

**CITY OF LEWISTON
PLANNING BOARD MEETING**
Monday, June 13, 2016 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

- I. ROLL CALL**
- II. ADJUSTMENTS TO THE AGENDA**
- III. CORRESPONDENCE**
- IV. PUBLIC HEARINGS:** None
- V. OTHER BUSINESS:**
 - a) 422 Pleasant Street Disposition
 - b) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.
- VI. READING OF THE MINUTES:** Motion to adopt the April 25, 2016 and May 9, 2016 draft minutes
- VII. ADJOURNMENT**



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: June 9, 2016
RE: June 13, 2016 Planning Board Agenda Item V(a)

Recommendation to the City Council regarding the disposition 422 Pleasant Street.

Pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code, the board shall review and make a recommendation to the city council with regard to the acquisition and disposition of all public ways, lands, buildings and other municipal facilities.

On November 17, 2015 the City Council voted unanimously for the City take formal possession of the property located at 422 Pleasant Street base upon a matured tax lien. The property consists of a single-family dwelling on approximately 0.23 acres located the Neighborhood Conservation "A" (NCA) district on the corner of Pleasant Street and Hillmount Drive.

As of June 2016, the owner, Bank of America NA, owes the city \$19,148.25 in taxes and \$137.26 in stormwater utility fees. The assessed value is \$121,800. However, the structure has been vandalized and vacant since at least 2014. All of the copper has been removed from the structure. The City Assessor inspected the property and reviewed a number of recent foreclosure sales in the neighborhood. The foreclosed properties were in various form of disrepair and sold between \$50,000 and \$80,000. Given the condition of this property, the City Assessor believes \$55,000 is a reasonable amount to set as a minimum bid.

Upon a favorable recommendation from the Planning Board, the property will be offered for sale through the competitive bid process. This is consistent with the City's Property Disposition Policy Section 5.3, whereby "The City may advertise for formal bids. This method may be most applicable in instances where the City believes that multiple parties may be interested in the property and the nature of the development or redevelopment is such that the City does not anticipate placing additional restrictions on what is to happen on the property after its sale."

If sold by the City, the property will be transferred by municipal quitclaim deed which does not provide a clear title as the City's foreclosure on the property can be questioned in court for up to 5 years. This effectively depresses the value of the property by making it either impossible to finance any improvements on it or requiring the new owner to go to court to clear title, a process the City has found takes considerable time and money. This restriction on the property, along with the condition of the structure, should be recognized when considering its value, should the Board suggest a minimum bid price.

ACTIONS NECESSARY:

Make a motion pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for the disposition 422 Pleasant Street including, if any, specific conditions and/or concerns raised by the Planning Board.

1:480

RE00005460
408 PLEASANT ST
(Addr Pt ID 2134)

RE00000290
408 PLEASANT ST
(Addr Pt ID 1902)

RE00003613
26 HILLMOUNT DRIVE
(Addr Pt ID 1900)

RE00004294
4 MITCHELL ST
(Addr Pt ID 4401)

RE00002499
422 PLEASANT ST
(Addr Pt ID 710)

RE00004299
426 PLEASANT ST
(Addr Pt ID 6451)





COUNCIL ORDER

Order, Taking Possession of Tax Acquired Property at 422 Pleasant Street.

Whereas, the property located at 422 Pleasant Street is a single family home that has been vacant for some time and on which the City is owed \$18,564 in back taxes and utilities; and

Whereas, the property has suffered from vandalism; however, Code has inspected it and believes it remains suitable for rehabilitation and future occupancy; and

Whereas, Bank of America has foreclosed on this property and taken ownership; however, it has not paid the City the amounts due nor has it exercised appropriate stewardship over it; and

Whereas, a tax lien has matured on this property; and

Whereas, taking possession of this property will potentially allow the City to recover at least a portion of what it is owed and to proceed to return this property to productive use;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that, based on a matured tax lien, the City take formal possession of the property located at 422 Pleasant Street.





