

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
OCTOBER 7, 2014**

6:00 p.m. Executive Session - To discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Update from the Lewiston Youth Advisory Council
Acceptance of minutes of the meetings of April 15, May 6, May 20 and June 17, 2014.

Public Comment period - Any member of the public may make comments regarding issues pertaining to Lewiston City Government (maximum time limit is 15 minutes for all comments)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 3.

CONSENT AGENDA: All items with an asterisk (*) are considered to be 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. Approval of election Warrant calling for the Special Municipal Election to be held on Tuesday, November 4, 2014 for the election of a Ward Four City Councilor and a citywide municipal referendum election and Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the State Candidate & Referendum Election to be held on Tuesday, November 4, 2014.
- * 2. Authorization to accept transfer of forfeiture funds.

REGULAR BUSINESS:

- 3. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Pedro O'Hara's, 134 Main Street.
- 4. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Schemengees Bar & Grille, 551 Lincoln Street.
- 5. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Fast Breaks, 1465 Lisbon Street.
- 6. Public Hearing on the renewal of a Special Amusement Permit for Live Entertainment for Baxter Brewing Co., 130 Mill Street.
- 7. Condemnation Hearing for the building located at 68 River Street.
- 8. Condemnation Hearing for the building located at 264-266 Lincoln Street.
- 9. Order authorizing the City Administrator to execute the necessary documents to transfer a portion of the unbuilt Reservoir Street to Richard Ward, owner of the abutting property at 196 Pleasant Street.

10. Order authorizing the City Administrator to execute the documents necessary to exchange the City's ownership in 60 Canal Street for ownership of 159-177 Lisbon Street.
11. Reports and Updates.
12. Any other City Business Councilors or others may have relating to Lewiston City Government.
13. Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES

SUBJECT:

Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

State statutes define the purposes for entering into an executive session.

EATB/kmm

REQUESTED ACTION:

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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Approval of Election Warrant calling for the Special Municipal Election to be held on Tuesday, November 4, 2014 for the election of a Ward Four City Councilor and a citywide municipal referendum election and Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the State Candidate & Referendum Election to be held on Tuesday, November 4, 2014.

INFORMATION: Under the Maine State Statutes, the municipal officers shall issue an election warrant calling for a municipal election. The City Clerk will be conducting a special city election on November 4, 2014 for the purpose of electing a Ward Four City Councilor and holding a citywide municipal referendum.

Recommendations on election related issues:

A. That the hours for acceptance of registrations in person only, prior to the November 4th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:30am to 4:00pm, Oct 15 through Nov 3, 2014, and additional hours until 7pm on Oct 30.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B, expect the day prior to the election when they shall be recorded in accordance with subsec. 7A.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the central polling place at 7:00am, 2:00pm, 6:00pm, and any and all remaining shall be processed at 8:00pm, if necessary.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
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Be It Ordered by the City Council that the Election Warrant be issued for the Special Municipal Election to be held on Tuesday, November 4, 2014 for the purposes of electing a Ward Four City Councilor and holding a citywide referendum election; and

To approve the following recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct the Special Municipal Candidate & Referendum Election and the State Candidate & Referendum Election to be held on Tuesday, November 4, 2014:

A. That the hours for acceptance of registrations in person only, prior to the November 4th election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:30am to 4:00pm, Oct 15 through Nov 3, 2014, and additional hours until 7pm on October 30.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B, expect the day prior to the election when they shall be recorded in accordance with subsec. 7A.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the polling place at 7:00am, 2:00pm, 6:00pm, and any and all remaining shall be processed at 8:00pm, if necessary.

WARRANT FOR SPECIAL MUNICIPAL ELECTION

CITY OF LEWISTON

County of Androscoggin, SS.

To Michael Bussiere, a constable of Lewiston, Maine: You are hereby required in the name of the State of Maine to notify the voters of the City of Lewiston of the election described in this warrant.

To all voters of the City of Lewiston: You are hereby notified that a Special Municipal Election in this municipality will be held on November 4, 2014, at your respective voting place:

Ward 1 Lewiston Armory, 65 Central Ave.

Ward 2 Montello School Gym, 407 East Ave.

Ward 3 Lewiston Armory, 65 Central Ave.

Ward 4 Longley Elementary School, 145 Birch St.

Ward 5 Longley Elementary School, 145 Birch St.

Ward 6 The Green Ladle - LHS Campus, 156 East Ave.

Ward 7 Longley Elementary School, 145 Birch St.

Said election being held for the purpose of electing one City Councilor from Ward Four and two citywide referendum questions:

- 1) Repeal of the St. Laurent Housing Associates Joint Development Agreement
- 2) Proposed Ordinance Regarding the Use of Marijuana by Persons 21 Years of Age or Older

The polls shall be opened at 7:00 a.m. and closed at 8:00 p.m.. Absentee ballots will be processed at the City Hall Central Voting Precinct at 7:00A.M., 2:00P.M., 6:00 P.M., and any and all remaining at 8:00 P.M., if necessary.

Dated at Lewiston, Maine on October 7, 2014.

_____	_____
_____	_____
_____	_____
_____	_____

ATTEST: _____
Kathleen M. Montejo, MMC
City Clerk

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Authorization to accept transfer of forfeiture funds.

INFORMATION:

The Lewiston Police Department is requesting that the City Council authorize the acceptance of funds, in the amounts outlined below, as reimbursement for costs associated with assisting in a criminal investigation. The funds are available to the Lewiston Police Department due to its substantial contribution to the investigation of this or a related criminal case.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAR/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of \$1,014.00, or any portion thereof, in the case of the State of Maine vs. Christopher Palmer, CR-14-815 Court Records, being funds forfeited pursuant to the court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program' account.

STATE OF MAINE
Androscoggin, ss

SUPERIOR COURT
Criminal Action
Docket No. CR-14-815

State of Maine	}	
	}	
v.	}	Municipality of Lewiston
	}	Approval of Transfer
Christopher Palmer	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$1,014.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: _____

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

LEWISTON CITY COUNCIL
MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Pedro O'Hara's, 134 Main Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Pedro O'Hara's, 134 Main Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owners have been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Pedro O'Hara's, 134 Main Street.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 10/24/14

Expiration Date: 10/6/15

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
 Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
 Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
 Class D - \$150.00 - function halls with entertainment, including dancing
 Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
 Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: Pedro O'Hara's Business Phone: 783-6200

Location Address: 134 MAIN ST Lewiston

(If new business, what was formerly in this location: _____)

Mailing Address: SAME

Email address: PEDRO@PEDROOHARAS.COM

Contact Person: Bill Welch Phone: 576-2897

Owner of Business: Same Date of Birth: _____

Address of Owner: 4 EMILE ST

Manager of Establishment: SAME Date of Birth: 10-7-52

Owner of Premises (landlord): BOB Esposito

Address of Premises Owner: Falmouth, ME,

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No

If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? ___ Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: Chief's LLC

Corporation Mailing Address: 134 MAIN ST Lewistown

Contact Person: Bill Welch Phone: _____

Do you permit dancing on premises? ___ Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? ___ Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 1/4 mile

Please describe the type of proposed entertainment:

- | | | |
|---|---|---|
| <input type="checkbox"/> dancing | <input checked="" type="checkbox"/> stand up comedian | <input type="checkbox"/> piano player |
| <input checked="" type="checkbox"/> music by DJ | <input type="checkbox"/> karaoke | <input type="checkbox"/> other, please list _____ |
| <input checked="" type="checkbox"/> live band/singers | <input type="checkbox"/> magician | <input type="checkbox"/> other, please list _____ |

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: William Welch Title: owner Date 9/24/2014

Printed Name: William Welch

Hearing Date: _____



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: August 5, 2014

RE: Liquor License/Special Amusement Permit – **Pedro O'Hara's**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Pedro O'Haras
134 Main St.



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism Integrity Compassion Dedication Pride Dependability

LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Schemengees Bar & Grille, 551 Lincoln Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Schemengees Bar & Grille, 551 Lincoln Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Schemengees Bar & Grille, 551 Lincoln Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 9-18-14

Expiration Date: 10/17/2015

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
 Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
 Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
 Class D - \$150.00 - function halls with entertainment, including dancing
 Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
 Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: Schemengres Bar + Grille Business Phone: 777-1155

Location Address: 551 Lincoln St Lewiston Me

(If new business, what was formerly in this location: _____)

Mailing Address: 272 Pond Rd Lewiston

Email address: my poolhall@yahoo.com

Contact Person: Kathy Lebel Phone: 777-1155

Owner of Business: David & Kathy Lebel Date of Birth: 12-22-71

Address of Owner: 272 Pond Rd Lewiston

Manager of Establishment: Kathy Lebel Date of Birth: 12-22-71

Owner of Premises (landlord): Dan Cunliffe

Address of Premises Owner: 212 Center St Auburn Me

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No

If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? ___ Yes X No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: Schemmenger's Inc.

Corporation Mailing Address: 272 Pond Rd

Contact Person: Kathy Lebel Phone: 777-1155

Do you permit dancing on premises? ___ Yes X No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? ___ Yes ___ No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 1000 ft

Please describe the type of proposed entertainment:

- dancing
- stand up comedian
- piano player
- music by DJ
- karaoke
- other, please list _____
- live band/singers
- magician
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: Kathy Lebel Title: OWNER Date 9-8-14

Printed Name: Kathy Lebel

Hearing Date: _____



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: August 5, 2014

RE: Liquor License/Special Amusement Permit – **Schemengee's**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Schemengee's
551 Lincoln St.



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
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LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Fast Breaks, 1465 Lisbon Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Fast Breaks, 1465 Lisbon Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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To grant a Special Amusement Permit for Live Entertainment to Fast Breaks, 1465 Lisbon Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 9-1-14

Expiration Date: 9-15-15

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
 Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
 Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
 Class D - \$150.00 - function halls with entertainment, including dancing
 Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
 Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: Fast Breaks Business Phone: 207 782-3305

Location Address: 1465 Lisbon Street Lewiston ME 04240

(If new business, what was formerly in this location: _____)

Mailing Address: 1465 Lisbon Street Lewiston ME 04240

Email address: fastbreaksc@roadrunner.com

Contact Person: Lela Richard Phone: 207 353-5058

Owner of Business: Lela Richard Date of Birth: 11-14-63

Address of Owner: 9 Sunset Ave Lisbon Falls ME 04252

Manager of Establishment: Lela Richard Date of Birth: 11-14-63

Owner of Premises (landlord): Serry Millett

Address of Premises Owner: Westmanigle Associate 155 Center St. Auburn ME 04210

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): Fast Breaks
1465 Lisbon Street Lewiston ME 04240

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence Lisbon Falls Me

Corporation Name: Fast Breaks Inc. President James Richard 8-26
VP Lela Richard 11-14-6

Corporation Mailing Address: 1465 Lisbon St Newiston Me 04240

Contact Person: Lela Richard Phone: 20735
207754-1629

Do you permit dancing on premises? Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 300 ft -

Please describe the type of proposed entertainment:

- dancing
- music by DJ
- live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: owner Date: 9-1-15

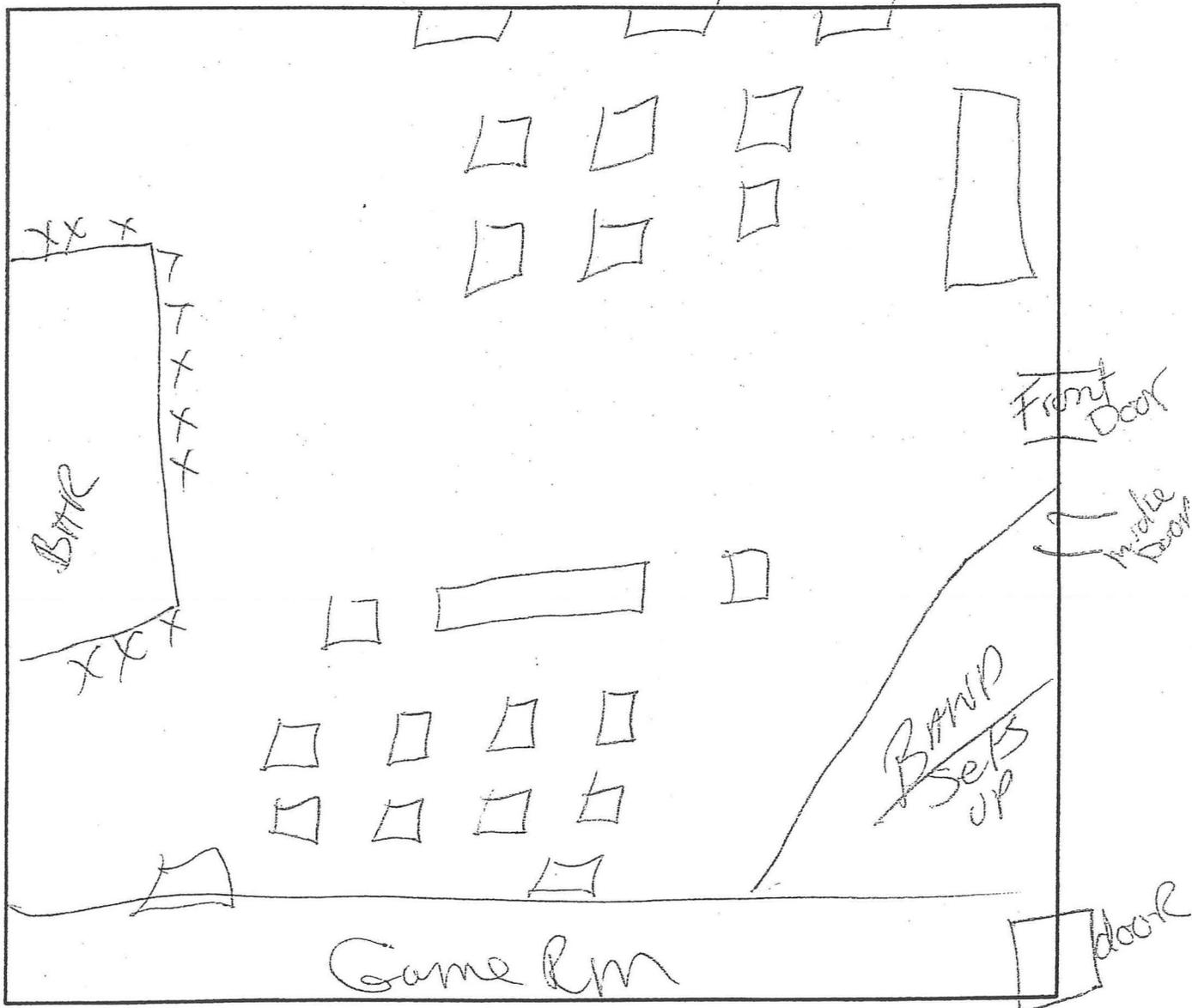
Printed Name: Lela Richard

Hearing Date: _____

**SPECIAL AMUSEMENT PERMIT
SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your licensed premise and areas that the entertainment is allowed, the City of Lewiston is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram showing where in the facility the entertainment will be, the direction of any speakers and where the dance floor, if any will be located.





POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: August 5, 2014

RE: Liquor License/Special Amusement Permit – **Fast Breaks**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Fast Breaks
1465 Lisbon Street



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



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LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing on the renewal of a Special Amusement Permit for Live Entertainment for Baxter Brewing Co., 130 Mill Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Baxter Brewing Co., 130 Mill Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Baxter Brewing Co., 130 Mill Street.

CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: 9-24-14

Expiration Date: 17-10-2015

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
 Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
 Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
 Class D - \$150.00 - function halls with entertainment, including dancing
 Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
 Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: Baxter Brewing Co., LLC Business Phone: 207 333 6769

Location Address: 130 Mill St Lewiston, ME 04240

(If new business, what was formerly in this location: _____)

Mailing Address: PO Box 603 Auburn, ME 04212

Email address: luke@baxterbrewing.com

Contact Person: Luke Livingston Phone: 207 333 6769

Owner of Business: Luke Livingston Date of Birth: 09/11/1984

Address of Owner: 136 Main St. So. Portland, ME 04106

Manager of Establishment: Luke Livingston Date of Birth: 09/11/1984

Owner of Premises (landlord): Mill One, LLC

Address of Premises Owner: 26 Great Falls Plz. Auburn, ME 04210

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): Baxter Brewing Co.
130 Mill St. Lewiston, ME 04240

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? ___ Yes X No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: Baxter Brewing Co, LLC

Corporation Mailing Address: Po Box 603 Auburn, ME 04212

Contact Person: Wke Livingston Phone: 207 333 6769

Do you permit dancing on premises? ___ Yes X No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? ___ Yes X No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? _____

Please describe the type of proposed entertainment:

- dancing
- stand up comedian
- piano player
- music by DJ
- karaoke
- other, please list _____
- live band/singers
- magician
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: President Date: 9/24/14

Printed Name: H. Wke Livingston

Hearing Date: _____



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 1, 2014

RE: Liquor License/Special Amusement Permit – **Baxter Brewing**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Baxter Brewing
130 Mill Street



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Condemnation Hearing for the building located at 68 River Street.

INFORMATION:

The City has begun the process for condemnation of the property at 68 River Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item will be included in a separate binder. The City Attorney's Office is still preparing the binder and staff anticipates it will be available for distribution on Monday.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 68 River Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 68 River Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

**LEWISTON CITY COUNCIL MEETING
OCTOBER 7, 2014
DANGEROUS BUILDINGS HEARINGS
68 RIVER STREET
264-266 LINCOLN STREET
CITY OF LEWISTON PLANNING DEPARTMENT EXHIBITS**

THOMAS MAYNARD
City of Lewiston
Code Enforcement Officer

RESPONSIBILITIES

Responsible for implementing and enforcing City of Lewiston land use, zoning, and building codes.

MAINE STATE CERTIFICATIONS

Internal Plumbing
Subsurface Wastewater Disposal
Zoning Officer
Shoreland Zoning
Land Use Planning
Building Standards (Residential Building, Commercial Building, Residential Energy, Commercial Energy, Residential Indoor Ventilation, Commercial Indoor Ventilation, Residential Radon)
Legal Issues

EXPERIENCE

Home Building

NV Ryan Homes, Maryland (1985-1988)
Production supervisor

Thunderlion, Maryland (1994-1997)
Production superintendent

Governmental

Montgomery County, Maryland (1988-1994)
I & 2 family building and electrical inspector

Scarborough, Maine (1997-2001)
Code enforcement officer, building inspector, electrical inspector, plumbing inspector

Washington County, Maryland (2001-2004)
1 & 2 family building and electrical inspector

Lewiston, Maine (2004-present)
Code enforcement officer, constable, housing inspector, building inspector, internal and external plumbing inspector, shoreland zoning officer, land use compliance officer

68 RIVER STREET

OWNERSHIP DOCUMENTS

Know all Men by these Presents,

That FRANKLIN COMPANY, a corporation duly created by law and having an established place of business in Lewiston, County of Androscoggin and State of Maine

in consideration of one dollar and other valuable consideration

paid by FRANKLIN PROPERTY TRUST of Lewiston, County of Androscoggin and State of Maine,

the receipt whereof it do hereby acknowledge, do hereby receive, ratify, bargain, sell and convey and forever quit-claim unto the said

Franklin Property Trust, its successors and assigns forever.

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the southwesterly side of Lincoln Street where it intersects with the southeasterly side of Oxford Street; thence running southwesterly by the southeasterly side of Oxford Street one hundred twenty-seven (127) feet, more or less, to an angle therein; thence at an angle to the left still southwesterly by the southeasterly side of said Oxford Street one hundred seventy (170) feet, more or less, to the easterly bank of the Androscoggin River; thence southeasterly by the bank of said river to land conveyed by this grantor to Union Water Power Company by deed dated July 17, 1914 numbered 1424; thence northeasterly by land of said Union Water Power Company about three hundred (300) feet to the southwesterly side of Lincoln Street; thence northwesterly by said Lincoln Street about one hundred twenty (120) feet to point of beginning.



BOOK 1227 PAGE 50

To have and to hold, the same, together with all the privileges and appurtenances thereunto belonging, to the said Franklin Property Trust, its successors and assigns

~~forever.~~

And do covenant with the said grantee, its successors and assigns, that it will warrant and forever defend the premises to the said grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

In Witness Whereof, the said Franklin Company has caused this instrument to be signed, sealed, acknowledged and delivered by John W. King, its Treasurer, thereunto duly authorized,

~~xxxxxx~~ ~~xxxxxxxxxxxx~~

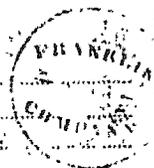
~~relating in this deed as granted, and relinquishing and conveying~~
~~rights by statute and all other rights in the above described~~
~~premises, have heretofore~~ ~~been~~ ~~and~~ ~~had~~ this 10th
September day of in the year of our Lord one thousand nine hundred and seventy-six.

Signed, Sealed and Delivered
in presence of

Curtis Welles

FRANKLIN COMPANY

BY: *J. W. King*
Its Treasurer



State of Maine, } ss.
Androscoggin

September 10, 19 76 .

Personally appeared the above named

John W. King and acknowledged the above instrument to be free act and deed, in his said capacity and the free act and deed of said corporation. Before me,

Curtis Welles
Attorney at Law

ANDROSCOGGIN, SS.
RECEIVED SEP 10 1976 AM
and recorded from the original

267 1/2 Lincoln

**QUITCLAIM DEED WITH COVENANT
AND BILL OF SALE**

Donald E. Tremblay (the "Grantor"), of Lewiston, County of Androscoggin, and State of Maine, for consideration paid, grants to Chad N. Tremblay and Brianna M. Barlow (the "Grantees"), as joint tenants, both of Lewiston, County of Androscoggin, and State of Maine, with **QUITCLAIM COVENANT**, a certain lot or parcel of land, with any buildings thereon, situated in Lewiston, County of Androscoggin, and State of Maine, bounded and described as follows:

MAINE REAL ESTATE
TRANSFER TAX PAID

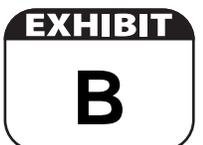
1. LAND

Beginning at a point on the southeasterly line of a seventy foot (70') strip of land formerly owned by F.R. Lepage Bakery, Inc. as described in a deed recorded in Androscoggin County Registry of Deeds, Book 1184, Page 207, said point being sixty-five (65) feet southwesterly from the southwesterly line of Lincoln Street; thence South fifty-six degrees fifty-nine minutes thirty seconds West (S 56° 59' 30" W), two hundred fourteen and twenty hundredths (214.20) feet, more or less, to the high water mark of the Androscoggin River; thence in a generally northwesterly direction along the high water mark of the aforementioned Androscoggin River seventy (70) feet, more or less, to a point and other land of the Franklin Company; thence North fifty-six degrees fifty-nine minutes thirty seconds West (N 56° 59' 30" W), one hundred sixty-eight (168) feet to land of Wilfred A. Bilodeau; thence South thirty-three degrees no minutes thirty seconds East (S 33° 00' 30" E) along said Bilodeau's land thirty-five (35) feet to a point; thence in a general easterly direction fifty-five (55) feet, more or less, to the point of beginning. This property is subject to the rights of prior grantors, their heirs and assigns and the public to pass over a certain way which now exists, leading from Lincoln Street westerly two hundred (200) feet, more or less.

Being the same premises conveyed to Donald Tremblay by warranty deed of Clermont G. Poulin dated November 1, 2002, and recorded in the Androscoggin County Registry of Deeds in Book 5169, Page 321.

2. BUILDINGS

Also included herewith are the following goods and chattels, namely: a residential dwelling situated at 267 1/2 Lincoln Street and garage at 68 River Street, in



Lewiston, County of Androscoggin, State of Maine. The buildings are situated primarily on land owned by Franklin Property Trust and may be in part on land described above.

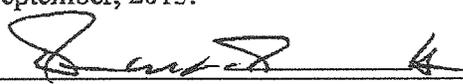
The goods and chattels being the same as described in the Bill of Sale from Clermont G. Poulin to Donald Tremblay dated November 1, 2002, unrecorded.

These goods and chattels are sold AS IS without any warranties or guarantees whatsoever.

TO HAVE AND TO HOLD, all and singular the said goods and chattels to the Grantees, their heirs, personal representatives and assigns, to their own use and behoof forever.

AND Grantor hereby covenants with the Grantees that Grantor is the lawful owner of the said goods and chattels; that they are free from all encumbrances; that Grantor has good right to sell the same as aforesaid; and that Grantor will warrant and defend the same unto the Grantees, their heirs, personal representatives or assigns, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th day of September, 2013.



Witness



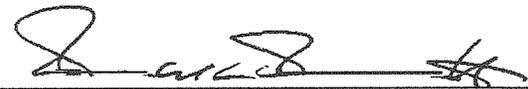
Donald E. Tremblay

STATE OF MAINE
COUNTY OF ANDROSCOGGIN

September 5, 2013

Then personally appeared the above-named Donald E. Tremblay and acknowledged the foregoing instrument to be his free act and deed.

Before me,



Ronald L. Bissonnette, Attorney at Law

d:\F:\Darlene\CLIENTS\Tremblay, Chad & Brianna Barlow\Quitclaim Deed and Bill of Sale.docx

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

AMENDED NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

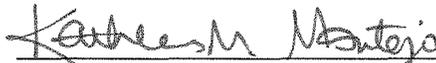
October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the structure at 68 River Street, Lewiston, Maine, located on Lot 5 on Tax Map 209, depicted on the attached Exhibit A, and further described as a garage in a Deed and Bill of Sale recorded in the Androscoggin County Registry of Deeds at Book 8768, Page 331 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 9-18-14


Kathleen M. Montejo, City Clerk



STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

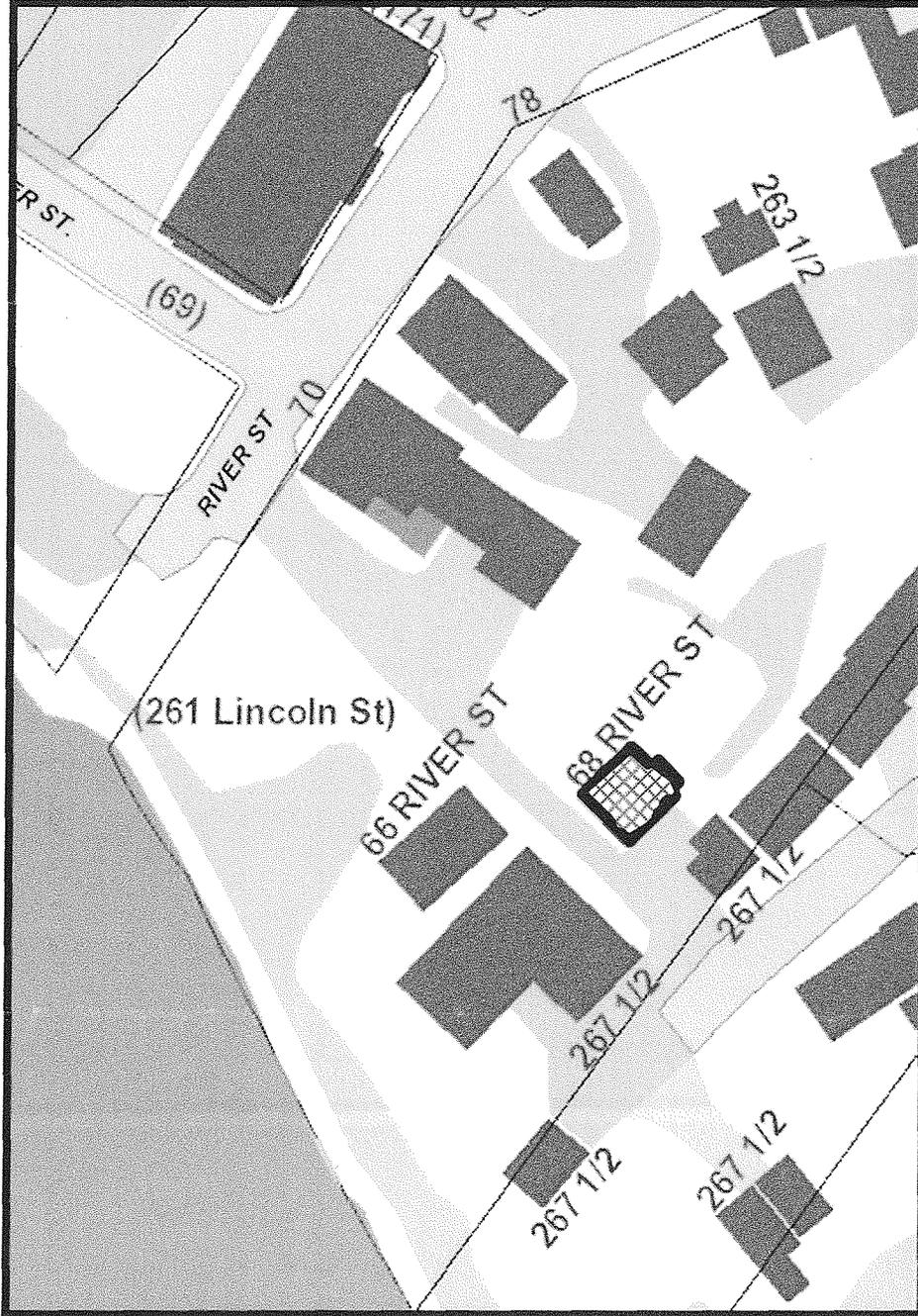


Notary Public / Attorney at Law

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

EXHIBIT A

68 River Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHQUINARD
REGISTER OF DEEDS

Return

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**AMENDED NOTICE OF HEARING
68 RIVER STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On 9-29, 2014 (date), I served the above-referenced AMENDED NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to Donald E. Tremblay at the following address:

Donald E. Tremblay
258 East Avenue
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____



Signature

CITY of LEWISTON

Agency



AMENDED NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

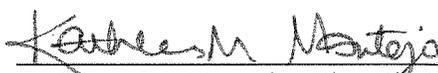
October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the structure at 68 River Street, Lewiston, Maine, located on Lot 5 on Tax Map 209, depicted on the attached Exhibit A, and further described as a garage in a Deed and Bill of Sale recorded in the Androscoggin County Registry of Deeds at Book 8768, Page 331 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 9-18-14



Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

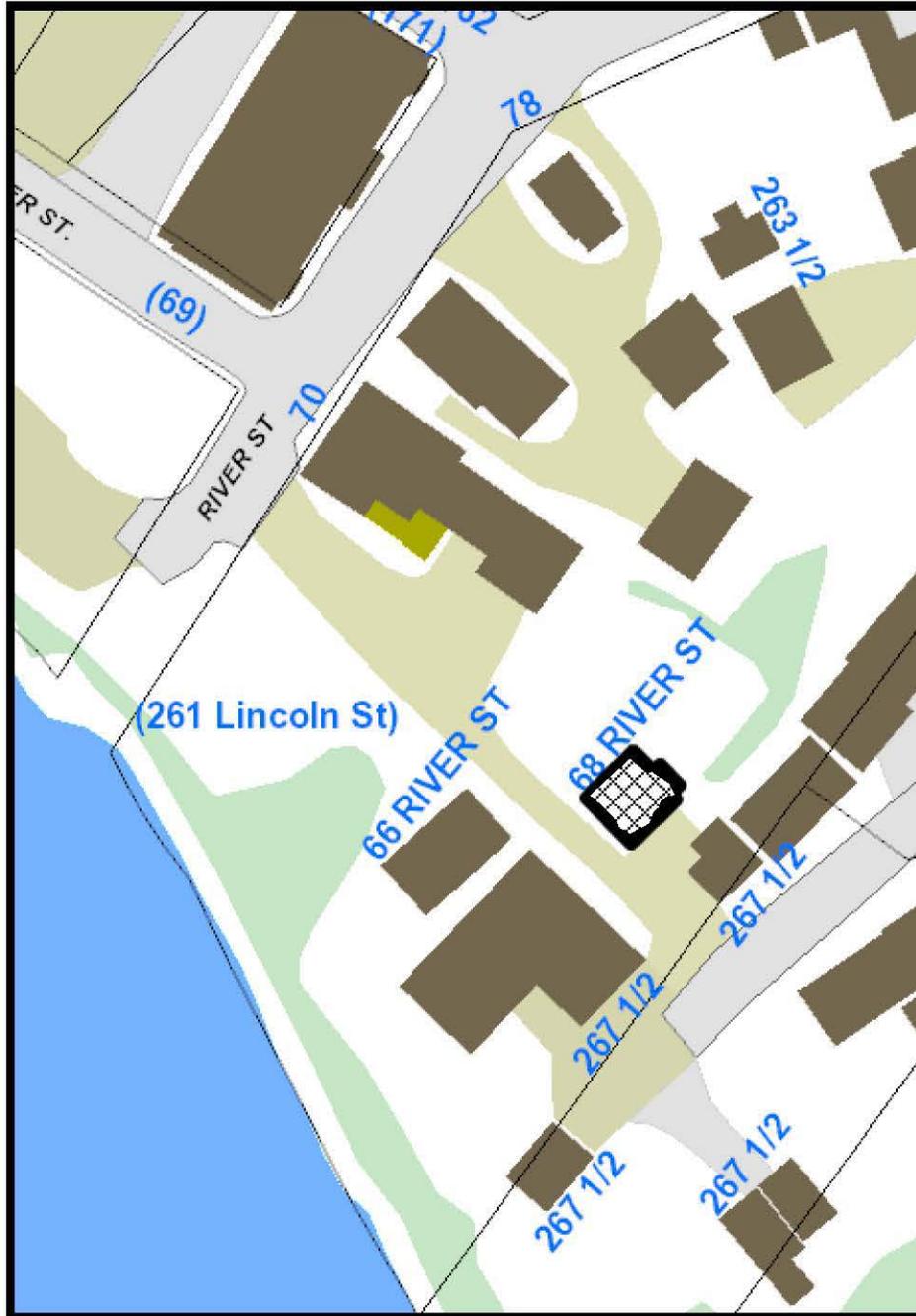


Notary Public / Attorney at Law

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

EXHIBIT A

68 River Street



KL 7/2/14

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**AMENDED NOTICE OF HEARING
68 RIVER STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On 9-22, 2014 (date), I served the above-referenced AMENDED NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>2100</u>
Travel:	\$	<u>160</u>
Postage:	\$	<u>100</u>
Other: <i>op</i>	\$	<u>200</u>
TOTAL:	\$	<u>2560</u>

J. Chabe
Signature

Androscoquin SO
Agency



AMENDED NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

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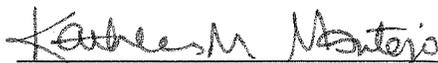
October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 9-18-14



Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

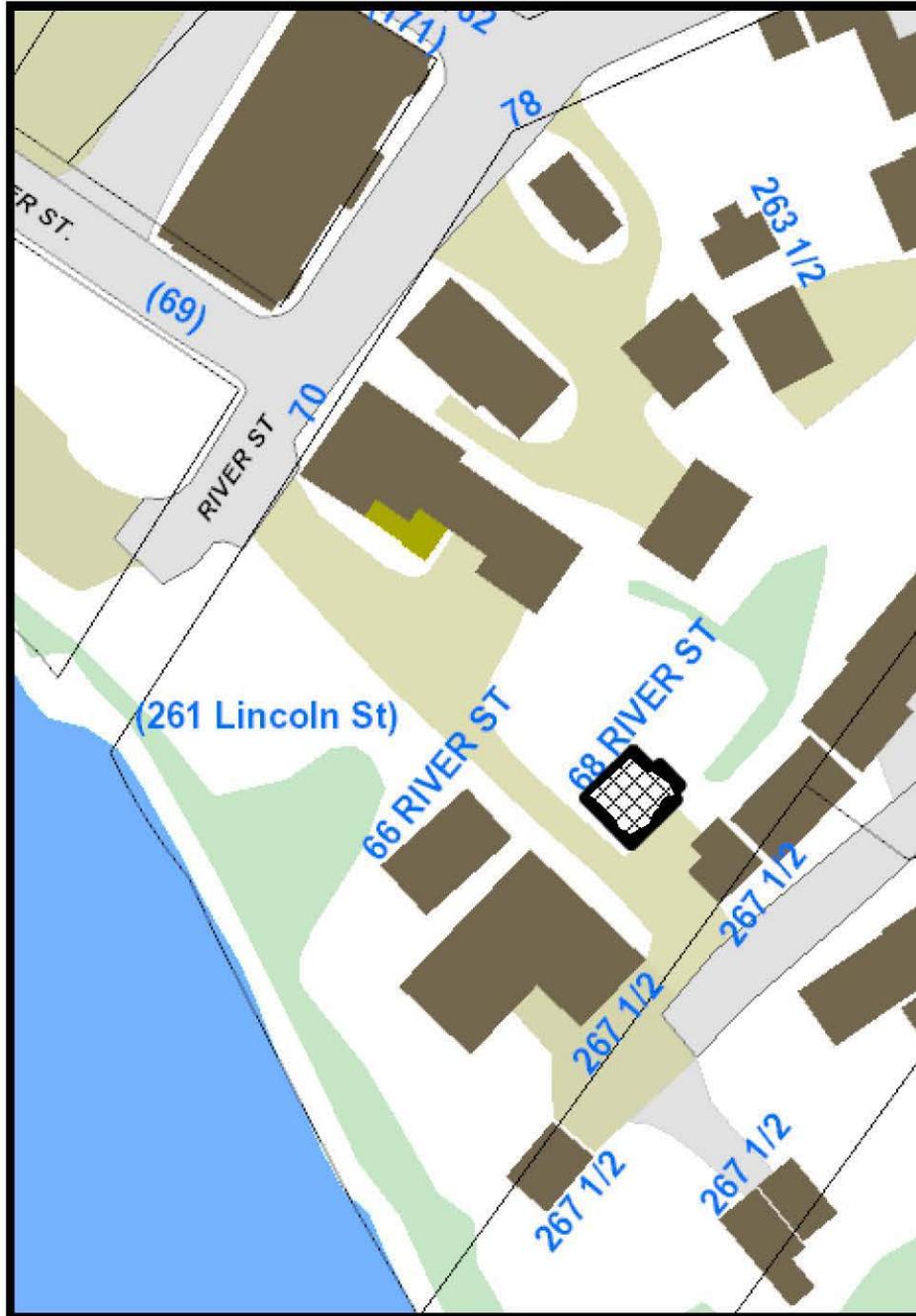


Notary Public / Attorney at Law

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

EXHIBIT A

68 River Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

AMENDED NOTICE OF HEARING
68 RIVER STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On 9-22, 2014 (date), I served the above-referenced AMENDED NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to Gerard Castonguay at the following address:

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

[Signature]
Signature
City of Lew
Agency



AMENDED NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

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October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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Dated: 9-18-14



Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

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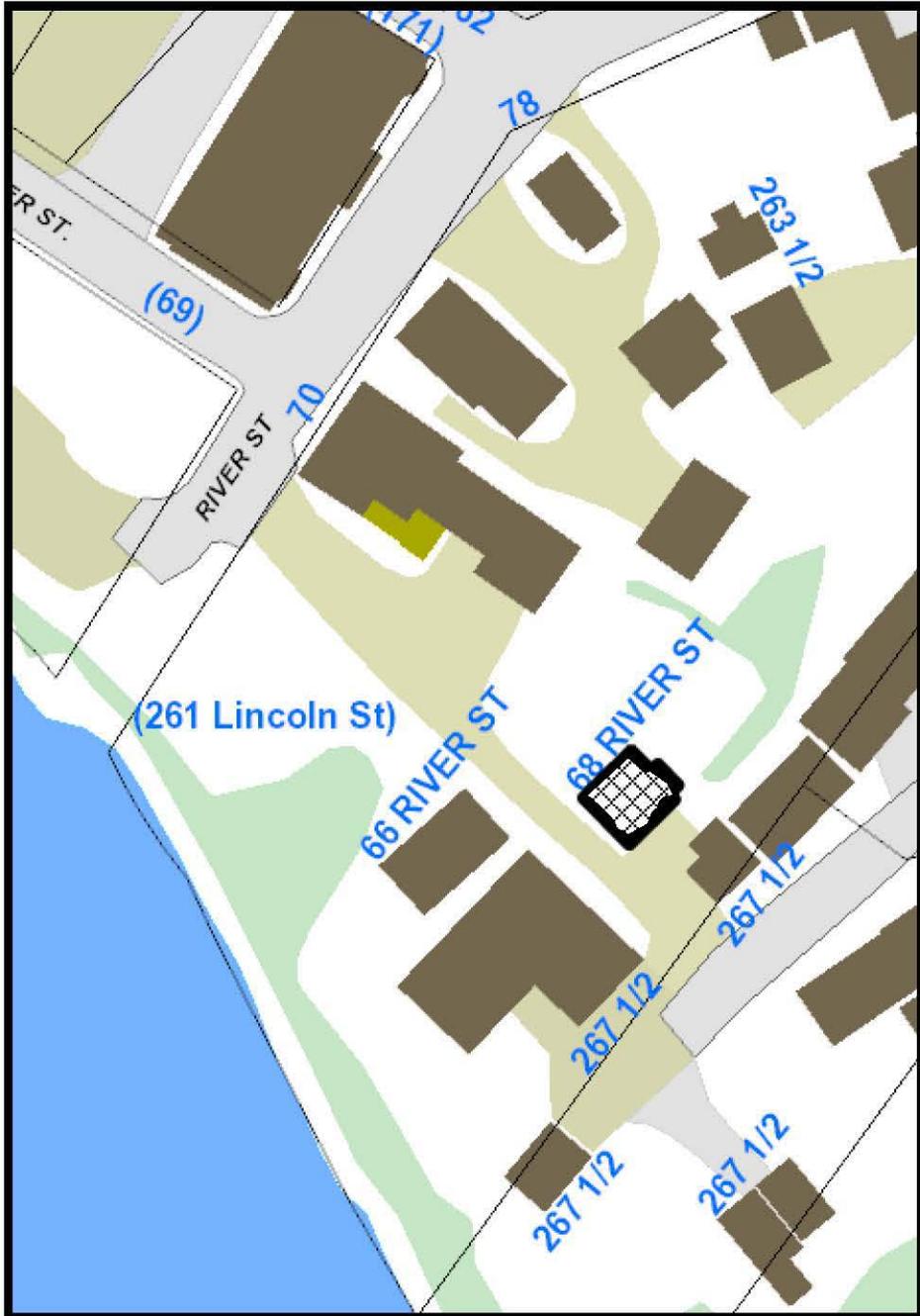


Notary Public / Attorney at Law

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

EXHIBIT A

68 River Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**AMENDED NOTICE OF HEARING
68 RIVER STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On 9.25-2014, 2014 (date), I served the above-referenced AMENDED NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to Brianna Barlow and Chad Tremblay at the following address:

Brianna Barlow and Chad Tremblay
267 1/2 Lincoln Street
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

[Signature]
Signature
CITY of LEWISTON
Agency



AMENDED NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

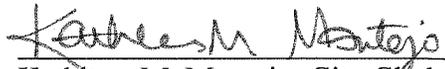
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Dated:

9-18-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

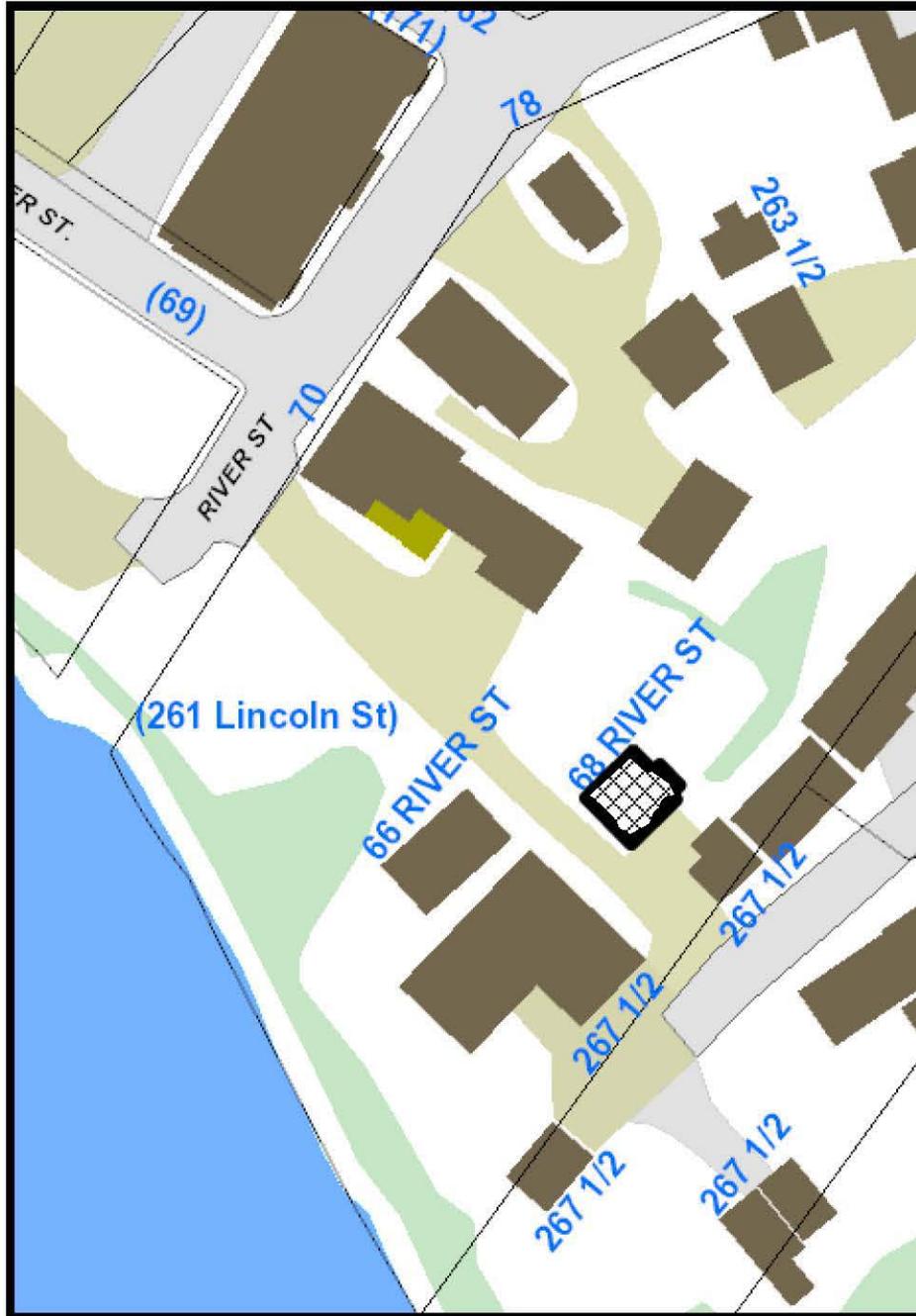


Notary Public / Attorney at Law

Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

EXHIBIT A

68 River Street



PHOTOGRAPHS

68 River Street
Franklin Property Trust
A severely deteriorated structure constituting a dangerous
appurtenance upon the land.
Photo #1. Taken December 30, 2011



Photo #2 taken May 14, 2014. Continuing neglect and deterioration with debris.



Photo #3. Neglected and deteriorating with debris stacked against the building.



Photo # 4 Taken May 29, 2014. Failing structural materials and debris..



Photo # 5 taken May 14, 2014. Show debris from collapsed second floor contributing to fire loading.



Photo # 6. Shows the remaining framing of the second floor in state of collapse..



Photo # 7. Shows inadequate structural elements of the roof structure.



Photo # 8. Debris about the property contributing to fire loading.



Photo # 9. Potentially hazardous debris about the property and stacked against the building.



LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Condemnation Hearing for the building located at 264-266 Lincoln Street.

INFORMATION:

The City has begun the process for condemnation of the property at 264-266 Lincoln Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item will be included in a separate binder. The City Attorney's Office is still preparing the binder and staff anticipates it will be available for distribution on Monday.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAR/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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1) To conduct a hearing to determine if the building located at 264-266 Lincoln Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 264-266 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

264-266 LINCOLN STREET

OWNERSHIP DOCUMENTS

MAINE SHORT-FORM PERSONAL REPRESENTATIVE'S DEED

ROBERT R. BELANGER of (264 Lincoln Street) Lewiston, Androscoggin County and State of Maine, duly appointed and acting personal representative of the **ESTATE OF YVETTE BELANGER**, late of Lewiston, Androscoggin County and State of Maine, deceased testate, whose will was submitted to probate in Androscoggin County Probate Court (Docket No. 2001-343), not having given notice to each person succeeding to an interest in the real estate described below at least ten (10) days prior to the conveyance, such notice not being required by the terms of the decedent's will, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to **ERIC V. RICKARDS** of (110 Pierce Street) Lewiston, Androscoggin County and State of Maine, the land with the buildings thereon, situated in Lewiston, Androscoggin County and State of Maine, bounded and described as follows:

BEGINNING at an iron pin on the Northeasterly line of Lincoln Street, so-called, said point being the intersection of said Northeasterly line of Lincoln Street and the Northwesterly line of a seventy (70') foot wide strip of land formerly owned by F. R. LePage Bakery, Inc., as described in a deed recorded in the Androscoggin County Registry of Deeds, Book 1184, Page 207; thence North fifty-six degrees fifty-nine minutes thirty seconds East (N 56° 59' 30" E) along land of the Franklin Company sixty-six (66') feet to an iron pin; thence South seven degrees no minutes thirty seconds East (S 7° 00' 30" E) seventy-seven and eighty-eight hundredths (77.88') feet to an iron pin and other land of the said Franklin Company; thence South fifty six degrees fifty-nine minutes thirty seconds West (S 56° 59' 30" W) seventy-two and twenty-seven hundredths (72.27') feet to an iron pin on the Northeasterly line of Lincoln Street; thence North three degrees no minutes thirty seconds West (N 3° 00' 30" W) along said Northeasterly line of Lincoln Street eighty and eighty-three hundredths (80.83') feet to an iron pin at the point of beginning.

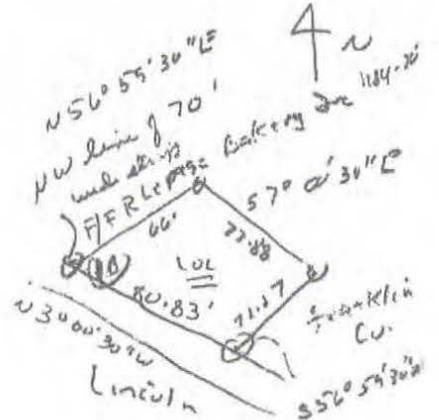
CONTAINING four thousand eight hundred thirty-nine (4,839) square feet.

SUBJECT TO the rights of the Grantors in a deed dated March 31, 1978 and recorded in Androscoggin County Registry of Deeds, Book 1358, Page 66, their heirs and assigns, and the public to pass over Lincoln Drive,

BEING the same premises conveyed to Willie H. Belanger and Yvette Belanger, as joint tenants, by deed of Alfred A. Jolin, Leo I. Levesque, Carmel Ricker, Richard Ricker and Gedeon A. Rouleau, dated August 8, 1978 and recorded in said Registry of Deeds, Book 1358, Page 66. The said Willie H. Belanger died November 26, 1990. Said Yvette Belanger died December 21, 1999.

WITNESS my hand and seal this eighth day of July, 2005.

MAINE REAL ESTATE
TRANSFER TAX PAID



[Signature]

Estate of Yvette Belanger
Robert R. Belanger
ROBERT R. BELANGER
Personal Representative

STATE OF MAINE

Androscoggin, ss.

July 8, 2005

Then personally appeared the above-named Robert R. Belanger, in his capacity as personal representative of the Estate of Yvette Belanger, and acknowledged the foregoing instrument to be his free act and deed.

ANDROSCOGGIN COUNTY
Tha A. Chouard
REGISTER OF DEEDS

Before me,

[Signature]
Robert L. Couturier, Attorney at Law

Robert L. Couturier • 70 Pine Street • Lewiston, Maine 04240



09842

BOOK 1540 PAGE 075

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that Maine Central Railroad Company, a corporation formed under the laws of Maine and having a principal place of business in Portland, County of Cumberland, State of Maine, in consideration of one dollar and other valuable consideration paid by the Franklin Property Trust, with a principal place of business in Lewiston, County of Androscoggin, State of Maine, receipt of which is hereby acknowledged, does hereby remise, release, bargain, sell, convey and forever quitclaim unto the said Franklin Property Trust, its successors and assigns forever:

A triangular portion of the first described parcel in a deed from Franklin Company to Maine Central Railroad Company, dated February 12, 1895, and recorded in the Androscoggin Registry of Deeds in Book 160, Page 499, located in the City of Lewiston, County of Androscoggin, State of Maine, and more particularly described as follows:

Beginning at a point on the northerly sideline of Locust Street, said point being the southwesterly corner of the first parcel described in deed recorded in Book 160, Page 499;

Thence, easterly by the northerly line of Locust Street a distance of twenty-nine (29) feet, more or less, to a point;

Thence, in a northwesterly direction in a straight line for a distance of two hundred thirty-five (235) feet, more or less, to its intersection with the westerly sideline of said parcel described in the February 22, 1895 deed;

Thence, southerly on said westerly sideline two hundred forty (240) feet, more or less, to the point of beginning, containing four thousand two hundred forty-seven (4247) square feet, more or less.

Further reference may be had to the following deeds recorded in the Androscoggin Registry of Deeds in Book 160, Page 449; Book 1226, Page 328; Book 1226, Page 330; Book 1416, Page 37; Book 1533, Page 282; and Book 1533, Page 285.



BOOK 1540 PAGE 076

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Franklin Property Trust, its successors and assigns, to it and its use and behoof forever.

IN WITNESS WHEREOF, John F. Gerity, in his capacity as President of Maine Central Railroad Company, has hereunto set his hand and seal this 7th day of August, in the year of Our Lord, A.D. 1981.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

MAINE CENTRAL RAILROAD COMPANY



[Handwritten signature]

By: John F. Gerity

STATE OF MAINE
CUMBERLAND, ss.

August 7, 1981

Personally appeared the above-named John F. Gerity, President of Maine Central Railroad Company, and acknowledged the foregoing instrument to be the free act and deed of the said Maine Central Railroad Company.

Before me,

Candra H. Schultz
Notary Public

MY COMMISSION EXPIRES
NOVEMBER 27, 1981



ANDROSCOGGIN SS.
RECEIVED AUG 21 1981
AT 3 H. — M. P.M.
and recorded from original

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Eric V. Rickards
37 North Short Street
Andover, New Hampshire 03216

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

264-266 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

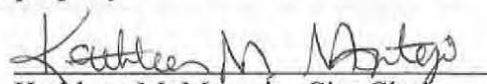
October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential and accessory structures located entirely or in part on the property known as 264-266 Lincoln Street, Lewiston, Maine, identified as Lot 22 on Tax Map 209 (the remainder of the buildings being located in part on Map 209, Lot 27 and Map 208, Lot 125), and further described in a personal representative's deed recorded in the Androscoggin County Registry of Deeds at Book 6404, Page 34, and as depicted on the attached Exhibit A are dangerous buildings or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

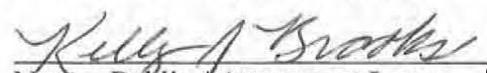
This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 9-10-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law



Kelly J. Brooks
Notary Public, Maine
My Commission Expires Sept. 11, 2018

264 & 266 Lincoln Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

264-266 Lincoln Street 000005

CITY OF LEWISTON
CITY COUNCIL

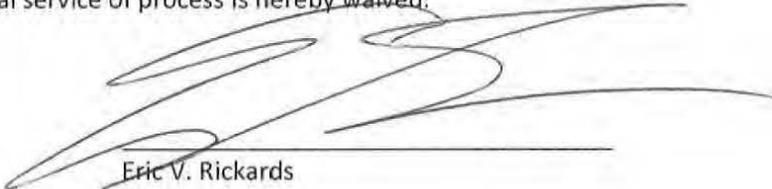
ACKNOWLEDGEMENT OF SERVICE

NOTICE OF HEARING PURSUANT TO 17 M.R.S. §§ 2851-59
264-266 LINCOLN STREET, LEWISTON, MAINE

Due and sufficient service of the Notice of Hearing, a copy of which is attached hereto, pursuant to 17 M.R.S. §§ 2851-59 for 264-266 LINCOLN STREET in Lewiston, Maine is hereby acknowledged for and on behalf of ERIC V. RICKARDS. All formal service of process is hereby waived.

Dated: _____

9-19-14


Eric V. Rickards



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Eric V. Rickards
37 North Short Street
Andover, New Hampshire 03216

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

264-266 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

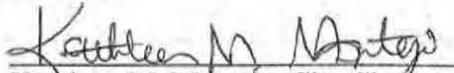
October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

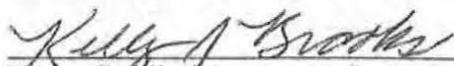
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Dated: 9-10-14

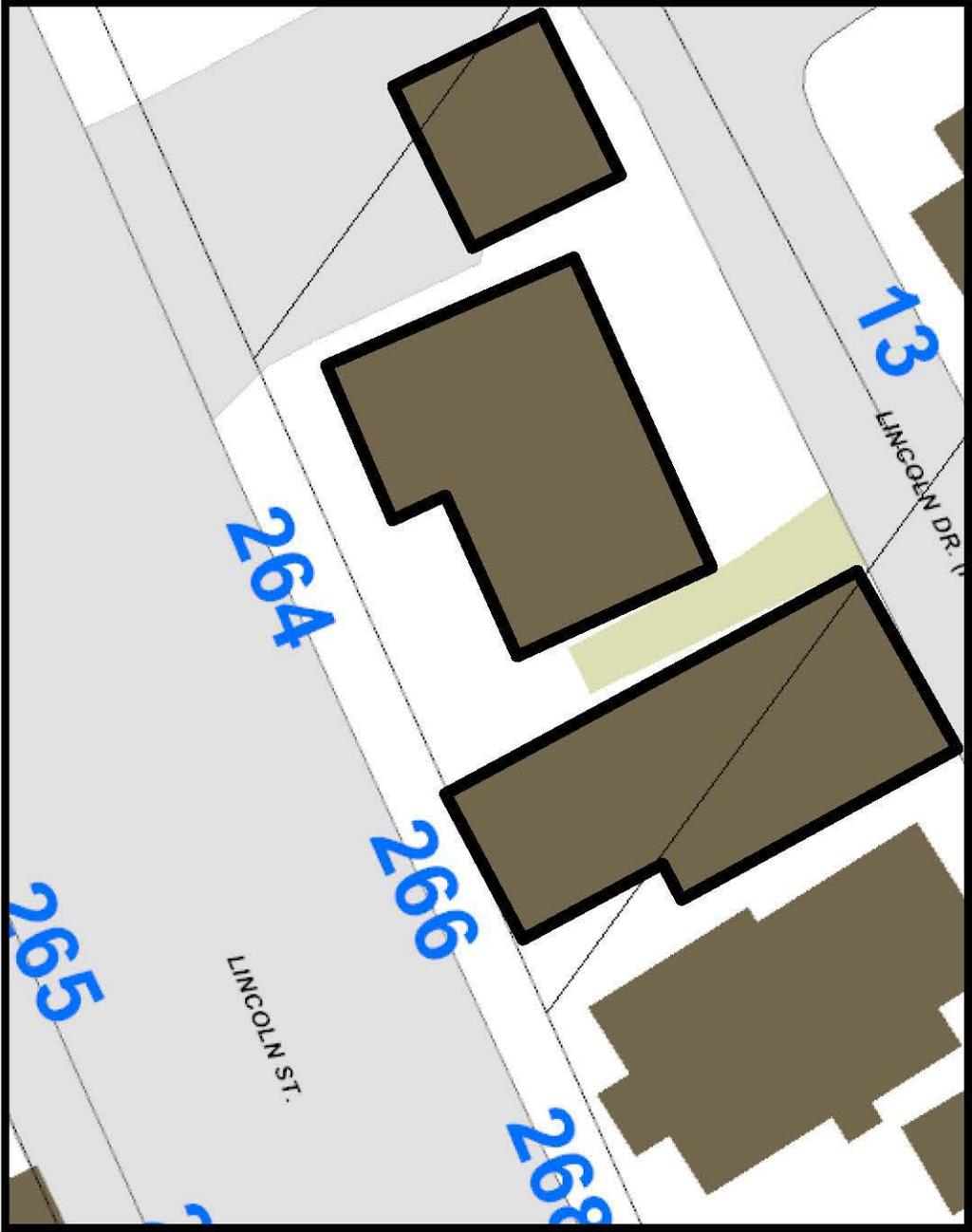

Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

264 & 266 Lincoln Street



R

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
264-266 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

On 9-15, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>2100</u>
Travel:	\$	<u>160</u>
Postage:	\$	<u>100</u>
Other: <i>CP</i>	\$	<u>200</u>
TOTAL:	\$	<u>2560</u>

J. Phala
Signature
Androscoquin SO
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Eric V. Rickards
37 North Short Street
Andover, New Hampshire 03216

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

264-266 LINCOLN STREET, LEWISTON, MAINE

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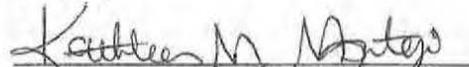
October 7, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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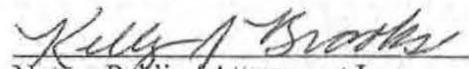
This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 9-10-14

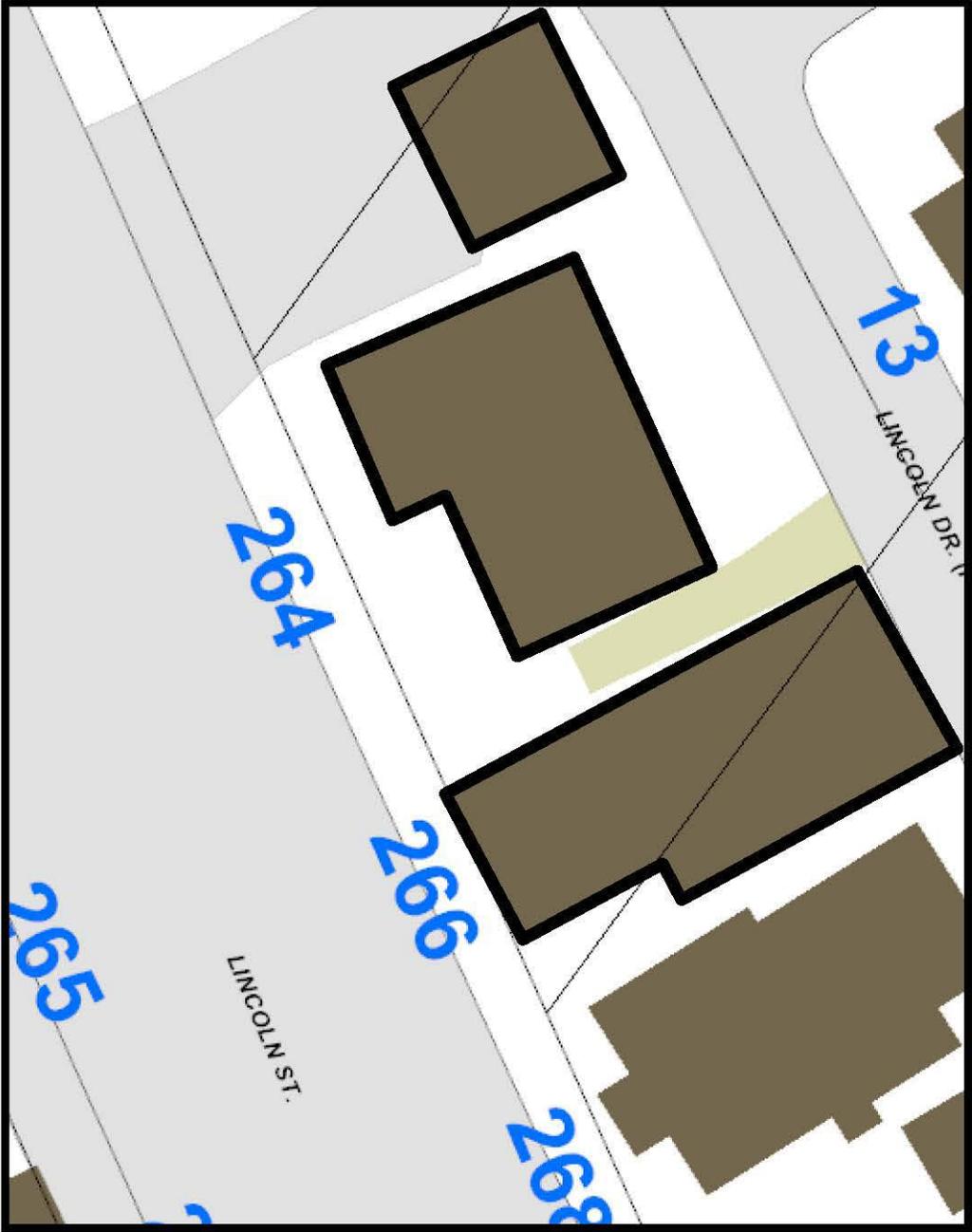

Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

264 & 266 Lincoln Street



CONSENT TO REMOVAL OF DANGEROUS BUILDING

Pursuant to 17 M.R.S. §§ 2851-2859, KARI L. WILLIAMS, for the State of Maine Revenue Services, ("Maine Revenue"), hereby consents to the removal by the City of Lewiston, Maine, and/or its agents, of the residential structures located at 264-266 Lincoln Street in Lewiston, Maine, which structures are partially located on Map 209, Lots 22 and 27, and Map 208, Lot 125 of the current Tax Maps of the City of Lewiston and are more particularly described in the deed recorded in the Androscoggin County Registry of Deeds in Book 6404, Page 34.

Maine Revenue specifically consents to allow the City of Lewiston to fully and completely remove said structures and take all reasonable actions necessary to secure, remediate, and maintain the site. Maine Revenue further acknowledges the liability of the owner, Eric Rickards ("Owner"), to the City of Lewiston, Maine for all expenses reasonably related to the securing, removal, remediation, and maintenance of the structure and site, including attorneys' fees and costs (the "Expenses"). Maine Revenue consents to recovery of the Expenses against Owner and the property by means of a special tax as set forth in 17 M.R.S.A. §§ 2851-2859, or by a civil action.

STATE OF MAINE REVENUE SERVICES

Dated: September 19, 2014

Kari L. Williams

By: KARI L. WILLIAMS
Its: TAX SECTION MANAGER
COMPLIANCE DIVISION

STATE OF MAINE

KENNEBEC, SS

Date: September 19, 2014

Personally appeared before me the above-named KARI L. WILLIAMS, on behalf of the State of Maine Revenue Services and acknowledged the foregoing instrument to be his/her free act and deed in her said capacity, and the free act and deed of said agency.

Dorela J. Mynick
Notary Public ~~Attorney at Law~~

Commission expires: May 8, 2016



CITY
CORRESPONDENCE

**CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3226
NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE**

June 23, 2011

Eric V. Rickards
151 Hackett Road
Auburn, Maine 04210

First Horizon Home Loan Corporation
5901 College Boulevard, 3rd Floor
Overland Park, Kansas 04106

First Horizon Home Loan Corporation
4000 Horizon Way
Irving, Texas 75063

RE: 264 Lincoln Street Map 209, Lot 22 Tax Id# RE00000719

Dear Eric V. Rickards & Mortgager

It has come to the attention of this office that the building at 264 Lincoln Street is vacant and has suffered severe deterioration making it unfit for occupancy due to violation(s) of the following provisions of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, Article VI, Sections 18-200 & 18-201, as per The Code of Ordinances of the City of Lewiston hereafter referred to as the (Code). The building is without necessary facilities such as heat, hot potable water, and electricity. Renovations were started, without the necessary permits issued by the City of Lewiston, with major structural components and mechanical systems left incomplete and in jeopardy of failure. It and the garage are in need of substantial rehabilitation to be approved for re-occupancy or demolished. In their present condition, the buildings are considered dangerous and are subject to the provision of the Maine State Dangerous Buildings Statute.



A dangerous building is defined as pursuant to the Maine Revised Statutes Title 17, §2851:

Whenever the municipal officers in the case of a municipality, or the county commissioners in the case of the unorganized or deorganized areas in their county, find that a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property, they may after notice and hearing on this matter adjudge the same to be a nuisance or dangerous and may make and record an order prescribing what disposal must be made of that building or structure.

I hereby condemn and placard the building its accessory structure/garage at 264 Lincoln Street as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, PM 105.1, PM-105.2, PM 105.3, PM 105.4, PM-105.6, PM 107.1, PM 107.2, PM-107.3, PM-504.1 et seq, of the Code of Ordinances of the City of Lewiston. Pursuant to PM-105.6 & PM-903.1 of the Code, you are hereby ordered to immediately ensure this building is secured from unauthorized entry. You are to make substantial repairs, with all appropriate permits issued by this office, or to demolish this building, leaving the property in manner to the satisfaction of this office by no later than **July 29, 2011.**

The City of Lewiston may order the demolition of this building pursuant to the provisions of the Maine Revised Statutes, Title 17, Chapter 91, Subchapter 4, Dangerous Buildings, Section 2851, if the building is not maintained secured or is a threat to public safety and a nuisance.

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section PM 107.3 stating "the code official shall remove the condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code."

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordereed to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a

civil penalty of two hundred and fifteen dollars (\$215.00), the third is four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and fifty dollar (\$150.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section PM-106.6 of the Property Maintenance Code: You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,



Thomas E. Maynard
Code Enforcement Officer & Constable

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

PHOTOGRAPHS

264 Lincoln Street

Photo #1 taken August 27, 2014 shows a vacant and deteriorated single family home in close proximity to other structures.



Photo # 2 shows the front view of the garage.



Photo # 3 shows the deteriorated garage with unprotected expose materials in violation of Code.



Photo # 4 shows exposed wall framing of incomplete renovation project.



Photo # 5 shows damaged sub-flooring remaining from incomplete renovations leaving openings in the floor creating dangerous conditions and pathways for the accelerated spread of fire.



Photo # 6 shows damaged and deteriorated bath room fixtures missing copper piping due to theft and open and unsanitary drainage system.

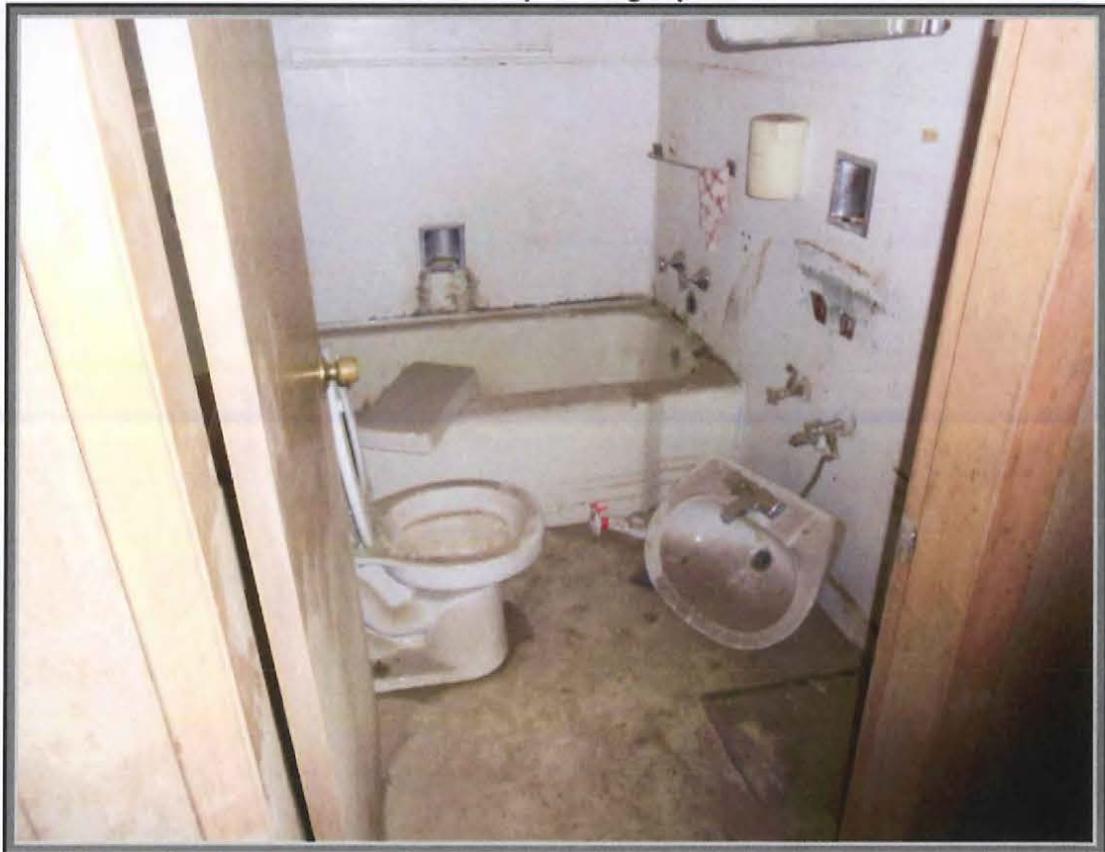


Photo # 7 shows inappropriately cut floor joists in violation of code without proper bearing creating a potential for collapse.



Photo # 8 shows the second floor stripped of interior finish materials and insulation leaving the combustible materials of the rough framing exposed greatly increasing its vulnerability to the spread of fire.



Photo # 9 shows a severely deteriorated chimney and obsolete insufficient framing methods.



Photo # 10 shows obsolete framing lacking fire stopping with insufficient dimensional depth for the installation of insulation to meet current code requirements.



Photo # 11 shows balloon framing without the required fire stopping allowing for the accelerated spread of fire.



266 Lincoln Street

Photo #1 taken April 29, 2009 shows the building just prior to abandonment.



Photo # 2 taken August 27, 2014 shows lack of maintenance, overgrowth of vegetation contributing to the potential of the spread of fire and further deterioration.



Photo # 3 shows the excessive settlement of the bearing members and collapsing porch. Also note the broken attic window pane and unprotected wood trim.



Photo # 4 shows severely deteriorated roofing and a leaning severely deteriorated chimney with the potential of collapse.

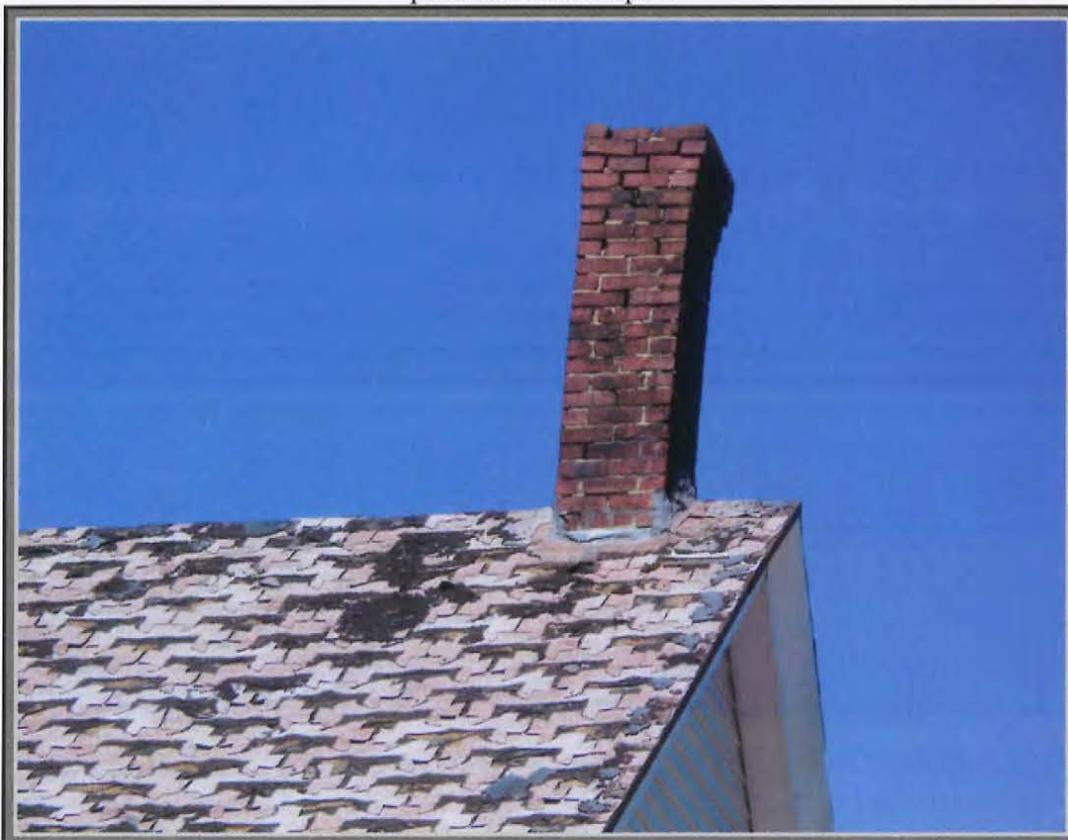


Photo # 5 shows a collapsing porch with non-code compliant guardrails.

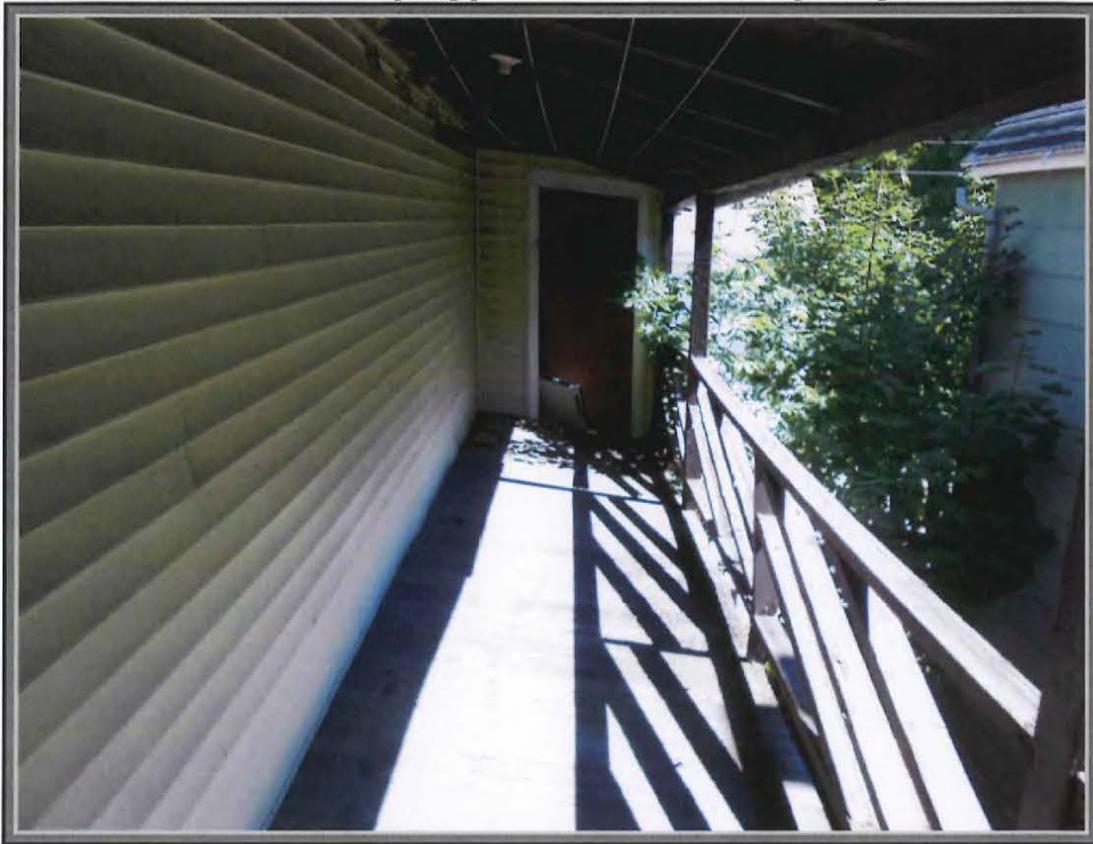


Photo # 6 shows primary means of egress stairs not code compliant with insufficient tread depth and excessive riser height.

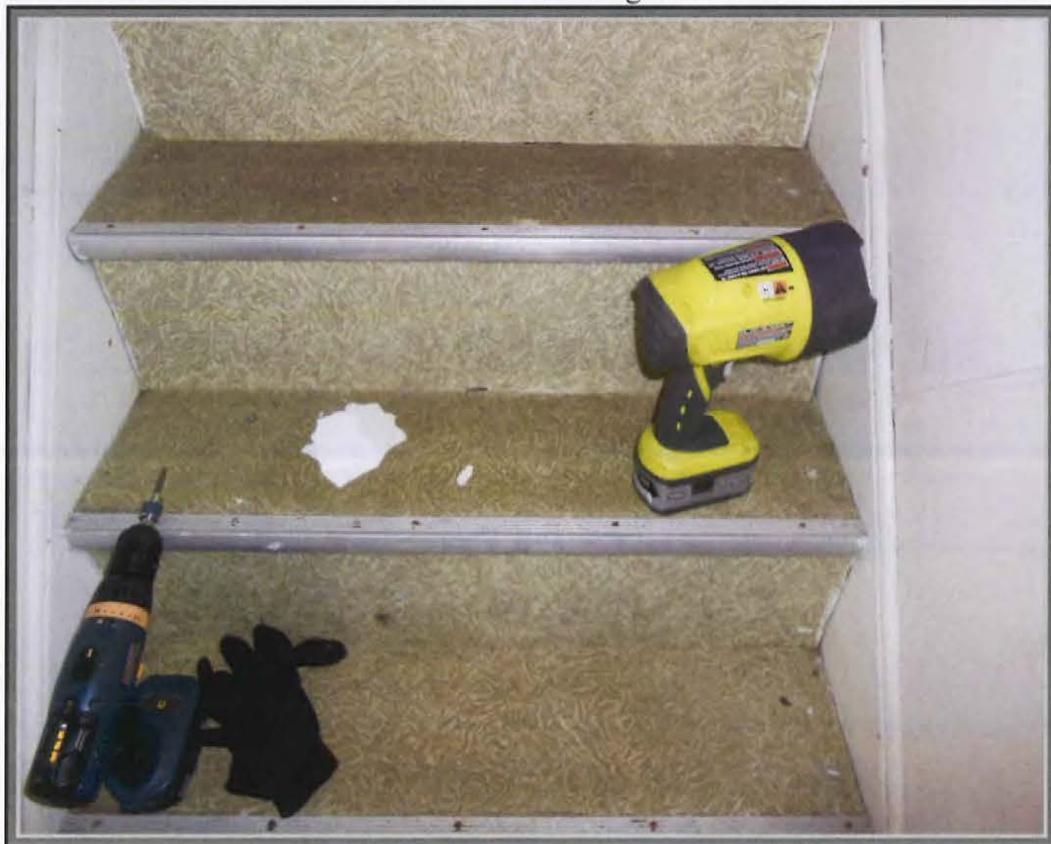


Photo # 7 shows a second view of the primary means of egress stairs with insufficient headroom as required by code.



Photo # 8 shows removed heating register making the heating system inoperative.



Photo # 9 shows another example of removed heating registers.



Photo # 10 shows damaged toiler tank and removed heating register.



Photo # 11 shows illegal plumbing installation and damaged heating register.



Photo # 12 shows a makeshift and inappropriate window installation that is deteriorated.



Photo # 13 shows damaged plaster assembly allowing for the accelerated spread of fire in violation of code.



Photo # 14 shows debris in the casement contributing to fire loading.



Photo # 14 shows evidence of flooding potentially for sewage making for unsanitary conditions.



Photo # 15 shows debris, containers of paint, cut and unsupported electrical cables in violation of code.



Photo # 16 shows further evidence of flooding and unsupported electrical cables.



LEWISTON CITY COUNCIL MEETING OF OCTOBER 7, 2014

AGENDA ITEM NO. 9

AGENDA INFORMATION SHEET:

SUBJECT:

Order authorizing the City Administrator to execute the necessary documents to transfer a portion of the unbuilt Reservoir Street to Richard Ward, owner of the abutting property at 196 Pleasant Street.

INFORMATION:

During a title search, it was discovered that a paper street (planned but never physically developed) known as Reservoir Street exists on paper in city records from the late 1800s. Part of the paper street runs along the property at 196 Pleasant Street. The City Attorney has researched this matter and discovered the records indicate the land is "reserved as a Rangeway" which means the City most likely has an easement over this property. The City has no intention of developing this property and no workable use for the land.

City staff recommends this land be deeded over to the property owner of 196 Pleasant Street. A similar transfer was done in March 2013 for land abutting 49 Hillcrest Avenue.

Please reference the attached memorandum from the City Administrator for additional information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order authorizing the City Administrator to execute the necessary documents to transfer a portion of the unbuilt Reservoir Street to Richard Ward, owner of the abutting property at 196 Pleasant Street.



City of Lewiston, Maine
City Council Order
October 7, 2014



ORDER, Authorizing the City Administrator to Execute the Necessary Documents to Transfer a portion of the Unbuilt Reservoir Street to Richard Ward, Owner of the Abutting Property at 196 Pleasant Street.

Whereas, the City of Lewiston's Joint Standing Committee on Highways, Streets, Bridges and Sidewalk established a Reservoir Street on November 12, 1879, noting: "Said Street passes over land reserved as a Rangeway or Public Road"; and

Whereas, the land of the so-called Reservoir Street is unimproved raw land and the street was never constructed; and

Whereas, City staff foresees no future need to develop a street along this so-called Reservoir Street; and

Whereas, the City has received a request from Richard Ward to release any interest it may have in the portion of Reservoir Street adjacent to property he owns at 196 Pleasant Street; and

Whereas, the City Council approved a similar request from a Pauline Kolbe of 49 Hillcrest Avenue at its meeting of March 26, 2013; and

Whereas, the City Attorney has reviewed documents and titles relating to Reservoir Street and has concluded that the City's interest in the property is limited to an easement and is not in fee ownership; and

Whereas, Mr. Ward's attorney has prepared all supporting documents to transfer any interest the City has in the half of the width of the so-called Reservoir Street that abuts the side of his property at 196 Pleasant Street; and

Whereas, the interest the City has in the property can be transferred to Mr. Ward at no cost to the City;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that

the City Administrator is authorized to sign and execute any documents necessary to effect the transfer of any and all interest the City has in one-half of the portion of the unbuilt Reservoir Street immediately abutting the side of 196 Pleasant St.



Department of Public Works

David A. Jones, P.E.

Director



September 29, 2014

To: E. Barrett (City Administrator), K. Montejo (City Clerk)
Fr: David Jones, Director of Public Works
Re: Richard Ward / Reservoir Street Property

At its March 26, 2013 meeting, the Council approved transfer of property along an unbuilt paper street to a Pauline Kolb of 49 Hillcrest Avenue. Recently, Richard Ward of 196 Pleasant Street approached Public Works about transferring the property of this same paper street that is adjacent to his property. We suggested he contact John Conway, an attorney with Linnell, Choate & Webber LLP, who had prepared the documents for Pauline Kolb back in 2013. The side of Mr. Ward's property abuts what appears to be a paper street known as Reservoir Street. Mr. Ward has requested the City transfer to him any right, title, and interest he would be entitled to if the road were to be discontinued. This is the same process the City used 19 months ago with Ms. Kolb. Attorney Conway provided a draft deed and property transfer documents, which are proposed to be executed at no cost to the City.

As background, when the first request came from Ms. Kolb we researched and the City Clerk found the following information in the City's Street Book:

- On October 2, 1879, the Lewiston City Council referred a petition from 12 citizens requesting a public way be laid out to the "Joint Standing Committee on Highways, Streets, Bridges and Sidewalk".
- The Joint Standing Committee issued public notices and met with the interested parties on November 3, 1879 to examine the proposed street and hear from the parties. They laid out the street, which was to be called Reservoir Street.
- The minutes of the Joint Standing Committee, signed November 12th, 1879, state "*Said Street passes over land reserved as a Rangeway or Public Road.*"

The City Attorney reviewed the pertinent information and concluded that "*reserved as a Rangeway*" is consistent with what the title work suggested and this order means that Reservoir Street is almost certainly an easement, not owned in fee by the City. As such, there is very little value to the City if any. The City Attorney also reviewed and indicated that the deed Jack Conway prepared to transfer the City's interest in the property is an adequate description of the half of the street which is adjacent to his client's property. The current request is based upon that previous work done in 2013. Again, it is a policy decision on whether the Council wishes to release the City's rights in the street for free.

I have included two maps to help the Council understand the issue. The 1st is titled Reservoir Street (Rangeway) and shows the full area of Reservoir Street, which was never constructed. The 2nd is titled 196 Pleasant Street Request and shows the land Richard Ward currently owns at 196 Pleasant Street and the area he has requested the City transfer any interest it has to him.

Staff recommends the City Council approve the attached Council Order, which would approve Richard Ward's specific request. Pending decision on this issue, staff will prepare and bring to the City Council at a future Council meeting an action to address the rest of what is left of the "Rangeway".

In the interest of full disclosure, Richard Ward is a retired Public Works employee and is the father of Jim Ward, the City's GIS Coordinator and a current employee of the Public Works Department. Jim Ward has not been involved in the City's review and proposed response to this request.

Cc: J. Grube, City Assessor
D. Hediger, City Planner

SEP 26 2014

LINNELL, CHOATE & WEBBER

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PATRICIA C. SHOREY

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1908-1977
DONALD W. WEBBER
1906-1995
PAUL A. CHOATE
1927-2007
JOHN R. LINNELL
1838-2010

jconway@lcwlaw.com

September 25, 2014

David Jones, P.E., Director
Lewiston Public Works
103 Adams Street
Lewiston, ME 04240

RE: Richard Ward/Reservoir Street Property

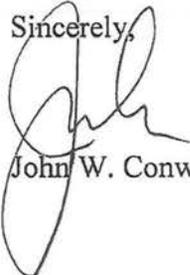
Dear David:

Back in December, 2012, I corresponded with you regarding a release deed from the City of Lewiston to Pauline Kolbe for property located along Reservoir Street. At the time I indicated to you that our research had indicated that Reservoir Street was in fact a range way, which had been laid out 66 feet wide and ran from the Androscoggin River the entire length of Lewiston to the Greene town line. After discussion and consultation, the City of Lewiston agreed to execute a release deed to Ms. Kolbe for one-half of the Reservoir Street property which abutted her current property.

Richard Ward, a resident at 196 Pleasant Street in Lewiston, also has property which abuts on Reservoir Street. He has indicated to me that he has discussed with the City of Lewiston the possibility of getting a release deed for one-half of the road as it abuts his property.

Enclosed I have attached a release deed and transfer tax form for your review. If my information is correct and the City of Lewiston is willing to transfer this property by release deed, I would appreciate it if you could have it executed by the appropriate parties, sign the transfer tax declaration, and return them to my office for recording.

If you have any questions regarding this, please feel free to contact me.

Sincerely,

John W. Conway, Esq.

JWC/cpm
Encl.
cc: Richard Ward

RELEASE DEED

CITY OF LEWISTON, a body corporate and politic in Androscoggin County, State of Maine, with a principal place of business at 27 Pine Street, Lewiston, Maine, 04240,

for consideration paid, **RELEASES** to

RICHARD H. WARD, of Lewiston, Androscoggin County, State of Maine, a portion of Reservoir Street situated in Lewiston, Androscoggin County, State of Maine, bounded and described as follows:

Beginning at the intersection of the northeast side of Pleasant Street and the southeast line of Reservoir Street, a 66' wide range road;

thence northwest along Pleasant Street 33' to the center line of Reservoir Street;

thence northeast along the center line of Reservoir Street 300' to a point;

thence southeasterly 33' to the northwest corner of land of Richard H. Ward as conveyed to him and Claire L. Ward by deed dated February 13, 1976 and recorded in the Androscoggin County Registry of Deeds in Book 1191, Page 273;

thence southwesterly along said Ward line 300' and along Reservoir Street to the point of beginning.

Meaning and intending to convey the southeast half of Reservoir Street as it abuts the northwesterly line of said Ward property which has an address of 196 Pleasant Street.

Claire L. Ward, joint tenant with Richard H. Ward, deceased July 16, 2011.

The City of Lewiston has caused this instrument to be signed and delivered by _____, its _____, thereunto duly authorized.

DATED: September _____, 2014

City of Lewiston

By:

Its:

STATE OF MAINE
Androscoggin, ss:

September _____, 2014

_____ personally appeared before me and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Lewiston.

Before me,

Notary Public/Attorney-at-Law

Printed name: _____

LCW/ JWC/mc/NTS



0599900

RETTD

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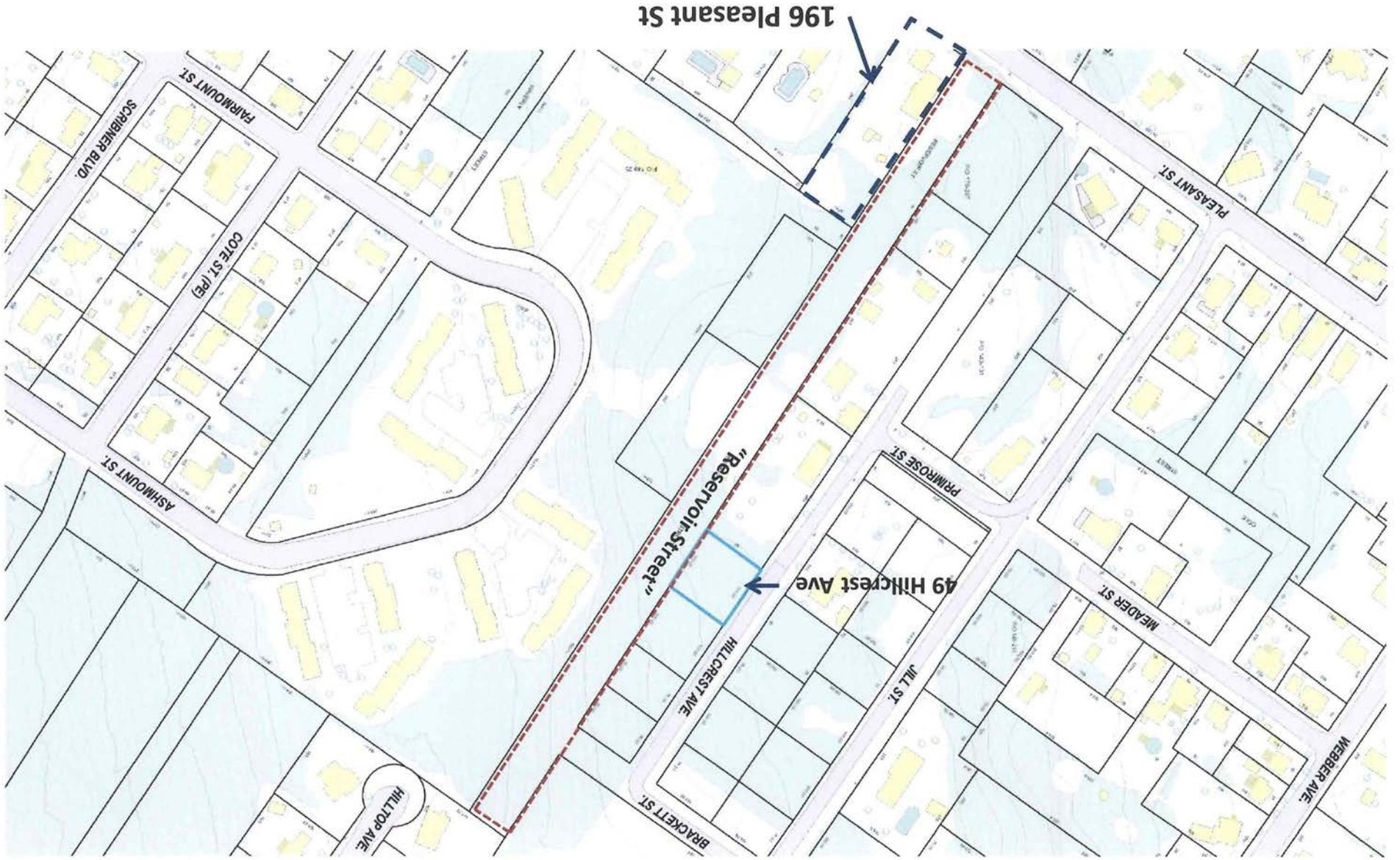
MAINE REVENUE SERVICES
REAL ESTATE TRANSFER TAX
DECLARATION

TITLE 36, M.R.S.A. SECTIONS 4641-4641N

PLEASE TYPE OR PRINT CLEARLY

1. COUNTY ANDROSCOGGIN		DO NOT USE RED INK!	
2. MUNICIPALITY/TOWNSHIP LEWISTON		BOOK/PAGE—REGISTRY USE ONLY	
3. GRANTEE/ PURCHASER	3a) Name (LAST, FIRST, MI) WARD, RICHARD H.		3b) SSN or Federal ID
	3c) Name (LAST, FIRST, MI)		3d) SSN or Federal ID
	3e) Mailing Address 196 PLEASANT STREET		3f) City LEWISTON
		3g) State ME	3h) Zip Code 04240
4. GRANTOR/ SELLER	4a) Name (LAST, FIRST, MI) LEWISTON, CITY OF		4b) SSN or Federal ID N/A
	4c) Name (LAST, FIRST, MI)		4d) SSN or Federal ID
	4e) Mailing Address 27 PINE STREET		4f) City LEWISTON
		4g) State ME	4h) Zip Code 04240
5. PROPERTY	5a) Map Block Lot Sub-Lot	Check any that apply: <input type="checkbox"/> No tax maps exist <input type="checkbox"/> Multiple parcels <input type="checkbox"/> Portion of parcel	5b) Type of property—Enter the code number that best describes the property being sold. (See instructions) 5d) Acreage:
	5c) Physical Location PORTION OF 1/2 OF RESERVOIR ST		
6. TRANSFER TAX	6a) Purchase Price (If the transfer is a gift, enter "0")		6a 0 .00
	6b) Fair Market Value (enter a value only if you entered "0" in 6a) or if 6a) was of nominal value)		6b 500 .00
	6c) Exemption claim - <input checked="" type="checkbox"/> Check the box if either grantor or grantee is claiming exemption from transfer tax and explain. Grantor City of Lewiston is a municipality		
7. DATE OF TRANSFER (MM-DD-YYYY) MONTH DAY YEAR		8. WARNING TO BUYER—If the property is classified as Farmland, Open Space or Tree Growth, a Substantial financial penalty could be triggered by development, subdivision, partition or change in use. <input type="checkbox"/> CLASSIFIED	
9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value? If yes, check the box and explain: Deed of a portion of an old range road for no monetary consideration		10. INCOME TAX WITHHELD— Buyer(s) not required to withhold Maine income tax because: <input checked="" type="checkbox"/> Seller has qualified as a Maine resident <input type="checkbox"/> A waiver has been received from the State Tax Assessor <input checked="" type="checkbox"/> Consideration for the property is less than \$50,000	
11. OATH	Aware of penalties as set forth by Title 36 §4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below: Grantee _____ Date _____ Grantor _____ Date _____ Grantee _____ Date _____ Grantor _____ Date _____		
12. PREPARER	Name of Preparer <u>Linnell, Choate & Webber, LLP</u> Mailing Address <u>P.O. Box 190 Auburn, ME 04212-0190</u>		Phone Number <u>(207) 784-4563 (mc)</u> E-Mail Address _____

Reservoir St (Rangeway)



LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Order authorizing the City Administrator to execute the documents necessary to exchange the City's ownership in 60 Canal Street for ownership of 159-177 Lisbon Street.

INFORMATION:

The City's Development Director is recommending a land exchange. The City currently owns 60 Canal Street located at the corner of Canal and Ash Streets and this is used as a 27 space surface parking lot which generates revenue for the City. There is a proposal by James Pittman to swap the property at 60 Canal Street for his land at 159-177 Lisbon Street. Lincoln Jeffers, Development Director, is recommending this land exchange, noting there is future development potential in the Lisbon Street site. Please see the attached memorandum from Mr. Jeffers for additional information.

The Planning Board voted 4-3 against this proposed land exchange. They are in favor of the City retaining ownership of the 60 Canal St parcel.

City staff recommend the land exchange of these two parcels.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order authorizing the City Administrator to execute the documents necessary to exchange the City's ownership in 60 Canal Street for ownership of 159-177 Lisbon Street.



City of Lewiston, Maine
City Council Order
October 7, 2014



ORDER, Authorizing the City Administrator to Execute the Documents Necessary to Exchange the City's Ownership in 60 Canal Street for Ownership of 159-177 Lisbon Street.

Whereas, the City purchased 60 Canal Street in 2000, demolished a building located on the property, and redeveloped the site for use as a 27 car parking lot that was put into service in 2006; and

Whereas, the City has received \$127,660 in parking revenues from the site between 2006 and June 2014; and

Whereas, the City has recouped its investment in land acquisition, demolition, and site redevelopment costs; and

Whereas, the City is projected to generate \$17,200 in parking revenue from the site in FY 2015; and

Whereas, the owner of 159–177 Lisbon Street has proposed exchanging that real estate for 60 Canal Street; and

Whereas, the owner of 159 – 177 Lisbon Street has agreed to allow the City to continue to control and generate the revenue received from those who currently lease spaces in the Canal Street lot from the date of its transfer for a period of up to five years, after which control of those spaces will transfer to the new owner; and

Whereas, the entity controlling 14 or more of the 27 parking spaces at 60 Canal Street will be responsible for plowing and maintenance; and

Whereas, City ownership of the Lisbon Street property can assist in the redevelopment of this key vacant parcel on Lisbon Street and allow the City to exercise greater control over the redevelopment and the uses to which this property may be put;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that

the City Administrator is hereby authorized to execute deeds and other transfer documents necessary to exchange ownership of 60 Canal Street for City ownership of 159–177 Lisbon Street.

Be it Further Ordered that a Memorandum of Understanding be executed detailing the control of parking spaces and maintenance of the same substantially in compliance with the agreement outlined above.

Economic and Community Development

Lincoln Jeffers

Director



To: Honorable Mayor and Members of the City Council
From: Lincoln Jeffers
RE: Real Estate Exchange – 60 Canal St and 159-177 Lisbon St
Date: September 29, 2014

Last winter, Jim Pittman acquired 159-177 Lisbon Street for \$85,000. He has approached the city about exchanging this Lisbon Street real estate for 60 Canal Street, a city owned parking lot at the corner of Ash and Canal. 60 Canal Street is located behind 133 Lisbon Street, a building which has recently been renovated and redeveloped into 8 market rate apartments and in which Mr. Pittman has an interest. Ownership of this parcel is of interest to Mr. Pittman in that it provides parking for tenants in 133 Lisbon Street and would allow him to control future development on the site. A tall building built behind 133 Lisbon Street could have an adverse impact on the investment he has made in this building.

A map showing the location of the properties in question is attached, as are a photo of each of the parcels.

60 Canal Street is 12,384 s.f. in size. The city acquired a former bowling alley located on this parcel in 2000 for \$85,000. The city demolished and disposed of the building for \$18,876. The lot was developed as a parking lot several years later. The City's finance office reports that the parking lot started generating revenue in 2006. From 2006 through 2014, the lot will generate \$127,660 in revenue. The City has fully recouped its investment in 60 Canal Street through the parking revenues received to date. The lot is projected to generate \$17,200 in revenue in 2015.

Recognizing that the Lisbon Street site may not be redeveloped immediately and being sensitive to the possibility of lost parking revenue to the City, Mr. Pittman has offered to allow the city to continue to receive parking revenue from current users of 60 Canal Street for a period of five years after ownership transfer, with parking spaces transitioning to Pittman's control as tenants stop leasing them on a monthly basis. The lot has 27 spaces; 21 of them are currently leased on a monthly basis. The city would plow and maintain the lot during this 5 year period so long as 14 or more monthly parkers continue to pay the City for parking.

Pittman would take over plowing and maintenance responsibilities once the city received revenue on less than 14 (or roughly 50%) of the spaces.

Attached is a spreadsheet that compares the current revenue generated from parking and taxes on each parcel and the tax revenue projected to be generated with a 2 or 3 story building on the Lisbon Street parcel. Even with just a two story building, the tax revenue generated would exceed the parking revenue with \$41,300 in property taxes from a new building compared to the current \$17,200 in parking revenue.

If the Lisbon Street land remains undeveloped for a period longer than 5 years, the city may suffer from a small decline in parking revenues. However, it is possible that tenants currently parking in the Canal Street lot could transition to the Centreville Garage as Pittman takes over the lot for his own needs.

As the council requested, and as is required by city ordinance, this real estate acquisition and disposition request was reviewed by the Planning Board. The Planning Board voted 4 -3 to send a negative recommendation to the council regarding this exchange.

In my role as Lewiston's Development Director, I believe the Lisbon Street property has a much greater development potential than the Canal Street lot. It is a larger parcel in the heart of downtown. It has greater visibility and pedestrian activity. Lisbon Street is experiencing new investment, with retail, restaurant, service, and residential activity. Canal Street is the downtown's back door; Lisbon Street is the front door. The Lisbon Street parcel has remained untouched for a decade, a blighting influence in the center of downtown. With City ownership, we will have much greater control over how the site is developed and will be able to influence and shape the character of its redevelopment and the purposes for which it will be used.

Staff recommends approval of the proposed land exchange.

Current Revenue to City

	Owner	Square feet	Land AV	Bldg. AV	Taxes	Parking (annual)	Total Rev.
159- 177 Lisbon Street	Pittman	12,834	\$ 129,360	\$ -	\$ 3,440	\$ -	\$ 3,440
60 Canal	COL	11,469	\$ 37,500	\$ -	\$ -	\$ 17,200	\$ 17,200
							\$ 20,640

Estimated Annual Revenue for Five Years with COL Retaining Parking Revenue

159- 177 Lisbon Street	COL	12,834	\$ 129,360	\$ -		\$ -	\$ -
60 Canal	Pittman	11,469	\$ 37,500	\$ -	\$ -	\$ 17,200	\$ 17,200
							\$ 17,200

Possible Future Revenue to City with 2 story building

159- 177 Lisbon Street⁽¹⁾	COL	12,834	\$ 129,360	\$ 1,386,072	\$ 40,295	\$ -	\$ 40,295
60 Canal	Pittman	11,469	\$ 37,500	\$ -	\$ 997		\$ 997
							\$ 41,292

(1) Site developed with a 2 story building totaling 25,600 s.f. that is assessed at \$54 psf (current AV of 133 Lisbon Street)

Possible Future Revenue to City with 3 story building

159- 177 Lisbon Street⁽²⁾	COL	12,834	\$ 129,360	\$ 2,079,108	\$ 58,723	\$ -	\$ 58,723
60 Canal	Pittman	11,469	\$ 37,500	\$ -	\$ 997		\$ 997
							\$ 59,720

(2) Site developed with a 3 story building totaling 38,500 s.f. that is assessed at \$54 psf (current AV of 133 Lisbon Street)



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: Ed Barrett, City Administrator
City Clerk's Office
City Council Members
Mayor Robert E. Macdonald

From: David Hediger

Date: September 30, 2014

Subject: Planning Board Action

The Planning Board took the following action at their public meeting held on September 22, 2014 regarding acquisition of 159-177 Lisbon Street and disposition of 60 Canal Street:

The following motion was made:

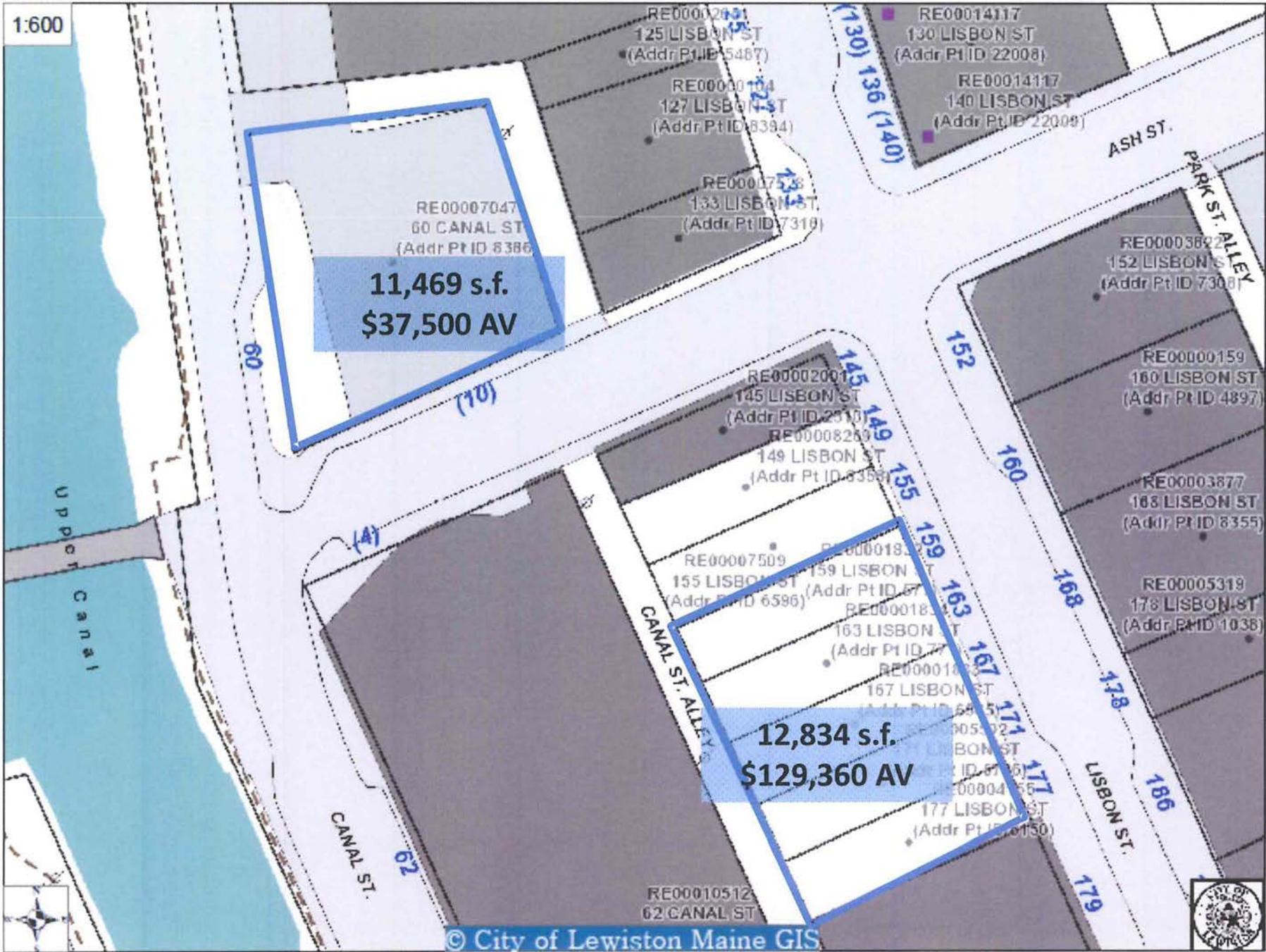
MOTION: by Michael Marcotte pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send an unfavorable recommendation to the City Council for the acquisition of 159-177 Lisbon Street from 159 Lisbon Street, LLC in exchange for the disposition of the City owned lot at 60 Canal Street. Second by **Pauline Gudas**.

VOTED: **4-3 (Passed).**
Bruce Damon, Walter Hill and Sandra Marquis Opposed

NOTE: The Planning Board's recommendation is not to dispose of the City owned property at 60 Canal Street as part of a proposed land swap for 159-177 Lisbon Street owned by 159 Lisbon Street, LLC. Those not in favor of the land swap questioned why the proponent didn't make an offer on the Canal Street property directly; believed that the private sector should be responsible for developing the Lisbon Street properties; and, did not like the uncertainty of how the Canal Street and Lisbon Street properties may be developed.

c: Planning Board Members

1:600



11,469 s.f.
\$37,500 AV

12,834 s.f.
\$129,360 AV



60 Canal Street



159 – 177 Lisbon Street



LEWISTON CITY COUNCIL

MEETING OF OCTOBER 7, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

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To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Acquisition of Property, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.