure; this includes windows, doors, garage, and pool areas.

**Compliance Date:** 10/30/2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn, you are hereby ordered to pay a civil penalty in the amount of **four hundred and twenty**

**dollars (\$420)** to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

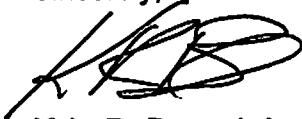
You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a fourth citation with a civil penalty in the amount of four eight hundred and forty dollars (\$840.00), and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty-dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6604  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Interim Director of Economic & Community Development

Confirmation Services	Package ID: 9489009000276269589443	Electronic Return Receipt
	Destination ZIP Code: 04250	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____	Serial #: 0335788
		OCT 29 2020 8:38 AM

City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210



9489 0090 0027 6269 5894 43

Label 890-PB, Oct. 2015  
Pitney Bowes



U.S. POSTAGE >> PITNEY BOWES  
  
ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W  
0000335788 OCT 29 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

Confirmation Services	Package ID: 9489009C00276269589443	Electronic Return Receipt
	Destination ZIP Code: 04250	First Class Letter
	Customer Reference:	
	Recipient: _____	PBP Account #: 15089204
	Address: _____	Serial #: 0335788
		OCT 29 2020 8:38 AM



## City of Auburn, Maine

Economic & Community Development

Eric Cousens, Interim Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601



**FOURTH CITATION - \$840**  
**NOTICE OF CIVIL PENALTY**  
**VIA FIRST CLASS & CERTIFIED MAIL**  
**CODE-1839-2020**

November 6, 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

RE: 16 WALNUT ST, PID # 250-325

Dear property owner:

It has come to the attention of this office that violation(s) of the Code of Ordinances of the City of Auburn, hereafter referred to as the (Code), exist at:

16 WALNUT ST.  
AUBURN, ME 04210  
PID#: 250325000

- Due to being chronically unsecured, 16 Walnut St has become unsafe and is a hazard to the safety of the public.

**Violation: 17 M.R.S.A § 2851; DANGEROUS BUILDING**

**Revision:** Whenever the municipal officers in the case of a municipality... find that a building or structure or any portion thereof ... is structurally unsafe; unstable; 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, they may after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure.

**Action:** Properly secure the structure; this includes windows, doors, garage, and pool areas.

**Compliance Date:** 11/07/2020

Therefore, in accordance with Chapter 2, Article VIII of the Ordinances of the City of Auburn,



you are hereby ordered to pay a civil penalty in the amount of **eight hundred and forty dollars (\$840)** to the City of Auburn. This penalty amount must be received by this office within seven days of receiving this citation. Payment of this fine may be made in person or by mail to Auburn Hall, C/O Planning and Permitting Department, suite 104, 60 Court Street, Auburn, ME 04210. Unpaid civil penalties accrue at 18% per annum beginning 5 days after the date the civil penalty became due.

You are further ordered to correct the violation by the Compliance Date listed above. Failure to correct the violation by the compliance date will result in the issuance of a citation with a civil penalty in the amount of four eight hundred and forty dollars (\$840.00), and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if the specific violation(s) is/are repeated you are not entitled to receive any further notification and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S.A. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you wish to dispute anything contained in the Notice of Violation / Order to Correct, you may appeal to the Auburn Board of Appeals by submitting a written petition to the Director of Planning and Permitting, in accordance with Chapter 60, Article 15, Division 3 of the Ordinance, within thirty (30) days of receipt of this letter requesting an appeals hearing be scheduled before the Board of Appeals. The hearing shall be held within sixty-five (65) days of the receipt of the petition for appeal and shall be heard as an administrative appeal. A one hundred and fifty dollar (\$150.00) filing fee plus required advertising fee is required at the receipt of the written request for Appeal on the form provided by the Planning and Permitting Department. Failure to appeal within (30) days may deprive you of your ability to contest the contents of this Notice of Violation / Order to Correct in any subsequent legal proceedings. However, filing an appeal to the Board of Appeals does not relieve you of your obligation to correct the violations or of your liability for civil penalties.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6604  
kbeaudoin@auburnmaine.gov

Cc: Eric Cousens, Interim Director of Economic & Community Development

City Of Auburn  
Economic & Community Development  
60 Court St  
Auburn Me 04210



CERTIFIED MAIL



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Label 890-PB, Oct. 2015  
Pitney Bowes



U.S. POSTAGE >> PITNEY BOWES



ZIP 04210 \$ 005.75<sup>0</sup>  
02 4W

0000375942 NOV 09 2020

DONALD BRIGHT  
90 PINWOODS RD  
LISBON, ME 04250

<b>Confirmation Services</b>	<b>Package ID:</b> 9489009000276269589436	<b>Electronic Return Receipt</b>
	<b>Destination ZIP Code:</b> 04250	<b>First Class Letter</b>
	<b>Customer Reference:</b>	
	<b>Recipient:</b> _____	<b>PBP Account #:</b> 15089204
	<b>Address:</b> _____	<b>Serial #:</b> 0375942
		<b>NOV 09 2020 8:18 AM*</b>





tabbies  
**EXHIBIT**  
K







**ORDER 37-04052021**

# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Council hereby adopts the proposed Findings of Fact and Conclusions of Law as submitted by staff, and orders:

Having found that the Structures at 16 Walnut Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

That the Owner, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.

That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.

That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.

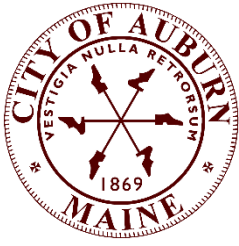
That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

---

**Holly C. Lasagna**, Ward One  
**Brian S. Carrier**, Ward Four  
**Belinda A. Gerry**, At Large

**Timothy B. MacLeod**, Ward Two  
**Leroy G. Walker**, Ward Five  
**Jason J. Levesque**, Mayor

**Stephen G. Milks**, Ward Three  
**Katherine E. Boss**, At Large  
**Phillip L. Crowell, Jr.**, City Manager



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 5, 2021

**Order:** 38-04052021

**Author:** Eric Cousens, Director of Planning and Permitting and Kris Beaudoin Building and Housing Code Compliance Officer

**Subject:** Dangerous Building at 32 High Street, Auburn, Maine, Parcel ID 240-225, Book 4235, Page 236

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**Information:** The City of Auburn staff has responded to complaints of dangerous conditions at the property over an extended period. Dangerous conditions have been confirmed to exist at the property and the owners of the property have not responded to resolve the issues.

To address the issues at the property and eliminate the dangerous conditions the Auburn City Council will hold a dangerous building hearing regarding the above-captioned property on April 5, 2021, at 7:00 PM. The hearing will be held at Auburn, Hall, 60 Court Street, Auburn, Maine. During the hearing, the City Council will consider whether the buildings located on the property constitute dangerous buildings under 17 M.R.S. § 2851, with possible actions and orders to follow.

*To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners 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.*

Property notice to parties of interest have been made. At the meeting staff will provide a review of conditions at the property and attempts to convince the owners to remedy the dangerous conditions in order to protect the public from harm. After a public hearing the Council will be asked to review draft findings of fact and determine if an order to abate the hazardous conditions is warranted under 17 M.R.S. § 2851. The draft findings and order will be provided by the City Attorney at the meeting. If the property constitutes a dangerous building under 17 M.R.S. § 2851, the Council should order the abatement of the hazardous conditions within 30-days.

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**City Budgetary Impacts:** Reduce blight and risk of injury, demolition costs if owner does not abate violations. Estimated demolition costs include \$10k-20k for abatement and \$15-\$25k for demolition and site stabilization.

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**Staff Recommended Action:** Review information, hold a public hearing and order the abatement of violations.

---

**Previous Meetings and History:** None

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**City Manager Comments:**

*Phillip Crowell Jr.*

I concur with the recommendation. Signature:

---

**Attachments:** Affidavit of Kris Beaudoin, Building and Housing Code Compliance Officer and supporting information.



**CITY OF AUBURN CITY COUNCIL  
FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND ORDER OF DEMOLITION**

**32 HIGH STREET**

On April 5, 2021 at 7:00 p.m., the Auburn City Council held a hearing at 60 Court Street in Auburn, Maine to determine whether the (“Structures”) at 32 High Street in Auburn, Maine, further described in the deed recorded in the Androscoggin County Registry of Deeds at Book 4235, Page 236 (the “Premises”), are dangerous or nuisances pursuant to 17 M.R.S. § 2851. As such, the Council makes the following findings of fact and conclusions of law, and orders that the Structures be demolished.

Findings of Fact

Present at the hearing on this matter for the City was Eric Cousens, Director of Planning & Permitting, and Kris Beaudoin, Code Enforcement Officer. The following individuals appeared on behalf of the owner and/or parties in interest:

---

After considering the testimony and evidence presented, the City Council makes the following findings of fact:

1. The Premises and Structures are owned by Christopher J. Aversano and Frances L. Aversano (the “Owners”). Planning, Permitting & Code Department (“Department”) **Exhibit 1.**
2. Mr. Aversano and Mr. Aversano were separately served with copies of the Notice of Hearing (“Notice”) on March 21, 2021. Department **Exhibits 2 and 3.**
3. Party-in-Interest New Residential Mortgage Loan Trust 2018-3 was served with a copy of the Notice on March 25, 2021. **Department Exhibit 4.**
4. Party-in-Interest Northern Utilities, Inc. was served with a copy of the Notice on March 25, 2021. Department **Exhibit 5.**
5. A copy of that Notice was also recorded in the Androscoggin County Registry of Deeds on April 1, 2021. Department **Exhibit 6.**
6. The Council has accepted and adopts the facts stated in the affidavit and supporting exhibits of Code Enforcement Officer Kris Beaudoin. Department **Exhibit 7.**
7. The Structures are structurally unsafe.
8. The Structures are unfit for human occupancy due to the lack of utilities, including water, heat, and electricity, as well as major structural damage.

9. The Structures constitute a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence, and abandonment.
10. The Structures are unsanitary due to the fact that the interior of each structure is open to the elements.
11. The Structures are heightened fire hazards and attractive to vandals.
12. The Owners have been given the opportunity to remedy the conditions at the Premises but have failed to do so.

#### Conclusions of Law

Applying the legal standards set forth in 17 M.R.S. § 2851, the Auburn City Council reaches the following conclusions of law:

13. The Structures are structurally unsafe and unstable.
14. The Structures are unsanitary.
15. The Structures constitutes a fire hazard.
16. The Structures are unsuitable and improper for human habitation.
17. The Structures are a hazard to health and safety because of inadequate maintenance, dilapidation, obsolescence and abandonment.
18. The Structures are dangerous to life and property.

Any one of these conclusions would be sufficient to support a finding that the Structures are a nuisance and dangerous buildings, and the Council hereby concludes that the Structures at 32 High Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851.

#### Order

Having found that the Structures at 32 High Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

19. That the Owner, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.
20. That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.
21. That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs.

22. That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.

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

I, Susan Clements-Dallaire, City Clerk for the City of Auburn, certify that on April 5, 2021, the City of Auburn City Council adopted the above Order.

Dated:

---

Susan Clements-Dallaire  
City Clerk

STATE OF MAINE  
ANDROSCOGGIN, ss

April 5, 2021

Before me this day personally appeared Susan Clements-Dallaire who acknowledges the foregoing instrument to be her free act and deed.

---

Notary Public/Attorney at Law



NOT  
AN  
OFFICIAL  
COPY

NOT  
AN  
OFFICIAL COPY BK 4235 PG 237

Meaning and intending to convey the same premises to the grantor by deed from Henry G. Cisneros, Secretary of Housing and Urban Development of the United States of America, dated November 23, 1994 and recorded in the Androscoggin County Registry of Deeds.

Meaning and intending to convey the same premises described in a certain LAND INSTALLMENT CONTRACT by and between the above-named grantor and grantees dated the \_\_\_\_ day of July, 1997.

IN WITNESS WHEREOF, the said Marigeaux, Inc. has hereunto set its hand and seal this 13<sup>th</sup> day of May, 1999.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

Witness

MARIGEAUX, INC.

By Monica W. Vallee  
MONICA W. VALLEE  
Its Vice President

STATE OF MAINE  
YORK, ss.:

May \_\_\_, 1999

VP PERSONALLY APPEARED before me the above-named Monica Vallee, the of Marigeaux, Inc. and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of Marigeaux, Inc.

Notary Public/Attorney at Law

MAUREEN E. CAMPBELL, ESQ.  
Print Name

RECEIVED  
ANDROSCOGGIN S.S.  
1999 MAY 21 AM 10: 03

ATTEST:

Jeanne D. Rogers  
REGISTER OF DEEDS

2

**NOTICE OF HEARING ON DANGEROUS BUILDING**

**17 M.R.S. § 2851, et seq.**

Property Address: 32 High Street, Auburn, Maine  
Book 4235, Page 236

March 19, 2021

**CHRISTOPHER J. AVERSANO**

FRANCES L. AVERSANO

32 HIGH STREET, AUBURN, MAINE 04210

NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-3

C/O CT Corporation System

128 State Street, #3

Augusta, ME 04330

NORTHERN UTILITIES, INC.

c/o Corporation Service Company

45 Memorial Circle

Augusta, ME 04330

RE: 32 HIGH STREET – NOTICE OF HEARING ON DANGEROUS BUILDING

Dear Sir or Madam:

You are hereby notified that the Auburn City Council will hold a dangerous building hearing regarding the above-captioned property on April 5, 2021, at 7:00 PM. The hearing will be held at Auburn, Hall, 60 Court Street, Auburn, Maine. During the hearing, the City Council will consider whether the buildings located on the property constitute dangerous buildings under 17 M.R.S. § 2851, with possible actions and orders to follow. You have the right to attend that hearing and to be heard. If you fail to do so, you may be deemed to have waived your right to further review or to be heard at a later date.

Sincerely,



Susan Clements-Dallaire, City Clerk

City of Auburn

60 Court Street

Auburn, ME 04210

(207) 333-6601

March 19, 2021

ACKNOWLEDGEMENT

I, Susan Clements-Dallaire, the City Clerk of the City of Auburn, do hereby acknowledge that the foregoing Notice of Hearing is my free act and deed in my said capacity for the City of Auburn.

*Susan Clements-Dallaire*

Susan Clements-Dallaire  
City Clerk, City of Auburn

*Beckie Jo Drew*

Print Name: *Beckie Jo Drew*

Notary Public/Attorney at Law

My Commission Expires: *10/14/2022*

*Beckie Jo Drew*

*Notary Public - Maine*

*My Comm Expires Oct. 14, 2022*



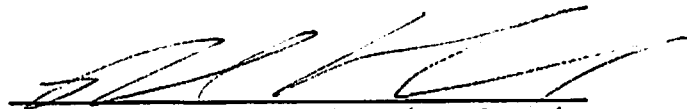


CITY OF AUBURN  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
17 M.R.S. §§2851-59  
32 High Street, Auburn, Maine  
Dangerous Buildings

On March 24, 2021, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Christopher Averson, by service in hand at 14 Judkins Ave Lewiston ME.



Print Name: Deputy Robert Murphy  
Androscoggin County Sheriff's Department

Date: March 24, 2021

R

**NOTICE OF HEARING ON DANGEROUS BUILDING**

**17 M.R.S. § 2851, et seq.**

Property Address: 32 High Street, Auburn, Maine  
Book 4235, Page 236

March 19, 2021

CHRISTOPHER J. AVERSANO

FRANCES L. AVERSANO

32 HIGH STREET, AUBURN, MAINE 04210

NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-3

C/O CT Corporation System

128 State Street, #3

Augusta, ME 04330

NORTHERN UTILITIES, INC.

c/o Corporation Service Company

45 Memorial Circle

Augusta, ME 04330

RE: 32 HIGH STREET – NOTICE OF HEARING ON DANGEROUS BUILDING

Dear Sir or Madam:

You are hereby notified that the Auburn City Council will hold a dangerous building hearing regarding the above-captioned property on April 5, 2021, at 7:00 PM. The hearing will be held at Auburn, Hall, 60 Court Street, Auburn, Maine. During the hearing, the City Council will consider whether the buildings located on the property constitute dangerous buildings under 17 M.R.S. § 2851, with possible actions and orders to follow. You have the right to attend that hearing and to be heard. If you fail to do so, you may be deemed to have waived your right to further review or to be heard at a later date.

Sincerely,



Susan Clements-Dallaire, City Clerk

City of Auburn

60 Court Street

Auburn, ME 04210

(207) 333-6601

STATE OF MAINE  
ANDROSCOGGIN,ss

March 19, 2021

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*Susan Clements-Dallaire*

Susan Clements-Dallaire  
City Clerk, City of Auburn

*Beckie To Drew*  
Print Name: *Beckie-To Drew*

Notary Public/Attorney at Law

My Commission Expires: *10/14/2022*

*Beckie-To Drew*  
Notary Public - Maine  
My Comm Expires Oct 14, 2022

CITY OF AUBURN  
CITY COUNCIL

RETURN OF SERVICE

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17 M.R.S. §§2851-59  
32 High Street, Auburn, Maine  
Dangerous Buildings

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Print Name: Deputy Robert Murphy  
Androscoggin County Sheriff's Department

Date: March 24-2021

EXHIBIT 4

NOTICE OF HEARING ON DANGEROUS BUILDING

17 M.R.S. § 2851, et seq.

Property Address: 32 High Street, Auburn, Maine  
Book 4235, Page 236

 COPY

March 19, 2021

CHRISTOPHER J. AVERSANO  
FRANCES L. AVERSANO  
32 HIGH STREET, AUBURN, MAINE 04210

**NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-3**

C/O CT Corporation System  
128 State Street, #3  
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NORTHERN UTILITIES, INC.  
c/o Corporation Service Company  
45 Memorial Circle  
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Sincerely,



Susan Clements-Dallaire, City Clerk  
City of Auburn  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601

STATE OF MAINE  
ANDROSCOGGIN,ss

March 19, 2021

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*Susan Clements-Dallaire*

Susan Clements-Dallaire  
City Clerk, City of Auburn

*Beckie To Drew*  
Print Name: Beckie-To Drew

Notary Public/Attorney at Law

My Commission Expires: 10/14/2022

*Beckie-To Drew*  
Notary Public - Maine  
My Comm Expires Oct 14, 2022



CITY OF AUBURN  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
17 M.R.S. §§2851-59  
32 High Street, Auburn, Maine  
Dangerous Buildings

On MAR 25 2021, 2021, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on New Residential Mortgage Trust 25 LLC by service in hand at CIO CT Corporation System Agent.

  
Print Name:

Androscoggin County Sheriff's Department

HARRY MCKENNEY  
Chief Civil Deputy  
KENNEBEC COUNTY  
Sheriff's Office

Date: MAR 25 2021

EXHIBIT 5

**NOTICE OF HEARING ON DANGEROUS BUILDING**

**17 M.R.S. § 2851, et seq.**

Property Address: 32 High Street, Auburn, Maine  
Book 4235, Page 236

 **COPY**

March 19, 2021

CHRISTOPHER J. AVERSANO  
FRANCES L. AVERSANO  
32 HIGH STREET, AUBURN, MAINE 04210

NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-3  
C/O CT Corporation System  
128 State Street, #3  
Augusta, ME 04330

**NORTHERN UTILITIES, INC.**  
c/o Corporation Service Company  
45 Memorial Circle  
Augusta, ME 04330

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Sincerely,



Susan Clements-Dallaire, City Clerk  
City of Auburn  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601

STATE OF MAINE  
ANDROSCOGGIN,ss

March 19, 2021

COPY

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*Susan Clements-Dallaire*

Susan Clements-Dallaire  
City Clerk, City of Auburn

*Beckie To Drew*  
Print Name: *Beckie-To Drew*

Notary Public/Attorney at Law

My Commission Expires: *10/14/2022*

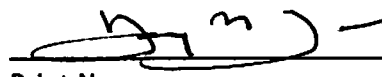
*Beckie-To Drew*  
Notary Public - Maine  
My Comm Expires Oct. 14, 2022

CITY OF AUBURN  
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING  
17 M.R.S. §§2851-59  
32 High Street, Auburn, Maine  
Dangerous Buildings

On MAR 25 2021, 2021, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Northern Utilities Inc, by service in hand at 110 Corporation Service Co Agent.



Print Name:

Androscoggin County Sheriff's Department

HARRY MCKENNEY  
Chief Civil Deputy  
KENNEBEC COUNTY  
SHERIFF'S OFFICE

Date: MAR 25 2021

EXHIBIT 6

**NOTICE OF HEARING ON DANGEROUS BUILDING**

**17 M.R.S. § 2851, et seq.**

Property Address: 32 High Street, Auburn, Maine  
Book 4235, Page 236

March 19, 2021

CHRISTOPHER J. AVERSANO  
FRANCES L. AVERSANO  
32 HIGH STREET, AUBURN, MAINE 04210

NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-3  
C/O CT Corporation System  
128 State Street, #3  
Augusta, ME 04330

NORTHERN UTILITIES, INC.  
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Sincerely,



Susan Clements-Dallaire, City Clerk  
City of Auburn  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601

STATE OF MAINE  
ANDROSCOGGIN,ss

March 19, 2021

ACKNOWLEDGEMENT

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*Susan Clements-Dallaire*

Susan Clements-Dallaire  
City Clerk, City of Auburn

*Beckie-Jo Drew*  
Print Name: *Beckie-Jo Drew*

Notary Public/Attorney at Law

My Commission Expires: *10/14/2022*

*Beckie-Jo Drew*  
Notary Public - Maine  
My Comm Expires Oct. 14, 2022





**AFFIDAVIT OF KRIS BEAUDOIN**

I, Kris Beaudoin, being duly sworn, state the following based upon my personal knowledge:

1. I am a Code Enforcement Officer for the City of Auburn, Maine (the "City").
2. In connection with that position, I enforce Housing code and ordinances.
3. In the course of my duties for the City, I have become familiar with the property owned by Christopher and Francis Aversano and located at 32 High St (the "High Street property") within the City limits.
4. The City has received numerous complaints regarding the condition of the High St property.
5. The structural elements of the High Street Property have not been maintained in a manner that is hazard free and suitable for the intended use.
6. The plumbing facilities of the High Street Property have not been maintained in good sanitary working condition and are not connected to an adequate supply of water.
7. The heating and ventilation system of the High Street Property have not been maintained in safe operating condition.
8. The electrical and lighting of the High St Property has not been maintained in good, safe, and suitable electrical order.
9. In recent months, I have personally observed the structural elements of the property continue to deteriorate creating a safety hazard for the neighborhood and have had numerous email and verbal communication regarding the High Street Property.
  - a. On January 31, 2020, David O'Connell the Fire Prevention Officer and I visited the High Street Property in response to public complaints about its condition and potential squatters heating the home with combustible materials. During that time, there was significant deterioration of the structural elements, there was no heat, no running water and squatters were confirmed to be staying there and heating using combustible materials inside of the structure. At that time, the building was deemed unsafe for human occupancy and placarded. Attached as **Exhibit A** are photographs that I took of the High Street Property at that time.
  - b. On February 3, 2020, I sent a Placard Notice to the presumed owners Christopher and Francis Aversano, a true and accurate copy of which is attached as **Exhibit B**.

- 12 ~~15~~
- c. On February 10, 2020 I received a call from Shelly 207-205-3106 (no last name given) representing MCS (Mortgage Contracting Services) requesting information on the property. A description of requested information can be viewed in a February 12, 2020 communication between myself and Eric Cousens are attached as **Exhibit C**.
  - d. On March 10, 2020 I visited the High Street Property to be present when Shelly a representative of the Mortgage Company accessed the property to document the condition and secure it. During that visit I was able to view the inside of the building and take pictures. Attached as **Exhibit D** are photographs that I took of the High Street Property at that time.
  - e. On April 6, 2020, I received communication from Billy Leger of Ryze Claim Solutions regarding the High Street Property. These exchanges started on the 6<sup>th</sup> and ended the 7<sup>th</sup> with a phone conversation. A copy of the email communication between Myself and Bill Ledger are attached as **Exhibit E**.
  - f. On July 13, 2020 I received an email from Kayla Poff of MCS (Mortgage Contracting Services) regarding the High Street Property. A copy of the email communication between Myself and Kayla Poff are attached as **Exhibit F**.
  - g. On August 3, 2020, I received phone communication from Steve (no last name given) from Dirigo Property Management 207-576-5769 regarding the High Street property. During the call I was asked to be present while Steve accessed and evaluated the property on behalf of MCS. A date of August 5, 2020 at 10:00am was scheduled.
  - h. On August 5, 2020 I visited the High Street Property as requested and viewed the work order provided by MCS to the contractor to confirm one did in fact exist. The key code provided to the contractor did not function, I waited on site for approximately 15 minutes while the contractor contacted MCS to for clarification of the key code but ultimately, he was unable to access the property and we both departed.
  - i. On September 10, 2020 I received phone communication from Kayla Poff regarding the High Street Property. During the conversation she requested a copy of the placard notice and some pictures for her file. That same day I sent an email and provided her with the requested information. In the body of the email, it was requested that they inform us as to the plan moving forward regarding the property. A copy of the email communication between Myself and Kayla Poff are attached as **Exhibit G**.
  - j. On October 20, 2020 I received an email forwarded by Chris Mumau the Director of Human Resources from Kayla Poff a representative of MCS regarding the High Street Property. In the email Kayla questioned if fees were past due and if the building was scheduled for demolition. A copy of the email communication between Myself and Kayla Poff are attached as **Exhibit H**.

- k. On October 29, 2020 I received an email from Kayla Poff a representative of MCS replying to my response to her email dated October 21, 2020 regarding the High St property. In the email Kayla questioned whether her client would be able to make repairs to the property instead of demolition. A copy of the email communication between Myself and Kayla Poff are attached as **Exhibit I**.
- l. On December 09, 2020 I received an email from Kayla Poff a representative of MCS responding to the October 29, 2020 reply I made in response to her questions received that same day. A reply was sent in an effort to answer her new questions on December 10, 2020. A copy of the email communication between Myself and Kayla Poff are attached as **Exhibit J**.
- m. On January 21, 2021 I spoke to a concerned citizen who saw people entering the High St property the previous night. During the conversation I asked if the Auburn Police Department had been called, to which the citizen responded "yes". I conformed with Lt. Barry Schmieks of the APD that the citizen had contacted the police department.
- n. On January 27, 2020 I received a phone call from a concerned citizen that people had entered the High Street property, I immediately asked the citizen to contact the police department. When we disconnected, I called Eric Cousens the Director of Planning & Permitting to make him aware of the situation since I could not be present at that time. Confirmation was made that people had entered the structure and were subsequently charges with criminal trespassing.
- o. On January 28, I sent an email to Kayla Poff a representative of MCS to make her aware of the situation that occurred at the High Street property the previous day and to also give her options as to remedy the dangerous building situation. I received a response on January 28, 2021 by Jake Schneider stating that Kayla Poff no longer worked at MCS, however, they would send their investor a message regarding the urgency of the matter. A copy of the email communication is attached as **Exhibit K**.
- p. On February 1, 2021 I received communication from a citizen concerned that the method of entry from the previous week had not been properly secured and the High Street Property. I immediately send an email to Jake Schneider of MCS to request that the building get properly secured. I received an email later that dame day from Jake Schneider telling me he will find a vendor to complete the request. A copy of the email communication is attached as **Exhibit L**.
- q. On February 2, 2021 I received an email from Jake Schneider of MCS making me aware that they had difficulty finding a contractor to secure the High Street Property but did find someone who could do it that day. A copy of the email communication is attached as **Exhibit M**.

- r. On February 17, 2021 I emailed Jake Schneider of MCS requesting a status update on the High Street property. On February 18, 2021 I received a response making me aware that they will not be moving forward to remediate the violations. A copy of the email communication is attached as **Exhibit N**.
  - s. On February 18, 2021 I emailed Jake Schneider of MCS requesting contact information of the client who is responsible for decisions regarding the High St property. On February 19, 2021 Jake responded with a name and an email address. A copy of the email communication is attached as **Exhibit O**.
  - t. On February 19, 2021 I sent an email to Paulette Smith who was the email contact I received from Jake Schneider of MCS requesting information regarding the High Street Property; as of the current date, I have received no further correspondence. A copy of the email communication is attached as **Exhibit P**.
10. Throughout 2020 and 2021, the Auburn Fire Department was called to the premises on multiple occasions. Copies of the Fire Department's call logs and incident reports are attached as **Exhibit Q**.
11. As a result of the conditions described above, I believe that the owner of the High Street property has no intent of making necessary repairs or demolishing the structure to eliminate the hazard the structure creates and that the lack of actions constitute a nuisance in violation of the City ordinances and state law.
12. Based upon these circumstances, the inaction to properly secure and maintain the High Street property is in such a manner as to be unsightly, detracting from the natural scenery, injurious to the happiness of individuals and the public, and injurious to the property rights of abutters and of the citizens of Auburn.


Dated: April 1, 2021

  
Kris Beaudoin

STATE OF MAINE  
COUNTY OF ANDROSCOGGIN

April 1, 2021

Personally, appeared the above-named Kris Beaudoin and made oath that the foregoing statements are true to the best of his knowledge and belief.

  
\_\_\_\_\_  
Notary Public/Attorney at Law  
Print Name: Michael E. Malley

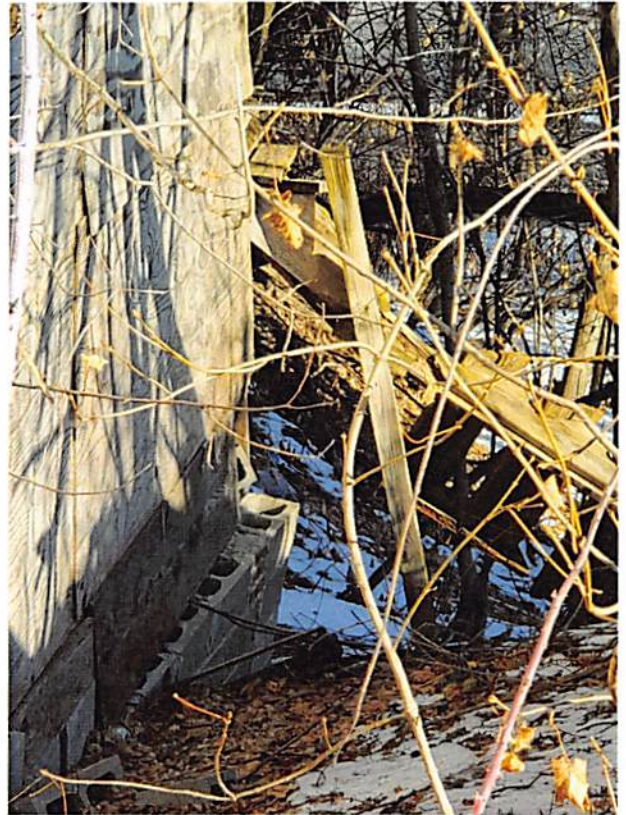


Pictures taken by Kris Beaudoin on January 31, 2020

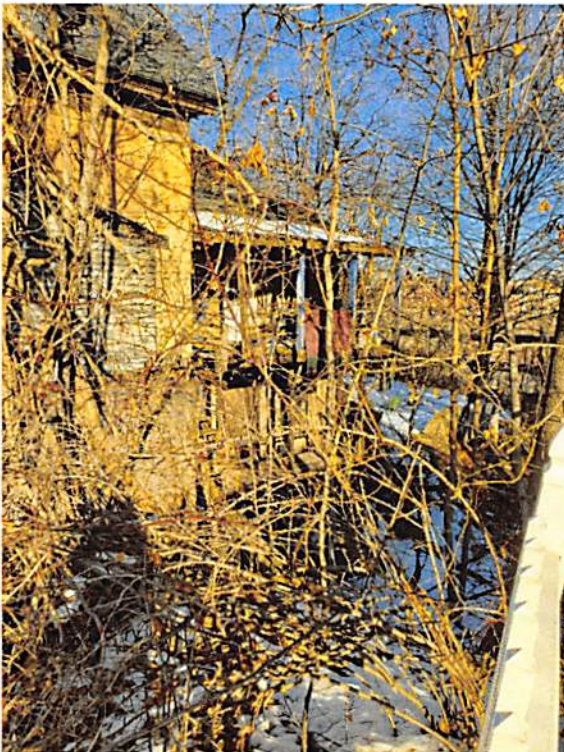
Placard attached to window.



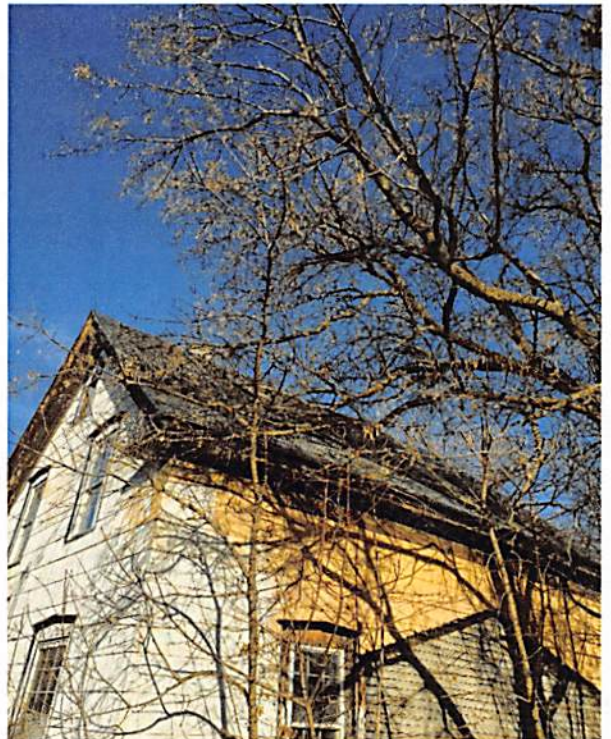
Collapsed rear porch and foundation separation.



View of collapsed structure through trees.



Deteriorating roof structure

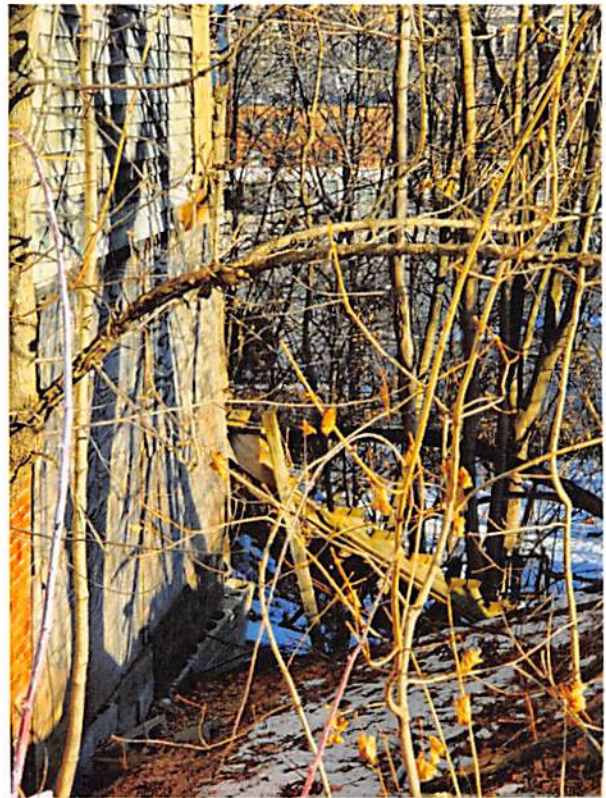




Gas service shut down and locked out.



View of collapsed structure through trees.





# DANGER!

**This Building is Deemed Unsafe for Human Occupancy or Use. It Is Unlawful For Any Person To Enter or Occupy This Building.**

**32 High Street**

**240-225**

Address of Building

PID #

Code **MRSA** Title **17** Section **2851-53**

Office of Planning and Permitting—City of Auburn, Maine

**1/31/2020**

**Kris Beaudoin 207-333-6601 Ext. 1150**

Date

Code Compliance Officer

City of Auburn

**Any Unauthorized Person Removing  
This Sign Will Be Prosecuted**







Economic & Community Development  
Michael Chammings, Director

60 Court Street | Auburn, Maine 04210  
www.auburnmaine.gov | 207.333.6601

**NOTICE OF PLACARDING**  
**VIA FIRST CLASS & CERTIFIED MAIL, RETURN RECEIPT REQUESTED**  
**POSTED AT SITE**

91 7199 9991 7038 4108 8885

February 3, 2020

Christopher & Frances Aversano  
14 Judkins Ave.  
Lewiston Maine 04240

Re: 32 High St. PID # 240-225

It has come to the attention of this office that the building located at 32 High Street has continued to suffer from poor maintenance and lack of essential utilities making the property unfit for occupancy due to violations of the City of Auburn Ordinances, hereafter referred to as the "Code."

32 High St lacks the necessary utilities such as heat, hot water, and plumbing, the building has significant foundation deficiencies that appear to be structural and the building has otherwise not been maintained. The property lacks a clean and sanitary means for disposal of garbage and rubbish, which have accumulated at the property, the building has suffered severe deterioration and is an extreme danger to any occupants and to the public health.

**I hereby condemn and placard the buildings at 32 High St as being unfit for human habitation and dangerous premises pursuant to and in accordance with Chapter 12, Sections 147, 200 and 201 of the Code. All persons are hereby ordered to immediately vacate the premises. No person will be permitted to occupy the property until heat, hot water, plumbing and other substantial repairs have been completed.**

The above-mentioned property has been placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed, please note, permits will be required in order to make repairs. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued. No person shall deface or remove the placard from 32 High St which has been declared unfit for human habitation and placarded as such.

You may appeal this order and request a hearing before the Auburn Board of Appeals by filing a written petition and a request for hearing, along with a brief statement of the grounds therefore, within ten

days of receipt of this notice. I would be pleased to answer any questions you may have about how to initiate such an appeal. If you fail to appeal, you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any future legal proceedings.

If you sell, transfer or lease the Property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section 12-199 of the Code, and you must notify the City's office of planning and development of any intent to sell, transfer, or otherwise dispose of or lease or sublet the Property, in writing and providing the name and address of the person to whom such transfer is proposed, within 3 days of the proposed transfer. If you fail to provide such notice, you may be fined.

In the event that you do not comply with this order, this office may issue further citations pursuant to Chapter 2, Article VIII of the aforementioned Code, in addition to the Judgment that has already been entered. Additional citations shall require you to pay a penalty of one hundred and five dollars (\$105.00) for the first citation and you will be reordereed to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and ten dollars (\$210.00), the third is four hundred and twenty dollars (\$420.00), the fourth and subsequent citations are eight hundred and forty dollars (\$840.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to 30-A M.R.S. § 4452 et seq. as amended, and M.R. Civ. P. 80K. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a mandatory fine of between one-hundred dollars (\$100.00) and two-thousand five-hundred dollars (\$2,500.00) per violation, per day, and the payment of court costs and the City's legal fees.

If you have any questions about what you need to do to comply with this Notice and Order please contact this office immediately. I can be reached directly at (207)333-6601 Ext.1150

Sincerely,



**Kris R. Beaudoin**  
Code Compliance Officer  
**City of Auburn**  
60 Court Street  
Auburn, ME 04210  
(207) 333-6601 Ext. 1150  
kbeaudoin@auburnmaine.gov



Cc: Eric Cousens, Deputy Director of Economic and Community Development



## Kris Beaudoin

---

**From:** Kris Beaudoin  
**Sent:** Wednesday, February 12, 2020 10:48 AM  
**To:** Eric Cousens  
**Subject:** RE: 32 High Street



Hi Eric,

On Monday a representative from the mortgage company contacted me regarding the property. When they did their routine check of the property last week no one was living there and they called to question the placard and the reasoning behind it. I mentioned the lack of heat, the lack of water/sewage due to the burst pipes and the structural issues. She seemed interested in gaining access to the property with myself or another City representative to see the property as a whole to determine the best course of action to get it back into service. I did mention that until the bank fully forecloses and takes possession of the property I would need to gain permission from the owners in order to enter the building, which after speaking to the owner on a previous occasion most likely will not be an issue. I was told that a representative will contact me sometime in the future but was given no indication as to their timeline. I will keep you updated should I hear back from the mortgage company or the owners.

Thank You

Kris R. Beaudoin  
Code Compliance Officer  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
Phone: 207-333-6601 Ext. 1150  
[www.auburnmaine.gov](http://www.auburnmaine.gov)

**From:** Eric Cousens <ECousens@auburnmaine.gov>  
**Sent:** Wednesday, February 12, 2020 9:29 AM  
**To:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Subject:** 32 High Street

Kris,  
Can I get an update on 32 High Street?

Eric J. Cousens

Deputy Director of Economic and Community Development, City of Auburn  
60 Court Street | Auburn, Maine 04210 | 207.333.6601 X1154

*The City of Auburn is subject to statutes relating to public records. E-mail sent or received by City employees are subject to these laws. Senders and receivers of City e-mail should presume that messages are subject to release.*



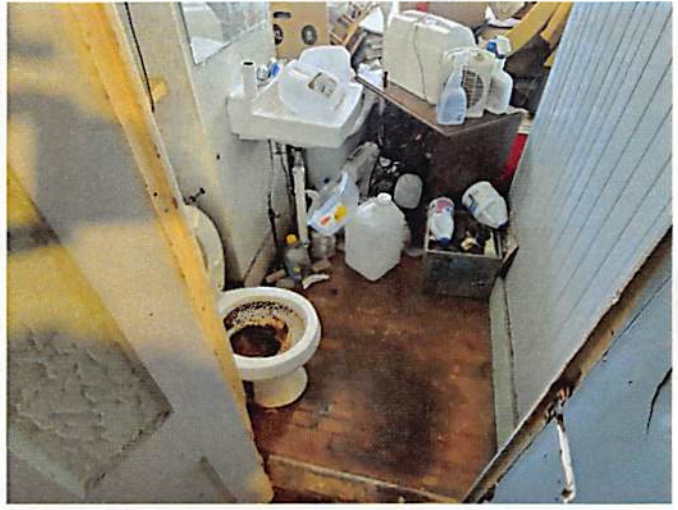
Pictures taken on March 10, 2020 by Kris Beaudoin



Collapsed ceiling in hallway.



No running water/backed up plumbing



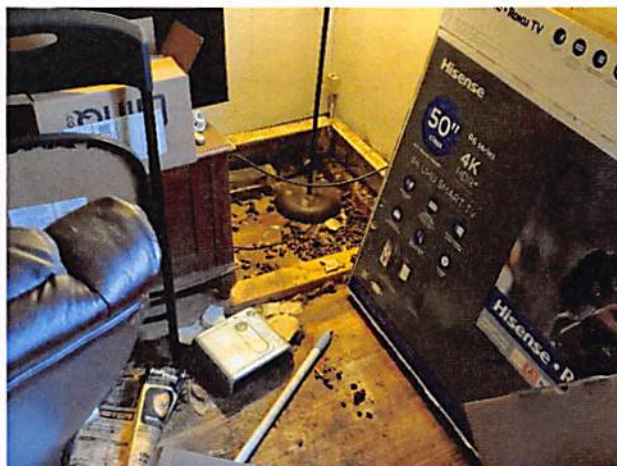
Collapsed ceiling in second floor bedroom with active water leak.



Broken light fixture with exposed wiring,



Dog feces and other debris





Condition of interior, trash and debris is a fire hazard.



Collapsed ceiling in hallway.





**Kris Beaudoin**

**From:** Kris Beaudoin  
**Sent:** Tuesday, April 07, 2020 10:12 AM  
**To:** Leger, Bill  
**Subject:** RE: 32 High Street

If you would like to do an exterior inspection with a manlift or ladder that is fine as long as you make me aware of the date. As far as walking on the roof to do the inspection, that is not advisable as it appeared that there were areas of the roof structure failing.

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
Phone: 207-333-6601 Ext. 1150  
[www.auburnmaine.gov](http://www.auburnmaine.gov)

**From:** Leger, Bill <Bill.Leger@ryzeclaims.com>  
**Sent:** Tuesday, April 07, 2020 8:54 AM  
**To:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Subject:** RE: 32 High Street

Kris;

Is anybody allowed on the property? I need to do a roof inspection if allowed.

Thanx

Billy Leger  
Adjuster  
Ryze Claims Solutions  
[Bill.leger@ryzeclaims.com](mailto:Bill.leger@ryzeclaims.com)  
207-449-7479



---

**From:** Kris Beaudoin [<mailto:kbeaudoin@auburnmaine.gov>]  
**Sent:** Monday, April 06, 2020 12:25 PM  
**To:** Leger, Bill  
**Subject:** Re: 32 High Street

Hi Bill,

I am working from home today but I can give you a call tomorrow when I am in the office.

---

**From:** Leger, Bill <[Bill.Leger@ryzeclaims.com](mailto:Bill.Leger@ryzeclaims.com)>  
**Sent:** Monday, April 6, 2020 12:23 PM  
**To:** Kris Beaudoin <[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)>  
**Subject:** RE: 32 High Street

Could you give me a call?

Billy Leger  
Adjuster  
Ryze Claims Solutions  
[Bill.leger@ryzeclaims.com](mailto:Bill.leger@ryzeclaims.com)  
207-449-7479



---

**From:** Kris Beaudoin [<mailto:kbeaudoin@auburnmaine.gov>]  
**Sent:** Monday, April 06, 2020 12:21 PM  
**To:** Leger, Bill  
**Subject:** Re: 32 High Street

Hi Bill,

I believe the date the building was placarded was January 31, 2020

---

**From:** Leger, Bill <[Bill.Leger@ryzeclaims.com](mailto:Bill.Leger@ryzeclaims.com)>  
**Sent:** Monday, April 6, 2020 12:15 PM  
**To:** Kris Beaudoin <[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)>  
**Subject:** 32 High Street

Kris;

Can you provide me with the date 32 High Street was condemned.

Thanx

Billy Leger  
Adjuster  
Ryze Claims Solutions  
[Bill.leger@ryzeclaims.com](mailto:Bill.leger@ryzeclaims.com)  
207-449-7479





**Kris Beaudoin**

---

**From:** Kris Beaudoin  
**Sent:** Monday, July 13, 2020 3:24 PM  
**To:** Kayla.Poff@mcs360.com  
**Subject:** 32 High St

Good afternoon, I was forwarded a copy of your email that you sent to the Human Resources director for the City of Auburn.

The building located at 32 High St has been placarded and is deemed unsafe for human occupancy due to heating, plumbing, electrical and significant structural issues. Please let me know if you have any questions or if I can be of any other assistance.

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
Phone: 207-333-6601 Ext. 1150  
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## Kris Beaudoin

---

**From:** Kris Beaudoin  
**Sent:** Monday, July 13, 2020 3:11 PM  
**To:** Chris Mumau; Eric Cousens; Zachary Lenhart; Cristy Bourget  
**Subject:** RE: 32 HIGH ST AUBURN, ME 04210



Thank you Chris, this one is mine.

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
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**From:** Chris Mumau <[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)>  
**Sent:** Monday, July 13, 2020 2:57 PM  
**To:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>; Zachary Lenhart <[zlenhart@auburnmaine.gov](mailto:zlenhart@auburnmaine.gov)>; Cristy Bourget <[cbourget@auburnmaine.gov](mailto:cbourget@auburnmaine.gov)>; Kris Beaudoin <[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)>  
**Cc:** Rhonda Russell <[rrussell@auburnmaine.gov](mailto:rrussell@auburnmaine.gov)>  
**Subject:** FW: 32 HIGH ST AUBURN, ME 04210

I think they just randomly picked a Chris.... Not sure who should get this, just that its not an HR questions. 😊

*Christine M. Mumau*  
Director of Human Resources

[City of Auburn](http://www.auburnmaine.gov)  
60 Court Street  
Auburn, Maine 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov)  
[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)  
207.333.6601 X1416

**From:** Kayla Poff <[Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)>  
**Sent:** Monday, July 13, 2020 2:53 PM  
**To:** Chris Mumau <[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)>  
**Subject:** 32 HIGH ST AUBURN, ME 04210



**Kris Beaudoin**

**From:** Kris Beaudoin  
**Sent:** Thursday, September 10, 2020 12:28 PM  
**To:** Kayla.Poff@mcs360.com  
**Subject:** 32 High St Auburn Maine  
**Attachments:** Placard Notice 02032020.pdf; 20200131\_142539.jpg; 20200131\_142307.jpg; 20200131\_142320.jpg; 20200310\_103334.jpg; 20200310\_103413.jpg; 20200310\_103503.jpg; 20200310\_103023.jpg

Kayla,

It was nice communicating with you, here is the letter that was sent to the owners and also a few pictures. Please let me know what the plan moving forward is, this is a dangerous building and we will need to know what action will be taken to either make repairs or demolish the structure.

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
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Good Afternoon,

Can you please assist me on providing what violations are open on this property please and is the property condemned?

Thank you.

**Kayla Poff**

Asset Preservation Coordinator, Mortgage Contracting Services

Direct: 469.771.5221 | Office: 813.387.1100 | Email: [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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**From:** Kayla Poff <[Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)>  
**Sent:** Thursday, September 10, 2020 11:38 AM  
**To:** Chris Mumau <[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)>  
**Subject:** 32 High St Suburn, ME 04210

Good Morning,

I am reaching out to see if the property has any violations or fines and fees owed. Can you please assist me?

Thank you.

**Kayla Poff**

Asset Preservation Coordinator, Mortgage Contracting Services

**Direct:** 469.771.5221 | **Office:** 813.387.1100 | **Email:** [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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## Kris Beaudoin

---

**From:** Kris Beaudoin  
**Sent:** Wednesday, October 21, 2020 8:09 AM  
**To:** Kayla Poff  
**Cc:** Eric Cousens  
**Subject:** RE: 32 High St Suburn, ME 04210



Good morning Kayla,

Currently there is no demolition scheduled for the property. Is it in the interest of your client to turn the property over to the City of Auburn or are there other plans being considered?

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
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**To:** Chris Mumau <cmumau@auburnmaine.gov>  
**Cc:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Subject:** RE: 32 High St Suburn, ME 04210

Thank you. ☺

### Kayla Poff

Asset Preservation Coordinator, Mortgage Contracting Services  
Direct: 469.771.5221 | Office: 813.387.1100 | Email: [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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Cc: Kris Beaudoin <[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)>  
Subject: RE: 32 High St Suburn, ME 04210

Hi Kayla,  
I've cc'd this email with Kris. His email is [kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
He can answer your questions.



Christine M. Mumau  
Director of Human Resources

City of Auburn  
60 Court Street  
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[www.auburnmaine.gov](http://www.auburnmaine.gov)  
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Subject: RE: 32 High St Suburn, ME 04210

Good Afternoon,

Can you please provide Kris Beaudoin email or can you please ask him if there is a demo scheduled?

Thank you.

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Direct: 469.771.5221 | Office: 813.387.1100 | Email: [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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To: Kayla Poff <[Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)>  
Subject: Re: 32 High St Suburn, ME 04210

This will be Kris Beaudoin  
I forwarded your email



## Kris Beaudoin

---

**From:** Kris Beaudoin  
**Sent:** Thursday, October 29, 2020 3:53 PM  
**To:** Kayla Poff  
**Cc:** Eric Cousens  
**Subject:** RE: 32 High St Suburn, ME 04210



Kayla,

The owner may repair the property if they choose in order to bring the building to proper compliance, however, it is likely to cost more than the building is actually worth. I have met multiple contractors at the property at the request of the investors for the sole purpose of the contractors reviewing the property and providing estimates of repair and I am glad to do it again if needed.

The City may have funding available to clean up blight properties by way of demolition if your investors are interested in turning over possession of the property to the City of Auburn. Please let me know if this is an option your organization is interested in pursuing and I will gather all of the pertinent information and send it to you.

Have any of the contractors that your organization sent supplied you with any pictures of the property?

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
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**Subject:** RE: 32 High St Suburn, ME 04210

Good Afternoon,

Could we possibly repair the building to cure violations or would you think the property would need to be demolished?

**Kayla Poff**

Asset Preservation Coordinator, Mortgage Contracting Services  
**Direct:** 469.771.5221 | **Office:** 813.387.1100 | **Email:** [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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**Cc:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>  
**Subject:** RE: 32 High St Suburn, ME 04210

Good morning Kayla,

Currently there is no demolition scheduled for the property. Is it in the interest of your client to turn the property over to the City of Auburn or are there other plans being considered?

Best Regards

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Code Compliance Officer, LPI  
Office of Economic & Community Development  
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**Subject:** RE: 32 High St Suburn, ME 04210

Thank you. ☺

**Kayla Poff**  
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Hi Kayla,  
I've cc'd this email with Kris. His email is [kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
He can answer your questions.



*Christine M. Mumau*  
Director of Human Resources

City of Auburn  
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[www.auburnmaine.gov](http://www.auburnmaine.gov)  
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Good Afternoon,

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Thank you.

### Kayla Poff

Asset Preservation Coordinator, Mortgage Contracting Services  
Direct: 469.771.5221 | Office: 813.387.1100 | Email: [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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This will be Kris Beaudoin

I forwarded your email

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**Kayla Poff**

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## Kris Beaudoin

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**Kayla Poff**

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Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
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Cc: Kris Beaudoin <[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)>

Subject: RE: 32 High St Suburn, ME 04210

Thank you. 😊

## Kayla Poff

Asset Preservation Coordinator, Mortgage Contracting Services

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He can answer your questions.



*Christine M. Mumau*

Director of Human Resources

City of Auburn

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Direct: 469.771.5221 | Office: 813.387.1100 | Email: [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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**From:** Chris Mumau <[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)>  
**Sent:** Thursday, September 10, 2020 10:49 AM  
**To:** Kayla Poff <[Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)>  
**Subject:** Re: 32 High St Suburn, ME 04210

This will be Kris Beaudoin  
I forwarded your email

---

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**Sent:** Thursday, September 10, 2020 11:38 AM  
**To:** Chris Mumau <[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)>  
**Subject:** 32 High St Suburn, ME 04210

Good Morning,

I am reaching out to see if the property has any violations or fines and fees owed. Can you please assist me?

Thank you.

**Kayla Poff**

Asset Preservation Coordinator, Mortgage Contracting Services  
Direct: 469.771.5221 | Office: 813.387.1100 | Email: [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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## Kris Beaudoin

---

**From:** Kris Beaudoin  
**Sent:** Thursday, December 10, 2020 8:54 AM  
**To:** Kayla Poff  
**Cc:** Eric Cousens  
**Subject:** RE: 32 High St Suburn, ME 04210



Kayla,

Could you provide me with a time frame that the review will occur? The property is a safety hazard for the neighborhood and with winter here I am concerned that the weight of the snow will create a greater risk of injury to the public. If something cannot be accomplished soon I will be starting the violation process under the Dangerous Building statute.

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
Phone: 207-333-6601 Ext. 1150  
[www.auburnmaine.gov](http://www.auburnmaine.gov)

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My client would like to review the bids on this property to see if it is worth repairing or demolishing. Does this still stand?

Thank you

### Kayla Poff

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Kayla,

The owner may repair the property if they choose in order to bring the building to proper compliance, however, it is likely to cost more than the building is actually worth. I have met multiple contractors at the property at the request of the investors for the sole purpose of the contractors reviewing the property and providing estimates of repair and I am glad to do it again if needed.

The City may have funding available to clean up blight properties by way of demolition if your investors are interested in turning over possession of the property to the City of Auburn. Please let me know if this is an option your organization is interested in pursuing and I will gather all of the pertinent information and send it to you.

Have any of the contractors that your organization sent supplied you with any pictures of the property?

Best Regards

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Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
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**Cc:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>  
**Subject:** RE: 32 High St Suburn, ME 04210

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Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
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**Subject:** RE: 32 High St Suburn, ME 04210

Thank you. ☺

**Kayla Poff**  
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Cc: Kris Beaudoin <[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)>

Subject: RE: 32 High St Suburn, ME 04210

Hi Kayla,

I've cc'd this email with Kris. His email is [kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
He can answer your questions.



*Christine M. Mumau*  
Director of Human Resources

City of Auburn  
60 Court Street  
Auburn, Maine 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov)  
[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)  
207.333.6601 X1416

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Good Afternoon,

Can you please provide Kris Beaudoin email or can you please ask him if there is a demo scheduled?

Thank you.

### Kayla Poff

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**Kayla Poff**

Asset Preservation Coordinator, Mortgage Contracting Services

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## Kris Beaudoin

**From:** Jake Schneider <Jake.Schneider@mcs360.com>  
**Sent:** Thursday, January 28, 2021 3:18 PM  
**To:** Kris Beaudoin  
**Cc:** Eric Cousens; Cassandra Jackson  
**Subject:** RE: 32 High St Suburn, ME 04210



Afternoon, Kris! Kayla unfortunately is no longer with MCS and this case has since transferred to Cassandra Jackson who I have looped in on this email. I show the bank currently has demo bids present but have asked for a 2<sup>nd</sup> estimate to compare pricing. That was requested on the 15<sup>th</sup> and shows we are still pending a bid from the contractor. We'll follow up on that and work to get those bids in ASAP so we can provide to the bank and let them know the urgency of getting this work completed. Any question, feel free to reach out to Cassie and myself. Thank you and apologies for the delays.

Cassie – Please call the vendor for an update. If no response please email and loop in the vendor management team. Once you get an ECD on when we can expect bids, please update CO Beaudoin. Once we finally get that bid please let the bank know the city is needing an action plan at the very least. Let me know if you need anything. Thank you, ma'am!

### Jake Schneider

Team Lead II, Mortgage Contracting Services  
Direct: 469.771.5320 | Office: 813.387.1100



**From:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Sent:** Thursday, January 28, 2021 8:02 AM  
**To:** Kayla Poff <Kayla.Poff@mcs360.com>  
**Cc:** Eric Cousens <ECousens@auburnmaine.gov>  
**Subject:** Re: 32 High St Suburn, ME 04210

Kayla,

I wanted to be in contact with you regarding 32 High St in Auburn Maine 04210. As you know per our previous discussions this property is a safety hazard to the community. I do understand that your client is seeking bids to demolish the property, but can you enlighten me as to the progress that has been made? As I have mentioned before, there may be other options available to your client that will assist in the removal of the structure, we would just need assistance in facilitating a meeting or you could simply provide the contact information of your client and we can make contact directly. Yesterday, the police department was dispatched to the property and there were two people charged with criminal trespass who appear to have been attempting to stay at the property. Because issues like this exist and along with the continued deterioration of the property my concern for the safety of the community has increased and a plan to move forward needs to be developed.

I appreciate your prompt attention to this matter.

Best Regards



Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street St 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
Phone: 207-333-6601 Ext. 1150  
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**Cc:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>  
**Subject:** RE: 32 High St Suburn, ME 04210

My client would like to review the bids on this property to see if it is worth repairing or demolishing. Does this still stand?

Thank you

### Kayla Poff

Asset Preservation Coordinator, Mortgage Contracting Services  
Direct: 469.771.5221 | Office: 813.387.1100 | Email: [Kayla.Poff@mcs360.com](mailto:Kayla.Poff@mcs360.com)



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**Subject:** RE: 32 High St Suburn, ME 04210

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The City may have funding available to clean up blight properties by way of demolition if your investors are interested in turning over possession of the property to the City of Auburn. Please let me know if this is an option your organization is interested in pursuing and I will gather all of the pertinent information and send it to you.

## Kris Beaudoin

---

**From:** Jake Schneider <Jake.Schneider@mcs360.com>  
**Sent:** Monday, February 01, 2021 8:42 AM  
**To:** Kris Beaudoin; Cassandra Jackson  
**Cc:** Eric Cousens  
**Subject:** RE: 32 High St Auburn Maine 04210



Moring, Kris! I will get in touch with our vendors in the area and see who can complete by end of business today. I'll let you know when I have it worked out. Thanks!

### Jake Schneider

Team Lead II, Mortgage Contracting Services  
Direct: 469.771.5320 | Office: 813.387.1100



**From:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Sent:** Monday, February 01, 2021 7:38 AM  
**To:** Cassandra Jackson <Cassandra.Jackson@mcs360.com>; Jake Schneider <Jake.Schneider@mcs360.com>  
**Cc:** Eric Cousens <ECousens@auburnmaine.gov>  
**Subject:** 32 High St Auburn Maine 04210

Good morning Jake and Cassandra,

It is our understanding from a City resident located near 32 High St that the people who were charged with criminal trespass last week were getting into the property from a side window or door. How soon can you get someone over to the property to plywood/secure any accessible areas? We have a large storm coming tonight and the added weight concerns me, I do not want anyone's safety in jeopardy should anyone get into the property and structural failure occurs.

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street St 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
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Have any of the contractors that your organization sent supplied you with any pictures of the property?

Best Regards

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**Kayla Poff**

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Good morning Kayla,

Currently there is no demolition scheduled for the property. Is it in the interest of your client to turn the property over to the City of Auburn or are there other plans being considered?

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI

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Thank you. 😊

### Kayla Poff

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Hi Kayla,  
I've cc'd this email with Kris. His email is [kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
He can answer your questions.



*Christine M. Mumau*  
Director of Human Resources

City of Auburn  
60 Court Street  
Auburn, Maine 04210  
[www.auburnmaine.gov](http://www.auburnmaine.gov)  
[cmumau@auburnmaine.gov](mailto:cmumau@auburnmaine.gov)  
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## Kris Beaudoin

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**From:** Kris Beaudoin  
**Sent:** Tuesday, February 02, 2021 11:02 AM  
**To:** Jake Schneider; Cassandra Jackson  
**Cc:** Eric Cousens  
**Subject:** Re: 32 High St Auburn Maine 04210



Thank you for the update Jake.

---

**From:** Jake Schneider <Jake.Schneider@mcs360.com>  
**Sent:** Tuesday, February 2, 2021 10:57 AM  
**To:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>; Cassandra Jackson <Cassandra.Jackson@mcs360.com>  
**Cc:** Eric Cousens <ECousens@auburnmaine.gov>  
**Subject:** RE: 32 High St Auburn Maine 04210

Good morning, Kris. Apologies in the delay with my update, but I was unable to find a contractor in the area who was able to get to the property yesterday due to scheduling/route conflicts. However, one contractor did state they could complete today and are in process of getting that done now. Apologies again for not being able to get someone out sooner. Please let us know if you have any other issues or questions. Thanks again!

### Jake Schneider

Team Lead II, Mortgage Contracting Services  
Direct: 469.771.5320 | Office: 813.387.1100



**From:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Sent:** Monday, February 01, 2021 7:38 AM  
**To:** Cassandra Jackson <Cassandra.Jackson@mcs360.com>; Jake Schneider <Jake.Schneider@mcs360.com>  
**Cc:** Eric Cousens <ECousens@auburnmaine.gov>  
**Subject:** 32 High St Auburn Maine 04210

Good morning Jake and Cassandra,

It is our understanding from a City resident located near 32 High St that the people who were charged with criminal trespass last week were getting into the property from a side window or door. How soon can you get someone over to the property to plywood/secure any accessible areas? We have a large storm coming tonight and the added weight concerns me, I do not want anyone's safety in jeopardy should anyone get into the property and structural failure occurs.

Best Regards



Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street St 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
Phone: 207-333-6601 Ext. 1150  
[www.auburnmaine.gov](http://www.auburnmaine.gov)

**Kris Beaudoin**

**From:** Jake Schneider <Jake.Schneider@mcs360.com>  
**Sent:** Thursday, February 18, 2021 12:29 PM  
**To:** Kris Beaudoin; Cassandra Jackson  
**Cc:** Eric Cousens  
**Subject:** RE: 32 High St Auburn Maine 04210

Morning, Mr. Beaudoin. Client reached out on 2/10 and advised the property has gone through liquidation and to stop all work on the property going forward. Unfortunately we are no longer able to proceed with remediating the violation at this time. Sorry for the inconvenience.

**Jake Schneider**

Team Lead II, Mortgage Contracting Services  
 Direct: 469.771.5320 | Office: 813.387.1100



**From:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Sent:** Wednesday, February 17, 2021 3:04 PM  
**To:** Jake Schneider <Jake.Schneider@mcs360.com>; Cassandra Jackson <Cassandra.Jackson@mcs360.com>  
**Cc:** Eric Cousens <ECousens@auburnmaine.gov>  
**Subject:** RE: 32 High St Auburn Maine 04210

Jake or Cassandra,

Can you provide me with a status update of 32 High St?

Best Regards

Kris R. Beaudoin  
 Code Compliance Officer, LPI  
 Office of Economic & Community Development  
 City of Auburn  
 60 Court Street Ste 104  
 Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
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**From:** Jake Schneider <[Jake.Schneider@mcs360.com](mailto:Jake.Schneider@mcs360.com)>  
**Sent:** Tuesday, February 02, 2021 10:58 AM  
**To:** Kris Beaudoin <[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)>; Cassandra Jackson <[Cassandra.Jackson@mcs360.com](mailto:Cassandra.Jackson@mcs360.com)>

**Cc:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>

**Subject:** RE: 32 High St Auburn Maine 04210

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**Jake Schneider**

Team Lead II, Mortgage Contracting Services

Direct: 469.771.5320 | Office: 813.387.1100



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**Sent:** Monday, February 01, 2021 7:38 AM

**To:** Cassandra Jackson <[Cassandra.Jackson@mcs360.com](mailto:Cassandra.Jackson@mcs360.com)>; Jake Schneider <[Jake.Schneider@mcs360.com](mailto:Jake.Schneider@mcs360.com)>

**Cc:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>

**Subject:** 32 High St Auburn Maine 04210

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Kris R. Beaudoin

Code Compliance Officer, LPI

Office of Economic & Community Development

City of Auburn

60 Court Street St 104

Auburn, Me. 04210

[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)

## Kris Beaudoin

**From:** Jake Schneider <Jake.Schneider@mcs360.com>  
**Sent:** Friday, February 19, 2021 10:02 AM  
**To:** Kris Beaudoin; Cassandra Jackson  
**Cc:** Eric Cousens  
**Subject:** RE: 32 High St Auburn Maine 04210



Hey, Kris! Sorry for the delay. Reached out to the few people I know over at Shellpoint and was told this property/file belongs a Paulette Smith. Unfortunately I do not have her phone number but her email address has been provided below. She's usually good with communication and can provide you any information you may need from the bank. Thanks again!

Williams-Smith, Paulette [Paulette.WilliamsSmith@shellpointmtg.com](mailto:Paulette.WilliamsSmith@shellpointmtg.com)

## Jake Schneider

Team Lead II, Mortgage Contracting Services  
Direct: 469.771.5320 | Office: 813.387.1100



**From:** Kris Beaudoin <kbeaudoin@auburnmaine.gov>  
**Sent:** Thursday, February 18, 2021 2:43 PM  
**To:** Jake Schneider <Jake.Schneider@mcs360.com>; Cassandra Jackson <Cassandra.Jackson@mcs360.com>  
**Cc:** Eric Cousens <ECousens@auburnmaine.gov>  
**Subject:** RE: 32 High St Auburn Maine 04210

Jake,

Can you provide me with the contact information of your client (name, phone number and mailing address.)

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
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**Subject:** RE: 32 High St Auburn Maine 04210

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### Jake Schneider

Team Lead II, Mortgage Contracting Services  
Direct: 469.771.5320 | Office: 813.387.1100



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**Subject:** RE: 32 High St Auburn Maine 04210

Jake or Cassandra,

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Best Regards

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**Cc:** Eric Cousens <[ECousens@auburnmaine.gov](mailto:ECousens@auburnmaine.gov)>  
**Subject:** RE: 32 High St Auburn Maine 04210



## Kris Beaudoin

---

**From:** Kris Beaudoin  
**Sent:** Friday, February 19, 2021 3:07 PM  
**To:** Paulette.WilliamsSmith@shellpointmtg.com  
**Cc:** Eric Cousens  
**Subject:** 32 High St Auburn Maine



Good afternoon, I was given your email address by Jake Schneider at MCS as a contact for the above referenced property.

There is currently a property in Auburn Maine located at 32 High St that is a significant safety hazard to the community. I placarded the property last January and I have been in communication since the condemnation in an effort to minimize the risk to the community by finding a suitable path forward. The plans per my understanding was that estimates were being procured to have the building demolished. Because of these documented conversations I have been in active and ongoing communication to see that there was in fact movement towards this outcome because of the significant health and safety risk to the community. Yesterday I received word that there are no longer any plans to move forward with the demolition of the property or make any repairs that would mitigate the safety risks.

What are your plans for the property at this time and can you provide me with a phone number and address to send correspondence regarding the property should I need too?

Best Regards

Kris R. Beaudoin  
Code Compliance Officer, LPI  
Office of Economic & Community Development  
City of Auburn  
60 Court Street Ste 104  
Auburn, Me. 04210  
[kbeaudoin@auburnmaine.gov](mailto:kbeaudoin@auburnmaine.gov)  
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**Auburn Fire Department**

Station: 3  
Shifts Or Platoon: Administration

<b>Location:</b> <b>32 HIGH ST</b> <b>AUBURN ME 04210</b>	<b>Incident Type:</b> <b>600 - Good intent call, other</b>
<b>Lat/Long:</b> <b>N 44° 5' 47.12"</b> <b>W 70° 13' 36.93"</b>	<b>FDID: A0010</b> <b>Incident #: 2020-434</b> <b>Exposure ID: 46080632</b> <b>Exposure #: 0</b> <b>Incident Date: 01/31/2020</b> <b>Dispatch Run #: 20-10928</b>
<b>Zone:</b> <b>Engine 2 - Engine 2</b> <b>Location Type: 1 - Street address</b>	



<b>Report Completed by:</b>	O'Connell, David N	<b>ID:</b> AFD096	<b>Date:</b> 02/04/2020
<b>Report Reviewed by:</b>	Ffield, Matt	<b>ID:</b> AFD083	<b>Date:</b> 02/12/2020
<b>Report Printed by:</b>	Veilleux, Karen	<b>ID:</b> AFD997	<b>Date:</b> 3/3/2021 <b>Time:</b> 09:29

<b>Structure Type:</b>	<b>Property Use: 419 - 1 or 2 family dwelling</b>		
<b>Automatic Extinguishment System Present:</b> <input type="checkbox"/>	<b>Detectors Present:</b> <input type="checkbox"/>	<b>Cause of Ignition:</b>	
<b>Aid Given or Received:</b> <b>None</b>	<b>Primary action taken:</b> <b>70 - Assistance, other</b>		
<b>Losses</b>	<b>Pre-Incident Values</b>		
<b>Property:</b>	<b>Property:</b>	<b>Civilian Injuries:</b> <b>0</b>	<b>Fire Service Injuries:</b> <b>0</b>
<b>Contents:</b>	<b>Contents:</b>	<b>Civilian Fatalities:</b> <b>0</b>	<b>Fire Service Fatalities:</b> <b>0</b>
<b>Total:</b>	<b>Total:</b>	<b>Total Casualties:</b> <b>0</b>	<b>Total Fire Service Casualties:</b> <b>0</b>
<b>Total # of apparatus on call:</b> <b>1</b>		<b>Total # of personnel on call:</b> <b>1</b>	

**Narrative from dispatch:**

**NARRATIVE (2)****Narrative Title:** Narrative**Narrative Author:** O'Connell, David**Narrative Date:** 02/03/2020 11:13:04**Narrative Apparatus ID:** 322**Narrative:**

I, David O'Connell, was asked by City Code Enforcement Officer Kris Beaudoin to assist him in a complaint he received about 32 High Street. Kris stated that the single-family rental unit allegedly does not have heat or running water. Furthermore, it is alleged that they are heating the house with a propane heating system utilizing propane tanks inside the building.

I arrived at 32 High St. with Kris to access the buildings status. Upon arrival we noticed that the buildings foundation is heaving away from the building, the porch is structurally unsafe, and that the gas meter to the building had been shut off, and locked out. Kris had confirmed that the Water District had shut off the water to the building as well. Kris contacted Assistant Director Eric Cousins by cell phone to advise him of our findings. Kris stated that Eric was bringing placards to him so he could placard the building as dangerous. I contacted 911 and asked them to send an APD unit to our location, code one, in case any of the occupants become agitated when they are notified that the city was going to placard the building.

While waiting for Eric, a maroon suv parked across from us and a woman exited the vehicle. She stated that she lives in the building and wanted to know what was going on? We advised her that the city received a complaint about the building and that we were looking into the concerns. When asked if she had any running water or central heating system she stated "no". She advised us that her and her husband live in the building. We advised her that due to our findings that the city is looking into placarding the building. The female stated then what happens after the building is placarded? I advised her if the building is placarded then any of the occupants would not be able to sleep inside the building. The female appeared to become upset with my statement. She stated they have no where to go. I advised her that she could stay with family or friends, stay at a hotel, or go to one of the shelters. The female stated that "they have no family", I asked her when was the last time they paid rent? The female stated that it has been over a year. I stated that they must have been able to save some money since they have not paid any rent in so long, so it would not be unreasonable that they could stay at a hotel. She stated "you have no idea what they are going through, and thank you for ruining her fucking day". The female then entered the building and slammed the door shut.

Soon after the female entered the building an unknown male exited the house appearing to be highly agitated and approached both Kris and I. The male questioned what we were doing there?

Kris reiterated what was said to the female who entered the building (female turns out to be his wife). At this point I advised 911 to step up the responding APD unit due to the males demeanor. APD arrived on scene and the male appeared to calm down with their presence. Eric Cousins arrived on scene and was brought up to speed by Kris on the conditions of the building. It was determined by Eric that due to the conditions of the building his department would placard the building. The unknown male stated that they had nowhere to go, and they needed the weekend to make arrangements. The male stated that because they have 5 dogs they cannot stay at a hotel, and he was not going to leave his dogs behind with food or water because they were his "children". Eric advised the male that they would not start enforcing the "no trespassing" until Monday the 3rd of February, 2020. The male and female (who exited the building) stated that they appreciated the willingness to help them.

Kris then placarded the building and took pictures of both the placard and the structural damage of the building.

All units cleared the scene.

<b>APPARATUS</b>	
<b>Unit</b>	322
<b>Type:</b>	Other apparatus/resource
<b>Use:</b>	Other
<b>Response Mode:</b>	No Lights or Sirens
<b># of People</b>	1
<b>Alarm</b>	01 /31/2020 15:22:00
<b>Dispatched</b>	01 /31/2020 15:22:00
<b>Enroute</b>	- / - / - - : - : -
<b>Arrived</b>	01 /31/2020 15:22:35
<b>Cancelled</b>	- / - / - - : - : -
<b>Cleared Scene</b>	01 /31/2020 15:23:13
<b>In Quarters</b>	- / - / - - : - : -
<b>In Service</b>	01 /31/2020 15:23:13
<b>Number Of People not on apparatus: 0</b>	

Member Making Report (Fire Prevention Officer David N O'Connell): \_\_\_\_\_

Incident Reviewer (Deputy Chief Matt Ffield): \_\_\_\_\_

**NARRATIVE (2)**

**Narrative Title:** Hazardous Condition

**Narrative Author:** Chase, Robert

**Narrative Date:** 01/28/2021 08:13:09

**Narrative Apparatus ID:** n/a

**Narrative:**

323 called me reporting that APD was on scene at 32 High Street with a situation of squatters in the building and had requested him to respond. FPO O'connell was unavailable so he asked me to respond. I went to 32 High where two APD officers were outside speaking with a male who had been staying in the building, and a female who had luggage with here and was standing outside the building. Eric Cousins from Planning and Permitting was also on scene. The building had two visible "dangerous building placards on the front.

The gentlemen had produced a key that worked in the front door of the building. When asked, he told me that their was electricity to the building and he was heating a room on the second floor with space heaters. I asked the male if I could go in and ensure there were no fire hazards and he gave me access to the building. APD Sargent Bouchard was already in the building on the second floor.

When entering the building I observed very high fire load with lots of discarded flammable materials, and clutter. There was an extension cord at the bottom of the stairs, that was plugged in a ran up the stairs, hanging on the railing, and into the second floor bedroom.

I entered the second floor bedroom to meet Sgt. Bouchard. The room was warm. I observed additional significant clutter of flammable materials in very close proximity to two operating space heaters.

After a short time it became clear that PD was making the two individuals gather their belongings and were going to be making them vacate. I began tracing the many extension cords that were in the area to try to disconnect power from the space heaters. There were atleast three extension cords ran from other circuits within the house into this one room, presumable because they could not run both space heaters and anything else they needed on one circuit. The small space heater was turned off and easily unplugged.

The larger floor standing space heater could not be unplugged directly. The plug connection where the space heater plugged into the extension cord was hot to the touch and the two plugs were fused together from overheating. This had a high risk of becoming an ignition source for a fire in the future.

I traced the extension cord and unplugged it at the wall and also traced another cord into the wall outlet in the back 2nd story bedroom and unplugged it.

I then met outside with Eric Cousens, we had contacted City Electrician Charlie D'angles to disconnect the power to the building. While waiting for Charlie I walked three sides of the building and could not see any unsecured doors or windows that would have allowed access. I did not assess the Charlie side as it was difficult to get to.

Charlie arrived, we reentered the building and he cut the fused plugs from the space heater ensure it could not longer pose a threat.

I confirmed with APD that they did not need anything else from me. Charlie was waiting for APD to finish with the subjects and vacate the building and then he was going to disconnect electricity from the building.

I cleared the scene.





**Auburn Fire Department**  
Station: 3  
Shifts Or Platoon: Administration

<b>Location:</b> <b>32 HIGH ST</b> <b>AUBURN ME 04210</b>	<b>Incident Type:</b> <b>551 - Assist police or other governmental agency</b>
<b>Lat/Long:</b> <b>N 44° 5' 47.12"</b> <b>W 70° 13' 36.93"</b>	<b>FDID: A0010</b> <b>Incident #: 2021-362</b> <b>Exposure ID: 54615714</b> <b>Exposure #: 0</b> <b>Incident Date: 01/27/2021</b> <b>Dispatch Run #: 21-8029</b>
<b>Zone:</b> <b>Central - Central</b> <b>Location Type: 1 - Street address</b>	

<b>Report Completed by:</b>	Chase, Robert	<b>ID:</b> AFD133	<b>Date:</b> 01/28/2021
<b>Report Reviewed by:</b>	Chase, Robert	<b>ID:</b> AFD133	<b>Date:</b> 01/28/2021
<b>Report Printed by:</b>	Veilleux, Karen	<b>ID:</b> AFD997	<b>Date:</b> 3/3/2021 <b>Time:</b> 09:36

<b>Structure Type:</b>	<b>Property Use: 429 - Multifamily dwelling</b>		
<b>Automatic Extinguishment System Present:</b> <input type="checkbox"/>	<b>Detectors Present:</b> <input type="checkbox"/>	<b>Cause of Ignition:</b>	
<b>Aid Given or Received:</b>	<b>None</b>	<b>Primary action taken: 86 - Investigate</b>	
<b>Losses</b>	<b>Pre-Incident Values</b>		
<b>Property:</b>	<b>Property:</b>	<b>Civilian Injuries:</b> 0	<b>Fire Service Injuries:</b> 0
<b>Contents:</b>	<b>Contents:</b>	<b>Civilian Fatalities:</b> 0	<b>Fire Service Fatalities:</b> 0
<b>Total:</b>	<b>Total:</b>	<b>Total Casualties:</b> 0	<b>Total Fire Service Casualties:</b> 0
<b>Total # of apparatus on call:</b> 2		<b>Total # of personnel on call:</b> 1	

<b>Special Studies</b>	
<b>COVID 19 was a factor in this incident.</b>	Unknown.

<b>Narrative from dispatch:</b>
---------------------------------

**APPARATUS**

**Unit:** 320  
**Type:** Mobile command post  
**Use:** Other  
**Response Mode:** No Lights or Sirens  
**# of People:** 1  
**Alarm:** 01 /27/2021 15:59:00  
**Dispatched:** 01 /27/2021 16:01:02  
**Enroute:** 01 /27/2021 16:01:04  
**Arrived:** 01 /27/2021 16:02:54  
**Cancelled:** - /- /- - : - : -  
**Cleared Scene:** 01 /27/2021 16:38:14  
**In Quarters:** - /- /- - : - : -  
**In Service:** 01 /27/2021 16:38:14

**Unit:** 323  
**Type:** Mobile command post  
**Use:** EMS  
**Response Mode:** No Lights or Sirens  
**# of People:** 0  
**Alarm:** 01 /27/2021 15:59:00  
**Dispatched:** 01 /27/2021 16:03:46  
**Enroute:** - /- /- - : - : -  
**Arrived:** 01 /27/2021 16:03:47  
**Cancelled:** 01 /27/2021 16:03:46  
**Cleared Scene:** - /- /- - : - : -  
**In Quarters:** - /- /- - : - : -  
**In Service:** 01 /27/2021 16:03:56

Number Of People not on apparatus: 0

**CUSTOM FIELDS FORM**

What was the U21 Code for this call

No U21 code available

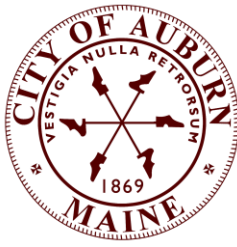
**INCIDENT IMAGES**

Member Making Report (Chief Robert Chase): \_\_\_\_\_

Incident Reviewer (Chief Robert Chase): \_\_\_\_\_

For Date: 01/31/2020 - Friday

Call Number	Time	Call Reason	Action	Priority	Duplicate
20-10919	1445	Phone - POL-Criminal Trespass	Cleared	2	
Call Taker: LAC111 - Hart, Darrin					
Call Closed By: LAC085 - ARSENAULT, CELESTE 01/31/2020 1517					
Call Modified By: LAC025 - ALLEN, TODD					
Location/Address: [AUB 1273] RESIDENCE - 32 HIGH ST					
Jurisdiction: Auburn					
Party Entered By: 01/31/2020 1446 LAC111 - Hart, Darrin					
Calling Party: 322					
Party Entered By: 01/31/2020 1455 LAC085 - ARSENAULT, CELESTE					
Involved Party: HALL, SHARON L @ 32 HIGH ST - AUBURN, ME 04210 [REDACTED]					
Race: W Sex: F					
Party Entered By: 01/31/2020 1455 LAC085 - ARSENAULT, CELESTE					
Involved Party: HALL, SHAWN E @ 168 BARTLETT ST Apt. #1 - LEWISTON, ME 04240					
Race: W Sex: M					
ID: APD523 - Westleigh, Bernice					
Disp-14:48:03 Enrt-14:48:09 Arvd-14:50:39 Clrd-15:16:36					
Dispatched By: LAC085 - ARSENAULT, CELESTE					
Enroute By: LAC085 - ARSENAULT, CELESTE					
Arrived By: LAC085 - ARSENAULT, CELESTE					
Cleared By: LAC085 - ARSENAULT, CELESTE					
ID: APD595 - Chamberlain, John					
Disp-14:51:02 Enrt-14:51:05 Arvd-14:53:25 Clrd-14:58:32					
Dispatched By: LAC085 - ARSENAULT, CELESTE					
Enroute By: LAC085 - ARSENAULT, CELESTE					
Arrived By: APD595 - Chamberlain, John					
Cleared By: LAC085 - ARSENAULT, CELESTE					
ID: APD518 - Dailey, Matthew					
Disp-14:58:42 Arvd-14:58:46 Clrd-15:09:07					
Dispatched By: LAC085 - ARSENAULT, CELESTE					
Arrived By: LAC085 - ARSENAULT, CELESTE					
Cleared By: LAC085 - ARSENAULT, CELESTE					
Narrative: 01/31/2020 1446 Hart, Darrin					
FIRE PREVENTION IS OUT AT THE ABOVE ADDRESS WITH SOME PEOPLE CAMPING OUT INSIDE. ONE IS GETTING AGGITATED					
Narrative: 01/31/2020 1449 Hart, Darrin					
322 REQUESTING PD STEP IT UP.					



# City Council Order

## IN CITY COUNCIL

**ORDERED**, that the City Council hereby adopts the proposed Findings of Fact and Conclusions of Law as submitted by staff, and orders:

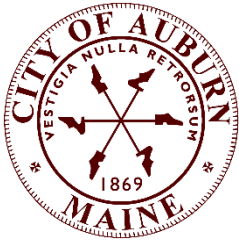
Having found that the Structures at 32 High Street are a nuisance and dangerous buildings within the meaning of 17 M.R.S. § 2851, the Auburn City Council hereby ORDERS:

That the Owner, and/or their successors or assigns, demolish the Structures, remove all debris, and stabilize the site within thirty (30) days of service of this Order.

That if the Owners, and/or their successors or assigns, fail to comply with this Order in the time frame set forth herein, the City shall have the authority to carry out this Order.

That within thirty (30) days after demand by the City, the Owners, and/or their successors or assigns, shall reimburse the City for all expenses it incurs in connection with this proceeding, including, but not limited to, expenses for securing and maintaining the Structure, service and other costs incurred, attorneys' fees, and any and all demolition and clean-up costs. 32 High Street Dangerous Building Hearing Page 2 of 743

That if the Owners, and/or their successors and assigns, fail to timely reimburse the City for the expenses provided for above, the City shall assess a special tax against the Premises, as provided for in 17 M.R.S. § 2853 and/or recover its costs by means of a collection action.



**City of Auburn  
City Council Information Sheet**

**Council Workshop or Meeting Date:** April 5, 2021

**Ordinance:** 18-04052021

**Author:** Megan Norwood, City Planner

**Subject:** Proposed Amendment of Section 60-34, Buildings per Lot

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**Information:** Chapter 60 contains a provision that does not allow the construction of more than one principal building on any lot in any residential zoning district (the exception being multifamily buildings in multifamily districts). Currently, even if a homeowner has the required land area and meets their density requirements, a second unit would have to be attached or contained within a single structure. An edit to the language below would allow second dwelling units on parcels that meet the requirements for two family dwellings in their residential zones to be built in separate structures. The only residential Zoning District that does not permit two-family dwellings is the Low-Density Country Residential District. As written, this provision would apply in all other residential zoning districts, where second dwellings are already allowed.

At their special meeting on March 25<sup>th</sup>, the Planning Board made a favorable recommendation with a unanimous vote of 6-0 to the City Council to adopt the following amendment to Section 60-34 of the Ordinance, thereby allowing a second dwelling in Zoning Districts where two-family dwellings are permitted.

Proposed ordinance amendment:

Sec. 60-34. - Buildings per lot.

No more than one principal building shall be erected on any lot in residential zoning districts except ~~in the case of~~ for:

- (1) Multifamily buildings and/or developments approved under divisions ~~10 and 11~~ 9 of article IV of this chapter;
- (2) An additional one-family detached dwelling in a zoning district where two-families are permitted, and a single-family dwelling currently exists on the lot.

The additional one-family detached dwelling unit shall share a driveway curb cut with the pre-existing dwelling unless it is determined that another driveway location could provide safer access than the existing driveway.

The Planning Board also discussed the City Council request to consider adding the two-family use allowance to the Low-Density Country Residential. The Planning Board voted unanimously (6-0) for the City Council to provide a formal request to the Planning Board on one of the following options:

- Amend the current permitted use language for the Low-Density Country Residential under Section 60-201(a) to allow two-family dwellings.
- Amend the buildings per lot language (above) under Section 60-34 to specifically allow an additional one-family detached dwelling in all zoning districts (not just those that permit two-families) where a single-family dwelling currently exists on the lot.



Lastly, the Planning Board voted unanimously (6-0) to recommend the City Council *not* pursue two-family dwellings in the Agriculture/Resource Protection District because it is not supported by the Comprehensive Plan.

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**City Budgetary Impacts:** None immediately but creates potential for future tax revenues with additional units.

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**Staff Recommended Action:** Consider Planning Board recommended language under Section 60-34, provide a

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**Previous Meetings and History:** March 1, 2021 – City Council Workshop, March 9, 2021 – Planning Board Meeting, March 15, 2021 City Council Meeting, March 25, 2021 Planning Board Meeting.

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**City Manager Comments:**



I concur with the recommendation. Signature:

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**Attachments:** March 25, 2021 Planning Board Staff Report



## City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

[www.auburnmaine.gov](http://www.auburnmaine.gov) | 207.333.6601

To: Auburn Planning Board  
From: Megan Norwood, City Planner and Eric Cousens, Director of Planning and Permitting  
Re: Secondary Dwelling Unit Ordinance Provision  
Date: March 25, 2021

- I. PROPOSAL:** The Planning Board reviewed this information at the February meeting as a workshop item, at the March 9<sup>th</sup> meeting the Planning Board held a public hearing and discussed some proposed language and also the process for initiating these changes. As the Board is aware, the City Council held a workshop on March 1, 2021 and requested the Planning Board review and offer a recommendation on allowing secondary dwellings on residential properties in the City. As part of this discussion, the City Council asked the Planning Board to consider requiring shared driveways (but allowing for reasonable exceptions) and adding the Two-Family allowance to the Low Density Country Residential and Agriculture and Resource Protection Zones for existing nonconforming homes. The Planning Board requested a formal vote by the City Council on this item, which was conducted at their March 15<sup>th</sup> meeting.
- II. BACKGROUND (February Meeting):** As part of the initiative to increase housing opportunities in the City, the City Council is considering amending the provision under Section 60-34 of the Auburn Code of Ordinances (*Buildings per Lot*) to allow secondary dwelling units on parcels in residential zoning districts that permit two-families. Under the current language, in all residential zoning districts (except multifamily districts) a “two-family” would only be permitted if it were in the one building.

Here is where the Planning Board left off with proposed language at the March 9<sup>th</sup> meeting:

Sec. 60-34. - Buildings per lot.

No more than one principal building shall be erected on any lot except that a multifamily building or developments approved under division 9 or a second one-family detached dwelling unit where a single-family dwelling unit currently exists and two-families are permitted and/or developments approved under division 9 of article IV of this chapter. The second one-family detached dwelling unit shall share a driveway curb cut with the primary dwelling unless it is determined that another driveway location could provide safer than the existing driveway.

Here is the current language:

Sec. 60-34. - Buildings per lot.

No more than one principal building shall be erected on any lot in residential zoning districts except in the case of multifamily buildings and/or developments approved under divisions 10 and 11 of article IV of this chapter.

Here is a suggested edit to the Planning Board draft language:

Sec. 60-34. – Buildings per lot.

No more than one principal building shall be erected on any lot in any residential zoning district except for:

- (1) Multifamily buildings or developments approved under division 9 of article IV of this chapter;
- (2) An additional one-family detached dwelling in a zoning district where two-families are permitted and a single-family dwelling unit currently exists on the lot.

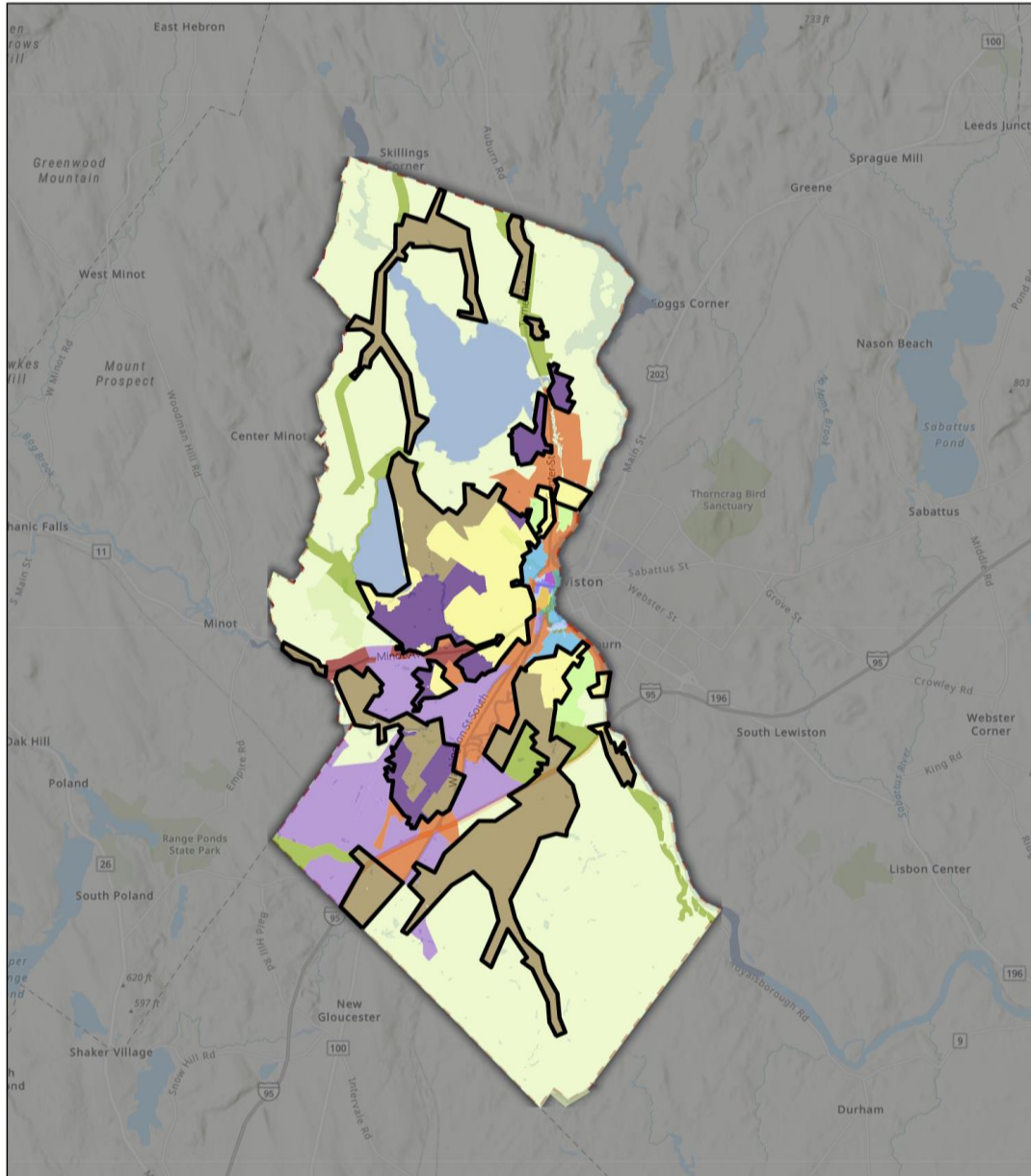
The additional one-family detached dwelling unit shall share a driveway curb cut with the primary dwelling unless it is determined that another driveway location could provide safer access than the existing driveway.

The suggested text provided by Staff would require a shared driveway unless there is a deficiency in the existing driveway (slopes, sight distance, emergency access, etc) identified that would not exist at another location on the lot. Staff could

consult the City Engineer, Police or Fire Departments in making this determination as we do for other development reviews.

Currently, only one principal building is permitted on a lot in all residential zoning districts, except Multifamily Urban and Multifamily Suburban. This change would allow secondary dwellings in the following districts:

- Low Density Rural Residential
- Suburban Residence
- Urban Residence



1/29/2021, 10:56:48 AM

— Override 1

Zoning

- AG - Agriculture and Resource Protection
- DE - Downtown Enterprise
- GB - General Business
- GB II - General Business II
- ID - Industrial
- LDCR - Low Density Country Residential
- MFS - Multi-Family Suburban
- MFU - Multi-Family Urban

- NB - Neighborhood Business
- RR - Rural Residential
- SR - Suburban Residential
- UR - Urban Residential
- T-4.1 - Traditional Mainstreet Neighborhood
- T-4.2 - Traditional Downtown Neighborhood
- T-5.1 - Downtown Traditional Center
- T-5.2 - Downtown City Center
- T-6 - Great Falls Metropolitan
- C/O-S - Conservation / Open Space

1:144,448  
0 1 2 4 mi  
0 1.75 3.5 7 km

Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA  
Esri, NASA, NGA, USGS

Secondary dwelling units are also permitted in the Form-Based Code Districts and General Business I & II but those do not fall under the umbrella of “residential districts.” At the last meeting, the Planning Board wanted to see what areas of the City the suggested edit would permit secondary dwellings in, all of the areas within the black boxes are existing residential districts that permit two-family dwellings and would allow them to be in separate buildings if this provision is amended (*see below*).

The Mayor and Council also requested that the Planning Board consider adding the Two-Family use allowance to two additional zones, the Low Density Country Residential and Agriculture and Resource Protection Zones for existing nonconforming homes. It seems logical to allow for two unit homes in all residential zoning districts, including the LDCR zone and staff recommends adding this use.

Currently, there is one allowance for a second unit in the AGRP zone within an existing residence in Section 60-145(a)(13): Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.

Although we do not know the history of the provision, there is a similar provision in other residential districts to allow for an extra unit within the walls of a pre-1958 home, that lacks the lot size for a second unit, in an effort to make use of larger existing homes where there is extra existing living space. Allowing a second, non-conforming home would increase a non-conformity in the AG district and would not follow zoning best practices. It seems unfair that a non-conforming home owner could add a second new home on a lot in a zone that does not allow for new homes when their neighbor on a vacant lot cannot add a single home based on adopted City Ordinances and Policy. Staff does not recommend this.

## **II. DEPARTMENT REVIEW:**

- Police - No Comments
- Auburn Water and Sewer – No Comments
- Fire Department/Code Enforcement – No Comments
- Engineering – No Comments
- Public Services - No Comments
- Airport – No Comments
- 911 - No Comments

## **III. PLANNING BOARD ACTION/STAFF SUGGESTIONS:** Staff suggests the Planning Board offer a recommendation to the City Council on an ordinance for secondary dwelling units. Staff offers the following language:

Here is a suggested edit to the Planning Board draft language:

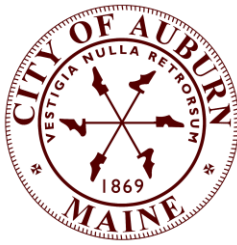
Sec. 60-34. – Buildings per lot.

No more than one principal building shall be erected on any lot in any residential zoning district except for:

- (1) Multifamily buildings or developments approved under division 9 of article IV of this chapter;
- (2) An additional one-family detached dwelling in a zoning district where two-families are permitted and a single-family dwelling unit currently exists on the lot.

The additional one-family detached dwelling unit shall share a driveway curb cut with the primary dwelling unless it is determined that another driveway location could provide safer access than the existing driveway.

Per the City Council recommendation, Staff also recommends the Planning Board consider adding language to Two-Family Homes in the LDCR zoning District.



# City Council Ordinance

## IN CITY COUNCIL

### Amending the Code of Ordinances, Sec. 60-34 – Buildings per lot

**Be it ordained**, that the City Council hereby amends the Code of Ordinances, Sec. 60-34 – Buildings per lot as follows:

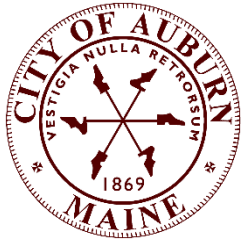
Sec. 60-34. - Buildings per lot.

No more than one principal building shall be erected on any lot in residential zoning districts except ~~in the case of~~ for:

- (1) Multifamily buildings and/or developments approved under divisions ~~s 10 and 11~~ 9 of article IV of this chapter;
- (2) An additional one-family detached dwelling in a zoning district where two-families are permitted, and a single-family dwelling currently exists on the lot.

The additional one-family detached dwelling unit shall share a driveway curb cut with the pre-existing dwelling unless it is determined that another driveway location could provide safer access than the existing driveway.





## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** April 5, 2021

**Subject:** Executive Session

**Information:** Property acquisition, pursuant to 1 M.R.S.A. Section 405(6) (C).

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

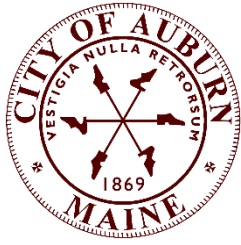
D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.



## City of Auburn City Council Information Sheet

**Council Workshop or Meeting Date:** April 5, 2021

**Subject:** Executive Session

**Information:** Economic Development, pursuant to 1 M.R.S.A. Section 405(6) (C).

**Executive Session:** On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405(6). Those applicable to municipal government are:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present. This paragraph does not apply to discussion of a budget or budget proposal;

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions;

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.