



**City Council Workshop & Meeting
December 2, 2019
Agenda**

5:30 P.M. City Council Workshop

- A. Executive Session-Economic development (North River Road Project), pursuant to 1 M.R.S.A. §405(6)(C) – Michael Chammings (20 minutes)
- B. Executive Session-Economic development (AIP), pursuant to 1 M.R.S.A. §405(6)(C) – Michael Chammings (20 minutes)
- C. Tax Acquired Property – Eric Cousens and Kelsey Earle (20 minutes)
- D. Proposed Agricultural Zone Ordinance Change and Lake Auburn Overlay – Peter Crichton (15 minutes)

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

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 137-12022019***
Confirming Chief Moen's appointment of Deanne B. Peck as a Constable with firearm for the Auburn Police Department.
 - 2. **Order 138-12022019***
Confirming Chief Moen's appointment of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn.
 - 3. **Order 139-12022019***
Appointing Bryan Bachelder as the Local Sealer of Weights and Measures with a term expiration of December 31, 2020.
- II. **Minutes** – November 18, 2019
- III. **Communications, Presentations and Recognitions**
 - Recycling Ad hoc Committee Update – Phil Crowell
- IV. **Open Session** – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- V. **Unfinished Business**

1. **Ordinance 15-11182019**
Amending Chapter 60, Article XII, Division 5. Shoreland Overlay District (SLO), Sec. 60-1003. - Timber harvesting. Public hearing and second reading.
2. **Ordinance 16-11182019**
Amending Chapter 60, Sec. 60-2 Definitions in the Agriculture and Resource Protection District (AGRP). First reading.
3. **Ordinance 17-11182019**
Amending Chapter 60, Sec.60-145 Use Regulations in the Agriculture and Resource Protection District (AGRP). First reading.
4. **Ordinance 18-11182019**
Amending Sec. 60-146 Dimensional Regulations in the Agriculture and Resource Protection District (AGRP). First reading.
- VI. **New Business**
 1. **Ordinance 19-12022019**
Amending Chapter 60, Article XII. Division 4, Lake Auburn Watershed Overlay District, Sec.60-952 & Sec.60-953. First reading.
 2. **Ordinance 20-12022019**
Adopting the Agricultural Committee Ordinance. First reading.
 3. **Resolve 11-12022019**
Supporting the Proposed Public Arts Plan.
 4. **Resolve 12-12022019**
Establishing the L.A. 911 funding formula.
 5. **Order 140-12022019**
Approving a waiver of tax lien foreclosure on Auburn Business Development Corporations property at the Auburn Enterprise Center.
- VII. **Reports**
 - a. **Mayor's Report**
 - b. **City Councilors' Reports**
 - c. **City Manager Report**
- VIII. **Open Session** - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not on this agenda*.
- IX. **Executive Session** - None
- X. **Adjournment**



City of Auburn
City Council Information Sheet

Council Workshop or Meeting Date: December 2, 2019

Subject: Executive Session

Information: Economic development (North River Road Project), 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: December 2, 2019

Subject: Executive Session

Information: Economic development (Auburn Industrial Park), 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: December 2, 2019

Author: Eric Cousens, Deputy Director of Economic & Community Development &
Kelsey Earle, Executive Assistant to the City Manager

Subject: Disposition of Tax Acquired and City Owned Property

Information: The Tax Acquired Committee is recommending Six (6) properties for disposition with a combined total \$46,945.23 in property taxes and CDBG balances owed to the City.

City Budgetary Impacts: There is no negative impact to the city budget for the potential sale of tax acquired properties. The known positive impacts of selling tax acquired properties are recouping taxes owed, associated fees, and getting the property back on the tax roll.

Staff Recommended Action: Staff recommends the following:

1. To dispose of the following properties by sealed bid to abutters only: PID#191-087 Reginald Street
 2. To dispose of the following properties by sealed bid: 0 Court Street PID# 218-017, 31 Beck Avenue PID# 208-045, 16 Albiston Way PID# 220-103, 72 Gill Street PID# 211-125, 325 Turner Street PID# 250-177.
-

Previous Meetings and History: None.

City Manager Comments:

I concur with the recommendation.

Signature:

A handwritten signature in blue ink that reads "Peter J. Cusitto".

Attachments:

Memorandum Dated November 26, 2019 – Disposition of Tax Acquired Property
Tax Acquired Committee Recommendation Form for each property
Tax Statements for each property
Property Review Form for each property



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

207.333.6601 | www.auburnmaine.gov

MEMORANDUM

TO: Mayor Levesque and Honorable Members of the Auburn City Council

CC: Peter Crichton, City Manager and Jill Eastman, Finance Director

FROM: Kelsey Earle, Executive Assistant to the City Manager

RE: Disposition of Tax Acquired and City Owned Property

DATE: November 26, 2019

Enclosed you will find the supporting documentation on six (4) tax acquired properties and two (2) city owned properties that the Tax Acquired Property Committee has recommended for disposition. The six (6) properties combined total \$46,945.23 in property taxes and CDBG balances owed to the City. Following below are brief summaries of each property being presented to Council for disposition:

31 Beck Avenue & 0 Court Street (PID #'s 208-045 & 218-017) - The combined total balance due is \$10,601.52. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. A release deed was given for both properties. The committee recommends selling as a package by sealed bid.

16 Albiston Way (PID # 220-103) - The total due is \$15,576.50. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. A release deed was given for the property. The committee recommends selling by sealed bid.

72 Gill Street (PID # 211-125) - The total due is \$12,152.64. Enclosed you will find the property details, committee recommendation, and tax acquired property review form. The last tax payment was on 4/23/2018. The committee recommends selling by sealed bid.

Reginald Street (PID # 191-087) - There is nothing currently owed. Enclosed you will find the property details, committee recommendation, and city owned property review form. The committee recommends selling by sealed bid to abutters only.

325 Turner Street (PID # 250-177) - The total due is \$8,614.57 in CDBG loans. Enclosed you will find the property details, committee recommendation, and city owned property review form. The committee recommends selling by sealed bid.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Tax Acquired Property Review Form

ADDRESS: 31 Beck Ave.

PID#: 208-045

DESCRIPTION: This property contains 0.870 acres of land mainly classified as URBAN HSLT with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

BALANCE DUE: \$3,869.95

1. Is the property either unfit or unnecessary for City use?

Yes.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

No.

5. Are there environmental liabilities or hazards present on the site?

No.

6. Does the property have investment or marketable value?

Yes.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

7. Are there uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

Yes, houselot.

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No.

OTHER CONCERNS:

NOTES:



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Section 3.5 Committee Action/Recommendations. The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

PARCEL ID:	208-045	Location:	31 Beck Avenue	
Acreage	0.870	Zone:		
Current Assessed Land Value:	\$26,800	Current Assessed Building Value:	\$	-
Total Land & Bldg. Value:	\$26,800	Minimum Bid: Combined	\$10,610	

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

Notes: Committee recommends selling as package with Court Street property PID 218-017 with a combined minimum bid of \$10,610.

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 208-045 Account Number 208045000
Prior Parcel ID --
Property Owner CROSSLEY E NEIL, PARTY IN POSSESSI Property Location 31 BECK AV
Mailing Address PO BOX 757 Property Use URBAN HSLT
Most Recent Sale Date 7/19/1996
City WINDHAM Legal Reference 3681-21
Grantor CROSSLEY, ELMER N
Mailing State ME Zip 04062 Sale Price 0
ParcelZoning Land Area 0.870 acres

Current Property Assessment

Card 1 Value Building Value 0 Xtra Features Value 0 Land Value 26,800 Total Value 26,800

Building Description

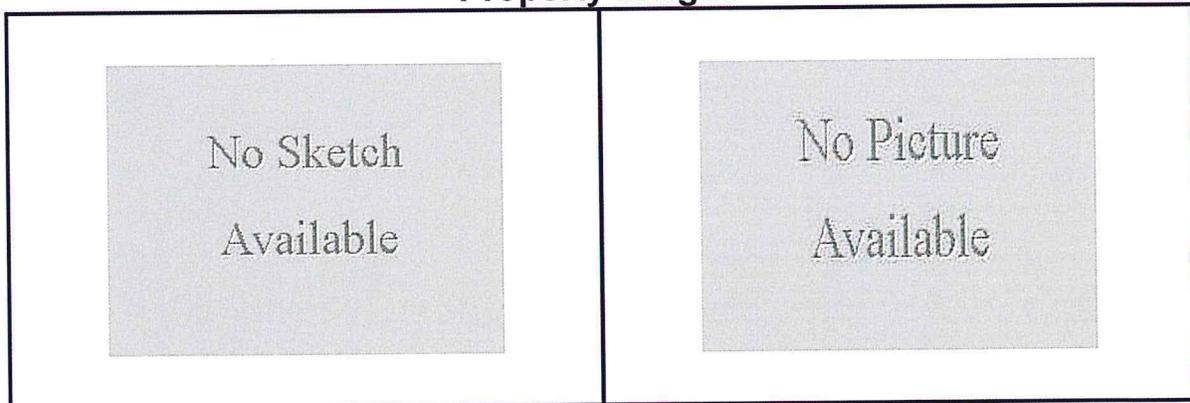
Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units N/A	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.870 acres of land mainly classified as URBAN HSLT with a(n) N/A style building, built about N/A, having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

10/29/2019 09:02
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 208-045-000-000

LOCATION: 31 BECK AVE

OWNER:
AUBURN CITY OF
60 COURT ST
AUBURN ME 04210

STATUS:
SQUARE FEET: 0
LAND VALUATION: 26,800
BUILDING VALUATION: 0
EXEMPTIONS: 26,800
TAXABLE VALUATION: 0
INTEREST PER DIEM .57

LEGAL DESCRIPTION:

DEED DATE: 10/24/2018 BOOK/PAGE: 9963-71

INT DATE: 10/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2019	RE-R	2996				
1	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
			.00	.00	.00	.00
2018	LIEN	31				
1	RETAX TL		634.62	634.62	14.85	649.47
	CERTMA		6.80	6.80	.00	6.80
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		23.91	23.91	.00	23.91
			719.33	719.33	14.85	734.18
2017	LIEN	106				
1	RETAX TL		616.13	616.13	56.84	672.97
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		23.57	23.57	.00	23.57
			700.37	700.37	56.84	757.21
2016	LIEN	127				
1	RETAX TL		598.98	598.98	97.07	696.05
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		23.84	23.84	.00	23.84
			683.38	683.38	97.07	780.45
2015	LIEN	99				
1	RETAX TL		569.50	569.50	134.56	704.06
	CERTMA		6.47	6.47	.00	6.47

10/29/2019 09:02
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 2
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		19.98	19.98	.00	19.98
			649.95	649.95	134.56	784.51
2014	LIEN	108				
1	RETAX TL		561.46	561.46	171.96	733.42
	CERTMA		6.48	6.48	.00	6.48
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		19.70	19.70	.00	19.70
			641.64	641.64	171.96	813.60
2013	LIEN	253				
1	RETAX TL		547.52	.00	.00	PAID
	CERTMA		6.48	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	LNCHG TL		51.00	.00	.00	PAID
	INTTL		19.80	.00	.00	PAID
			627.80	.00	.00	.00
2012	LIEN	109				
1	RETAX TL		525.01	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERTMA		6.11	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	INTTL		18.67	.00	.00	PAID
			591.79	.00	.00	.00
2011	LIEN	110				
1	RETAX TL		587.52	.00	.00	PAID
	CERTMA		5.75	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	LNCST - TL		5.75	.00	.00	PAID
	INTTL		21.29	.00	.00	PAID
			662.31	.00	.00	.00
2010	LIEN	20100093				
1	RETAX TL		584.79	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.59	.00	.00	PAID
	CERTMA		5.59	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	INTTL		20.69	.00	.00	PAID
			658.66	.00	.00	.00
2009	LIEN	20090091				
1	RETAX TL		554.79	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERTMA		5.54	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	INTTL		26.74	.00	.00	PAID

10/29/2019 09:02
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 3
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
	REDFEE		3.00	.00	.00	PAID
	TLCERT		5.59	.00	.00	PAID
			637.66	.00	.00	.00
2008	LIEN	2008098				
1	RETAX TL		638.31	.00	.00	PAID
	TLCERT		5.54	.00	.00	PAID
			643.85	.00	.00	.00
2007	LIEN	2007142				
1	RETAX TL		584.18	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.32	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	CERFT TL		5.32	.00	.00	PAID
	INTTL		37.64	.00	.00	PAID
	CERTIFIED		5.54	.00	.00	PAID
	FORECL		3.00	.00	.00	PAID
			683.00	.00	.00	.00
2006	LIEN	2006113				
1	RETAX TL		305.76	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.21	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	CERFT TL		5.21	.00	.00	PAID
	INTTL		9.77	.00	.00	PAID
	UNKNOWN		5.32	.00	.00	PAID
	FORECL		3.00	.00	.00	PAID
			376.27	.00	.00	.00
2005	RE-R	902394				
1	RE TAX		320.04	.00	.00	PAID
	LIEN COSTS		.00	.00	.00	.00
			320.04	.00	.00	.00
2	RE TAX		320.04	.00	.00	PAID
	LIEN COSTS		.00	.00	.00	.00
			320.04	.00	.00	.00
			640.08	.00	.00	.00
2004	RE-R	902395				
1	RE TAX		308.49	.00	.00	PAID
	LIEN COSTS		36.42	.00	.00	PAID
			344.91	.00	.00	.00
2	RE TAX		308.49	.00	.00	PAID
	LIEN COSTS		.00	.00	.00	.00
			308.49	.00	.00	.00

10/29/2019 09:02
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 4
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
			653.40	.00	.00	.00
2003	RE-R	902396				
1	RE TAX		308.49	.00	.00	PAID
	LIEN COSTS		54.68	.00	.00	PAID
			363.17	.00	.00	.00
2	RE TAX		308.49	.00	.00	PAID
	LIEN COSTS		.00	.00	.00	.00
			308.49	.00	.00	.00
			671.66	.00	.00	.00
GRAND TOTALS			10,241.15	3,394.67	475.28	3,869.95



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Tax Acquired Property Review Form

ADDRESS: Court St.

PID#: 218-017

DESCRIPTION: This property contains 4.950 acres of land mainly classified as URBAN HSLT with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

BALANCE DUE: \$6,731.57

1. Is the property either unfit or unnecessary for City use?

Yes.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

No.

5. Are there environmental liabilities or hazards present on the site?

No.

6. Does the property have investment or marketable value?

Yes.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

7. Are there uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

Yes, Multiple

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No.

OTHER CONCERNS:

NOTES:



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Committee recommends selling as package with Court Street property PID 218-017 with a combined minimum bid of \$10,602. **Section 3.5 Committee Action/Recommendations.** The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

PARCEL ID:	218-017	Location:	Court Street	
Acreage	4.950	Zone:		
Current Assessed Land Value:	\$48,300	Current Assessed Building Value:	\$	-
Total Land & Bldg. Value:	\$48,300	Minimum Bid: Combined	\$10,610	

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

Notes: Committee recommends selling as package with 31 Beck Avenue with a combined minimum bid of \$10,610.

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 218-017 Account Number 218017000
Prior Parcel ID --
Property Owner CROSSLEY E NEIL, PARTY IN POSSESSI Property Location COURT ST
Mailing Address PO BOX 757 Property Use URBAN HSLT
Most Recent Sale Date 7/19/1996
City WINDHAM Legal Reference 3681-21
Grantor CROSSLEY, ELMER N TRUSTEE
Mailing State ME Zip 04062 Sale Price 0
ParcelZoning Land Area 4.950 acres

Current Property Assessment

Card 1 Value Building Value 0 Xtra Features Value 0 Land Value 48,300 Total Value 48,300

Building Description

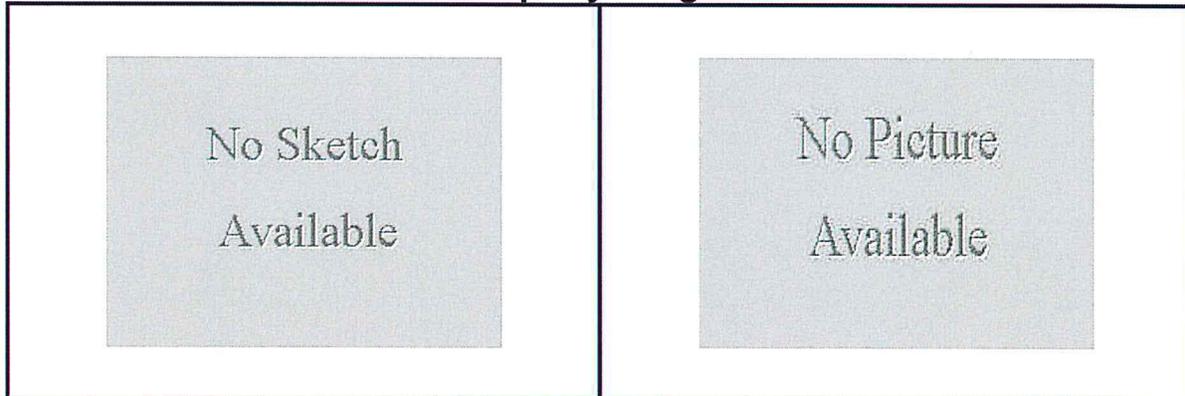
Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units N/A	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 4.950 acres of land mainly classified as URBAN HSLT with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

10/29/2019 09:01
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 218-017-000-000

LOCATION: COURT ST

OWNER:
AUBURN CITY OF
60 COURT ST
AUBURN ME 04210

STATUS:
TOTAL ACRES: 4.950
DEFERRED ACRES: .000
LAND VALUATION: 48,300
BUILDING VALUATION: 0
EXEMPTIONS: 48,300
TAXABLE VALUATION: 0
INTEREST PER DIEM 1.03

LEGAL DESCRIPTION:

DEED DATE: 10/24/2018 BOOK/PAGE: 9963-72

INT DATE: 10/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2019	RE-R	3956				
1	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
			.00	.00	.00	.00
2018	LIEN	35				
1	RETAX TL		1,143.74	1,143.74	26.76	1,170.50
	CERTMA		6.80	6.80	.00	6.80
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		43.11	43.11	.00	43.11
			1,247.65	1,247.65	26.76	1,274.41
2017	LIEN	105				
1	RETAX TL		1,110.42	1,110.42	102.43	1,212.85
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		42.48	42.48	.00	42.48
			1,213.57	1,213.57	102.43	1,316.00
2016	LIEN	164				
1	RETAX TL		1,079.51	1,079.51	174.94	1,254.45
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		42.96	42.96	.00	42.96
			1,183.03	1,183.03	174.94	1,357.97
2015	LIEN	140				
1	RETAX TL		1,026.38	1,026.38	242.51	1,268.89
	CERTMA		6.47	6.47	.00	6.47

10/29/2019 09:01
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 2
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		36.02	36.02	.00	36.02
			1,122.87	1,122.87	242.51	1,365.38
2014	LIEN	145				
1	RETAX TL		1,011.89	1,011.89	309.92	1,321.81
	CERTMA		6.48	6.48	.00	6.48
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		35.52	35.52	.00	35.52
			1,107.89	1,107.89	309.92	1,417.81
2013	LIEN	254				
1	RETAX TL		986.77	.00	.00	PAID
	CERTMA		6.48	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	LNCHG TL		51.00	.00	.00	PAID
	INTTL		35.67	.00	.00	PAID
			1,082.92	.00	.00	.00
2012	LIEN	108				
1	RETAX TL		946.20	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERTMA		6.11	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	INTTL		33.66	.00	.00	PAID
			1,027.97	.00	.00	.00
2011	LIEN	111				
1	RETAX TL		1,091.66	.00	.00	PAID
	CERTMA		5.75	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	LNCST - TL		5.75	.00	.00	PAID
	INTTL		39.57	.00	.00	PAID
			1,184.73	.00	.00	.00
2010	LIEN	20100092				
1	RETAX TL		1,086.59	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.59	.00	.00	PAID
	CERTMA		5.59	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	INTTL		38.44	.00	.00	PAID
			1,178.21	.00	.00	.00
2009	LIEN	20090092				
1	RETAX TL		1,030.85	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERTMA		5.54	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	INTTL		49.69	.00	.00	PAID

10/29/2019 09:01
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 3
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
	REDFEE		3.00	.00	.00	PAID
	TLCERT		5.59	.00	.00	PAID
			1,136.67	.00	.00	.00
2008	LIEN	2008099				
1	RETAX TL		1,145.24	.00	.00	PAID
	TLCERT		5.54	.00	.00	PAID
			1,150.78	.00	.00	.00
2007	LIEN	2007144				
1	RETAX TL		1,085.46	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.32	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	CERFT TL		5.32	.00	.00	PAID
	INTTL		69.95	.00	.00	PAID
	CERTIFIED		5.54	.00	.00	PAID
	FORECL		3.00	.00	.00	PAID
			1,216.59	.00	.00	.00
2006	LIEN	2006112				
1	RETAX TL		550.31	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.21	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	CERFT TL		5.21	.00	.00	PAID
	INTTL		17.58	.00	.00	PAID
	UNKNOWN		5.32	.00	.00	PAID
	FORECL		3.00	.00	.00	PAID
			628.63	.00	.00	.00
2005	RE-R	902397				
1	RE TAX		518.16	.00	.00	PAID
	LIEN COSTS		.00	.00	.00	.00
			518.16	.00	.00	.00
2	RE TAX		518.16	.00	.00	PAID
	LIEN COSTS		.00	.00	.00	.00
			518.16	.00	.00	.00
			1,036.32	.00	.00	.00
2003	RE-R	902398				
1	RE TAX		499.46	.00	.00	PAID
	LIEN COSTS		54.68	.00	.00	PAID
			554.14	.00	.00	.00
2	RE TAX		499.46	.00	.00	PAID
	LIEN COSTS		.00	.00	.00	.00
			499.46	.00	.00	.00

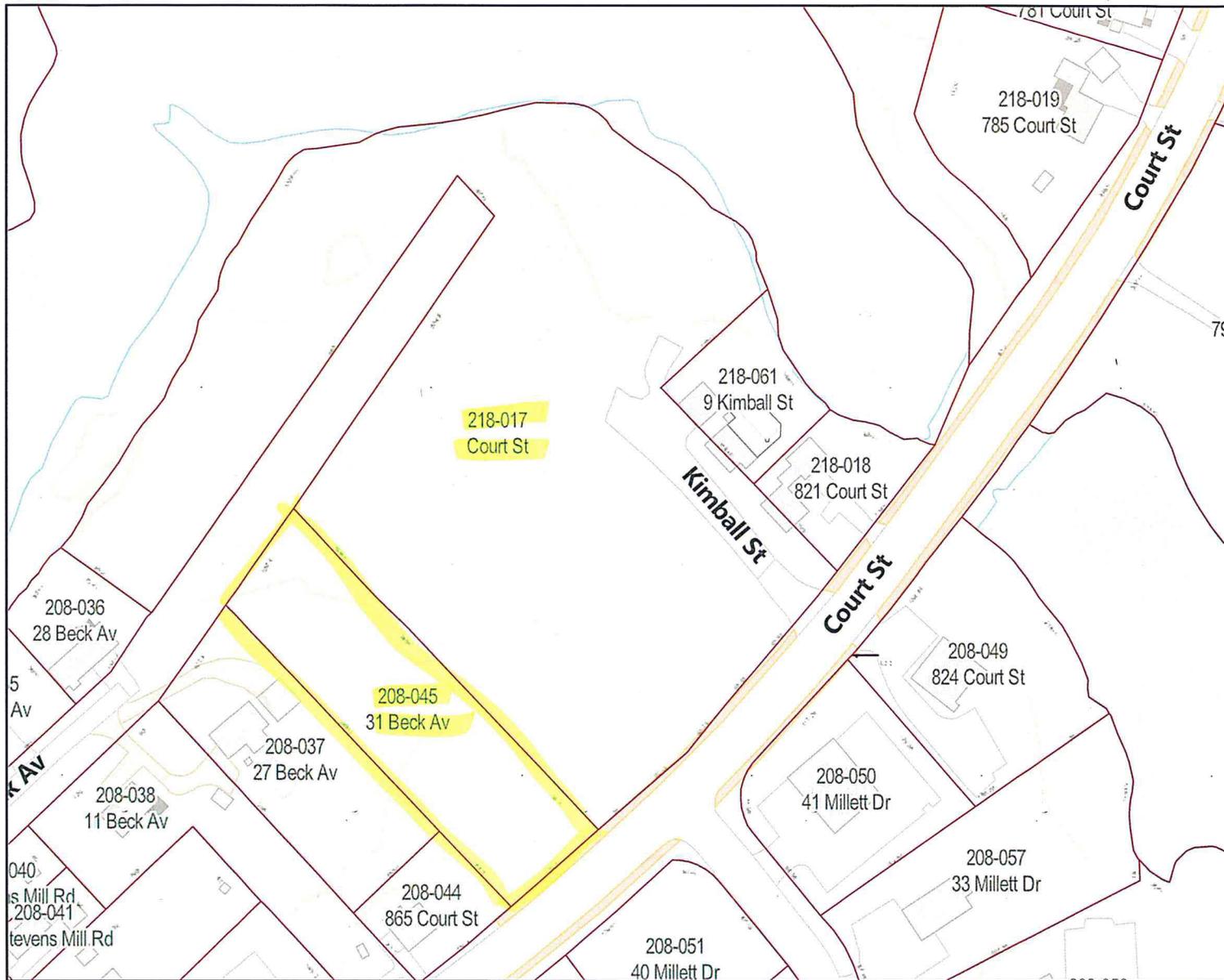
10/29/2019 09:01
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 4
txtaxstm

YEAR TYPE INST CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
		1,053.60	.00	.00	.00
GRAND TOTALS		16,571.43	5,875.01	856.56	6,731.57

City of Auburn, Parcel Viewer



11/26/2019, 8:25:50 AM

Parcels Assessing Data

Contours - 10 Ft.



Esri Canada, Esri,

RELEASE DEED

P.O. Box 757
Windham, ME 04062

NEILL CROSSLEY, an individual with a mailing address of _____, Auburn, Maine,
for consideration paid, hereby releases to the CITY OF AUBURN, a Maine municipal corporation with
its principal offices at 60 Court Street, Auburn, Maine, for good and valuable consideration
received, all right, title and interest, hereby waiving any and all objections to the foreclosure of the
City of Auburn's tax liens, the following real estate situated in Auburn, County of Androscoggin, and
State of Maine, as described as follows:

PARCEL ONE: 31 Beck Street

The real estate described in a Tax Collector's Lien Certificate recorded in the Androscoggin
County Registry of Deeds in Book ^{9384/99} __, Page __, and further identified as Tax Map ^{208/045} __, Lot __, of the
Assessor's Tax Maps on file at the Assessor's office in the City of Auburn, Maine.

PARCEL TWO: Court Street

The real estate described in a Tax Collector's Lien Certificate recorded in the Androscoggin
County Registry of Deeds in Book ^{9384 138} __, Page __, and further identified as Tax Map ^{218 017} __, Lot __, of the
Assessor's Tax Maps on file at the Assessor's office in the City of Auburn, Maine.

In Witness Whereof, the undersigned has hereunto set its hand effective this 24th day of October,
2018.

WITNESS:

John Castman

Neill Crossley
Neill Crossley

STATE OF MAINE
ANDROSCOGGIN, SS.

October 24, 2018

Then personally appeared before me the above-named Neill Crossley and acknowledged the
foregoing instrument to be his free act and deed in his said capacity.

Before me,

Nancy Lee Bosse
Notary Public **NANCY LEE BOSSE**
Print: _____ Notary Public, State of Maine
My Commission Expires **January 29, 2023**

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

SEAL

NO MAINE R.E. TRANSFER TAX PAID

RELEASE DEED

P.O. Box 757 04062
Windham, ME, Auburn, Maine,

NEILL CROSSLEY, an individual with a mailing address of
for consideration paid, hereby releases to the CITY OF AUBURN, a Maine municipal corporation with
its principal offices at 60 Court Street, Auburn, Maine, for good and valuable consideration
received, all right, title and interest, hereby waiving any and all objections to the foreclosure of the
City of Auburn's tax liens, the following real estate situated in Auburn, County of Androscoggin, and
State of Maine, as described as follows:

PARCEL ONE: 31 Beck Street

The real estate described in a Tax Collector's Lien Certificate recorded in the Androscoggin
County Registry of Deeds in Book 9158/142 Page 208/015 and further identified as Tax Map 208/015, Lot 208/015, of the
Assessor's Tax Maps on file at the Assessor's office in the City of Auburn, Maine.

PARCEL TWO: Court Street

The real estate described in a Tax Collector's Lien Certificate recorded in the Androscoggin
County Registry of Deeds in Book 9158/178 Page 218/017 and further identified as Tax Map 218/017, Lot 218/017, of the
Assessor's Tax Maps on file at the Assessor's office in the City of Auburn, Maine.

In Witness Whereof, the undersigned has hereunto set its hand effective this 24th day of October,
2018.

WITNESS:

Jeeth Eastman

Neill Crossley
Neill Crossley

STATE OF MAINE
ANDROSCOGGIN, SS.

October 24, 2018

Then personally appeared before me the above-named Neill Crossley and acknowledged the
foregoing instrument to be his free act and deed in his said capacity.

Before me,

Nancy Boose

Notary Public

Print:

My Commission Expires:

SEAL

NANCY LEE BOSSE

Notary Public, State of Maine

My Commission Expires January 29, 2023

NO MAINE R.E. TRANSFER TAX PAID



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Tax Acquired Property Review Form

ADDRESS: 16 Albiston Way

PID#: 220-103

DESCRIPTION: This property contains 1.070 acres of land mainly classified as INDUSTRIAL with a(n) MATERIAL STRG style building, built about 1887 , having ASPHALT exterior and TAR+GRAVEL roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

BALANCE DUE: \$15,576.50

1. Is the property either unfit or unnecessary for City use?

Unnecessary.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

No. Building has been demolished.

5. Are there environmental liabilities or hazards present on the site?

No.

6. Does the property have investment or marketable value?

Limited.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

7. Are there uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

Yes.

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No.

OTHER CONCERNS:

NOTES: City demolished dangerous building on site at a cost of \$74,369.95. Committee recommends selling through a sealed bid process.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Section 3.5 Committee Action/Recommendations. The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

PARCEL ID:	220-103	Location:	16 Albiston Way	
Acreage	1.070	Zone:		
Current Assessed Land Value:	\$31,500	Current Assessed Building Value:	\$	-
Total Land & Bldg. Value:	\$31,500	Minimum Bid:	\$20,000	

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

Notes: The City demolished the dangerous building that formerly occupied this lot. The Committee is now recommending that the lot be sold through a sealed bid process.

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 220-103	Account Number 220103000
Prior Parcel ID --	Property Location 16 ALBISTON WY
Property Owner MAPLELEAF ENTERPRISE INC	Property Use INDUSTRIAL
Mailing Address PO BOX 141	Most Recent Sale Date 5/22/2015
City DOWNINGTOWN	Legal Reference 9144-200
Mailing State PA Zip 19335	Grantor MYRICK,RITA
ParcelZoning	Sale Price 30,000
	Land Area 1.070 acres

Current Property Assessment

Card 1 Value Building Value 115,000	Xtra Features Value 0	Land Value 31,500	Total Value 146,500
--	------------------------------	--------------------------	----------------------------

Building Description

Building Style MATRIAL STRG	Foundation Type BRICK	Flooring Type N/A
# of Living Units 0	Frame Type WOOD	Basement Floor N/A
Year Built 1887	Roof Structure FLAT	Heating Type NONE
Building Grade FAIR	Roof Cover TAR+GRAVEL	Heating Fuel NONE
Building Condition Fair	Siding ASPHALT	Air Conditioning 0%
Finished Area (SF) 28250	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

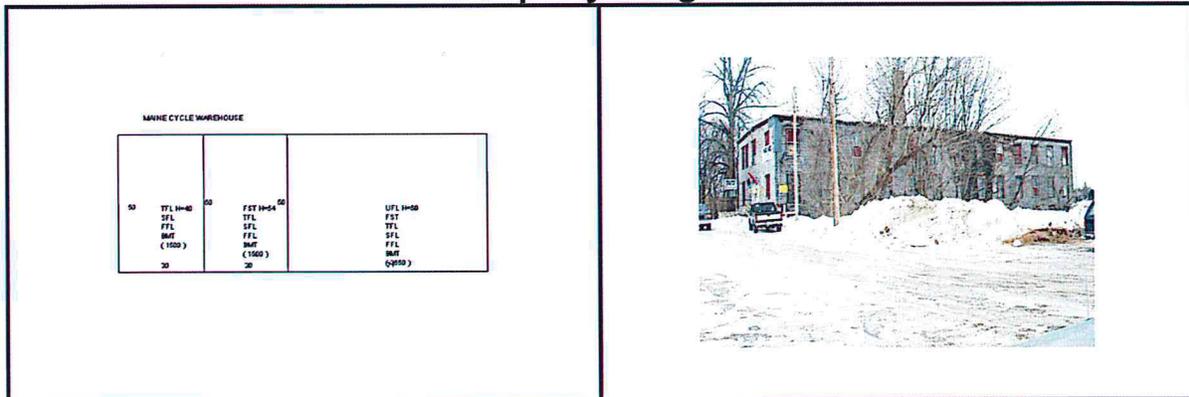
Legal Description

MAINE CYCLE WAREHOUSE 2013-VACANT

Narrative Description of Property

This property contains 1.070 acres of land mainly classified as INDUSTRIAL with a(n) MATRIAL STRG style building, built about 1887 , having ASPHALT exterior and TAR+GRAVEL roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

10/29/2019 09:03
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 220-103-000-000

LOCATION: 16 ALBISTON WAY

OWNER:
AUBURN CITY OF
60 COURT ST
AUBURN ME 04210

STATUS:
SQUARE FEET: 0
LAND VALUATION: 29,600
BUILDING VALUATION: 115,000
EXEMPTIONS: 144,600
TAXABLE VALUATION: 0
INTEREST PER DIEM: 2.54

LEGAL DESCRIPTION:

DEED DATE: 11/13/2018 BOOK/PAGE: 9991-202

INT DATE: 10/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2019	RE-R	4300				
1	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
			.00	.00	.00	.00
2018	LIEN	225				
1	RETAX TL		3,424.13	3,424.13	80.12	3,504.25
	CERTMA		6.80	6.80	.00	6.80
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		129.04	129.04	.00	129.04
			3,613.97	3,613.97	80.12	3,694.09
2017	LIEN	252				
1	RETAX TL		3,368.04	3,368.04	310.69	3,678.73
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		128.87	128.87	.00	128.87
			3,557.58	3,557.58	310.69	3,868.27
2016	LIEN	180				
1	RETAX TL		3,274.28	3,274.28	530.61	3,804.89
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		130.29	130.29	.00	130.29
			3,465.13	3,465.13	530.61	3,995.74
2015	LIEN	158				
1	RETAX TL		3,113.13	3,113.13	735.55	3,848.68
	CERTMA		6.47	6.47	.00	6.47

10/29/2019 09:03
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 2
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		109.25	109.25	.00	109.25
			3,282.85	3,282.85	735.55	4,018.40
2014	RE-R	6429				
1	2014 REAL		1,534.59	.00	.00	PAID
			1,534.59	.00	.00	.00
2	2014 REAL		1,534.59	.00	.00	PAID
			1,534.59	.00	.00	.00
			3,069.18	.00	.00	.00
2013	RE-R	6429				
1	2013 REAL		1,496.50	.00	.00	PAID
	CERTIFIED		6.48	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
			1,505.98	.00	.00	.00
2	2013 REAL		1,496.50	.00	.00	PAID
	CERTIFIED		.00	.00	.00	.00
	DMD		.00	.00	.00	.00
			1,496.50	.00	.00	.00
			3,002.48	.00	.00	.00
2012	RE-R	6412				
1	2012 REAL		1,434.97	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
	CERTIFIED		6.11	.00	.00	PAID
			1,444.08	.00	.00	.00
2	2012 REAL		1,434.97	.00	.00	PAID
	DMD		.00	.00	.00	.00
	CERTIFIED		.00	.00	.00	.00
			1,434.97	.00	.00	.00
			2,879.05	.00	.00	.00
2011	LIEN	306				
1	RETAX TL		1,420.32	.00	.00	PAID
	CERTMA		5.60	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CORRECT CE		.15	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	LNCST - TL		5.75	.00	.00	PAID
	INTTL		26.69	.00	.00	PAID
			1,500.51	.00	.00	.00
2010	RE-R	16425				

10/29/2019 09:03
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 3
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
1	RE TAX		1,413.73	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
	CERTF		5.59	.00	.00	PAID
			1,422.32	.00	.00	.00
2	RE TAX		1,413.72	.00	.00	PAID
	DMD		.00	.00	.00	.00
	CERTF		.00	.00	.00	.00
			1,413.72	.00	.00	.00
			2,836.04	.00	.00	.00
2009	RE-R	16430				
1	RE TAX		1,341.21	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
	CERTIFIED		5.54	.00	.00	PAID
			1,349.75	.00	.00	.00
2	RE TAX		1,341.21	.00	.00	PAID
	DMD		.00	.00	.00	.00
	CERTIFIED		.00	.00	.00	.00
			1,341.21	.00	.00	.00
			2,690.96	.00	.00	.00
2008	RE-R	16514				
1	RE TAX		1,348.54	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
	CERTF		5.54	.00	.00	PAID
			1,357.08	.00	.00	.00
2	RE TAX		1,348.53	.00	.00	PAID
	DMD		.00	.00	.00	.00
	CERTF		.00	.00	.00	.00
			1,348.53	.00	.00	.00
			2,705.61	.00	.00	.00
2007	RE-R	16529				
1	RE TAX		1,412.26	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
	CERTF		5.32	.00	.00	PAID
			1,420.58	.00	.00	.00
2	RE TAX		1,412.26	.00	.00	PAID
	DMD		.00	.00	.00	.00
	CERTF		.00	.00	.00	.00
			1,412.26	.00	.00	.00
			2,832.84	.00	.00	.00

10/29/2019 09:03
 4924nbosse

CITY OF AUBURN
Real Estate Tax Statement
P 4
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2006	RE-R	16428				
1	RE TAX		1,717.90	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
	CERTF		5.21	.00	.00	PAID
			1,726.11	.00	.00	.00
2	RE TAX		1,717.89	.00	.00	PAID
	DMD		.00	.00	.00	.00
	CERTF		.00	.00	.00	.00
			1,717.89	.00	.00	.00
			3,444.00	.00	.00	.00
2005	RE-R	906629				
1	RE TAX		1,078.99	.00	.00	PAID
			1,078.99	.00	.00	.00
2	RE TAX		1,078.99	.00	.00	PAID
			1,078.99	.00	.00	.00
			2,157.98	.00	.00	.00
GRAND TOTALS			41,038.18	13,919.53	1,656.97	15,576.50

RELEASE DEED

Mapleleaf Enterprise Incorporated with a mailing address of 679 Empire Road, Poland, Maine 04274 for consideration paid, hereby releases to the CITY OF AUBURN, a Maine municipal corporation with its principal offices at 60 Court Street, Auburn, Maine, for good and valuable consideration received, all right, title and interest, hereby waiving any and all objections to the foreclosure of the City of Auburn's tax liens, the following real estate situated in Auburn, County of Androscoggin, and State of Maine, as described as follows:

16 Albiston Way, Auburn, Maine

The real estate described in a Tax Collector's Lien Certificate recorded in the Androscoggin County Registry of Deeds dated June 15, 2016 in Book 9384 Page 154; July 10, 2017 in Book 9637 Page 217 and July 6, 2018 Book 9877-268 and further identified as Tax Map and Lot 220-103-000-000 of the Assessor's Tax Maps on file at the Assessor's office in the City of Auburn, Maine

In Witness Whereof, the undersigned has hereunto set its hand effective this 13th day of November 2018.

WITNESS:

NO MAINE R.E.
TRANSFER TAX PAID

Justin Eastman

[Signature] 11-13-18
Mapleleaf Enterprise Inc,
Peter Ferland, President

STATE OF MAINE
ANDROSCOGGIN, SS.

Then personal appeared before me the above-named Peter Ferland and acknowledge the foregoing instrument to be his free act and deed in his said capacity.

Before me,

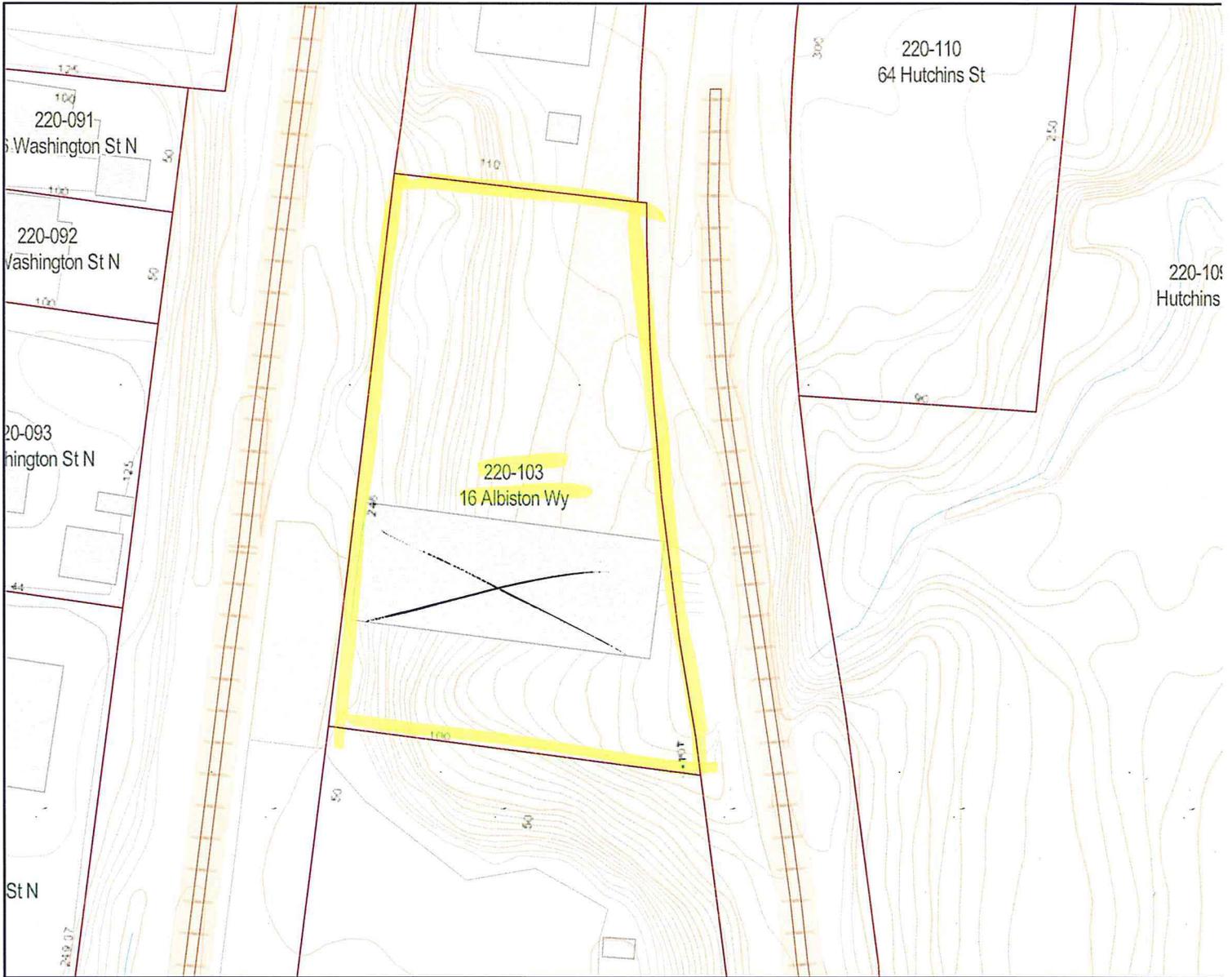
Nancy Bosse

NANCY LEE BOSSE
Notary Public, State of Maine
My Commission Expires January 29, 2023

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

SEAL

City of Auburn, Parcel Viewer



11/26/2019, 8:28:02 AM

Parcels Assessing Data Contours
Contours - 10 Ft.



Esri Canada, Esri,



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Tax Acquired Property Review Form

ADDRESS: 72 Gill Street

PID#: 211-125

DESCRIPTION: This property contains 0.110 acres of land mainly classified as SINGLEFAMILY with a(n) CAPE style building, built about 1920 , having VINYL exterior and ASPHALT SH roof cover, with 1 unit(s), 6 room(s), 2 bedroom(s), 2 bath(s), 0 half bath(s).

BALANCE DUE: \$12,152.64

1. Is the property either unfit or unnecessary for City use?

Unnecessary

2. Does the City wish to retain ownership for municipal purposes?

No

3. Is the property adjacent to publicly owned land?

No

4. Are there buildings on the property that should be demolished?

No

5. Are there environmental liabilities or hazards present on the site?

None known

6. Does the property have investment or marketable value?

As single family home



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

7. Are there uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

Single family

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No

OTHER CONCERNS:

NOTES:



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Section 3.5 Committee Action/Recommendations. The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

PARCEL ID:	211-125	Location:	72 Gill Street
Acreage	0.110	Zone:	MultiFamily Urban
Current Assessed Land Value:	\$21,500	Current Assessed Building Value:	\$72,400
Total Land & Bldg. Value:	\$93,900	Minimum Bid:	\$12,155

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

Notes:

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 211-125 Account Number 211125000
Prior Parcel ID --
Property Owner RICHARD FORTIER, PARTY IN POSSESS Property Location 72 GILL ST
Mailing Address 72 GILL ST Property Use SINGLEFAMILY
City AUBURN Most Recent Sale Date 8/25/2003
Mailing State ME Zip 04210 Legal Reference 5861-42
Grantor FORTIER ROBERT G,
ParcelZoning Sale Price 0
Land Area 0.110 acres

Current Property Assessment

Card 1 Value Building Value 72,400 Xtra Features Value 0 Land Value 21,500 Total Value 93,900

Building Description

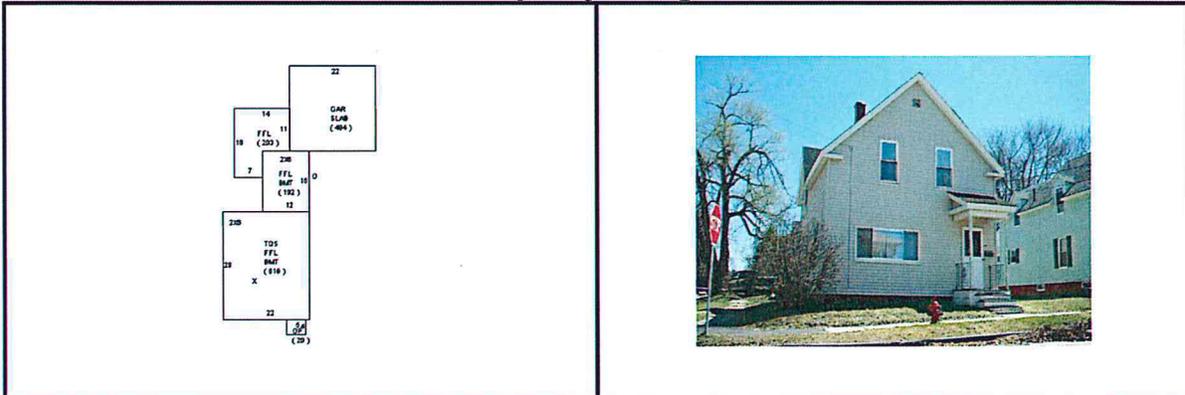
Building Style CAPE	Foundation Type CONC/BRICK	Flooring Type LINO/VINYL
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1920	Roof Structure GABLE	Heating Type FORCED H/W
Building Grade FAIR-AV	Roof Cover ASPHALT SH	Heating Fuel OIL
Building Condition Fair	Siding VINYL	Air Conditioning 0%
Finished Area (SF) 1473	Interior Walls PLASTER	# of Bsmt Garages 0
Number Rooms 6	# of Bedrooms 2	# of Full Baths 2
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 1

Legal Description

Narrative Description of Property

This property contains 0.110 acres of land mainly classified as SINGLEFAMILY with a(n) CAPE style building, built about 1920 , having VINYL exterior and ASPHALT SH roof cover, with 1 unit(s), 6 room(s), 2 bedroom(s), 2 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

10/29/2019 09:00
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 211-125-000-000

LOCATION: 72 GILL ST

OWNER:
AUBURN CITY OF
60 COURT ST
AUBURN ME 04210

STATUS:
SQUARE FEET: 0
LAND VALUATION: 21,500
BUILDING VALUATION: 72,400
EXEMPTIONS: 93,900
TAXABLE VALUATION: 0
INTEREST PER DIEM 1.94

LEGAL DESCRIPTION:

DEED DATE: 08/25/2003 BOOK/PAGE: 5861-42

INT DATE: 10/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2019	RE-R	3551				
1	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
			.00	.00	.00	.00
2018	LIEN	33				
1	RETAX TL		2,223.55	2,223.55	52.02	2,275.57
	CERTMA		6.80	6.80	.00	6.80
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		83.79	83.79	.00	83.79
			2,368.14	2,368.14	52.02	2,420.16
2017	LIEN	330				
1	RETAX TL		2,158.76	2,158.76	199.14	2,357.90
	DMD TL		3.00	3.00	.00	3.00
	CERTMA		6.67	6.67	.00	6.67
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		82.59	82.59	.00	82.59
			2,302.02	2,302.02	199.14	2,501.16
2016	LIEN	146				
1	RETAX TL		2,098.67	2,098.67	340.10	2,438.77
	CERTMA		6.56	6.56	.00	6.56
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		83.52	83.52	.00	83.52
			2,242.75	2,242.75	340.10	2,582.85
2015	LIEN	119				
1	RETAX TL		1,995.38	1,995.38	471.46	2,466.84
	CERTMA		6.47	6.47	.00	6.47

10/29/2019 09:00
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 2
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
	DMD TL		3.00	3.00	.00	3.00
	LNCHG TL		51.00	51.00	.00	51.00
	INTTL		70.03	70.03	.00	70.03
			2,125.88	2,125.88	471.46	2,597.34
2014	RE-R	441				
1	2014 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2013	RE-R	441				
1	2013 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2012	LIEN	164				
1	RETAX TL		1,643.60	1,643.60	291.84	1,935.44
	DMD TL		6.00	6.00	.00	6.00
	CERTMA		12.22	12.22	.00	12.22
	LNCHG TL		39.00	39.00	.00	39.00
	INTTL		58.47	58.47	.00	58.47
			1,759.29	1,759.29	291.84	2,051.13
2011	LIEN	158				
1	RETAX TL		1,727.65	.00	.00	PAID
	CERTMA		5.75	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	LNCST - TL		5.75	.00	.00	PAID
	INTTL		62.63	.00	.00	PAID
			1,843.78	.00	.00	.00
2010	LIEN	20100142				
1	RETAX TL		1,719.63	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.59	.00	.00	PAID
	CERTMA		5.59	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	INTTL		60.85	.00	.00	PAID
			1,833.66	.00	.00	.00
2009	LIEN	20090129				
1	RETAX TL		1,576.49	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERTMA		5.54	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	INTTL		76.00	.00	.00	PAID
			1,700.03	.00	.00	.00
2008	LIEN	2008134				
1	RETAX TL		1,726.27	.00	.00	PAID
	TLCERT		5.54	.00	.00	PAID
			1,731.81	.00	.00	.00

10/29/2019 09:00
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 3
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2007	LIEN	2007178				
1	RETAX TL		1,648.44	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.32	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	CERFT TL		5.32	.00	.00	PAID
	INTTL		106.22	.00	.00	PAID
			<hr/>			
			1,807.30	.00	.00	.00
2006	LIEN	2006159				
1	RETAX TL		1,704.50	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CERFT TL		5.21	.00	.00	PAID
	LNCST - TL		39.00	.00	.00	PAID
	CERFT TL		5.21	.00	.00	PAID
	INTTL		92.98	.00	.00	PAID
	UNKNOWN		5.32	.00	.00	PAID
	FORECL		3.00	.00	.00	PAID
			<hr/>			
			1,858.22	.00	.00	.00
2005	RE-R	903436				
1	RE TAX		603.51	.00	.00	PAID
			<hr/>			
			603.51	.00	.00	.00
2	RE TAX		603.50	.00	.00	PAID
			<hr/>			
			603.50	.00	.00	.00
			<hr/>			
			1,207.01	.00	.00	.00
<hr/>						
GRAND TOTALS			22,779.89	10,798.08	1,354.56	12,152.64



72 Gill st

City of Auburn, Parcel Viewer



11/26/2019, 8:30:21 AM

Parcels Assessing Data Contours

Contours - 10 Ft.



Esri Canada, Esri, H



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

City Owned Property Review Form

ADDRESS: Reginald Street

PID#: 191-087

DESCRIPTION: This property contains 0.250 acres of land mainly classified as UNDEVELOPED with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

BALANCE DUE: \$N/A

1. Is the property either unfit or unnecessary for City use?
Unnecessary.
2. Does the City wish to retain ownership for municipal purposes?
No.
3. Is the property adjacent to publicly owned land?
No.
4. Are there buildings on the property that should be demolished?
No.
5. Are there environmental liabilities or hazards present on the site?
No.
6. Does the property have investment or marketable value?
Yes.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

7. Are there uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

No.

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

Yes,

OTHER CONCERNS:

NOTES: Committee recommends selling through a sealed bid process.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Section 3.5 Committee Action/Recommendations. The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

PARCEL ID:	191-087	Location:	Reginald Street	
Acreage	0.250	Zone:		
Current Assessed Land Value:	\$3,400	Current Assessed Building Value:	\$	-
Total Land & Bldg. Value:	\$3,400	Minimum Bid:		

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

Notes: The Committee is recommending that the lot be sold through a sealed bid process to abutters only.

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID	191-087	Account Number	191087000
Prior Parcel ID	--	Property Location	REGINALD ST
Property Owner	AUBURN CITY OF	Property Use	UNDEVELOPED
Mailing Address	60 COURT STREET	Most Recent Sale Date	11/19/2002
City	AUBURN	Legal Reference	0000-0
Mailing State	ME	Zip	04210
ParcelZoning		Grantor	LEWISTON CRUSHED STONE COMPANY,
		Sale Price	0
		Land Area	0.250 acres

Current Property Assessment

Card 1 Value	Building Value	0	Xtra Features Value	0	Land Value	3,400	Total Value	3,400
--------------	----------------	---	---------------------	---	------------	-------	-------------	-------

Building Description

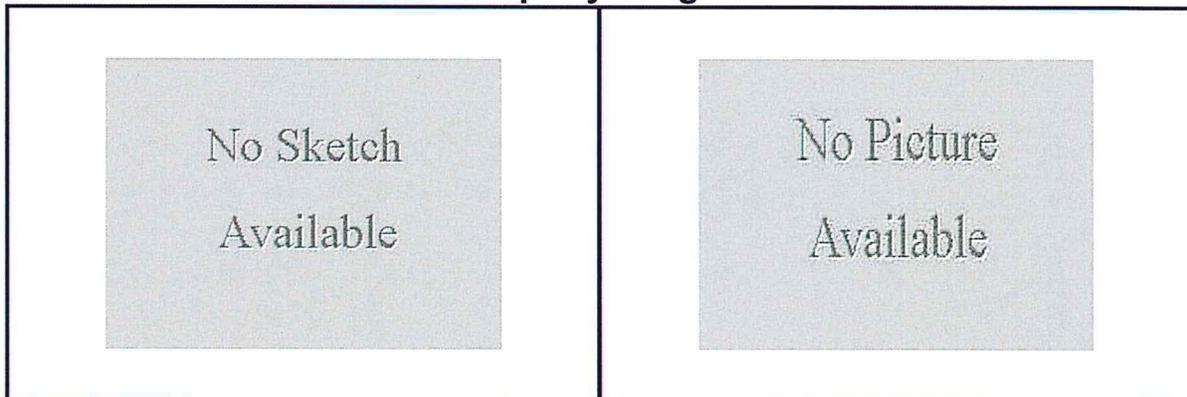
Building Style	N/A	Foundation Type	N/A	Flooring Type	N/A
# of Living Units	N/A	Frame Type	N/A	Basement Floor	N/A
Year Built	N/A	Roof Structure	N/A	Heating Type	N/A
Building Grade	N/A	Roof Cover	N/A	Heating Fuel	N/A
Building Condition	N/A	Siding	N/A	Air Conditioning	0%
Finished Area (SF)	N/A	Interior Walls	N/A	# of Bsmt Garages	0
Number Rooms	0	# of Bedrooms	0	# of Full Baths	0
# of 3/4 Baths	0	# of 1/2 Baths	0	# of Other Fixtures	0

Legal Description

Narrative Description of Property

This property contains 0.250 acres of land mainly classified as UNDEVELOPED with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

10/29/2019 09:08
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 191-087-000-000

LOCATION: REGINALD ST

OWNER:
AUBURN CITY OF
60 COURT STREET
AUBURN ME 04210

STATUS:
 SQUARE FEET: 0
 LAND VALUATION: 3,400
 BUILDING VALUATION: 0
 EXEMPTIONS: 3,400
 TAXABLE VALUATION: 0
 INTEREST PER DIEM: .00

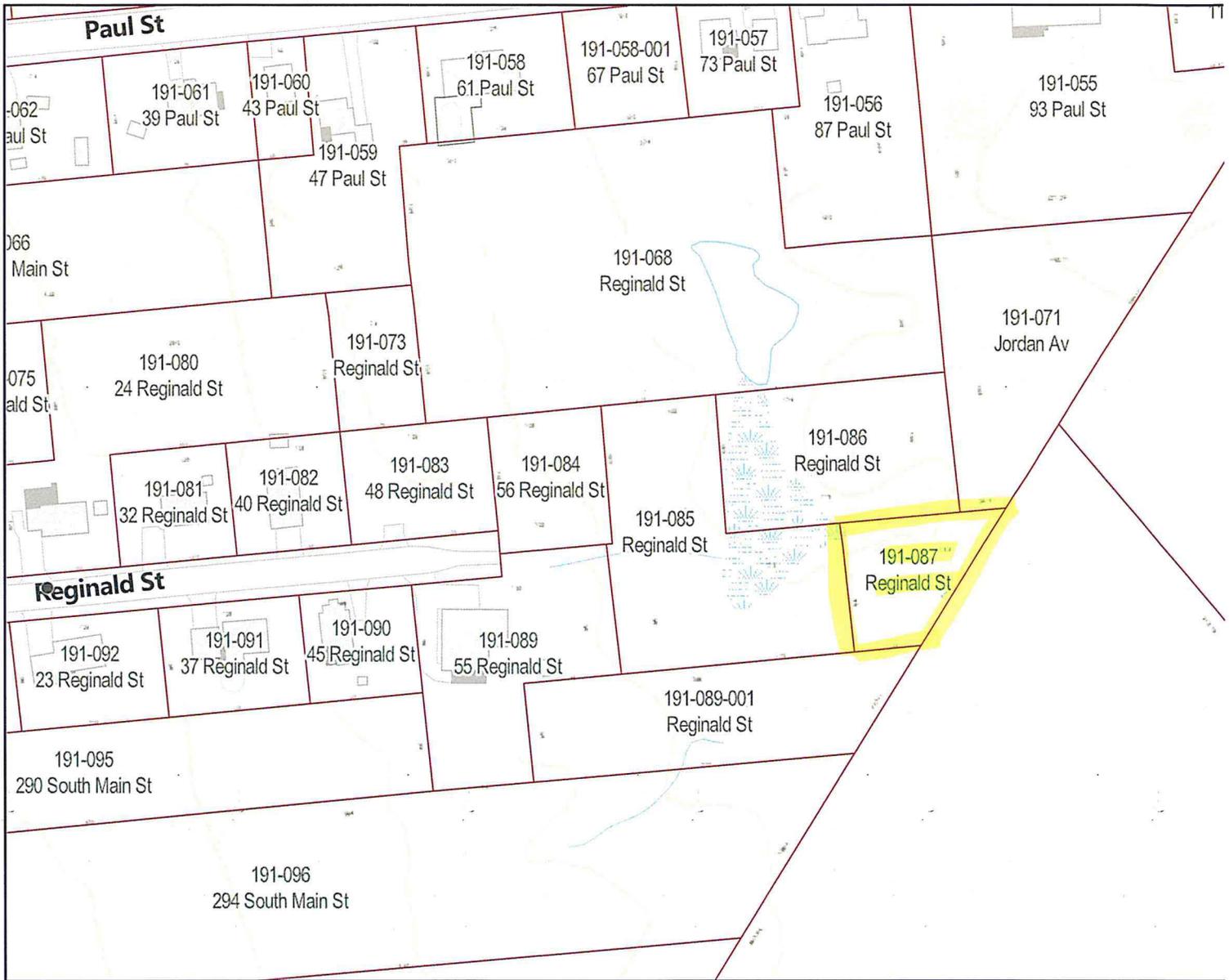
LEGAL DESCRIPTION:

DEED DATE: 11/19/2002 BOOK/PAGE: 0000-0

INT DATE: 10/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2019	RE-R	2163				
1	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
			.00	.00	.00	.00
2018	RE-R	2152				
1	2018 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2017	RE-R	2136				
1	2017 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2016	RE-R	2126				
1	2016 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2015	RE-R	2110				
1	2015 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2014	RE-R	310				
1	2014 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2013	RE-R	310				
1	2013 REAL		.00	.00	.00	.00
			.00	.00	.00	.00

City of Auburn, Parcel Viewer



11/26/2019, 8:36:32 AM

Parcels Assessing Data

Contours - 10 Ft.



Esri Canada, Esri,



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

City Owned Property Review Form

ADDRESS: 325 Turner Street

PID#: 250-177

DESCRIPTION: This property contains 0.110 acres of land mainly classified as URBAN HSLT with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

BALANCE DUE: \$8,614.57

1. Is the property either unfit or unnecessary for City use?

Yes.

2. Does the City wish to retain ownership for municipal purposes?

No.

3. Is the property adjacent to publicly owned land?

No.

4. Are there buildings on the property that should be demolished?

None.

5. Are there environmental liabilities or hazards present on the site?

None known.

6. Does the property have investment or marketable value?

No/Minimal, minimum house lot is 5,000 sq. ft.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

7. Are there uses that the property is suited for which meet the requirements of the City's zoning and land use ordinance?

No, Lot is located in the "Multi-Family Urban District"

8. Does the property only have value to an abutter (provides additional set back, off street parking, etc.)?

No.

OTHER CONCERNS: Not at this time.

NOTES: Balance due from CDBG.



City of Auburn, Maine

Office of the City Manager

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

Section 3.5 Committee Action/Recommendations. The committee will meet to review the comments received from each department. The Committee will then forward a recommendation to the City Manager for appropriate action. The Committee will meet in sufficient time before the foreclosure deadline in order for the City Manager and City Council to have sufficient time to take any action that may be necessary, including waiver of foreclosure.

PARCEL ID:	250-177	Location:	325 Turner Street	
Acreage	0.110	Zone:		
Current Assessed Land Value:	\$17,800	Current Assessed Building Value:	\$	-
Total Land & Bldg. Value:	\$17,800	Minimum Bid:	\$8,615	

Retain for public use		Sell the property	x	Waive foreclosure	
-----------------------	--	-------------------	---	-------------------	--

Sell to prior owner		Sale to immediate heirs	
Sale by Sealed Bid	x	Request for proposals	
Real Estate Broker Contract			

The bid price for either process shall be determined by the Finance Director or his/her designee in no event being less than all outstanding property taxes, including the total amount of all delinquent taxes plus the total taxes for the current year (and the estimated taxes for the next year after commitment) plus accrued interest, lien costs and any other costs relating to the property and this process (including, but not limited to, insurance, attorney's fees, auction/bid or notice costs).

Notes: CDBG Loan balance of \$8,614.57

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID	250-177	Account Number	250177000
Prior Parcel ID	--	Property Location	325 TURNER ST
Property Owner	AUBURN CITY OF	Property Use	URBAN HSLT
Mailing Address	60 COURT ST	Most Recent Sale Date	5/29/2013
City	AUBURN	Legal Reference	8684-39
Mailing State	ME	Zip	04210
Parcel Zoning		Grantor	LAFRANCE ,DORIS H, HEIRS OF
		Sale Price	5,836
		Land Area	0.110 acres

Current Property Assessment

Card 1 Value	Building Value	0	Xtra Features Value	0	Land Value	17,800	Total Value	17,800
--------------	----------------	---	---------------------	---	------------	--------	-------------	--------

Building Description

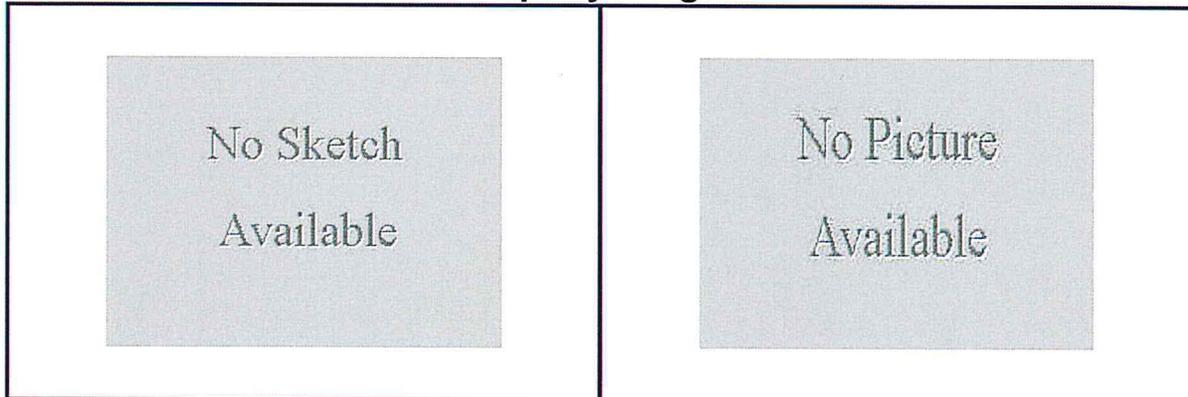
Building Style	N/A	Foundation Type	N/A	Flooring Type	N/A
# of Living Units	N/A	Frame Type	N/A	Basement Floor	N/A
Year Built	N/A	Roof Structure	N/A	Heating Type	N/A
Building Grade	N/A	Roof Cover	N/A	Heating Fuel	N/A
Building Condition	N/A	Siding	N/A	Air Conditioning	0%
Finished Area (SF)	N/A	Interior Walls	N/A	# of Bsmt Garages	0
Number Rooms	0	# of Bedrooms	0	# of Full Baths	0
# of 3/4 Baths	0	# of 1/2 Baths	0	# of Other Fixtures	0

Legal Description

Narrative Description of Property

This property contains 0.110 acres of land mainly classified as URBAN HSLT with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

10/29/2019 08:59
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 250-177-000-000

LOCATION: 325 TURNER ST

OWNER:
AUBURN CITY OF
60 COURT ST
AUBURN ME 04210

STATUS:
SQUARE FEET: 0
LAND VALUATION: 17,800
BUILDING VALUATION: 0
EXEMPTIONS: 17,800

TAXABLE VALUATION: 0
INTEREST PER DIEM .00

LEGAL DESCRIPTION:

DEED DATE: 05/29/2013 BOOK/PAGE: 8684-39

INT DATE: 10/29/2019

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2019	RE-R	6862				
1	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2	2019 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
			.00	.00	.00	.00
2018	RE-R	6849				
1	2018 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2017	RE-R	6834				
1	2017 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2016	RE-R	6818				
1	2016 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2015	RE-R	6800				
1	2015 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2014	RE-R	4998				
1	2014 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
2	2014 REAL		.00	.00	.00	.00
			.00	.00	.00	.00
			.00	.00	.00	.00

\$8,614.57 due to CDBG

10/29/2019 08:59
4924nbosse

CITY OF AUBURN
Real Estate Tax Statement

P 2
txtaxstm

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2013	RE-R	4998				
1	2013 REAL		1,121.61	.00	.00	PAID
			1,121.61	.00	.00	.00
2	2013 REAL		1,121.60	.00	.00	PAID
			1,121.60	.00	.00	.00
			2,243.21	.00	.00	.00
2012	RE-R	4978				
1	2012 REAL		1,075.49	.00	.00	PAID
	DMD		3.00	.00	.00	PAID
	CERTIFIED		6.11	.00	.00	PAID
			1,084.60	.00	.00	.00
2	2012 REAL		1,075.49	.00	.00	PAID
	DMD		.00	.00	.00	.00
	CERTIFIED		.00	.00	.00	.00
			1,075.49	.00	.00	.00
			2,160.09	.00	.00	.00
2011	LIEN	229				
1	RETAX TL		1,979.72	.00	.00	PAID
	CERTMA		5.60	.00	.00	PAID
	DMD TL		3.00	.00	.00	PAID
	CORRECT CE		.15	.00	.00	PAID
	LNCHG TL		39.00	.00	.00	PAID
	LNCST - TL		5.75	.00	.00	PAID
	INTTL		71.75	.00	.00	PAID
			2,104.97	.00	.00	.00
2010	RE-R	15002				
1	RE TAX		1,012.29	.00	.00	PAID
			1,012.29	.00	.00	.00
2	RE TAX		1,012.28	.00	.00	PAID
			1,012.28	.00	.00	.00
			2,024.57	.00	.00	.00
2009	RE-R	15034				
1	RE TAX		928.32	.00	.00	PAID
			928.32	.00	.00	.00
2	RE TAX		928.31	.00	.00	PAID
			928.31	.00	.00	.00
			1,856.63	.00	.00	.00

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2008	RE-R	15118				
1	RE TAX		1,012.55	.00	.00	PAID
			1,012.55	.00	.00	.00
2	RE TAX		1,012.55	.00	.00	PAID
			1,012.55	.00	.00	.00
			2,025.10	.00	.00	.00
2007	RE-R	15118				
1	RE TAX		1,051.73	.00	.00	PAID
			1,051.73	.00	.00	.00
2	RE TAX		1,051.72	.00	.00	PAID
			1,051.72	.00	.00	.00
			2,103.45	.00	.00	.00
2006	RE-R	15008				
1	RE TAX		915.56	.00	.00	PAID
			915.56	.00	.00	.00
2	RE TAX		915.56	.00	.00	PAID
			915.56	.00	.00	.00
			1,831.12	.00	.00	.00
2005	RE-R	905179				
1	RE TAX		822.96	.00	.00	PAID
			822.96	.00	.00	.00
2	RE TAX		822.96	.00	.00	PAID
			822.96	.00	.00	.00
			1,645.92	.00	.00	.00
GRAND TOTALS			17,995.06	.00	.00	.00

City of Auburn, Parcel Viewer



11/26/2019, 8:34:34 AM

Parcels Assessing Data

Contours



Esri Canada, Esri, H



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Lake Auburn Overlay Changes related to residences in the Agriculture and Resource Protection (AGRP) Zoning District

Information: The City Council has been working with staff to refine amendments to the Agriculture and Resource Protection Zoning District regarding residences accessory to farms. At the November 18, 2019 meeting the Council directed staff to prepare an amendment that would retain the current standards in the Lake Auburn watershed if the standards are changed in the remainder of the AGRP Zoning District. The request was in response to concerns raised by the Lake Auburn Watershed Protection Commission. We have completed this request and would like to share it with the Council prior to first reading this evening. The Planning Board will review the proposed changes and provide a recommendation at their December 3rd meeting.

This draft has been updated based on a legal review to retain the existing regulations in the Lake Auburn Overlay.

City Budgetary Impacts: None known

Staff Recommended Action: Review and discuss

Previous Meetings and History: None specific to the Lake Auburn Overlay but this was requested by the Council at the 11/18/19 Council Meeting.

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Cousens".

I concur with the recommendation. Signature:

Attachments:

Draft Ordinance and LAWPCA Memo.

DIVISION 4. - LAKE AUBURN WATERSHED OVERLAY DISTRICT

Sec. 60-950. - Purpose.

The Lake Auburn Watershed District is intended to maintain safe and healthful environmental conditions; prevent and control water pollution; protect spawning ground for fish, aquatic life, bird and other wildlife habitats; control building sites; provide visual and physical points of access to waters and natural beauty; and protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed to the population of the Auburn-Lewiston area.

(Ord. of 9-21-2009, § 5.3A)

Sec. 60-951. - Boundaries and definitions.

The Lake Auburn Watershed District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the city water district on file in the office of the city water district, the city department of planning and permitting services and the city clerk. The Lake Auburn Watershed District shall be superimposed over underlying districts within such section. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed District.

(Ord. of 9-21-2009, § 5.3B)

Sec. 60-952. - Use and environmental regulations.

~~(a)~~ *(a) Agricultural uses.* All uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes shall be subject to the approval of the city water district. Such approval shall be granted upon a showing that such uses will not cause groundwater contamination or contaminate or disturb the normal course of surface water runoff.

~~(b)~~ *(b) Residential dwellings.* Notwithstanding Sections 60-145(a)(1), 60-145(b)(18) and 60-146(1)(c), one-family detached dwellings are only permitted in the Lake Auburn Watershed District on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restriction: At least 50 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses.

~~(c)~~ *(c) Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip 50 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (b) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

~~(d)~~ *(d) Municipal and manure sludge disposal.* All spreading and disposal of municipal sludge shall be accomplished in conformance with the Rules of Municipal Sludge Utilization on Land, published by the department of environmental protection in September, 1980. All spreading and disposal of manure shall be accomplished in conformance with Maine Guidelines for Manure and Manure Sludge Disposal on Land, published by the Life Sciences and Agriculture Experiment Station and the Cooperative Extension Service, University of Maine at Orono, and the Maine Soil and Water Conservation Commission in July, 1972.

~~(e)~~ *(e) Erosion control.* The following provisions shall be observed for the control of erosion in the Lake Auburn Watershed:

- (1) Any earth cutting, moving or removal activities that will result in erosion or runoff which is likely to increase sedimentation of Lake Auburn, or any tributaries or other water bodies in the watershed is prohibited.
- (2) Vegetative cover shall not be removed except in a manner which will minimize erosion. Harvesting of trees shall be permitted only after a plan prepared by a qualified forester is submitted to and approved by the water district. Such plan will be approved or disapproved on the basis of its conformance with good watershed management practice for domestic water supplies.
- (3) Trees may be cleared, provided the cleared areas are covered with other vegetation, for approved construction and landscaping. Where such clearing is extended to the shoreline, a cleared opening or openings not greater than 30 feet in width for every 100 feet of shoreline (measured along the high-water mark) may be created in the strip extending 50 feet inland from the normal high-water mark. For purposes of this section, clearing is the removal of adjacent dominant trees which extend into the canopy and shrubs within ten feet of the shoreline. Where natural vegetation is removed, it shall be replaced with other vegetation which is equally effective in retarding erosion and preserving natural beauty. When the vegetative cover is changed in areas greater than three acres, a plan shall be filed with the city water district indicating the changes so that a record can be maintained of watershed water yields to the system.

(fe) *Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

- (1) Subsurface absorption areas shall not be permitted on sites on which the highest seasonal groundwater table, bedrock, or other impervious layer is less than 36 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.
- (2) Within areas containing soils described as deep, loose and sandy or gravelly and which contain more than 70 percent sand as shown on table 9-3 of the state plumbing code, part II (April 25, 1975), no subsurface absorption area shall be installed closer than 300 feet to the normal high-water mark of any lake, pond, or yearround or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or yearround or intermittent stream.
- (3) The city water district shall have the right to inspect any system within the Lake Auburn Watershed District during its construction and operation and may notify the health office, police chief, local plumbing inspector or housing inspector who shall require the abatement of such defects or malfunctions.
- (4) The local plumbing inspector shall furnish a copy of all site investigation reports in the Lake Auburn Watershed District to the city water district.
- (5) Replacement or reconstruction of private residential sewage disposal systems in existence and in use on December 17, 1983 shall not be subject to the requirements of this section but shall be required to comply with the current state plumbing code.

(Ord. of 9-21-2009, § 5.3C)

Sec. 60-953. - Dimensional regulations; building setbacks.

All buildings and structures, except those requiring direct access to the water as an operational necessity, shall be constructed not less than 75 feet inland from the normal high-water mark. Operational necessity shall include private docks, but shall not include boathouses, storage sheds, garages or other

structures. Marinas and boat rental facilities shall not be permitted within 75 feet of the normal high-water mark of Lake Auburn.

(Ord. of 9-21-2009, § 5.3D)

Sec. 60-954. - Conflicts.

In any case in which a provision of this section conflicts with a provision of any other section of this chapter, the provision which establishes the more stringent standard shall apply.

(Ord. of 9-21-2009, § 5.3E)

Secs. 60-955—60-981. - Reserved.



Agriculture and Resource Protection (AGRP) Zone and Lake Auburn Watershed Workshop

DECEMBER 2, 2019

Council Proposed Ordinance

- ▶ Change the income criteria from 50% to 30% of household income
- ▶ Add an option to use **median Auburn** household income instead of individual income
 - ▶ Median Auburn Household Income is \$46,976 per the Crossroads report- meaning lots that generate at least \$14,093 in farming revenue would qualify (lower earning households can qualify with less farming revenue).
- ▶ Removes livestock requirement and added 5 acres of contiguous land as well as land use.

Lake Auburn Watershed Overlay

- ▶ Watershed Overlay be amended by keeping (a) Agricultural Uses as it is and adding (b) as follows:
- ▶ (b) Residential dwellings. Notwithstanding Sections 60-145(a)(1), 60-145(b)(18) and 60-146(1)(c), one-family detached dwellings are only permitted in the Lake Auburn Watershed District on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restriction: At least 50 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses.

Use of Non-Conforming Lots in the AG Zone

- ▶ Proposal: Give the Planning Board the ability to make exceptions on a case by case basis for properties in the non-conforming lots less than 10 acres (as of January 1, 2018) based on the following criteria:
 - ▶ Must meet the income standard adopted
 - ▶ Notification of abutters with a public comment
 - ▶ Must go before the AG Committee for review
 - ▶ Non-conforming lots would not apply to land in the Lake Auburn Watershed

Implementation Process

- ▶ December 2nd – City Council Meeting
 - ▶ 1st Reading for each: 1) Farm Definition 2) AG use regulation 3) Dimensional Regulations 4) Lake Auburn Overlay District and 5) AG Committee Ordinance
- ▶ December 3rd- Special Planning Board Meeting
 - ▶ Review/ Recommendation to the changes to the AG Ordinance
 - ▶ Public Hearing on changes to the AG Zone
- ▶ December 9th- Special Meeting
 - ▶ 2nd Reading and Public Hearing for AG Ordinances and AG Committee



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019 Order: 137-12022019

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointment of Deanne B. Peck as a Constable with firearm for the Auburn Police Department.

Information: The Auburn Police Department requests City Council appointment of Deanne B. Peck as a Constable with firearm for the City of Auburn.

City Budgetary Impacts: N/A

Staff Recommended Action: Motion to confirm Chief Moen's appointment of Deanne B. Peck as a Constable with firearm for the Auburn Police Department.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Coakley".

Attachments:

- Memo from Chief Moen.



Auburn Police Department

Jason D. Moen | Chief of Police

Timothy A. Cogle | Deputy Chief of Police

www.AuburnPD.com | 207.333.6650

60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: November 19, 2019

To: Honorable Mayor Jason Levesque and Members of the City Council

From: Jason D. Moen, Chief of Police

RE: CONSTABLE

We request that the following named individual be named a Constable for the Auburn Police Department:

Deanne B. Peck

with Firearm

New Hire

Police Officer

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 137-12022019

ORDERED, that the City Council hereby names Deanne B. Peck as a Constable with firearm for the Auburn Police Department.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Order: 138-12022019

Author: Jason D. Moen, Chief of Police

Subject: Confirm Chief Moen's appointments of Civilian Process Servers for the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn.

Information: Chief of Police Moen requests that the Auburn City Council appoint Civilian Process Servers (city employees and volunteers) to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) to serve documents within the City of Auburn for 2020.

City Budgetary Impacts: N/A

Staff Recommended Action: Vote to confirm Chief Moen's appointments of Civilian Process Servers to serve documents on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2019.

Previous Meetings and History: November 6, 2017, January 23, 2017, February 5, 2018, January 7, 2019 – Annually and periodically, requests are made for appointments and re-appointments for the next or current calendar year.

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Cuddeback".

I concur with the recommendation. Signature:

Attachments:

- Memo from Chief Moen



Auburn Police Department

Jason D. Moen | Chief of Police

Timothy A. Cogle | Deputy Chief of Police

www.AuburnPD.com | 207.333.6650

60 Court Street | Auburn, Maine 04210

MEMORANDUM

Date: November 20, 2019

To: Honorable Mayor Jason J. Levesque and Members of the City Council

From: Jason D. Moen Chief of Police

RE: CONSTABLES 2020

We request the following named persons be appointed to serve documents as Civilian Process Servers on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2020:

John Banville	Employee	Civilian Process Server	Without Firearm	Re-appointment
Anna Brown	Employee	Civilian Process Server	Without Firearm	Re-appointment
Claire Barclay	Employee	Civilian Process Server	Without Firearm	Re-appointment
Megan Crowell	Employee	Civilian Process Server	Without Firearm	Appointment
Victoria Pendleton	Employee	Civilian Process Server	Without Firearm	Appointment
Randall Burnham	Private	Constable Process Server	Without Firearm	Re-appointment
Francis M. Carignan	Private	Constable Process Server	Without Firearm	Re-appointment
Kenneth Edgerly	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Glenn Garry	Volunteer	Civilian Process Server	Without Firearm	Re-appointment

Harry Gorman	Private	Constable Process Server	Without Firearm	Re-appointment
David O'Connell	Employee	Civilian Process Server	Without Firearm	Re-appointment

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 138-12022019

ORDERED, that the City Council hereby appoint the following named persons to serve documents as Civilian Process Servers (employees and volunteers) on behalf of the Auburn Police Department and Constable Process Servers without firearm/arrest powers (Private) within the City of Auburn for 2020. Constable Process Servers (Private) are not an agent or employee of the city or entitled to hold himself/herself out as such and is not authorized to carry a firearm in the performance of his/her duties, and that his/her authority to act as a constable is limited to private employment as a process server.

John Banville	Employee	Civilian Process Server	Without Firearm	Re-appointment
Anna Brown	Employee	Civilian Process Server	Without Firearm	Re-appointment
Claire Barclay	Employee	Civilian Process Server	Without Firearm	Re-appointment
Megan Crowell	Employee	Civilian Process Server	Without Firearm	Appointment
Victoria Pendleton	Employee	Civilian Process Server	Without Firearm	Appointment
Randall Burnham	Private	Constable Process Server	Without Firearm	Re-appointment
Francis M. Carignan	Private	Constable Process Server	Without Firearm	Re-appointment
Kenneth Edgerly	Volunteer	Civilian Process Server	Without Firearm	Re-appointment

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

Glenn Garry	Volunteer	Civilian Process Server	Without Firearm	Re-appointment
Harry Gorman	Private	Constable Process Server	Without Firearm	Re-appointment
David O'Connell	Employee	Civilian Process Server	Without Firearm	Re-appointment



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019 **Order:** 139-12022019

Author: Sue Clements-Dallaire, City Clerk

Subject: Sealer of Weights and Measures

Information: The City Council appointed Bryan Bachelder as the city's local Sealer of Weights and Measures in February 2019. He is a retired Maine State Trooper with a history of weights and measures. Mr. Bachelder has successfully passed the two national certification programs and is insured. The certifications are good for five years which would expire on August 22, 2023. There is no liability to the city. Below is the new state statute language regarding Local Sealers of Weights and Measures:

City Budgetary Impacts: None. If a local sealer is appointed, the state allows some establishments with small weighing systems to pay the sealer directly. The reporting and payment for retail motor fuel dispensing systems are handled directly through the State of Maine.

Staff Recommended Action: To re-appoint Bryan Bachelder as the Sealer of Weights and Measures with a term expiration of December 31, 2020.

Previous Meetings and History: Appointed for 2019 on 2/25/2019.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cusick".

Attachments: Bryan Bachelder Letter and Certifications and Order.

§2461. ELECTION BY MUNICIPAL OFFICERS

The municipal officers of a municipality may elect or appoint a sealer of weights and measures, and a deputy sealer if necessary, not necessarily a resident of that municipality, and the sealer and deputy sealer hold office during their efficiency and the faithful performance of their duties. The state sealer has final approval authority over a sealer or deputy sealer elected or appointed pursuant to this section. Prior to approval or assuming any duties, a sealer or deputy sealer elected or appointed pursuant to this section must successfully complete certification by the National Conference on Weights and Measures as a weights and measures professional in the National Conference on Weights and Measures professional certification program for the device types the sealer or deputy sealer wishes to seal. On complaint being made to the municipal officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the municipal officers shall set a date for and give notice of a hearing to the complainant, the relevant sealer and the state sealer. If evidence satisfies the municipal officers that the sealer or deputy sealer has been inefficient or has neglected the sealer's or deputy sealer's duty, they may remove the sealer or deputy sealer from office and elect or appoint another in the sealer's or deputy sealer's stead. The state sealer has jurisdiction over a sealer or deputy sealer elected or appointed pursuant to this section, and any vacancy caused by death or resignation must be filled by election or appointment by the municipal officers within 30 days. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer. A sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers of those municipalities, as long as this action receives the approval of the state sealer. The state sealer or the state sealer's designee shall test and certify annually municipal weights and measures equipment used by a sealer or deputy sealer elected or appointed pursuant to this section. [2017, c. 172, §1(NEW).]

§2462. MUNICIPALITIES THAT DO NOT CHOOSE A SEALER

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality. [2017, c. 172, §1 (NEW).]

§2463. POWERS AND DUTIES

A weights and measures official elected or appointed for a municipality has the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section

2403. These powers and duties extend to the official's jurisdiction. [2017, c. 172, §1 (NEW).]SECTION HISTORY 2017, c. 172, §1 (NEW).

§2464. RECORDS OF WEIGHTS AND MEASURES SEALED; ANNUAL REPORT

A sealer shall keep records of all weights and measures, balances and measuring devices inspected, sealed or condemned by that sealer, giving the name of the owner or agent, the place of business, the date of inspection and kind of apparatus inspected, sealed or condemned. The sealer shall make an annual report on July 1st for the 12 preceding months on forms prescribed by the state sealer and shall furnish such information as the state sealer may require. [2017, c. 172, §1 (NEW).]

Bryan Bachelder

August 28, 2018

P.O. Box 271

Readfield, Maine 04355

207 458 9388

Subject: Local Sealer

To whom it may concern,

I am a retired Maine State Trooper with a history of Weights and Measures. I would like to be the Local Sealer for your town/city. I have enclosed my qualifications from the National Conference on Weights and measures. This appointment/election to the position of Local Sealer is mandated by the state (see LD enclosure) and is of no cost to you. Consideration for this position is greatly appreciated.

Sincerely



Bryan Bachelder

Retired Maine State Trooper

Local Sealer

Enclosures:3

LOCAL SEALER

Checking local gas pumps
and retail scales for
calibration



BRYAN BACHELDER
P.O. Box 271
Readfield, ME 04355
bbach0167@aol.com
tel: 207 458-9388
Insured



National Conference on Weights and Measures Professional Certification Program



Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION
IN THE CATEGORY OF

Retail Motor Fuel Dispensing Systems

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

Brett Gurney
BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 22, 2018

DATE OF CERTIFICATION

Don Onwiler

DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

This certification will expire five years from the date of certification.

National Conference on Weights and Measures Professional Certification Program



Bryan Bachelder

HAS SUCCESSFULLY PASSED THE NATIONAL CERTIFICATION PROGRAM EXAMINATION
IN THE CATEGORY OF

Small Capacity Weighing Systems Class III

THIS PROFESSIONAL CERTIFICATION STANDARD PROVIDES ASSURANCE THAT
AN INDIVIDUAL HAS A WORKING KNOWLEDGE OF APPLICABLE PORTIONS OF THE CURRENT STANDARDS ADOPTED BY THE
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES AND OTHER RELEVANT NIST STANDARDS

Brett Gurney
BRETT GURNEY, CHAIRMAN
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

Don Onwiler
DON ONWILER, EXECUTIVE DIRECTOR
NATIONAL CONFERENCE ON WEIGHTS AND MEASURES

August 26, 2018

DATE OF CERTIFICATION

This certification will expire five years from the date of certification.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 139-12022019

ORDERED, that the City Council hereby appoints Bryan Bachelder as the Local Sealer of Weights and Measures with a term expiration of December 31, 2020.

IN COUNCIL REGULAR MEETING DECEMBER 2, 2019 VOL. 35 PAGE 104

Mayor Levesque called the meeting to order at 7:02 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

1. Order 135-11182019*

Confirming Chief Moen's appointment of Taylor M. Hopkins as a Constable with firearm for the Auburn Police Department.

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

Passage 7-0.

II. Minutes – November 4, 2019 Regular Council Meeting

Motion was made by Councilor Walker and seconded by Councilor Fournier to approve the minutes of the November 4, 2019 Regular Council Meeting. Passage 7-0.

III. Communications, Presentations and Recognitions

- **Recognition** – Extra Mile – Melissa Slattery (BJ's Wholesale Club Manager) was recognized for going above and beyond. BJ's donated over 20 large sheet cakes for our 150th birthday celebration.
- **Recognition** – Sophia White, Auburn Middle School student and winner of the Auburn Book Project was recognized
- **Proclamation** - Pancreatic Cancer Awareness Month
- **Presentation** - Passenger Rail Study (Bob Stone and Bettyann Sheats presented)

IV. Open Session

No one from the public spoke.

V. Unfinished Business – None

The Mayor called a ten minute recess.

VI. New Business

1. Ordinance 15-11182019

Amending Chapter 60, Article XII, Division 5. Shoreland Overlay District (SLO), Sec. 60-1003. - Timber harvesting. First reading.

Motion was made by Councilor Titus and seconded by Councilor Young for passage.

Public comment – no one from the public spoke.

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

2. Order 136-11182019

Approving the Mass Gathering for the New Year's Eve Auburn Event to be held on December 31, 2019. Public hearing.

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

Public hearing – no one from the public spoke.

Passage 7-0.

3. Ordinance 16-11182019

Amending Chapter 60, Sec. 60-2 Definitions in the Agriculture and Resource Protection District (AGRP). First reading.

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

Public comment – Jim Pross, Hersey Hill Road and representing the Lake Auburn Water Shed Protection Commission commented that the current language as drafted does not mention anything about excluding the Lake Auburn Water Shed Overlay District which puts the public water supply at risk. He encouraged Council to consider implementing new language.

Tizz Crowley, 35 University Street asked that the City Council considers tabling this item.

Joseph Grube, Lewiston Commissioner urged the Council to consider a special exception for the Lake Auburn Overlay District.

Camille Parish, 42 Lake Street, urged the Council to consider the proposed changes that Mr. Pross (representing LAWPC) put forth and not pass the first reading tonight and to be cautious when reviewing the proposed changes.

Motion was made by Councilor Titus and seconded by Councilor Walker to amend the proposed ordinance amendment by including language that would exempt the Lake Auburn Water Shed area from the 30%.

Motion on the amendment failed 3-4 (Councilors Gerry, Lasagna, Titus, and Fournier opposed).

Original motion failed 3-4 (Councilors Gerry, Lasagna, Hayes, and Titus opposed). A roll call vote was taken.

4. Ordinance 17-11182019

Amending Chapter 60, Sec.60-145 Use Regulations in the Agriculture and Resource Protection District (AGRP). First reading.

Motion was made by Councilor Titus and seconded by Councilor Fournier for passage.

Public comment - Jim Pross reiterated his earlier comments.

Motion was made by Councilor Gerry and seconded by Councilor Fournier to postpone this item to the December 2, 2019 Council meeting.

Passage 6-0-1 (Councilor Walker abstained).

5. Ordinance 18-11182019

Amending Sec. 60-146 Dimensional Regulations in the Agriculture and Resource Protection District (AGRP). First reading.

Motion was made by Councilor Titus and seconded by Councilor Gerry to postpone this item to the December 2, 2019 Council meeting.

Passage 6-0-1 (Councilor Walker abstained).

III. Reports

Mayor Levesque – thanked the Economic and Community Development staff for their support with the Ag Zone items. He also announced that the Inauguration will be held on Monday, December 16, 2019 at 6:00 PM.

Councilor Young – reported that he attended a 10-mile road race on Cousens Island over the weekend. He also noted that he visited his mother yesterday. She is 91 years old. He also attended the Danville Junction Grange for contra dancing. He thanked Auburn residents that voted on November 5th and he congratulated his opponents. He said he plans on spending extra time with his family. He also mentioned that there is a Building Committee meeting tomorrow.

Councilor Walker – there is a Neighborhood Watch meeting on November 21st at 6:30 PM at the Sixth Street Congregational Church, the United New Auburn Association will meet November 26th at 6:00 PM at Rolly's Diner, on November 28th the Age Friendly Committee will be offering a free Thanksgiving Dinner at the Senior Community Center at noon, the Age Friendly Committee will be meeting on December 3rd at 5:30 PM at the Senior Community Center, and December 6th is the Christmas celebration and parade which will start in Lewiston and make their way through New Auburn and over to Festival Plaza.

Councilor Fournier congratulated Council members that have been elected and re-elected. She also reported that the School Committee is still working on the Superintendents evaluation.

Councilor Titus – reported on the Auburn Water and Sewer District budget meetings, adding that they will be meeting again (Sewer District on Tuesday at 4:00 PM and Water District on Wednesday at 4:00 PM). He also reported on the last Age Friendly Committee meeting he attended.

Councilor Hayes – no report

Councilor Lasagna – reported that the ELHS Building Committee meeting will be meeting at 6:30 and the Athletic sub-committee is meeting at 5:30 PM tomorrow. On Wednesday at 6:00 PM there is a meeting in Community Room where there will be discussion on a “jug handle” on Route 4. She also reported that she met with Zach Lenhart last week to discuss the Community Advisory Committee for CDBG and she encourages people to apply for that committee to work on the 5 year plan.

Councilor Gerry – stated that it has been a pleasure working with Councilor Young.

City Manager – reported that the FY21 budget process is underway, December 14th there will be a City Council orientation from 9AM – 2PM in Council Chambers. He recently met with Community Little Theater’s Board of Directors and he has asked them for a business plan by the end of this year. He commented the holiday celebration will take place on December 6th, and the New Years Eve Auburn event coming up on December 31st.

VIII. Open Session – no one from the public spoke

IX. Executive Session – legal rights and responsibilities, pursuant to 1 MRSA Sec. 405(6)(E)

Motion was made by Councilor Fournier and seconded by Councilor Lasagna to enter into executive session. Passage 7-0. Time in 9:21 PM.

Council was declared out of executive session at 9:45 PM.

X. Adjournment

Motion was made by Councilor Hayes and seconded by Councilor Fournier to adjourn. All were in favor, the meeting adjourned at 9:45 PM.

A TRUE COPY

ATTEST



Susan Clements-Dallaire, City Clerk



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Author: Phil Crowell, Assistant City Manager

Subject: Ad-hoc Recycling Committee Update and Request

Information:

Update: The city council adopted a resolve to create a Recycling ad-hoc committee on June 24, 2019. The committee was delayed in receiving applications to begin the committee work. The first meeting of committee was held October 31, 2019. The adopted order requires an update be made to the city council in December 2019. A provision is also outlined for extending the work of the committee. The committee has had four meetings, toured the Maine Waste to Energy and Casella facility, had a presentation of the current recycling model and costs by the Public Works Director, attended a Solid Waste Forum at AVCOG, and have created an outline of next steps to best meet the councils charge for the committee.

Request:

1. The committee is proposing the committee members terms end May 1, 2020 due to the late start of the committee work.
 2. The City of Auburn join on with the Natural Resources Council Maine's Recycling Reform Resolve.
At the request of the Legislature, the Maine Department of Environmental Protection will submit legislation by December 16, 2019, that would help solve the current recycling problem by establishing equitable, non-taxpayer-funded municipal recycling programs for packaging waste. This type of "extended producer responsibility" law has the power to:
 - **Save Maine municipalities between \$16 and \$17.5 million each year.** Cities and towns would be reimbursed for any recycling costs by the corporations and brand owners that produce packaging into our state, like is done all over the world. Towns would still have control over their recycling programs; and could keep any revenues generated.
 - **Protect our recycling programs and make them more resilient to market changes.** Right now, many municipalities are being forced to stop, cut back, or pay more for their recycling programs because of the expense. The key to making our recycling programs more sustainable is to change who pays for them.
-

City Budgetary Impacts: N/A

Staff Recommended Action: If the council is in favor of extending the time allocated for the ad-hoc committee and for adopting the proposed resolve it will be added to the Special Meeting on December 9, 2019.

Previous Meetings: 5/13/2019 Workshop discussion, 5/20/2019 Resolve to create the Recycling Ad-hoc Committee was approved, 6/3/19 purpose, composition, term, and outcomes were reviewed, and 6/24/19 approved the order to begin the ad-hoc committee.

City Manager Comments:

I concur with the recommendation.

Signature:

Attachments: Ad-hoc Recycling Committee Update Sheet and Natural Resources Council Maine's Recycling Reform letter and Resolve.



AUBURN AD-HOC RECYCLING COMMITTEE

City Council Update | 12.2.19

COUNCIL CHARGE

- Identify the key impacts of the current recycling program;
- Compare the current model with models we could adopt;
- Identify current costs and how are other municipalities adapting to the changing market; and
- Create a public education and awareness campaign for the recommended changes

PROGRESS MADE

- 4 Committee meetings with research and presentations
- Presentation on current program details & costs
- Tours of Maine Waste to Energy and Casella
- Solid Waste Forum at AVCOG

NEXT STEPS

- Continue review of other municipal recycling programs
- Meeting with EcoMaine
- Review current legislation (LD1431) on waste reduction
- Build education/awareness campaign, including school program
- Research what are the “Gold Star Recycling” program materials—sustainable in the market
- Prepare report for city council with recommendations
- Other potential topics to address food waste and cost benefit plan

COMMITTEE RECOMMENDATIONS

1. This group is enthusiastically committed to accomplishing the mission set forth for them. **Recommend extension of the committee until May 2020.**
2. City Council show support for “Recycling Reform for Maine” by **adopting the proposed resolve.**

COMMITTEE MEMBERS

Silver Moore-Leamon | Camille Parrish | Sharon Benoit | Ralph Harder |
Rebecca Lloyd | Dennis Connelly Sr. | Councilor Holly Lasagna



Fall 2019

To Maine's Municipal Officials,

Thank you for operating a recycling program in your town. Maine people overwhelmingly want access to recycling. We recognize the cost burden of managing municipal solid waste through your annual budget, and we know that market changes for recycled commodities are currently upending many of Maine's recycling programs. That is why we are asking you to join a new statewide effort to reform recycling in Maine by shifting the cost burden away from taxpayers.

At the request of the Legislature, the Maine Department of Environmental Protection will submit legislation by December 16, 2019, that would help solve this problem by establishing equitable, non-taxpayer-funded municipal recycling programs for packaging waste. This type of "extended producer responsibility" law has the power to:

- **Save Maine municipalities between \$16 and \$17.5 million each year.** Cities and towns would be reimbursed for any recycling costs by the corporations and brand owners that produce packaging into our state, like is done all over the world. Towns would still have control over their recycling programs; and could keep any revenues generated.
- **Protect our recycling programs and make them more resilient to market changes.** Right now, many municipalities are being forced to stop, cut back, or pay more for their recycling programs because of the expense. The key to making our recycling programs more sustainable is to change who pays for them.

How you can help: One simple way that your municipality can show support for [Recycling Reform for Maine](#) is by adopting the attached resolution language. Please send to sarah@nrcm.org by December 31, 2019. We will compile the documents and present them to the Legislature's Joint Standing Committee on Environment and Natural Resources, who will consider this policy in the winter and spring of 2020.

You can visit www.recyclingreform.org to find more information on this very important policy initiative; including a list of towns that have already supported the resolution. Please feel free to contact me with any questions.

Sincerely,

Sarah K. Nichols, NRCM Sustainable Maine Director
(207) 430-0170 or sarah@nrcm.org



RECYCLING REFORM FOR MAINE

More Effective • More Sustainable • More Equitable

Whereas, Maine’s communities are struggling to maintain, expand, and in some cases are eliminating, recycling programs due to rising costs and difficult-to-manage materials; and

Whereas, product packaging, which includes plastic, metal, glass, and cardboard, constitutes approximately 30-40% of the materials managed by weight in Maine’s municipal waste management programs; and

Whereas, Maine taxpayers currently unfairly bear 100% of the cost and pay an estimated \$16 million to \$17 million each year to finance the management of this material through fragmented and increasingly expensive disposal or recycling options; and

Whereas, producers of product packaging have little incentive to minimize wasteful packaging or increase access to recycling; and there is no organized coordination between the producers of packaging and municipalities that are responsible for disposing of or recycling the packaging materials; and

Whereas, producers of product packaging have taken some or all responsibility for the management of post-consumer packaging in other parts of the world, including all European Union member states and five provinces in Canada, and, as a result, have greatly increased recycling rates, expanded infrastructure investment, created jobs, and reduced taxpayer costs;

Now, Therefore Be It Resolved,

We, Maine’s municipalities, support an Extended Producer Responsibility (EPR) for Packaging law as endorsed by the Legislature in 2019 through the passage of the Resolve, To Support Municipal Recycling Programs (LD 1431). We believe that this policy will work to make recycling in Maine:

More effective: Producers of packaging materials would have a direct economic incentive to produce less-wasteful packaging that can easily and profitably be managed by municipal recycling programs. Having shared responsibility between those who create the waste and those who manage the waste would foster recycling system improvements and enable greater participation in recycling across Maine;

More sustainable: An EPR law for packaging is an insurance policy for Maine municipalities when global recycling markets are unfavorable. The current approach to recycling is not resilient to fluctuations in the global recycling market. When commodity prices fall unexpectedly, towns and cities may be forced stop or restrict their programs; and

More equitable: Maine’s cities, towns, and taxpayers are currently footing the bill for a problem they didn’t create. With recycling reform, taxpayers will no longer pay for the cost of recycling since the net costs of recycling would be reimbursed—and the packaging manufacturers that produce less-wasteful, more recyclable packaging would pay less than those who do not. This is a much more equitable way to distribute costs.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Ordinance: 15-11182019

Author: Audrey Knight, City Planner

Subject: Shoreland Zoning Timber Harvesting Planning Board Recommendation (Option 1)

Information: The Department of Agriculture, Conservation and Forestry (DACF), Bureau of Forestry and the Maine State Legislature enacted statewide standards for Timber Harvesting and Related Activities in Shoreland Areas in 2013. The City Manager received a letter from the Director of the Maine Forest Service on January 7, 2019 requesting the City to update the Shoreland Zoning Ordinance to address the standards, as required by the Mandatory Shoreland Zoning Act, administered by the Maine Department of Environmental Protection (MDEP).

Each municipality in the State has been given three different options to address adopted State standards:

- **Option 1:** To have the Maine Forest Service assume administration and enforcement of the science-based standards. This entails repealing existing locally adopted Timber Harvest language, so the State Standards prevail.
- **Option 2:** Repeal and Replacement (in its entirety) of the State language and an additional determination and agreement on roles and responsibilities to be shared by the City and the State. Any changes that occur at the State level in the future would require the City to mirror those amendments.
- **Option 3:** Requires local ordinances to be updated to be at least as stringent as the State standards without assistance from the State for enforcement and administration. The City would need an extensive update to the existing code.

On October 8, 2019, the Planning Board voted to make a recommendation to City Council in favor of **Option 1** that the City repeal Sec. 60-1003 and enable to the State Forest Service to administer and enforce timber harvests in the Shoreland Zone with the following findings:

- Option one aids in reducing the burden on Staff and allows the City to utilize free State help and services;
- Expertise is not currently available on City Staff to administer options two and three effectively;
- This recommendation is made with the understanding that commercial forestry is not a large enough sector of the City's local economy to justify the required investments to implement options two or three effectively.

Ordinance Language to be Repealed: Chapter 60, Article XII, Division 5. Shoreland Overlay District (SLO), **Sec. 60-1003. - Timber harvesting.** (attached) and replaced with: "[Chapter 21, Statewide Standards for Timber Harvesting in Shoreland Areas apply.](#)"

City Budgetary Impacts: Option 1 has no impact on the City budget whereas Option 2 would require shared responsibilities between the City and the State in enforcing a new timber harvesting ordinance which may require additional Staff. Option 3 would require hiring a Forester to administer the ordinance effectively.

Staff Recommended Action: Planning Staff recommends the City Council approve the Planning Boards recommendation to repeal Sec. 60-1003 and enable the State Forest Service to administer and enforce timber harvests in the Shoreland Zone in the City. As stated in the findings and Staff report, regardless of the potential land area or forest management activity that could occur in these areas of the City, the work requires a specialized skill set that is not available in-house. Option two, adoption of a new ordinance requiring the State to implement, review and enforce, would appear to gain little and cost both time and money to both arrive at a "joint agreement" as well as to implement. Option three would



be recommended for jurisdictions with either a large tree harvesting industry and local staff or contracted experts in the logging industry, or those with limited shoreland and/or forests, so there would be no need for Forest Service assistance and limited to no impacts to watersheds.

Previous Meetings and History: The Planning Board received information and an overview of both the Shoreland Zone, and this Section of the ordinance July 9, 2019. Planning Board members requested further information from the state. A joint workshop with the Conservation Commission, attended by Thomas Gilbert, Water Resources Specialist, Maine Forest Service, was held on September 10, 2019 in which substantive questions were asked and discussed. The Planning Board received the Conservation Commission's recommendation on this matter, held a public hearing which garnered support, and voted unanimously in favor of Option 1, on October 8, 2019. The City Council held a workshop on this item on November 4, 2019, and passed the first reading on November 18, 2019.

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Cuddeback".

I concur with the recommendation. Signature:

Attachments:

- October 10, 2019 Planning Board Staff Report
- Ordinance Amendment (Sec. 60-1003)



PLANNING BOARD REPORT to the CITY COUNCIL

To: Mayor Levesque and Honorable Members of the Auburn City Council
From: Auburn Planning Board
Re: Shoreland Zoning Timber Harvesting Planning Board Recommendation (Option 1)
Date: October 08, 2019

A. **PUBLIC HEARING AND DELIBERATION** - The Auburn Planning Board received information and an overview of both the Shoreland Zone and this section of the ordinance on July 9, 2019. At that meeting, Planning Board members requested further information from the State. A joint workshop with the Conservation Commission, attended by Thomas Gilbert, Water Resources Specialist, Maine Forest Service, was held on September 10, 2019 in which substantive questions were asked and discussed. The Planning Board received the Conservation Commission’s recommendation on this matter, held a public hearing which garnered support, and voted unanimously in favor of Option 1, on October 8, 2019.

B. **PLANNING BOARD RECOMMENDATIONS**
Planning Board members voted unanimously to make a recommendation to City Council in favor of Option 1 that the City repeal Sec. 60-1003 and enable the State Forest Service to administer and enforce timber harvests in the Shoreland Zone with the following findings:

- Option one aids in reducing the burden on Staff and allows the City to utilize free State help and services;
- Expertise is not currently available on City Staff to administer options two and three effectively;
- This recommendation is made with the understanding that commercial forestry is not a large enough sector of the City’s local economy to justify the required investments to implement options two or three effectively.

RECOMMENDATION:
Ordinance Language to be Repealed: Chapter 60, Article XII, Division 5. Shoreland Overlay District (SLO), **Sec. 60-1003. - Timber harvesting.** (attached) and replaced with: [“Chapter 21, Statewide Standards for Timber Harvesting in Shoreland Areas apply.”](#)



Evan Cyr
Chair, Auburn Planning Board

Cc: Evan Cyr, Chair Auburn Planning Board
File

Sec. 60-1002. - Agriculture.

- (a) All spreading of manure shall be accomplished in conformance with the Manure Utilization Guidelines published by the Maine Department of Agriculture on November 1, 2001, and the Nutrient Management Law (7 M.R.S.A. §§ 4201-4209).
- (b) Manure shall not be stored or stockpiled within 100 feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, or within 75 feet horizontal distance, of other water bodies, tributary streams, or wetlands. All manure storage areas within the shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated stormwater.
- (c) Agricultural activities involving tillage of soil greater than 40,000 square feet in surface area, within the shoreland zone shall require a conservation plan to be filed with the planning board. Nonconformance with the provisions of said plan shall be considered to be a violation of this division.
- (d) There shall be no new tilling of soil within 100 feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within 75 feet, horizontal distance, from other water bodies; nor within 25 feet, horizontal distance, of tributary streams and freshwater wetlands. Operations in existence on the effective date of this division and not in conformance with this provision may be maintained.
- (e) Newly established livestock grazing areas shall not be permitted within 100 feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within 75 feet, horizontal distance, of other water bodies; nor within 25 feet, horizontal distance, of tributary streams and freshwater wetlands. Livestock grazing associated with ongoing farm activities, and which are not in conformance with the above setback provisions may continue, provided that such grazing is conducted in accordance with a conservation plan.

(Ord. No. 011-09072010-07, § 5.4U, 9-7-2010)

Sec. 60-1003. - Timber harvesting.

Chapter 21, Statewide Standards for Timber Harvesting in Shoreland Areas apply.

- ~~(a) In a resource protection district abutting a great pond, timber harvesting shall be limited to the following:~~
 - ~~(1) Within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, timber harvesting may be conducted when the following conditions are met:~~
 - ~~a. The ground is frozen;~~
 - ~~b. There is no resultant soil disturbance;~~
 - ~~c. The removal of trees is accomplished using a cable or boom and there is no entry of tracked or wheeled vehicles into the 75-foot strip of land;~~
 - ~~d. There is no cutting of trees less than six inches in diameter; no more than 30 percent of the trees six inches or more in diameter, measured at four and one half feet above ground level, are cut in any ten-year period; and a well-distributed stand of trees and other natural vegetation remains; and~~
 - ~~e. A licensed professional forester has marked the trees to be harvested prior to a permit being issued by the municipality.~~
 - ~~(2) Beyond the 75-foot strip referred to in subsection (a)(1) above, timber harvesting is permitted in accordance with subsection (b) below except that in no case shall the average residual basal area of trees over four and one half inches in diameter at four and one half feet above ground level be reduced to less than 30 square feet per acre.~~

- ~~(b) Except in areas as described in subsection (a) above, timber harvesting shall conform with the following provisions:~~
- ~~(1) Selective cutting of no more than 40 percent of the total volume of trees four inches or more in diameter measured at four and one-half feet above ground level on any lot in any ten-year period is permitted. In addition:
 - ~~a. Within 100 feet, horizontal distance, of the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and within 75 feet, horizontal distance, of the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, there shall be no clearcut openings and a well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained.~~
 - ~~b. At distances greater than 100 feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond classified GPA, and greater than 75 feet, horizontal distance, of the normal high-water line of other water bodies or the upland edge of a wetland, harvesting operations shall not create single clearcut openings greater than 10,000 square feet in the forest canopy. Where such openings exceed 5,000 square feet they shall be at least 100 feet, horizontal distance, apart. Such clearcut openings shall be included in the calculation of total volume removal. Volume may be considered to be equivalent to basal area.~~~~
 - ~~(2) Timber harvesting operations exceeding the 40 percent limitation in subsection (b)(1) above, may be allowed by the planning board upon a clear showing, including a forest management plan signed by a Maine licensed professional forester, that such an exception is necessary for good forest management and will be carried out in accordance with the purposes of the SLO district. The planning board shall notify the commissioner of the department of environmental protection of each exception allowed, within 14 days of the planning board's decision.~~
 - ~~(3) No accumulation of slash shall be left within 50 feet, horizontal distance, of the normal high-water line of a water body. In all other areas slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four feet above the ground. Any debris that falls below the normal high-water line of a water body or tributary stream shall be removed.~~
 - ~~(4) Timber harvesting equipment shall not use stream channels as travel routes except when:
 - ~~a. Surface waters are frozen; and~~
 - ~~b. The activity will not result in any ground disturbance.~~~~
 - ~~(5) All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.~~
 - ~~(6) Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.~~
 - ~~(7) Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least 75 feet, horizontal distance, in width for slopes up to ten percent shall be retained between the exposed mineral soil and the normal high-water line of a water body or upland edge of a wetland. For each ten percent increase in slope, the unscarified strip shall be increased by 20 feet, horizontal distance. The provisions of this paragraph apply only to a face sloping toward the water body or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than 25 feet, horizontal distance, from the normal high-water line of a water body or upland edge of a wetland.~~

~~(Ord. No. 011-09072010-07, § 5.4V, 9-7-2010)~~

Sec. 60-1004. - Clearing or removal of vegetation for activities other than timber harvesting.

- (a) In a resource protection district abutting a great pond, there shall be no cutting of vegetation within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards.

Elsewhere, in any resource protection district the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.

- (b) Except in areas as described in section 60-1003(a), above, and except to allow for the development of permitted uses, within a strip of land extending 100 feet, horizontal distance, inland from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet, horizontal distance, from any other water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:
- (1) There shall be no cleared opening greater than 250 square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer limits of the tree or shrub crown. However, a footpath not to exceed six feet in width as measured between tree trunks and/or shrub stems is allowed provided that a cleared line of sight to the water through the buffer strip is not created.
 - (2) Selective cutting of trees within the buffer strip is allowed provided that a well-distributed stand of trees and other natural vegetation is maintained. For the purposes of section 60-1003(b)(2) a "well-distributed stand of trees" adjacent to a great pond classified GPA or a river or stream flowing to a great pond classified GPA, shall be defined as maintaining a rating score of 24 or more in each 25-foot by 50-foot rectangular (1,250 square feet) area as determined by the following rating system.

Diameter of Tree at 4½ feet Above Ground Level (inches)	Points
2 - < 4 in.	1
4 - < 8 in.	2
8 - < 12 in.	4
12 inches or greater	8

Adjacent to other water bodies, tributary streams, and wetlands, a "well-distributed stand of trees" is defined as maintaining a minimum rating score of 16 per 25-foot by 50-foot rectangular area.

The following shall govern in applying this point system:

- a. The 25-foot by 50-foot rectangular plots must be established where the landowner or lessee proposes clearing within the required buffer;
- b. Each successive plot must be adjacent to, but not overlap a previous plot;

- c. Any plot not containing the required points must have no vegetation removed except as otherwise allowed by this division;
- d. Any plot containing the required points may have vegetation removed down to the minimum points required or as otherwise allowed by this division;
- e. Where conditions permit, no more than 50 percent of the points on any 25-foot by 50-foot rectangular area may consist of trees greater than 12 inches in diameter.

For the purposes of section 60-1003(b)(2) "other natural vegetation" is defined as retaining existing vegetation under three feet in height and other ground cover and retaining at least five saplings less than two inches in diameter at four and one-half feet above ground level for each 25-foot by 50-foot rectangle area. If five saplings do not exist, no woody stems less than two inches in diameter can be removed until five saplings have been recruited into the plot.

Notwithstanding the above provisions, no more than 40 percent of the total volume of trees four inches or more in diameter, measured at four and one-half feet above ground level may be removed in any ten-year period.

- (3) In order to protect water quality and wildlife habitat, existing vegetation under three feet in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses as described in section 60-1003 paragraphs (b) and (b)(1) above.
- (4) Pruning of tree branches, on the bottom one-third of the tree is allowed.
- (5) In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species unless existing new tree growth is present.

Section 60-1003(b) does not apply to those portions of public recreational facilities adjacent to public swimming areas as long as cleared areas are limited to the minimum area necessary.

- (c) At distances greater than 100 feet, horizontal distance, from a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet, horizontal distance, from the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland, there shall be allowed on any lot, in any ten-year period, selective cutting of not more than 40 percent of the volume of trees four inches or more in diameter, measured four and one-half feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the 40 percent calculation. For the purposes of these standards volume may be considered to be equivalent to basal area.

In no event shall cleared openings for any purpose, including but not limited to, principal and accessory structures, driveways, lawns and sewage disposal areas, exceed in the aggregate, 25 percent of the lot area within the shoreland zone or 10,000 square feet, whichever is greater, including land previously cleared. This provision shall not apply to the general development areas.

- (d) Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this section.
- (e) Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of section 60-1003.

(Ord. No. 011-09072010-07, § 5.4W, 9-7-2010)



City of Auburn, Maine
Office Economic and Community
Development www.auburnmaine.gov
60 Court Street Auburn, Maine 04210
207.333.6601

PLANNING BOARD STAFF
REPORT

To: Auburn Planning Board

From: Audrey Knight, City Planner Urban Development Coordinator

Re: Amendment to Shoreland Zoning Overlay District , Chapter 60, Article XII, Division 5, Sec.60-1003, Timber Harvesting.

Date: October 10, 2019

I. PROPOSAL

The State Department of Agriculture, Conservation and Forestry, Bureau of Forestry and the Maine state legislature enacted statewide standards for Timber Harvesting and Related Activities in Shoreland Areas in 2013. The City Manager received a letter from the Director of the Maine Forest Service, January 7, 2019, requesting the city to update its Shoreland Zoning ordinance to address these standards, as required by the Mandatory Shoreland Zoning Act, administered by DEP.

Each jurisdiction in the state has been given three different options to address adopted state standards. To date more than 176 municipalities have opted for **option 1**, to have the Maine Forest Service assume administration and enforcement of the science-based standards. This entails repealing existing locally adopted Timber Harvest language, so that the state standards prevail. **Option 2** requires the repeal and replacement (in its entirety) of the state language, and an additional determination and agreement on rolls and responsibilities to be shared by the city and the state. Any changes that occur at the state level in the future would require the city to mirror those amendments. Roughly 55 communities have entered a joint agreement with the Forest Service. **Option 3** does not provide for any assistance from the state for enforcement and administration but would require local ordinances to be updated to be at least as stringent as the state standards. The City of Auburn would need an extensive update to the existing code.

Chapter 21, Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, is a 26 page ordinance with specialized standards and measurements particular to tree, habitat and forest management ;

II. DEPARTMENT REVIEW

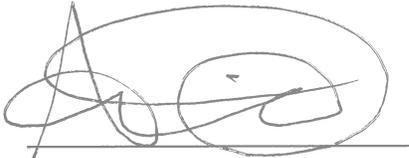
This item was discussed at the citywide development review committee meeting with little to no comment from other departments.

Economic and Community Development staff recommends that the City choose **Option 1**, repealing Sec.60-1003, and enabling the state Forest Service to administer and enforce Timber Harvests in the SLO. Regardless of the potential land area or forest management activity that could occur in these areas of the city, this work requires a specialized skill set that we do not have in-house. **Option 2**, adoption of the code in its entirety with a joint agreement with the state on implementation, review and enforcement, would appear to gain little, and cost both time and money to both arrive at a “joint agreement” as well as to implement. **Option 3** should probably only be undertaken by jurisdictions with either a large tree harvesting industry and local staff or contracted experts in the logging industry, or those with limited SLO and/or forests, so there would be no need for Forest Service assistance, and limited to no impact to watersheds.

III. PLANNING BOARD ACTION

The Planning Board is being asked to make a recommendation to City Council regarding the adoption or incorporation of the Statewide Standards for Timber Harvesting, thereby amending Article XII, Division 5 (Shoreland Overlay District- SLO), Sec.60-1003.

Example Motion: I make a motion to recommend to City Council that they choose Option 1, to repeal Sec.60-1003- Timber Harvest, and thereby defer the regulation of timber harvesting activities occurring in the Shoreland Overlay Zoning district to the State Bureau of Forestry.

A handwritten signature in black ink, appearing to read 'Audrey Knight', written over a horizontal line.

Audrey Knight, AICP

City Planner

**ADOPTING STATEWIDE TIMBER HARVESTING STANDARDS FOR YOUR SHORELAND ZONING ORDINANCE—
Guidance from Chapter 1000 Guidelines**

Title 38 M.R.S.A. section 438-B establishes three options from which each municipality may choose as the State implements a set of statewide timber harvesting standards in shoreland areas:

Option 1: The first option available to a municipality is the complete repeal of timber harvesting provisions from the shoreland zoning ordinance. Under this option the Bureau of Forestry will administer the regulation of all forestry activities within the municipality. Section 438-B(2) states:

A municipality may choose to have the statewide standards apply to timber harvesting and timber harvesting activities in that municipality by authorizing the repeal of all provisions within the municipal shoreland zoning ordinance that regulate timber harvesting and timber harvesting activities in shoreland areas and notifying the (Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry) of the repeal. The authorization must specify a repeal date. When a municipality accepts the statewide standards in accordance with this subsection, the (Director of the Bureau of Forestry) shall administer and enforce the statewide standards within that municipality beginning on (January 1, 2013) or the municipal repeal date specified in the notification received under this subsection.

Section 438-B(6) provides that, notwithstanding any provision in a local ordinance to the contrary, beginning January 1, 2013 rules adopted by the Bureau of Forestry under Title 12, section 8867-B will apply in all municipalities that have accepted the statewide standards in accordance with Option 1.

If a municipality chooses option 1, completely repealing the municipal regulation of timber harvesting activities in the shoreland zone and deferring the regulation of timber harvesting activities to the Bureau of Forestry, the repeal should include all references to timber harvesting regulations, including:

1. Section 14, Table 1, *Land Uses in the Shoreland Zone*, Item 3 (forest management activities except for timber harvesting & land management roads), Item 4 (timber harvesting), and Item 27 (land management roads) of the Table;
2. Section 15(O) in its entirety (Section 15(O-1) would not have been adopted by those municipalities that had elected to retain section 15(O), so there would be no need to repeal section 15(O-1)); and
3. All definitions in Section 17 pertaining to timber harvesting and forest management activities, including the terms: Cross-sectional area, DBH, Disruption of shoreline integrity, Forest management activities, Forest stand, Harvest area, Land management road, Licensed forester, Residual basal area, Residual stand, Skid road or skid trail, Slash, Timber harvesting and related activities, and Wind firm.

Option 2: The second option available to the municipality is the adoption of timber harvesting standards that are identical to the statewide standards. This option allows the municipality to retain some local control over the administration and enforcement of timber harvesting in the shoreland zone, while receiving assistance and expertise from staff of the Bureau of Forestry. Section 438-B(3) states:

A municipality may adopt an ordinance to regulate timber harvesting and timber harvesting activities that is identical to the statewide standards. A municipality that adopts an ordinance under this subsection may request the director (of the Bureau of Forestry) to administer and enforce the ordinance or to participate in

joint administration and enforcement of the ordinance with the municipality beginning on the effective date of the statewide standards (January 1, 2013) or within 60 days of the director's receiving a request. When a municipality requests joint responsibilities, the director and the municipality shall enter into an agreement that delineates the administrative and enforcement duties of each. To continue to receive administrative and enforcement assistance from the (Bureau of Forestry) under this subsection, a municipality must amend its ordinance as necessary to maintain identical provisions with the statewide standards.

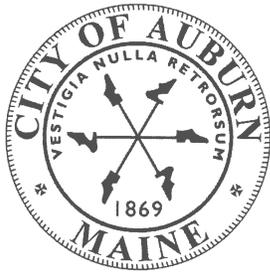
Section 438-B(6) provides that, notwithstanding any provision in a local ordinance to the contrary, beginning January 1, 2013 rules adopted by the Bureau of Forestry under Title 12, section 8867-B will apply in all municipalities that have adopted an ordinance identical to the statewide standards in accordance with Option 2.

For those municipalities that choose option 2, these Guidelines contain timber harvesting standards that are based on the June 15, 2005 Bureau of Forestry Chapter 21 statewide standards (Section 15.O-1). Provisions for culvert sizing in this section 15.O-1 have been updated to comply with current NRPA standards, and a reference to Bureau of Forestry definitions for terms used in this section has been added. However, before a municipality adopts or amends this section they should consult with the Bureau of Forestry to get the latest version of Chapter 21. A municipality amending their own forestry standards, whether under Option 2 or Option 3, is required to coordinate with the Bureau of Forestry through the Title 12, section 8869, subsection 8 process to ensure that any local amendments are consistent with the statewide standards in effect at the time of the local ordinance amendments.

Option 3: The third option available to the municipality is to retain its current timber harvesting standards. Section 438-B(4) states:

A municipal ordinance regulating timber harvesting and timber harvesting activities that is in effect and consistent with state laws and rules in effect on December 31, 2005 continues in effect unless action is taken in accordance with (Option 1 or Option 2 above). A municipality that retains an ordinance with provisions that differ from the statewide standards shall administer and enforce that ordinance unless the municipality requests that the director (of the Bureau of Forestry) administer and enforce the ordinance and the director agrees with the request after reviewing the ordinance. The director may not administer or enforce any ordinance that is more stringent than or significantly different from the requirements of section 438-B(3). A municipality may not amend a municipal ordinance regulating timber harvesting and timber harvesting activities unless the process established in Title 12, section 8869, subsection 8 is followed. Beginning on (January 1, 2013), a municipality may not amend an ordinance regulating timber harvesting and timber harvesting activities in a manner that results in standards that are less stringent than or otherwise conflict with the statewide standards (Section 438-B(4)).

Option 3 municipalities may also amend their timber harvesting ordinances in accordance with section 15.O-1, but before a municipality amends their ordinance they should consult with the Bureau of Forestry to get the latest version of Chapter 21. A municipality amending their forestry standards, whether under Option 2 or Option 3, is required to coordinate with the Bureau of Forestry through the Title 12, section 8869, subsection 8 process to ensure that any local amendments are consistent with the statewide standards in effect at the time of the local ordinance amendments.



City of Auburn, Maine

Conservation Commission

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

October 7, 2019

To the Planning Board, City Council, and others it may concern,

The Conservation Commission was invited to provide input on standards of Timber Harvesting in the Shoreland Zone. The City Manager received a letter from the Director of the Maine Forest Service, January 7, 2019, requesting the city to update its Shoreland Zoning ordinance to address these standards, as required by the Mandatory Shoreland Zoning Act, administered by DEP.

The Conservation Commission attended a joint session with the Planning Board on September 10, 2019 to discuss the three options available to the City of Auburn, and further discussed these options in the Conservation Commission meeting on September 17th.. In summary, the Conservation Commission's interpretation of the options include: option 1 entails adoption of state standards in their entirety and the state is responsible for enforcement, option 2 entails adoption of state standards and shared roles and responsibilities between the state and municipality (to be determined and agreed upon between the two entities), and option 3 entails revising the municipal ordinance to be at least as stringent as state standards, but with no administrative or enforcement assistance from the state.

The Conservation Commission recommends that the City of Auburn choose option 1 because it provides continuity for foresters and loggers that are familiar with the widely adopted state standards and reduces confusion of dealing with multiple ordinances, avoids potential issues of shared duties and roles under option 2, and under option 1 the state would provide the technical knowledge needed to enforce the standards that the city does not have. However, if possible, the Commission thinks the City should request the ability to review any future proposed changes to state standards with the choice to opt out if the City does not agree with the changes.

If the City decides to adopt the state standards, the Conservation Commission feels it would be beneficial for the City to provide a workshop open to landowners and businesses on the changes as a way to proactively educate and avoid potential violations to new standards.

Respectfully,

Mrs. Jordan Tate , Conservation Commission Chair

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 15-11182019

Be it Ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 60, Article XII, Division 5. Shoreland Overlay District (SLO), Section 60-1003. – Timber Harvesting (as attached).



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Ordinance: 16-11182019

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Proposed Zoning Text Amendments to Chapter 60, Sec. 60-2 Definitions related to the Agriculture and Resource Protection Zoning District (AGRP)

Information: These proposed changes collectively modify the existing 50% farm income requirement needed to obtain a residential building permit in the AGRP zoning district, to 30%. It further modifies the definition of income by allowing this to be measured flexibly, using either total gross household (HH) income, or the City of Auburn's median HH income, to meet this standard.

The portion of the amendments in front of the Council for the current vote is Chapter 60, Sec. 60-2 Definitions. Based on the legal review, all reference to income has been removed from the farm definition and clearly written into the standards for residences accessory to farms in the AGRP Zone.

Advantages: This modification is intended to address modern agricultural contributions to our local, regional and state economy from the agriculture sector, by recognizing the multiple income streams today's households need to be prosperous. It is also intended to open further opportunities to moderate income, and starter households who want to establish a new land-based enterprise.

Disadvantages: The administration, enforcement and implementation will require staff time similar to the existing ordinance.

City Budgetary Impacts: We do not anticipate any significant impacts with this incremental approach. New Homes will create new costs for services and new revenues, but the proposal should continue to limit development as farm residences.

Staff Recommended Action: Vote to approve the proposed ordinance.

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Coitton".

I concur with the recommendation. Signature:

Previous Meetings and History. This topic has been discussed by City Council at more than eight (8) workshops since September 16th and has been the subject of many committee meetings over the last couple years.

Attachments: Draft proposed ordinance language.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 16-11182019

Be it Ordained, that the Auburn City Council hereby adopts the first reading of the proposed amendment to Chapter 60 Section 60-2 Definitions as attached.

[Track Changes Version to show edits from existing ordinance to first reading version with legal review edits in yellow](#)

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Farm means any parcel of land ~~containing more than ten acres~~ which is used in the raising of agricultural products, livestock or poultry, or for dairying. ~~The term "farm," for the purpose of constructing a residence under in the Agricultural and Resource Protection District, shall be further defined as meeting the following criteria:~~

~~(1) At least 3050 percent of the total annual household income of the farm occupants and his spouse living in the farm residence or gross farm income equivalent to 30% of Auburn's Median Household Income, according the most recent Census data, will be derived from such uses; and;~~

~~(2) At least ten acres of the farm will be devoted to the production by the occupant of field crops or to the grazing of the occupant's livestock. For purposes of this definition, the term "poultry" means no fewer than 100 fowl and the term "livestock" means no fewer than 20 cattle or other animals being raised for commercial purposes.~~

Commented [MEC1]: Because the 30% requirement appears later and because the requirement is different in the Watershed, it is cleaner to remove it from the definition.

ARTICLE IV. - DISTRICT REGULATIONS

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, ~~on parcels containing no less than ten acres, provided that the dwelling is~~ accessory to farming operations ~~and~~ subject to the following restrictions:



**City of Auburn
City Council Information Sheet**

Council Meeting Date: November 18, 2019

Ordinance: 17-11182019

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Proposed Zoning Text Amendments to Chapter 60, Sec. 60-145 Use Regulations in the Agriculture and Resource Protection District (AGRP)

Information: These proposed changes collectively modify the existing 50% farm income requirement needed to obtain a residential building permit in the AGRP zoning district, to 30%. It further modifies the definition of income by allowing this to be measured flexibly, using either total gross household (HH) income, or the City of Auburn's median HH income, to meet this standard.

Additionally, a Special Exception (18) is proposed to enable the same use and standards to apply to parcels as small as five(5) acres in size, after submittal and review of the applicants commitment to agricultural activities by both the Agricultural Advisory Committee and the Planning Board (As is standard for all Special Exceptions, this would be a noticed Public Hearing).

Advantages: This modification is intended to address modern agricultural contributions to our local, regional and state economy from the agriculture sector, by recognizing the multiple income streams today's households need to be prosperous. It is also intended to open further opportunities to moderate income, and starter households who want to establish a new land-based enterprise. Further provisions are made for parcels of five (5) acres of land or more, which is not currently available.

Disadvantages: The administration, enforcement and implementation are still being explored.

City Budgetary Impacts: Unknown at this time.

Staff Recommended Action: Recommend passage of first reading.

City Manager Recommendations:

I concur with the recommendation.

Signature:

A handwritten signature in blue ink that reads "Peter J. Coulter".

Previous Meetings and History. This topic has been discussed by City Council at more than eight (8) workshops since September 16th. This was on the November 18, 2019 Council agenda for the first reading, however it was postponed until tonight's meeting (December 2, 2019).

Attachments: Draft proposed language.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 17-11182019

Amending Chapter 60, Sec. 60-145 Use Regulations

Be it Ordained, that the City Council hereby amends Chapter 60, Sec. 60-145 Use Regulations in the Agriculture and Resource Protection District as attached.

Track Changes Version to show edits from existing ordinance to first reading version with legal review edits in yellow

Formatted: Highlight

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Farm means any parcel of land containing more than ten acres which is used in the raising of agricultural products, livestock or poultry, or for dairying. The term "farm," for the purpose of constructing a residence under in the Agricultural and Resource Protection District, shall be further defined as meeting the following criteria:

Formatted: Not Highlight

Formatted: Highlight

(1) At least 3050 percent of the total annual household income of the farm occupants and his spouse living in the farm residence or gross farm income equivalent to 30% of Auburn's Median Household Income, according the most recent Census data, will be derived from such uses; and;

Formatted: Highlight

Formatted: Highlight

(2) At least ten acres of the farm will be devoted to the production by the occupant of field crops or to the grazing of the occupant's livestock. For purposes of this definition, the term "poultry" means no fewer than 100 fowl and the term "livestock" means no fewer than 20 cattle or other animals being raised for commercial purposes.

Commented [MEC1]: Because the 30% requirement appears later and because the requirement is different in the Watershed, it is cleaner to remove it from the definition.

ARTICLE IV. - DISTRICT REGULATIONS

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

(a) Permitted uses. The following uses are permitted:

(1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restrictions:

Formatted: Highlight

Track Changes Version to show edits from existing ordinance to first reading version with legal review edits in yellow

Formatted: Highlight

- a. At least 30 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence equivalent to or greater than 30% of Auburn's Median Household Income, according to the most recent Census data. ~~will be derived from farm uses; and.~~
 - b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are ~~substantially~~ 75% completed.
 - ~~cb.~~ In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - ~~dc.~~ Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
 - (3) Forest products raised for harvest.
 - (4) Field crop farms.
 - (5) Row crop farms.
 - (6) Orchard farms.
 - (7) Truck gardens.
 - (8) Plant and tree nurseries.
 - (9) Greenhouses.
 - (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
 - (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
 - (14) Adult use and medical marijuana cultivation, but not retail sales of any kind.
 - (15) Marijuana manufacturing accessory to a licensed cultivation site.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.

Formatted: Highlight

- b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
- (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.
- (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
- (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
- (5) Recreational uses of land intended or designed for public use subject to the following conditions:
- a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
- (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
- a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
- a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
- a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:

- a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
- a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.
 - b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
- a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.
- (16) Adaptive reuse of structures of community significance.
- (17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:

Track Changes Version to show edits from existing ordinance to first reading version with legal review edits in yellow

Formatted: Highlight

- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
- b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and
- c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.

(18) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, on parcels containing greater than five, but less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restrictions:

Formatted: Highlight

a. At least 30 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence is equal to or greater than 30% of Auburn's Median Household Income, according to the most recent Census data. At least 30 percent of the total annual household income of the farm occupants living in the farm residence or gross farm income equivalent to 30% of Auburn's Median Household Income, according to the most recent Census data, will be derived from farm uses, and

Formatted: Highlight

b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are 75% completed.

c. The applicant shall demonstrate compliance with the following requirements, said compliance to be first reviewed by After a recommendation by the Agricultural Committee finding the following for recommendation:

1. The applicant has provided shall provide a farm business plan that appears feasible and, if implemented, will meet the definition of a farm.

2. The parcel proposed can reasonably accommodate the proposed farm.

3. The applicant has shall demonstrated a commitment to the proposed farm use through compliance with the following State Farmland Tax Program requirement's for at least 2 years. This does not required participation in the program

Formatted: Highlight

Commented [MEC2]: The program has requirements that are not consistent with the ordinance. It seems you are only trying to capture the requirement to demonstrate prior farming income for 2 years prior to application, correct?

Formatted: Highlight

The parcel must contribute to a gross income per year of at least \$2,000 per year from the sales value of agricultural products as defined in Title 7 M.R.S.A., section 152, subsection 2 in two of the five calendar years preceding the date of application for special exception use approval. Gross income includes the value of commodities produced for consumption by the farm household.

4. The proposed residence will shall be accessory to farming.

5. The proposed residence is shall, not be, located in the Lake Auburn Watershed Overlay District.

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Track Changes Version to show edits from existing ordinance to first reading version with legal review edits in yellow

Formatted: Highlight

d. The parcel was existing as of January 1, 2018, and contains more than 5 acres of land area, and otherwise meets the requirements of Chapter 60 Zoning.

Formatted: Not Highlight

Formatted: Not Highlight

e. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.

f. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019)

Sec. 60-146. - Dimensional regulations.

All structures in this district, except as noted shall be subject to the following dimensional regulations:

(1) *Minimum lot area, width and depth.* No lot shall be created containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more and measuring less than 250 feet in width at the street frontage, and 200 feet in depth. No building shall be erected on a lot containing less than ten acres except as allowed in this section, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring less than 250 feet in width at the street frontage, and 200 feet in depth.

a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.

b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.

c. A dwelling may be constructed on lots existing as of January 1, 2018 and containing greater than 5 acres but less than 10 acres a dwelling may be constructed if approved as a special exception pursuant to section 60-145.b.18.

Formatted: Not Highlight

(2) *Density.* The density of year-round dwelling units shall not exceed an average of one dwelling per ten acres unless approved pursuant to section Sec. 60-146(1).

(3) *Yard requirements.*

a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.

b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Ordinance: 18-11182019

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Proposed Zoning Text Amendments to Chapter 60, Sec.60-146 Dimensional Regulations in the Agriculture and Resource Protection Zoning District (AGRP)

Information: These proposed changes collectively modify the existing 50% farm income requirement needed to obtain a residential building permit in the AGRP zoning district, to 30%. It further modifies the definition of income by allowing this to be measured flexibly, using either total gross household (HH) income, or the City of Auburn's median HH income, to meet this standard.

This section of the ordinance allows revised standards to apply to parcels as small as five(5) acres in size, after submittal and review of the applicants commitment to agricultural activities by both the Agricultural Advisory Committee and the Planning Board (As is standard for all Special Exceptions, this would be a noticed Public Hearing).

Advantages: This modification is intended to address modern agricultural contributions to our local, regional and state economy from the agriculture sector, by recognizing the multiple income streams today's households need to be prosperous. It is also intended to open further opportunities to moderate income, and starter households who want to establish a new land-based enterprise. Further provisions are made for parcels of five (5) acres of land or more, which is not currently available.

Disadvantages: The administration, enforcement and implementation will require staff time similar to the existing ordinance.

City Budgetary Impacts: We do not anticipate any significant impacts with this incremental approach. New Homes will create new costs for services and new revenues, but the proposal should continue to limit development as farm residences.

Staff Recommended Action: Vote to approve the proposed ordinance.

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Cousens".

I concur with the recommendation. Signature:

Previous Meetings and History. This topic has been discussed by City Council at more than eight (8) workshops since September 16th and has been the subject of many committee meetings over the last couple years.

Attachments: Draft proposed language.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 18-11182019

Be it Ordained, that the Auburn City Council hereby adopts the first reading of the proposed amendment to Chapter 60 Section 60-146 Dimensional Regulations as attached.

Track Changes Version to show edits from existing ordinance to first reading version with legal review edits in yellow

Formatted: Highlight

d. The parcel was existing as of January 1, 2018, and contains more than 5 acres of land area, and otherwise meets the requirements of Chapter 60 Zoning.

Formatted: Not Highlight

Formatted: Not Highlight

e. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.

f. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019)

Sec. 60-146. - Dimensional regulations.

All structures in this district, except as noted shall be subject to the following dimensional regulations:

(1) *Minimum lot area, width and depth.* No lot shall be created containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more and measuring less than 250 feet in width at the street frontage, and 200 feet in depth. No building shall be erected on a lot containing less than ten acres except as allowed in this section, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring less than 250 feet in width at the street frontage, and 200 feet in depth.

a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.

b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.

c. A dwelling may be constructed on lots existing as of January 1, 2018 and containing greater than 5 acres but less than 10 acres a dwelling may be constructed if approved as a special exception pursuant to section 60-145.b.18.

Formatted: Not Highlight

(2) *Density.* The density of year-round dwelling units shall not exceed an average of one dwelling per ten acres unless approved pursuant to section Sec. 60-146(1).

(3) *Yard requirements.*

a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.

b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.

Track Changes Version to show edits from existing ordinance to first reading version with legal review edits in yellow

Formatted: Highlight

- c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.

DRAFT

Clean Draft (Changes Accepted for convenience of reading through entire Ordinance)

Sec. 60-2. - Definitions.

For the purposes of this chapter, the following words and terms as used herein shall have the meanings or limitations of meaning hereby defined, explained or assigned:

Farm means any parcel of land which is used in the raising of agricultural products, livestock or poultry, or for dairying.

ARTICLE IV. - DISTRICT REGULATIONS

DIVISION 2. - AGRICULTURE AND RESOURCE PROTECTION DISTRICT

Sec. 60-144. - Purpose.

The purposes of this district are to allow for conservation of natural resources and open space land, and to encourage agricultural, forestry, and certain types of recreational uses. It is declared to be in the public interest that these areas should be protected and conserved because of their natural, aesthetic and scenic value, the need to retain and preserve open space lands, their economic contribution to the city, and primarily because these areas are so remote from existing centers of development that any added uncontrolled growth could result in an economic burden on the city and its inhabitants. This section shall be construed so as to effectuate the purposes outline here and to prevent any attempt to establish uses which are inconsistent with these purposes or any attempt to evade the provisions of this division.

(Ord. of 9-21-2009, § 3.31A)

Sec. 60-145. - Use regulations.

(a) *Permitted uses.* The following uses are permitted:

- (1) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this chapter, on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restrictions:
 - a. At least 30 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence is equal to or greater than 30% of Auburn's Median Household Income, according the most recent Census data. ,
 - b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in

connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are 75% completed.

- c. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - d. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.
- (2) Buildings, equipment and machinery accessory to the principal use including, but not limited to: barns silos, storage buildings and farm automobile garages.
 - (3) Forest products raised for harvest.
 - (4) Field crop farms.
 - (5) Row crop farms.
 - (6) Orchard farms.
 - (7) Truck gardens.
 - (8) Plant and tree nurseries.
 - (9) Greenhouses.
 - (10) Handling, storage and sale of agriculture produce and processed agricultural products derived from produce grown on the premises.
 - (11) Livestock operations including poultry farms, cattle farms, dairy farms, stud farms, hog farms, sheep ranches, other animal farms, including farms for raising fur-bearing animals.
 - (12) Wayside stands.
 - (13) Two-family dwellings which are created from the conversion of a one-family dwelling structure which was constructed prior to 1900.
 - (14) Adult use and medical marijuana cultivation, but not retail sales of any kind.
 - (15) Marijuana manufacturing accessory to a licensed cultivation site.
- (b) *Special exception uses.* The following uses are permitted by special exception after approval by the planning board in accordance with the provisions of division 3 of article XVII of this chapter:
- (1) Sawmills and their customary accessory land uses and buildings incidental to the harvesting of forest products, subject to the following conditions:
 - a. Sawmill and accessory activity shall not be detrimental to the neighborhood or the city by reason of special danger of fire or explosion, pollution of rivers or perennial streams or accumulation of refuse.
 - b. Wood processing operation shall be located no closer than 75 feet from any river or perennial stream, 250 feet from any zoning district boundary or residential dwelling and shall be limited to four persons employed.
 - c. Where natural vegetation is removed, it shall be replaced within six months with other vegetation which will be equally effective in retarding erosion and will preserve natural beauty.
 - (2) Veterinary hospitals, where operated by licensed veterinarians, including offices and facilities for temporarily boarding animals.

- (3) Handling, storage and sale of agricultural services, equipment, and supplies accessory to the farming use.
- (4) Bona fide residences required for farm labor. Any residence constructed for farm labor shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this division. The findings and the conditions upon which such altered use may be continued shall be made a part of the permanent records.
- (5) Recreational uses of land intended or designed for public use subject to the following conditions:
 - a. No such recreational use shall be expanded or extended so as to occupy additional land area greater than 20 percent of the original area or one acre, whichever is less; or by the construction of a structure or an addition to an existing structure by more than 900 square feet of additional floor space unless the owner or occupant first obtains approval of the planning board in the manner and upon the same terms as approvals of initial recreational uses.
 - b. Any proposed new or expanded recreational use shall be completed on or before the estimated completion date except that the planning board may grant reasonable extension of time where good cause for the failure to complete is shown.
- (6) Any legally nonconforming summer camp or cottage may be rebuilt if destroyed by fire or other casualty, subject to the following conditions:
 - a. Such reconstruction shall comply with all ordinances applicable to new construction. Such reconstruction need not, however, comply with zoning provisions which would otherwise be applicable except for the provisions of article XII of this chapter.
 - b. In cases where no minimum setback is established by division 5 of article XII of this chapter an open yard space of at least ten feet between the building as reconstructed and each of the property lines shall be maintained.
- (7) Rifle, pistol, skeet or trap shooting ranges, public or private.
- (8) Cemeteries, subject to the following conditions:
 - a. At least 20 acres in area.
 - b. Not located in any environmental overlay district or over any known aquifer.
- (9) Municipal sanitary landfills, subject to the following conditions:
 - a. Not located in any environmental overlay district or over any known aquifer.
 - b. Provisions shall be made to avoid surface water and groundwater pollution.
 - c. Provisions shall be made for frequent covering of deposited wastes with earth to counteract vermin, insects, odors, and windblown debris.
- (10) Radio, radar, television and radio telephone transmitting or broadcasting towers, but not studios or offices for such transmitting or broadcasting, provided that:
 - a. Every such tower shall be installed in a location and manner that ensures its safe operation and the safety of the surrounding residents, building occupants, land uses and properties.
 - b. In no case shall such tower be located less than one and one-half times its height from the nearest property line.
- (11) Wholesale nurseries, subject to the following conditions:
 - a. At least one-half of the area of the lot (up to a maximum of three acres) is in active nursery production in a husband type manner.

- b. The plants and trees propagated, grown and nurtured in the nursery are used as the primary products by the owner/operator of the landscape service.
- (12) Processing and storage of compost and bulking agents from the municipal wastewater sewerage sludge facilities provided that:
- a. All compost and amendments are to be stored undercover or screened from the public way and abutting property as determined by the planning board.
 - b. All federal, state and local ordinances and laws relating to the processing and storage of waste are complied with.
 - c. An end-use plan must be filed as part of the planning board process.
- (13) Licensed hospice care facility provided that it shall be licensed by the state as a Medicare certificate hospice.
- (14) Slaughterhouse, stockyard, abattoir, dressing plant in compliance with state and federal regulations subject to the following conditions:
- a. The facility shall not be located within the Lake Auburn Watershed Overlay District, the Watershed of Taylor Pond, the Shoreland Overlay District or the Floodplain Overlay District.
 - b. The proposed use shall not occupy more than 10,000 square feet of building area.
 - c. The number of employees shall be limited to not more than 15.
 - d. Accessory retail sales shall be limited to 10 percent of building area or 1,000 square feet, whichever is smaller.
 - e. Hours of operation shall limited to between 6 a.m. and 8 p.m.
- (15) Compost operations, excluding municipal and industrial waste, to process products such as manure, bedding, animal mortalities, waste feed, produce, forestry by-products, leaves and yard trimmings in compliance with state and federal regulations, subject to the following conditions:
- a. All compost sites shall be evaluated for suitability by a properly qualified professional, including benchmark water testing prior to approval.
 - b. Provisions shall be made to avoid surface and groundwater pollution.
 - c. Provisions shall be made to counteract vermin, insects and odors.
 - d. Must comply with all applicable state department of environmental protection and state department of agriculture rules and regulations and best management practices.
 - e. Shall not be located within the Lake Auburn Watershed Overlay District.
- (16) Adaptive reuse of structures of community significance.
- (17) Assembly, sale, research and development, distribution, instruction, training, demonstration or maintenance of recreational or agricultural equipment, including buildings as accessory structures used in the assembly, sale, distribution, instruction, training, demonstration, or maintenance of recreational or agricultural equipment, subject to the following conditions:
- a. The proposed use is accessory, complementary, or otherwise related to a recreational or agricultural use;
 - b. The recreational or agricultural use has been in existence for at least five years prior to the date of the application for the special exception; and
 - c. The recreational or agricultural use is located on the parcel for which the special exception is requested or is adjacent to the property for which the special exception is requested.
- (18) One-family detached dwellings, including manufactured housing subject to all the design standards, except the siting requirements of section 60-173, as set forth in article XII of this

chapter, on parcels containing greater than five, but less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restrictions:

- a. At least 30 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses or the gross farm income of the farm occupants living in the farm residence is equal to or greater than 30% of Auburn's Median Household Income, according to the most recent Census data; and
- b. No certificate of occupancy shall be issued for any such farm residence until the barns, livestock pens, silos, or other such buildings or structures which are to be erected in connection with the proposed agricultural use as shown on the plans and specifications presented to the municipal officer charged with enforcement are 75% completed.
- c. The applicant shall demonstrate compliance with the following requirements, said compliance to be first reviewed by the Agricultural Committee for recommendation:
 1. The applicant shall provide a farm business plan that appears feasible and, if implemented, will meet the definition of a farm.
 2. The parcel can reasonably accommodate the proposed farm.
 3. The applicant shall demonstrate a commitment to the proposed farm use through compliance with the following requirement:

The parcel must contribute to a gross income per year of at least \$2,000 per year from the sales value of agricultural products as defined in Title 7 M.R.S.A., section 152, subsection 2 in two of the five calendar years preceding the date of application for special exception use approval. Gross income includes the value of commodities produced for consumption by the farm household.
 4. The proposed residence shall be accessory to farming.
5. The proposed residence shall not be located in the Lake Auburn Watershed Overlay District.
 - d. The parcel was existing as of January 1, 2018, contains more than 5 acres of land area, and otherwise meets the requirements of Chapter 60 Zoning.
 - e. In no case shall any farm residence constructed under the provisions of this section after the effective date of the amended ordinance from which this section is derived continue to be occupied as a residence if the principal agricultural use has been abandoned or reduced in scope below the minimum requirements as shown on the plans and specifications presented to the municipal officer charged with enforcement.
 - f. Any residence constructed under this article shall not be converted to nonfarm residential use except by permission of the planning board based upon a finding that the abandonment or reduction in such use resulted from causes beyond the control of the applicant and not from any intention to circumvent the requirements of this article.

(Ord. of 9-21-2009, § 3.31B; Ord. No. 32-02072011-07, 2-7-2011; Ord. No. 06-08012011-07, 8-1-2011; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 06-06052017, 6-19-2017; Ord. No. 04-05202019, 6-3-2019)

Sec. 60-146. - Dimensional regulations.

All structures in this district, except as noted shall be subject to the following dimensional regulations:

- (1) *Minimum lot area, width and depth.* No lot shall be created containing less than ten acres, exclusive of any bodies of water having a surface area of one-fourth of an acre or more and measuring less than 250 feet in width at the street frontage, and 200 feet in depth. No building shall be erected on a lot containing less than ten acres except as allowed in this section, exclusive of any bodies of water having a surface area of one-fourth of an acre or more, and measuring less than 250 feet in width at the street frontage, and 200 feet in depth.
 - a. A building may be erected on a lot containing not less than 50,000 square feet and possessing the required minimum frontage width provided it is contiguous with other lots or parcels of land in the same ownership containing an aggregate of not less than ten acres; notwithstanding the separation of the said other lots or parcels of land by a road, stream, private right-of-way or other natural boundary from the lot on which the building is to be constructed. This section shall not be construed to prevent the construction of nonresidential accessory farm buildings on any such lot.
 - b. On legally nonconforming undersized lots, the keeping of horses, mules, cows, goats, sheep, hogs, and similar sized animals for domestic use of the residents of the lot is permitted provided that the land area required per animal unit conforms to the definition of animal farm contained in section 60-2.
 - c. A dwelling may be constructed on lots existing as of January 1, 2018 and containing greater than 5 acres but less than 10 acres if approved as a special exception pursuant to section 60-145.b.18.
- (2) *Density.* The density of year-round dwelling units shall not exceed an average of one dwelling per ten acres unless approved pursuant to section Sec. 60-146(1) .
- (3) *Yard requirements.*
 - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 25 feet.
 - b. *Side.* There shall be a minimum distance of 15 feet between any building and the side property line.
 - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot whichever is less.
- (4) *Height.* The height of all dwelling structures shall be limited to two and one-half stories of 35 feet in height. Accessory buildings and structures may have a maximum height of 65 feet from grade, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of 35 feet.
- (5) *Off-street parking.* Off-street parking spaces shall be provided in accordance with the requirements for specific uses as set forth in articles V through XI of this chapter.

(Ord. of 9-21-2009, § 3.31C)

Secs. 60-147—60-199. - Reserved.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Ordinance: 19-12022019

Author: Eric J. Cousens, Deputy Director of Economic and Community Development

Subject: Lake Auburn Overlay Changes related to residences in the Agriculture and Resource Protection (AGRP) Zoning District

Information: The City Council has been working with staff to refine amendments to the Agriculture and Resource Protection Zoning District regarding residences accessory to farms. At the November 18, 2019 meeting the Council directed staff to prepare an amendment that would retain the current standards in the Lake Auburn watershed if the standards are changed in the remainder of the AGRP Zoning District. The request was in response to concerns raised by the Lake Auburn Watershed Protection Commission. We have completed this request and would like to share it with the Council prior to first reading this evening. The Planning Board will review the proposed changes and provide a recommendation at their December 3rd meeting.

This draft has been updated based on a legal review to retain the existing regulations in the Lake Auburn Overlay.

City Budgetary Impacts: None known

Staff Recommended Action: Motion to approve the first reading.

Previous Meetings and History: None specific to the Lake Auburn Overlay but this was requested by the Council at the 11/18/19 Council Meeting.

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Cousens".

I concur with the recommendation. Signature:

Attachments:

Draft Ordinance

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 19-12022019

Ordinance - Amending Chapter 60, Article XII, Division 4, Lake Auburn Watershed Overlay District, Sec. 60-952 & 60-953

Be it Ordained, that the City Council hereby amends Chapter 60, Article XII, Division 4, Lake Auburn Watershed Overlay District, Sec.60-952 & Sec.60-953 as attached.

DIVISION 4. - LAKE AUBURN WATERSHED OVERLAY DISTRICT

Sec. 60-950. - Purpose.

The Lake Auburn Watershed District is intended to maintain safe and healthful environmental conditions; prevent and control water pollution; protect spawning ground for fish, aquatic life, bird and other wildlife habitats; control building sites; provide visual and physical points of access to waters and natural beauty; and protect and maintain the present quality and volume of potable water supplied from the Lake Auburn Watershed to the population of the Auburn-Lewiston area.

(Ord. of 9-21-2009, § 5.3A)

Sec. 60-951. - Boundaries and definitions.

The Lake Auburn Watershed District is that section of the city in which surface and subsurface waters ultimately flow or drain into Lake Auburn as such section is delineated on a watershed map and survey by the city water district on file in the office of the city water district, the city department of planning and permitting services and the city clerk. The Lake Auburn Watershed District shall be superimposed over underlying districts within such section. Permitted uses in the underlying districts shall continue subject to compliance with the provisions of the Lake Auburn Watershed District.

(Ord. of 9-21-2009, § 5.3B)

Sec. 60-952. - Use and environmental regulations.

(a) ~~(a)~~ *Agricultural uses.* All uses of land for chicken farms, cattle farms, horse farms, egg farms, piggeries, sheep farms, stables, crop farming and other agricultural purposes shall be subject to the approval of the city water district. Such approval shall be granted upon a showing that such uses will not cause groundwater contamination or contaminate or disturb the normal course of surface water runoff.

(b) *Residential dwellings.* Notwithstanding Sections 60-145(a)(1), 60-145(b)(18) and 60-146(1)(c), one-family detached dwellings are only permitted in the Lake Auburn Watershed District on parcels containing no less than ten acres, provided that the dwelling is accessory to farming operations and subject to the following restriction: At least 50 percent of the total annual household income of the farm occupants living in the farm residence will be derived from farm uses.

(cb) *Agricultural buffer strip.* Where land adjoining Lake Auburn or its perennial tributaries is tilled for agricultural purposes, an untilled buffer strip 50 feet wide shall be retained between the tilled area and the normal high-water mark. This subsection (b) shall not be interpreted as permitting agricultural tillage in any zoning district in which it is not otherwise permitted.

(de) *Municipal and manure sludge disposal.* All spreading and disposal of municipal sludge shall be accomplished in conformance with the Rules of Municipal Sludge Utilization on Land, published by the department of environmental protection in September, 1980. All spreading and disposal of manure shall be accomplished in conformance with Maine Guidelines for Manure and Manure Sludge Disposal on Land, published by the Life Sciences and Agriculture Experiment Station and the Cooperative Extension Service, University of Maine at Orono, and the Maine Soil and Water Conservation Commission in July, 1972.

(ed) *Erosion control.* The following provisions shall be observed for the control of erosion in the Lake Auburn Watershed:

- (1) Any earth cutting, moving or removal activities that will result in erosion or runoff which is likely to increase sedimentation of Lake Auburn, or any tributaries or other water bodies in the watershed is prohibited.
- (2) Vegetative cover shall not be removed except in a manner which will minimize erosion. Harvesting of trees shall be permitted only after a plan prepared by a qualified forester is submitted to and approved by the water district. Such plan will be approved or disapproved on the basis of its conformance with good watershed management practice for domestic water supplies.
- (3) Trees may be cleared, provided the cleared areas are covered with other vegetation, for approved construction and landscaping. Where such clearing is extended to the shoreline, a cleared opening or openings not greater than 30 feet in width for every 100 feet of shoreline (measured along the high-water mark) may be created in the strip extending 50 feet inland from the normal high-water mark. For purposes of this section, clearing is the removal of adjacent dominant trees which extend into the canopy and shrubs within ten feet of the shoreline. Where natural vegetation is removed, it shall be replaced with other vegetation which is equally effective in retarding erosion and preserving natural beauty. When the vegetative cover is changed in areas greater than three acres, a plan shall be filed with the city water district indicating the changes so that a record can be maintained of watershed water yields to the system.

(fe) *Private sewage disposal systems.* The following regulations shall be adhered to in the development of private sewage disposal systems in the Lake Auburn Watershed:

- (1) Subsurface absorption areas shall not be permitted on sites on which the highest seasonal groundwater table, bedrock, or other impervious layer is less than 36 inches below the bottom of the organic horizon. Not less than 24 inches of suitable soil shall be present below the bottom of the subsurface absorption area. The bottom of such subsurface absorption area shall not be less than 12 inches below the bottom of the organic horizon measured from the lowest point on the subsurface absorption area.
- (2) Within areas containing soils described as deep, loose and sandy or gravelly and which contain more than 70 percent sand as shown on table 9-3 of the state plumbing code, part II (April 25, 1975), no subsurface absorption area shall be installed closer than 300 feet to the normal high-water mark of any lake, pond, or yearround or intermittent stream. Where the daily sewage flow is or is reasonably likely to be in excess of 2,000 gallons, the system shall be located at least 1,000 feet from the normal high-water mark of any lake, pond or yearround or intermittent stream.
- (3) The city water district shall have the right to inspect any system within the Lake Auburn Watershed District during its construction and operation and may notify the health office, police chief, local plumbing inspector or housing inspector who shall require the abatement of such defects or malfunctions.
- (4) The local plumbing inspector shall furnish a copy of all site investigation reports in the Lake Auburn Watershed District to the city water district.
- (5) Replacement or reconstruction of private residential sewage disposal systems in existence and in use on December 17, 1983 shall not be subject to the requirements of this section but shall be required to comply with the current state plumbing code.

(Ord. of 9-21-2009, § 5.3C)

Sec. 60-953. - Dimensional regulations; building setbacks.

All buildings and structures, except those requiring direct access to the water as an operational necessity, shall be constructed not less than 75 feet inland from the normal high-water mark. Operational necessity shall include private docks, but shall not include boathouses, storage sheds, garages or other

structures. Marinas and boat rental facilities shall not be permitted within 75 feet of the normal high-water mark of Lake Auburn.

(Ord. of 9-21-2009, § 5.3D)

Sec. 60-954. - Conflicts.

In any case in which a provision of this section conflicts with a provision of any other section of this chapter, the provision which establishes the more stringent standard shall apply.

(Ord. of 9-21-2009, § 5.3E)

Secs. 60-955—60-981. - Reserved.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Ordinance: 20-12022019

Author: Peter Crichton, City Manager

Subject: Proposed Agriculture Committee Ordinance

Information: A Working Group was created to draft an ordinance forming an Agriculture Committee. The Planning Board then reviewed the Working Group's draft. Their recommended changes include:

- Amending the purpose statement to not only protect but **also promote** farms, farmland, forestry business, woodlots and include local agriculture economy and forestry economy. The recommendation removes natural resources from the purpose statement which is under the purview of the Conservation Commission.
 - Recommend striking wildlife protection and preservation/conservation of natural resources as these are under the purview of the Conservation Commission.
 - Amend the Committee Established language to reflect that the committee works throughout the **entire City not just the Ag/RP Zone**. To accomplish this, the Planning Board recommends striking "Agriculture and Resource Protection Zone" from the end of the Committee Established Language.
 - Recommends the City Council appoint 7 regular voting members who are residents of the City. At least one of those voting members would **have professional experience in an area directly related to forestry and at least one of those voting members would have direct professional experience in an area related to agriculture**.
 - Further recommends the other nonvoting members be residents *or* landowners **and that the 7 regular committee members appointed by the City Council will then appoint up to 2 nonvoting members to the committee**.
 - Recommends striking the two-third member composition from the qualifications section and require that **all voting members be residents** of the City.
 - Recommends adding "interests" after active involvement to incorporate members who are not necessarily involved in agriculture, forestry, etc. but hold an interest in the fields.
 - Under Powers and Duties, **add number 12 "should any project in the City require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the Planning Board."**
 - Also amend Powers & Duties to reflect the new purpose statement to create a cohesive document incorporating the above-mentioned changes.
-

City Budgetary Impacts: Staff time and resources to support the committee, as with other committees

Staff Recommended Action: Vote to adopt the first reading of the Planning Boards recommended changes to the Agriculture Committee Draft Ordinance except for the following:

- Instead of having 7 members appointed by City Council and 2 appointed by the Ag-Committee, have 9 members appointed by the City Council as originally proposed in the Working Group language.
 - Amend the remainder of the Powers & Duties section to reflect the Planning Board recommended changes to the purpose Statement (e.g. removing references to conservation and natural resources)
-

Previous Meetings and History:

- Recommendation of the Agriculture Ad Hoc Committee and Crossroads Resource Center final report **in July of 2018** to create an Agriculture Committee.



- Joint meeting between the Planning Board and City Council in **July of 2019** to draft committee forming language.
- Meeting between the City Council, Planning Board, Bates College and City Staff in **August of 2019** to create a draft.
- Planning Board meeting on **October 8, 2019** to review the draft.
- Special meeting was held on **October 17, 2019** by the Planning Board to continue the review of the draft.
- Planning Board Public Hearing, **November 12, 2019**, to make a recommendation to City Council.
- City Council Workshop, **November 18, 2019** to review Planning Board recommendations.

City Manager Comments:

A handwritten signature in blue ink that reads "Peter J. Cusick".

I concur with the recommendation. Signature:

Attachments:

Amended Planning Board Report to the City Council
Ag-Committee Ordinance Amendment Language with Planning Board Revisions
Original Ag-Committee Ordinance Language Prepared by Working Group

Ag-Committee Planning Board Proposed Language:

Division 8. – Agriculture Committee

Section 2-485.1 – Purpose

The purpose of the Agriculture Committee shall be to proactively ~~review city policies, practices, and ordinances to~~ build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting/promoting farms, farmland, ~~natural resources,~~ forestry businesses, ~~and~~ woodlots, local agriculture economy and local forestry economy.

Section 2-485.2 – Committee established

An Agriculture Committee is hereby established to consist of nine members, ~~appointed by the City Council, two thirds of whom~~ seven members shall be appointed by the City Council and shall be residents of the city with highest priority given to selecting ~~5 or more~~ members who ~~own land or~~ are actively engaged in agriculture or forestry, ~~in the Agriculture and Resource Protection Zoning District.~~ At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the City Council shall appoint up to two nonvoting members.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years. (Update to reflect recommendation that City Council only appoint 7 members and Ag-Committee appoint remaining 2 members)

Section 2-485.3 – Qualifications

All members of the Committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, ~~wildlife protection or preservation, conservation of natural resources,~~ food system economics, public policy or related fields. ~~Two thirds of the members of the Committee shall be residents of the City.~~ All voting members shall be residents of the City.

Section 2-485.4 – Powers and Duties

The Committee shall:

1. Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.
2. Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of Auburn's agricultural and forestry products;
3. Seek to coordinate the activities of local, State and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
4. Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
5. Periodically review the Auburn Comprehensive Plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify Auburn's policies and ordinances to better support agriculture and forestry.
6. Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
7. Review applications for a Voluntary Municipal Farm Support Program and perform related duties as requested by the Auburn City Council.
8. Keep records of its meetings and activities and make an annual report to the city council;
9. Undertake any other agricultural or forestry related activity referred to it by the city council;
10. Adopt by-laws to govern the internal affairs of the Committee including meeting frequency;
11. May perform such other functions as are permitted by this Code.
- 11.12. Should any project in the City require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the Planning Board.

Section 2-485.5—Officers, meetings and records.

1. The members shall elect from their membership a chairperson, a vice-chairperson and a secretary. Officers shall serve two-year terms.
2. All meetings of the Committee shall be open to the public, and notice, shall be provided to the public about such meetings.
3. The Committee may request that testimony provided during public hearings in front of the Committee be provided under oath.

4. Minutes shall be kept of all meetings.

Section 2-485.6 – Committees

The Committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.

Section 2-485.7 – Quorum and necessary vote

As to any matter requiring a public hearing, no business shall be transacted by the Committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.

Ag-Committee Working Group Proposed Language:

Division 8. – Agriculture Committee

Section 2-485.1 – Purpose

The purpose of the Agriculture Committee shall be to proactively review city policies, practices, and ordinances to build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting farms, farmland, natural resources, forestry businesses, and woodlots.

Section 2-485.2 – Committee established

An Agriculture Committee is hereby established to consist of nine members appointed by the City Council, two thirds of whom shall be residents of the city with highest priority given to selecting 5 or more members who own land or are actively engaged in agriculture or forestry in the Agriculture and Resource Protection Zoning District.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years.

Section 2-485.3 – Qualifications

All members of the Committee shall be selected upon the basis of their active involvement, skill or expertise in agriculture, forestry, wildlife protection or preservation, conservation of natural resources, food system economics, public policy or related fields. Two thirds of the members of the Committee shall be residents of the City.

Section 2-485.4 – Powers and Duties

The Committee shall:

1. Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.
2. Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural

- lands and encourage the marketing of Auburn's agricultural and forestry products;
3. Seek to coordinate the activities of local, State and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
 4. Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
 5. Periodically review the Auburn Comprehensive Plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify Auburn's policies and ordinances to better support agriculture and forestry.
 6. Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
 7. Review applications for a Voluntary Municipal Farm Support Program and perform related duties as requested by the Auburn City Council.
 8. Keep records of its meetings and activities and make an annual report to the city council;
 9. Undertake any other agricultural or forestry related activity referred to it by the city council;
 10. Adopt by-laws to govern the internal affairs of the Committee including meeting frequency;
 11. May perform such other functions as are permitted by this Code.

Section 2-485.5—Officers, meetings and records.

1. The members shall elect from their membership a chairperson, a vice-chairperson and a secretary. Officers shall serve two-year terms.
2. All meetings of the Committee shall be open to the public, and notice, shall be provided to the public about such meetings.
3. The Committee may request that testimony provided during public hearings in front of the Committee be provided under oath.
4. Minutes shall be kept of all meetings.

Section 2-485.6 – Committees

The Committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.

Section 2-485.7 – Quorum and necessary vote

As to any matter requiring a public hearing, no business shall be transacted by the Committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.



AMENDED
PLANNING BOARD REPORT to the CITY COUNCIL

To: Mayor Levesque and Honorable Members of the Auburn City Council
From: Auburn Planning Board
Re: Planning Board Recommended Text Amendments on the Creation of Division 8 – Agriculture Committee
Date: November 12, 2019

A. **PUBLIC HEARING AND DELIBERATION** – The proposed creation of an Agriculture Committee is the result of several efforts over the years to have an on-going body oversee, support, and advise City Council and the Planning Board on agriculture, forestry and resource protection issues and initiatives. The creation of a permanent committee was a primary recommendation of the Agriculture Ad Hoc Committee and Crossroads Resource Center consultant final report in July of 2018. Subsequently both the Planning Board and Conservation Commission recommend to the City Council that a permanent body be created to specifically address land use and agricultural support in the Agriculture and Resource Protection Zoning District, before any amendments to the Zoning District occur.

At a joint meeting between the City Council and the Planning Board in July of 2019, both parties moved to gather a few knowledgeable people to draft committee forming language. A meeting was held in August of 2019 with members from City Council, Planning Board, Bates College and City Staff to arrive at a draft. The Planning Board discussed the draft at their October 8, 2019 regular meeting when it was determined that more thought would be required in forming a recommendation to the City Council on the proposed committee and some preparation would be helpful for a possible joint meeting with the City Council on the AGRP Zoning District. The special meeting was held on October 17, 2019 to discuss the proposed Agriculture Advisory Committee and review City Council Workshops on the AGRP district. The discussion included discussion among members regarding the nature or purpose of the proposed Agricultural Advisory Committee. At the November 12, 2019 Planning Board meeting, the Planning Board made recommendations on each section of the Agriculture Committee draft which are listed below. The Planning Board agreed that the decision to focus on agriculture and forestry, and not conservation and natural resources was an effort to avoid creating unnecessary overlap between the Agriculture Committee and the Conservation Commission.

B. **PLANNING BOARD RECOMMENDATIONS**

Section 2-485.1 – Purpose Recommendation:

Current Language: The purpose of the Agriculture Committee shall be to proactively review City policies, practices, and ordinances to build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting farms, farmland, natural resources, forestry businesses, and woodlots.

Proposed Language: The purpose of the Agriculture Committee shall be to proactively ~~review City policies, practices, and ordinances~~ to build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting/promoting farms, farmland, ~~natural resources~~, forestry businesses, ~~and~~ woodlots, local agriculture economy and local forestry economy.

The Planning Board recommendation on the purpose statement is to not only protect but to also promote farms, farmland, forestry business, woodlots and include local agriculture economy and forestry economy. The recommendation removes natural resources from the purpose statement which is under the purview of the Conservation Commission.

Section 2-485.2 – Committee Established Recommendation:

Current Language: An Agriculture Committee is hereby established to consist of nine members appointed by the City Council, two thirds of whom shall be residents of the City with highest priority given to selecting 5 or more members who own land or are actively engaged in agriculture or forestry in the Agriculture and Resource Protection Zoning District.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the City Council shall initially appoint three members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years.

Proposed Language: An Agriculture Committee is hereby established to consist of nine members, ~~appointed by the City Council, two thirds of whom~~ seven members shall be appointed by the City Council and shall be residents of the City with highest priority given to selecting 5 or more members who own land or are actively engaged in agriculture or forestry, in the Agriculture and Resource Protection Zoning District. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the City Council shall appoint up to two nonvoting members.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the City Council shall initially appoint three members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years.

The Planning Board recommendation on the Committee Established section includes amending the language to reflect that the committee works throughout the entire City not just the Agricultural/Resource Protection Zone. To accomplish this, the Planning Board recommends striking “Agriculture and Resource Protection Zoning District” from the “committee established” language.

In addition, the Planning Board also recommends the City Council appoint 7 regular voting members who are residents of the City. At least one of those voting members would have professional experience in an area directly related to forestry and at least one of those voting members would have direct professional experience in an area related to agriculture.

The Planning Board further recommends the other nonvoting members be residents *or* landowners and that the 7 regular committee members appointed by the City Council will then appoint up to 2 nonvoting members to join the committee.

The Planning Board did not suggest any changes to the terms of office, however, the recommendation would be that the City Council update that section accordingly to reflect 7 members appointed by City Council and 2 appointed by the Agricultural Committee.

Section 2-485.3 – Qualifications Recommendation:

Current Language: All members of the Committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, wildlife protection or preservation, conservation of natural resources, food system economics, public policy or related fields. Two thirds of the members of the Committee shall be residents of the City.

Proposed Language: All members of the Committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, ~~wildlife protection or preservation, conservation of natural resources~~, food system economics, public policy or related fields. ~~Two thirds of the members of the Committee shall be residents of the City.~~ All voting members shall be residents of the City.

The Planning Board recommendation on the qualifications section of the ordinance includes striking the two-thirds member composition and require that all voting members be residents of the City. The Planning Board also recommends adding “interests” after active involvement to incorporate members who are not necessarily actively involved in agriculture, forestry, food system economics, public policy/related fields but hold an interest in the fields.

The Planning Board also recommends striking wildlife protection and preservation/conservation of natural resources as these fall under the purview of the Conservation Commission.

Section 2-485.4 – Powers and Duties Recommendation:

Current Language:

The Committee shall:

1. Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.
2. Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of Auburn’s agricultural and forestry products;
3. Seek to coordinate the activities of local, State and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
4. Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
5. Periodically review the Auburn Comprehensive Plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify Auburn’s policies and ordinances to better support agriculture and forestry.
6. Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
7. Review applications for a Voluntary Municipal Farm Support Program and perform related duties as requested by the Auburn City Council.
8. Keep records of its meetings and activities and make an annual report to the City Council;
9. Undertake any other agricultural or forestry related activity referred to it by the City Council;
10. Adopt by-laws to govern the internal affairs of the Committee including meeting frequency;
11. May perform such other functions as are permitted by this Code.

Proposed Language:

The Committee shall:

1. Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.
2. Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of Auburn’s agricultural and forestry products;
3. Seek to coordinate the activities of local, State and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
4. Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
5. Periodically review the Auburn Comprehensive Plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify Auburn’s policies and ordinances to better support agriculture and forestry.
6. Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
7. Review applications for a Voluntary Municipal Farm Support Program and perform related duties as requested by the Auburn City Council.
8. Keep records of its meetings and activities and make an annual report to the City Council;
9. Undertake any other agricultural or forestry related activity referred to it by the City Council;
10. Adopt by-laws to govern the internal affairs of the Committee including meeting frequency;
11. May perform such other functions as are permitted by this Code.
12. Should any project in the City require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the Planning Board.

While the Planning Board did not go through each power and duty and wordsmith, the expectation is that the City Council will take the above recommendations made by the Planning Board regarding purpose, committee established and qualifications and create a cohesive document that incorporates those recommendations throughout. In addition, the Planning Board recommends the City Council consider the scope of work proposed by this ordinance and whether or not it is reasonable for the committee.

The Planning Board also recommends adding #12 to the list of powers and duties regarding the submission of a farm plan. The Planning Board feels as if the expertise would not be on the Planning Board to review a farm plan if one were a requirement by ordinance. The Planning Board recommends this committee be responsible for reviewing farm plans and providing a recommendation to the Planning Board to incorporate into the decision making process.

Section 2-485.5 – Officers, meetings and records.

Section 2-485.6 – Committees

Section 2-485.7 – Quorum and necessary vote

The Planning Board did not have any specific recommendations on these remaining sections.

OVERALL RECOMMENDATIONS:

1. Amend the purpose language of the Agriculture Committee ordinance to state:
The purpose of the Agriculture Committee shall be to proactively build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting/promoting farms, farmland, forestry businesses, local agriculture economy and local forestry economy.



City of Auburn, Maine

Office of Economic & Community Development
www.auburnmaine.gov 60 Court Street
Auburn, Maine 04210
207.333.6601

2. Amend the committee established language of the Agriculture Committee ordinance to state:
An Agriculture Committee is hereby established to consist of nine members, seven members shall be appointed by the City Council and shall be residents of the City with highest priority given to selecting members who are actively engaged in agriculture or forestry. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the City Council shall appoint up to two nonvoting members.

Amend the terms of office paragraph to address the Planning Boards recommendation regarding the City Council appointing 7 members and the Ag-Committee appointing the 2 remaining members.

3. Amend the qualifications language of the Agriculture Committee ordinance to state:
All members of the Committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, food system economics, public policy or related fields. All voting members shall be residents of the City.

4. Amend the powers and duties language of the Agriculture Committee ordinance to:
- a. Include the following as number 12: Should any project in the City require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the Planning Board.
 - b. Amend number 1 to include the term “promoting:” Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.

Reflect the statements made by the Planning Board regarding purpose, committee established and qualifications to create a cohesive document reflecting the Planning Boards recommendations throughout the Powers & Duties section. In addition, the Planning Board recommends the City Council consider the scope of work proposed by this ordinance and whether or not it is reasonable for the committee.

A handwritten signature in black ink, appearing to read "Evan Cyr", is written over a horizontal line.

Evan Cyr
Chair, Auburn Planning Board

Cc: Evan Cyr, Chair Auburn Planning Board
File

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 20-12022019

Be it Ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 2, Article V, Boards, Commissions and Committees to add Division 8, Agriculture Committee (Working Group Recommendation).

Division 8. – Agriculture Committee

Section 2-485.1 – Purpose

The purpose of the Agriculture Committee shall be to proactively review city policies, practices, and ordinances to build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting farms, farmland, natural resources, forestry businesses, and woodlots.

Section 2-485.2 – Committee established

An Agriculture Committee is hereby established to consist of nine members appointed by the City Council, two thirds of whom shall be residents of the city with highest priority given to selecting 5 or more members who own land or are actively engaged in agriculture or forestry in the Agriculture and Resource Protection Zoning District.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years.

Section 2-485.3 – Qualifications

All members of the Committee shall be selected upon the basis of their active involvement, skill or expertise in agriculture, forestry, wildlife protection or preservation, conservation of natural resources, food system economics, public policy or related fields. Two thirds of the members of the Committee shall be residents of the City.

Section 2-485.4 – Powers and Duties

The Committee shall:

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

1. Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.
2. Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of Auburn's agricultural and forestry products;
3. Seek to coordinate the activities of local, State and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
4. Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
5. Periodically review the Auburn Comprehensive Plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify Auburn's policies and ordinances to better support agriculture and forestry.
6. Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
7. Review applications for a Voluntary Municipal Farm Support Program and perform related duties as requested by the Auburn City Council.
8. Keep records of its meetings and activities and make an annual report to the city council;
9. Undertake any other agricultural or forestry related activity referred to it by the city council;
10. Adopt by-laws to govern the internal affairs of the Committee including meeting frequency;
11. May perform such other functions as are permitted by this Code.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

Section 2-485.5—Officers, meetings and records.

1. The members shall elect from their membership a chairperson, a vice-chairperson and a secretary. Officers shall serve two-year terms.
2. All meetings of the Committee shall be open to the public, and notice, shall be provided to the public about such meetings.
3. The Committee may request that testimony provided during public hearings in front of the Committee be provided under oath.
4. Minutes shall be kept of all meetings.

Section 2-485.6 – Committees

The Committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.

Section 2-485.7 – Quorum and necessary vote

As to any matter requiring a public hearing, no business shall be transacted by the Committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDINANCE 20-12022019

Be it Ordained, that the Auburn City Council hereby adopts the proposed amendment to Chapter 2, Article V, Boards, Commissions and Committees to add Division 8, Agriculture Committee (Planning Board Recommendation).

Division 8. – Agriculture Committee
Section 2-485.1 – Purpose

The purpose of the Agriculture Committee shall be to proactively build a stronger food, agricultural, and resource economy in Auburn and to address the ongoing needs of protecting/promoting farms, farmland, forestry businesses, woodlots, local agriculture economy and local forestry economy

Section 2-485.2 – Committee established

An Agriculture Committee is hereby established to consist of nine members, seven members shall be appointed by the City Council and shall be residents of the city with highest priority given to selecting members who are actively engaged in agriculture or forestry.. At least one member shall have professional experience in an area directly related to forestry and at least one shall have direct professional experience in an area related to agriculture. The other nonvoting members shall be residents or landowners. The seven regular members appointed by the City Council shall appoint up to two nonvoting members.

The terms of office shall be three years except that initial appointments after the date of adoption of the ordinance from which this division derives shall be such that the terms of no more than three members shall expire in any single year. For that purpose, the city council shall initially appoint three members for terms of one year, three members for terms of two years, and three members for terms of three years, such that the terms of approximately one-third of the members shall expire each year. Subsequent appointments shall be for a term of three years. (Update to reflect recommendation that City Council only appoint 7 members and Ag-Committee appoint remaining 2 members)

Section 2-485.3 – Qualifications

All members of the Committee shall be selected upon the basis of their active involvement, interests, skill or expertise in agriculture, forestry, food system economics, public policy or related fields. All voting members shall be residents of the City.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

Section 2-485.4 – Powers and Duties

The Committee shall:

1. Make recommendations to the Planning Board and City Council and consult with the Conservation Commission regarding the ongoing needs of protecting and promoting farms, forestry businesses, farmland, woodlots and building a stronger food, agricultural and resource economy in Auburn.
2. Promote opportunities for farm financing and farm, forestry or natural resource business development proposals, conservation and preservation of agricultural lands and encourage the marketing of Auburn's agricultural and forestry products;
3. Seek to coordinate the activities of local, State and regional organizations of similar purposes and collaborate to assist with education of the community regarding food systems, agriculture and forestry;
4. Research methods, best practices and successful policies that other communities are using to strengthen and support agriculture and forestry and share information and ideas with community leaders.
5. Periodically review the Auburn Comprehensive Plan, ordinances and land use trends that relate to agriculture and forestry in order to identify potential barriers and opportunities to modify Auburn's policies and ordinances to better support agriculture and forestry.
6. Support broad public participation in changes to municipal policies and ordinances that affect agriculture and forestry and provide opportunities for public input as changes are proposed.
7. Review applications for a Voluntary Municipal Farm Support Program and perform related duties as requested by the Auburn City Council.
8. Keep records of its meetings and activities and make an annual report to the city council;
9. Undertake any other agricultural or forestry related activity referred to it by the city council;
10. Adopt by-laws to govern the internal affairs of the Committee including meeting frequency;
11. May perform such other functions as are permitted by this Code.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

12. Should any project in the City require the submission of a farm plan, the committee shall review the farm plan and provide a recommendation to the Planning Board.

Section 2-485.5—Officers, meetings and records.

1. The members shall elect from their membership a chairperson, a vice-chairperson and a secretary. Officers shall serve two-year terms.
2. All meetings of the Committee shall be open to the public, and notice, shall be provided to the public about such meetings.
3. The Committee may request that testimony provided during public hearings in front of the Committee be provided under oath.
4. Minutes shall be kept of all meetings.

Section 2-485.6 – Committees

The Committee may vote to create subcommittees and appoint members of such subcommittees to work on specific projects.

Section 2-485.7 – Quorum and necessary vote

As to any matter requiring a public hearing, no business shall be transacted by the Committee without a quorum, consisting of at least half of the voting members of the committee. If less than a quorum is present, the hearing shall be rescheduled, and the members and other interested parties shall be notified of the rescheduling.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Resolve: 11-12022019

Author: Sabrina Best

Subject: Public Art Plan

Information: The Public Art Working Group is submitting a Draft Resolve on Public Art Plan for Council consideration. The Plan is designed to provide definitions, guiding principles, and an administrative structure for encouraging and managing public art. The Plan will be used in the near term during the implementation of a three-year Maine Arts Commission grant, which will include the installation of a piece of public art in Auburn in 2020 or 2021.

City Budgetary Impacts: The Plan does not include a financial commitment from the City. (The MAC grant mentioned above includes in-kind City support for site preparation and artwork installation on City property.)

Staff Recommended Action:

Previous Meetings and History: Presented Plan at the Nov 18, 2019 Workshop.

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Cochran".

Attachments:

- 1) Public Art Plan Draft

Proposed Public Art Plan for the City

I. Purpose

In recognition of the value that public art can bring to the cultural, aesthetic, and economic vitality of the community, the Cities of Auburn and Lewiston successfully sought a grant from the Maine Arts Commission to support the development of a Public Art Plan as one piece of "Cultural Plan LA". A Public Art Working Group comprised of citizens of Auburn and Lewiston, including mayoral appointments, artists, educators, and business people, was established to develop this master plan in consultation with City staff from Auburn and Lewiston. The resulting plan outlines recommendations for a basic administrative structure for public art initiatives in L/A.

II. Mission and Guiding Principles

The mission of the Public Art Plan is to foster and oversee the commissioning and acquisition of permanent and temporary public art, act as a steward of the City's public art collection, and engage the public in the collection. Public art projects will be accomplished through the direct commissioning of artwork, acquisitions, community partnerships, gifts, and by encouraging public art in private development.

Guiding Principles

1. When the City, on its own or through a partnership, builds or makes a significant renovation or addition to a community facility or park, public art should, whenever possible, be part of the project.
2. Public art should grow out of the richness of the community and, in most cases, be commissioned. Artists should be invited to work in the community and with the community to ensure that the work has meaning and resonance.
3. Public art projects should be commissioned through a transparent, competitive process that values both artistic expertise and community input. The policies and procedures adopted by the City will result in the selection of highly qualified artists and will support them in creating their best work. It will follow professional standards in the field.
4. Public art should be of high artistic quality and integrity. The City, developers, and cultural institutions must pay careful attention to the design of new buildings and public spaces downtown and throughout the community, bringing in fresh design thinking as well as complementing the historic fabric of the community. New public art should be of the same design quality as other aspects of the City's built environment and should support the cultural fabric of the community.
5. Public art should be for everyone: the people who live and work in the City; the people who visit for entertainment, culture, shopping, and dining; and even the people who are

just passing through. All should have an opportunity to experience art in public places. Art should invite interaction, contemplation, and discussion.

III. **Definitions**

Public Art

Public art includes a variety of accessible, original cultural experiences and/or physical works of art located within a public place that enrich the City by contributing to its uniqueness and stimulating learning, reflection, and conversation. Public art may include permanent or temporary works. Public art should engage the site, its context, and audience. Public art may possess functional as well as aesthetic qualities.

Artwork

Artwork shall mean works in any style, expression, genre, and media created by an artist as defined herein that may be permanent, temporary, and/or functional. Artwork may be stand-alone and integrated into architecture, landscaping, or other site development if designed by an artist as defined herein. Excluded are gifts of state by foreign governments or by other political jurisdictions of the United States.

Public Place

- a) A public place is a publicly accessible landscape, structure, or infrastructure-- typically owned or under the jurisdiction of the City. Public places include, but are not limited to, public parks, plazas, streets and boulevards (right-of-way), bridges, stairways, buildings, and water features.
- b) Art within public places contributes to the unique identity of a location and can stimulate discussion and imagination.
- c) Privately owned places can also include public art insofar as the artwork is public facing and designed to engage the public.

Artist

An artist is an individual who creates original works of art and is typically recognized by professional peers and critics as a professional practitioner of the visual, craft, literary, musical, conceptual, or performing arts, as judged by the quality of that practitioner's body of work and experience. This recognition is demonstrated in the artist resume through credentials such as professional training, an exhibition record, past public art commissions, published work, previous performances, reviews, and recommendations.

IV. **Administration**

Public Art Committee (PAC)

To support the Cities of Auburn and Lewiston in managing inquiries about public art and the vetting, creation, installation, and maintenance of public artworks, a Public Art Committee (PAC) shall be established. The PAC shall ordinarily be comprised of ten members: 2 mayoral appointments--one from each City--and the following to be appointed in accordance with procedures established by the body or organization making the appointments: 2 public school appointments--one from each school district; 2

appointments from Arts and Culture LA; 2 appointments from L/A Arts; and 2 appointments from the LA Metro Chamber of Commerce. The PAC shall convene semi-annually or as needed to consider updates to the Public Art Plan as well as inquiries or requests related to public art. During the Maine Arts Commission implementation grant period (2019-2021), the Public Art Working Group (PAWG) shall function as the PAC.

The PAC shall provide expert advice to the Cities in the following areas:

- a) Public Art Plan policies and procedures
- b) Artist selection review panels and processes for art associated with municipal development projects on City-owned property
- c) Artwork review and approval recommendations for municipal development projects on City-owned property
- d) Artwork review and recommendations for murals on City-owned property
- e) Maintenance and conservation of artwork on City-owned property
- f) Review and recommendations on proposed deaccession of artwork on City-owned property
- g) The incorporation of public-facing, public-engaging artwork in private development, should advice on such artwork be in order

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

RESOLVE 11-12022019

RESOLVED, that the City Council hereby encourages public art and supports the proposed Public Art Plan for the City of Auburn.

Proposed Public Art Plan for the City

I. Purpose

In recognition of the value that public art can bring to the cultural, aesthetic, and economic vitality of the community, the Cities of Auburn and Lewiston successfully sought a grant from the Maine Arts Commission to support the development of a Public Art Plan as one piece of "Cultural Plan LA". A Public Art Working Group comprised of citizens of Auburn and Lewiston, including mayoral appointments, artists, educators, and business people, was established to develop this master plan in consultation with City staff from Auburn and Lewiston. The resulting plan outlines recommendations for a basic administrative structure for public art initiatives in L/A.

II. Mission and Guiding Principles

The mission of the Public Art Plan is to foster and oversee the commissioning and acquisition of permanent and temporary public art, act as a steward of the City's public art collection, and engage the public in the collection. Public art projects will be accomplished through the direct commissioning of artwork, acquisitions, community partnerships, gifts, and by encouraging public art in private development.

Guiding Principles

1. When the City, on its own or through a partnership, builds or makes a significant renovation or addition to a community facility or park, public art should, whenever possible, be part of the project.
2. Public art should grow out of the richness of the community and, in most cases, be commissioned. Artists should be invited to work in the community and with the community to ensure that the work has meaning and resonance.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

3. Public art projects should be commissioned through a transparent, competitive process that values both artistic expertise and community input. The policies and procedures adopted by the City will result in the selection of highly qualified artists and will support them in creating their best work. It will follow professional standards in the field.

4. Public art should be of high artistic quality and integrity. The City, developers, and cultural institutions must pay careful attention to the design of new buildings and public spaces downtown and throughout the community, bringing in fresh design thinking as well as complementing the historic fabric of the community. New public art should be of the same design quality as other aspects of the City's built environment and should support the cultural fabric of the community.

5. Public art should be for everyone: the people who live and work in the City; the people who visit for entertainment, culture, shopping, and dining; and even the people who are just passing through. All should have an opportunity to experience art in public places. Art should invite interaction, contemplation, and discussion.

III. Definitions

Public Art

Public art includes a variety of accessible, original cultural experiences and/or physical works of art located within a public place that enrich the City by contributing to its uniqueness and stimulating learning, reflection, and conversation. Public art may include permanent or temporary works. Public art should engage the site, its context, and audience. Public art may possess functional as well as aesthetic qualities.

Artwork

Artwork shall mean works in any style, expression, genre, and media created by an artist as defined herein that may be permanent, temporary, and/or functional. Artwork may be stand-alone and integrated into architecture, landscaping, or other site development if designed by an artist as defined herein. Excluded are gifts of state by foreign governments or by other political jurisdictions of the United States.

Public Place

- a) A public place is a publicly accessible landscape, structure, or infrastructure-- typically owned or under the jurisdiction of the City. Public places include, but are not limited to, public parks, plazas, streets and boulevards (right-of-way), bridges, stairways, buildings, and water features.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

- b) Art within public places contributes to the unique identity of a location and can stimulate discussion and imagination.
- c) Privately owned places can also include public art insofar as the artwork is public facing and designed to engage the public.

Artist

An artist is an individual who creates original works of art and is typically recognized by professional peers and critics as a professional practitioner of the visual, craft, literary, musical, conceptual, or performing arts, as judged by the quality of that practitioner's body of work and experience. This recognition is demonstrated in the artist resume through credentials such as professional training, an exhibition record, past public art commissions, published work, previous performances, reviews, and recommendations.

IV. Administration

Public Art Committee (PAC)

To support the Cities of Auburn and Lewiston in managing inquiries about public art and the vetting, creation, installation, and maintenance of public artworks, a Public Art Committee (PAC) shall be established. The PAC shall ordinarily be comprised of ten members: 2 mayoral appointments--one from each City--and the following to be appointed in accordance with procedures established by the body or organization making the appointments: 2 public school appointments--one from each school district; 2 appointments from Arts and Culture LA; 2 appointments from L/A Arts; and 2 appointments from the LA Metro Chamber of Commerce. The PAC shall convene semi-annually or as needed to consider updates to the Public Art Plan as well as inquiries or requests related to public art. During the Maine Arts Commission implementation grant period (2019-2021), the Public Art Working Group (PAWG) shall function as the PAC.

The PAC shall provide expert advice to the Cities in the following areas:

- a) Public Art Plan policies and procedures
- b) Artist selection review panels and processes for art associated with municipal development projects on City-owned property
- c) Artwork review and approval recommendations for municipal development projects on City-owned property
- d) Artwork review and recommendations for murals on City-owned property
- e) Maintenance and conservation of artwork on City-owned property

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

- f) Review and recommendations on proposed deaccession of artwork on City-owned property
- g) The incorporation of public-facing, public-engaging artwork in private development, should advice on such artwork be in order



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019

Author: Peter Crichton, City Manager

Subject: Resolve Authorizing the City Manager

Information: This is a Resolve authorizing the City Manager to enter into discussions with the Lewiston City Administrator on the establishment of a funding formula for LA 911 to fairly apportion the costs of the E911 Center to the cities of Auburn and Lewiston. The annual operational and capital costs are currently split 50/50 - with no funding formula unlike other municipally based 911 agencies in Maine. This formula would take into consideration factors like population with Auburn at 23,196 and Lewiston at 36,720.

City Budgetary Impacts: Unknown at this time

Staff Recommended Action: Approval authorizing the City Manager.

Previous Meetings and History: None

City Manager Comments:

I concur with the recommendation

Signature:

A handwritten signature in blue ink that reads "Peter J. Crichton".

Attachments:

Resolution

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

Resolve 12-12022019

RESOLVE, that the City Council hereby authorizes the City Manager to enter into discussions with the Lewiston City Administrator to establish a funding formula for the LA 911 Center which is currently shared 50/50;

Whereas, there were 15 respondents to an LA 911 survey that showed the majority of municipalities responding to the survey do have a funding formula; and

Whereas, we do not have a funding formula and need to compare our current funding model to other 911 agencies; and

Whereas, it is necessary to have the operational and capital costs of the 911 Center be fairly apportioned; and

Whereas, 8 municipalities of the 15 agencies are using a per capita or population-based formula, 4 are using a county tax model, 1 is utilizing the city tax, and 2 – Auburn-Lewiston and Brunswick - have no funding formula; and

Whereas, Auburn has a population of 23,196 as compared to Lewiston's population of 36,720, it is neither a fair or equitable apportionment; and

Whereas, for the reasons stated a funding formula needs to be decided for implementation in the 2021 Budget;

Now, therefore, be It Resolved by the City Council of the City of Auburn that the City Council supports the City Manager entering into discussions with the Lewiston City Administrator to establish a funding formula for the LA 911 Center.



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: December 2, 2019 **Order:** 140-12022019

Author: Michael Chammings, Economic and Community Development Director

Subject: Waiver of Tax Lien Foreclosure on Auburn Business Development Corporation property at Auburn Enterprise Center (Industrial Park)

Information: On November 19, 2018 the Auburn City Council voted to waive foreclosure on Tax liens that were filed on nine properties on Cascade Dr, Auburn, (the Auburn Enterprise Center, Industrial Park), for 2016 unpaid real estate taxes. At that time, the Members of the Auburn Business Development Corporation presented to the Council a plan for the AEC in 2019 (see attached); the steps in the plan were completed.

At the November 18, 2019 City Council Workshop, the Council discussed the 2017 tax liens that will mature on January 6, 2020, and that if the City does not waive the automatic foreclosure, the City will take possession of these properties. The consensus of the Council was to have a small ad hoc committee provide the Mayor and Council options at the next Council Meeting. The ad hoc Committee is recommending passage of a waiver of foreclosure for the 2017 Tax Liens.

The Auburn Business Development Corporation currently has three potential buyers for lots within the Industrial Park

The City also has tax liens for the 2018 taxes which will mature in January of 2021. At this time the Council will again have an opportunity to decide whether to take possession or waive foreclosure.

City Budgetary Impacts: If the City takes possession of this property all utilities, insurance and any maintenance issues would be the City's responsibility and the property would become tax exempt.

Staff Recommended Action: Passage of a waiver of foreclosure for the 2017 Tax Liens.

Previous Meetings and History:

City Council Workshop, October 15, 2018
City Council Meeting, November 19, 2018
City Council Workshop, November 18, 2019

City Manager Comments:

I concur with the recommendation. Signature:

A handwritten signature in blue ink that reads "Peter J. Coakley".

Attachments:

Order: Waiver of Municipal Real Estate Tax Liens Mortgage Foreclosure
2018 Auburn Business Development Corporation plan/update
ABDC Update November 18, 2019

2018 Auburn Business Development Corporation plan/update.

The role of a private economic development corporation is to assist in economic expansion in flexible ways that perhaps a municipal entity isn't able to. The partnership can be helpful to both, and most importantly, beneficial to the City.

The Auburn Business Development Corporation (ABDC) was originally formed in 1972 as an economic development corporation to help drive the growth and prosperity of the City of Auburn. The ABDC is now fully run with its volunteer Board of local residents and businesspeople committed to Auburn. While the ABDC has taken various forms throughout the years, its mission has remained steady in our desire to bring new businesses to Auburn and make it a wonderful place to live, work and recreate. As can be seen in the timeline of the ABDC since the 1990's (attached), the City and the ABDC have worked hand in hand to develop, not only the Auburn Enterprise Center (AEC), but also other industrial projects in the City.

When the City of Auburn came to the ABDC back in the early 2000's with a goal in developing a new Industrial park in Auburn, the ABDC set out on the road that led us here today. Economic conditions, changes in municipal leadership and general real estate delays resulted in the park not being available for sale until Spring 2017. While the goal was certainly to sell through the 8 approved lots and use those proceeds to move on to another project to improve Auburn, unfortunately that has not come to fruition yet. While we have had interest from some businesses looking to build new industrial space, the current construction climate makes new construction a very expensive endeavor. We have also had some non-traditional use interest in the property (solar), but that also has not resulted in any concrete offers.

While our goal is certainly to sell these lots, we are not willing to simply "fire sale" them to any one that makes a low-ball offer. We are committed to trying to either get new businesses into the park, or an investor that will have the same long-range goals.

The plan for the AEC in 2019 are as follows:

- Continue the direct marketing of the lots and the park as a whole
- Reconnect with the Chinese investors that have shown an interest in the property when they visit Auburn in Winter 2019.
- Review listing agreement when it matures
- If there is not an offer for one or more lots by 6/30/19, the ABDC will engage an auction company to assist us in marketing and executing a property auction. This is not to be confused with a "liquidation" auction. Our goals remain consistent of trying to attract serious industrial users and investors to the park.

We appreciate the City Council's willingness to continue the relationship with the ABDC and hope we can move forward with our common goals in mind.

ABDC Update November 18, 2019

The ABDC has continued its efforts to sell individual lots in the AEC as well as pursue a sale of the whole property. When the ABDC met with the Council last November our marketing plan for 2019 was as follows:

- Continue the direct marketing of the lots and the park as a whole
 - o This has continued with limited success. We had 1-2 serious interested parties but their construction costs made the projects not viable at that time.
 - o We currently have one interested party in lots #1 & 2 for the development of a warehouse/office space as an expansion location for an established business in the Bangor area.
- Reconnect with the Chinese investors that have shown an interest in the property when they visit Auburn in Winter 2019.
 - o Given the political climate in China, we did not hear any follow up interest in the park from the Chinese investors.
- Review listing agreement when it matures
 - o The Board decided not to renew the listing agreement with the broker of record. There currently is not a listing broker.
- If there is not an offer for one or more lots by 6/30/19, the ABDC will engage an auction company to assist us in marketing and executing a property auction. This is not to be confused with a "liquidation" auction. Our goals remain consistent of trying to attract serious industrial users and investors to the park.
 - o The Board held an online auction in March 2019 through Tranzon Auctions. While the initial interest in the auction was solid (Page views > 2,000 and 17 PIP downloads) we did not get any offers during the auction. The feedback we received was that the construction costs were too high right now and the carrying costs (i.e. property taxes) were too high to make purchasing and holding a lot feasible.

New updates:

- Tax assessed values reduced in Spring 2019
 - o This has helped improve the salability of the lots, but it clearly is still a struggle.
- Solar Development – With the change in administration at the State level, the potential for solar development projects has increased exponentially in the past 12 months. The AEC has been approached by 4-5 different developers about solar development on the site. We are currently in negotiations with an option agreement to purchase one of the larger lots.

Holly C. Lasagna, Ward One
Robert P. Hayes, Ward Two
Andrew D. Titus, Ward Three
Alfreda M. Fournier, Ward Four



Leroy G. Walker, Ward Five
Belinda A. Gerry, At Large
David C. Young, At Large

Jason J. Levesque, Mayor

IN CITY COUNCIL

ORDER 140-12022019

ORDERED, that the City Council hereby authorizes the Finance Director to record a waiver of foreclosure at the Androscoggin County Registry of Deeds pursuant to 36 M.R.S.A. § 944, on real estate taxes assessed against Auburn Business Development CO for property located at the following:

207 Cascades Dr, Map and Lot 118-002-000-000; dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-122;

267 Cascades Dr, Map and Lot 118-002-001-000; dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-123;

268 Cascades Dr, Map and Lot 118-004-000-000; dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-124;

226 Cascades Dr, Map and Lot 118-004-001-000; dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-125;

239 Cascades Dr, Map and Lot 118-004-002-000; dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-126;

11 Cascades Dr, Map and Lot 130-001-001-000; dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-130;

35 Cascades Dr, Map and Lot 130-001-002-000; dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-131;

76 Cascades Dr, Map and Lot 130-001-003-000, dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-132; and

160 Cascades Dr, Map and Lot 130-001-004-000, dated July 6, 2018 and recorded at the Androscoggin County Registry of Deeds in Book and Page 9877-133.

MONTHLY ACTIVITY REPORT

October 2019
2020 Fiscal Year



maine waste
to energy

Member Communities

Auburn • Bowdoin • Buckfield • Lovell • Minot • Monmouth • New Gloucester • Poland
Raymond • Sumner • Sweden • Wales

Maine Waste to Energy

110 Goldthwaite Road
Auburn, Maine 04210
(207) 783-8805
Fax (207) 783-9831

www.mainewastenergy.com

MEMORANDUM

To: Board of Directors
From: John King, Executive Director 
Michael Daily, Finance Director
Subject: October Financial/Activity Report - Unaudited
Date: November 11, 2019

Enclosed please find the unaudited October Activity Report covering the period from October 1 through October 31, 2019.

General Summary

Plant throughput for the month was 6,487 tons processed, or about 209 tons per day and running time throughput was 209 tons per day. Operating Revenues were above Expenses resulting in October having an operating profit of \$83,172 (These figures do not reflect balance sheet expenses). Year-to-date operating loss is \$558,598 compared to projected budget loss of \$566,567 and a \$659,309 operating loss in FY19. Cash and investments totaled \$4,513,968. Cash and investments are down \$668,486 from the start of FY20. The reserve goal established by the Board for FY20 is \$5,900,000 and is now at 76.5% of goal. The balance sheet shows current assets less liabilities at \$4,894,846, which is down \$825,168 from the beginning of the fiscal year.

Waste Deliveries/Operations

A total of 6,909 tons were delivered to the pit for an average of 223 tons per day. 8,965 tons were received from all sources for the month. Details on deliveries are presented in the following table:

Waste Type	Year-To-Date Tons		Variance	
	FY20 Actual	FY19 Actual	Tons	%
MSW Member	6,223	6,208	15	0.2%
Comm Member	4,761	5,263	(502)	-9.5%
Municipal Non-Member	8,749	8,714	35	0.4%
Gate/Hauler	7,642	6,328	1,314	20.8%
OBW/Res TS	4,972	4,386	586	13.4%
Other	3,065	2,493	572	22.9%
Total	35,412	33,392	2,020	6.0%

Waste flows to the plant and transfer station are running 6.0% above last year. Year-to-date tons processed in the plant are equal to 185 tons per day. Running time year-to-date throughput equaled 199 tons per day. The transfer station processed 1,656 tons during the month from all sources and averaging 66.2 tons per day for the month, (5.5 day receiving week) and 10,720 tons year-to-date. Recyclables totaled 400 tons for the month and 1,359 tons year-to-date. Prior year and budget comparisons of processing records as follows:

	Prior Year Comparison YTD				Budget Comparison YTD			
	FY20	FY19	Variance		FY20	FY20	Variance	
	Actual	Actual	Tons	%	Actual	Budget	Tons	%
Waste-To-Energy	22,742	22,191	551	2.5%	22,742	23,401	(659)	-2.8%
Transfer Station	10,720	10,062	658	6.5%	10,720	10,608	112	1.1%
Recycling	1,359	941	418	44.4%	1,359	1,409	(50)	-3.5%
Total	34,821	33,194	1,627	4.9%	34,821	35,418	(597)	-1.7%

Cash Available to Operations

Cash balances in checking and investments total \$4,513,968 down \$568,261 from the prior month. The following is the status of the reserve goal:

Reserve Status		
	FY 20 Goal	As of 10/31/19
Operating	2,006,000	1,534,749
Capital Improvement	944,000	722,235
20-Year Plan	1,711,000	1,309,051
Rate Stabilization	1,239,000	947,933
Total	5,900,000	4,513,968
Total Cash		
		4,513,968
Surplus or (Deficit)		
		(1,386,032)

Revenue

Revenue for the month totaled \$669,476. Major categories of revenue by month include: tipping fees, \$601,002; power contract, \$40,811; recycling, \$17,041; interest, \$9,895; other, \$727. Revenue for the month was \$9,981 above budget projections and \$43,449 above FY19. Year-to-date revenue is \$2,679,628, which is \$90,440 above budget and \$203,616 above FY19.

The table that follows shows detail relative to electrical sales:

Month	Price per MWhr			Electrical Output MWhr			Electrical Revenue		
	FY19	FY20		FY19	FY20		FY19	FY20	
	Actual	Budget	Actual	Actual	Budget	Actual	Actual	Budget	Actual
Jul	\$36	\$34	\$32	1,256	1,275	1,362	\$44,985	\$42,775	\$44,078
Aug	\$35	\$30	\$30	1,213	1,275	1,338	\$41,982	\$37,751	\$39,833
Sep	\$29	\$27	\$28	1,255	1,100	1,009	\$35,917	\$29,665	\$28,592
Oct	\$36	\$29	\$27	1,004	1,300	1,485	\$36,272	\$38,074	\$40,811
YTD	\$34	\$30	\$30	4,729	4,950	5,194	\$159,157	\$148,265	\$153,314

Total gross kWh for the latest period was 2,126,914 of which 1,484,909 were sold to the grid. Net kWh per ton equaled 229, as compared to 231 for the comparable period in FY19.

Expenditures

Operating expenses in all categories total \$586,304 for the month, which is \$65,054 below budget projections, and \$742,012 below last year. Year-to-date expenses are \$3,238,226 which is \$82,471 above budget and \$102,906 above FY19.

Investments Status

As of October 31, MWE's investments totaled \$4,513,968. Table 8 details all of our investments.

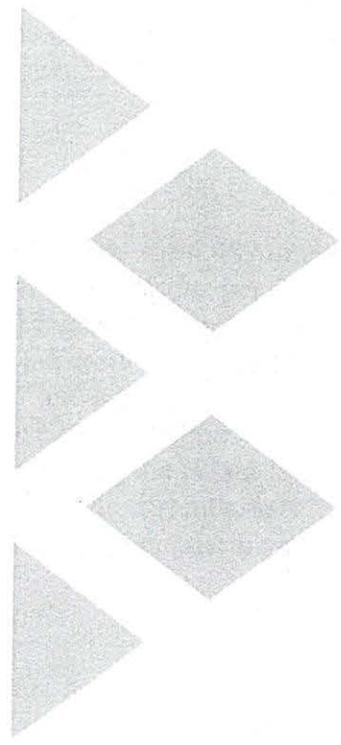
Capital Expenditures:

For the month of October \$8,649 of expenditures were made for the new computer server, as well as, three Dell PC's. Final costs will be recorded in November.

cc: Member Municipalities
Reference No.: 04030

REPORT

October 2019
2020 Fiscal Year



maine waste to energy

Member Communities

Auburn • Bowdoin • Buckfield • Lovell • Minot • Monmouth • New Gloucester • Poland
Raymond • Sumner • Sweden • Wales