CITY OF SACO, MAINE

Administration
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

Kevin Sutherland, City Administrator
Telephone: (207) 282-4191
Email: KSutherland@sacomaine.gov
Facebook: /sacomaine
Twitter: @sacomaine

SACO CITY COUNCIL WORKSHOP
MONDAY, AUGUST 1, 2016 – 6:00 PM
CITY HALL AUDITORIUM

I. CALL TO ORDER
II. PUBLIC COMMENT
III. AGENDA
- A. Berry Road Extension (and other private roads) **P2**
- B. Unit 91 RFQP **P19**
- C. Polystyrene Foam Ban **P28**
- D. Medical Marijuana Caregiver Facility **P33**

IV. ADJOURNMENT

SACO CITY SPECIAL COUNCIL MEETING
MONDAY, AUGUST 1, 2016
CITY HALL AUDITORIUM

I. CALL TO ORDER
II. PUBLIC COMMENT
III. AGENDA
- A. Appeal regarding 32 Clark Street **P37**

IV. ADJOURNMENT

CITY OF SACO, MAINE

WORKSHOP ITEM: A
Date: August 1, 2016

Saco Public Works Department
300 Main Street
Saco, Maine 04072

Joseph A. Laverriere, P.E. – City Engineer
Telephone: (207) 284-6641
Email: jlaverriere@sacomaine.gov

MEMORANDUM

TO: Patrick Fox – Director
FROM: Joseph A. Laverriere, P.E. – City Engineer
DATE: July 27, 2016
RE: Berry Road Extension
Summary of Remedial Work in accordance with Previous MOU for Street Acceptance

On July 21, 2016, I visited the Berry Road site to review the conditions of the existing road in comparison to the Memorandum of Understanding (MOU) between the City of Saco and the residents along the unaccepted portion of Berry Road (approximately 1,250′ in length). The MOU was developed by the City and executed in 2005. A copy of the executed agreement is appended to this memo.

In general, the MOU required the existing unaccepted portion of Berry Road be constructed in accordance with the City's standards for secondary roads with the exception that the overall paved width would be reduced to 20′, with 2′ gravel shoulders along each side of the roadway. In addition, a turn-around acceptable to the City would be constructed and contained within the final right-of-way to be conveyed as part of the final street acceptance.

The agreement required the documentation of the existing gravel materials. As part of the construction activity performed in 2005, representatives from Saco DPW and the design engineer of record (Thomas Milligan, P.E.) performed inspections to document that the gravel sections (quantity and quality) were provided and installed for the full length (1,250′) of the roadway in accordance with the City standards and the MOU. Subsequently, binder pavement was placed from Crystal Lane to Bentley Drive (approximately 1,050′).

During our recent site inspections, the paved portion of the roadway was determined to have a width ranging from 19′-8″ to 21′; therefore, it generally complies with the 20′ pavement width stipulated in the MOU. The condition of the pavement is fair with many areas experiencing fatigue cracking, which is indicative of the poor surface drainage patterns along the roadway. It is recommended that a shim course of pavement be applied over the full length of the roadway prior to placement of final surface course. The shim course will correct any cross section grading issues and provide a minimal level of increased pavement strength.

The shoulders along the existing paved portion of roadway are minimal (1′ to 2′ +/-) and overgrown with vegetation. The extent of gravel shoulders needs to be verified; however, for the purposes of this estimate, it has been assumed the shoulders are acceptable and that minimal remedial work is required. It should also be noted that the ditching along either side of the road for approximately 700 linear feet are not adequate and will need to be regraded.

The remaining 200′ portion of the road is gravel. The gravel appears to meet subbase gravel material; therefore, for the purposes of this estimate, it recommended that the existing gravel material be graded and an additional 3″ of base gravel material be placed prior to paving. The location of the existing turn-around is approximately 150′ from the terminus end of the road. A second turn-around area has somewhat been constructed at the existing terminus end; however, additional work is need to meet the needs of the City. For the purposes of this estimate, the scope of work includes full depth construction of a turn-around area within 80′ of the terminus of the roadway. This will likely require additional right-of-way to be conveyed to the City.

Based upon this general scope of work, an estimate of quantities and opinion of cost associated with the remedial work has been prepared. A detailed breakdown of the cost is appended to this memo. The total opinion of construction cost associated with the remedial roadway work described above is $110,985, which includes a 10% contingency.

Engineer's Opinion of Probable Site Construction Costs
BERRY ROAD EXTENSION
REMEDIAL ROAD WORK REQUIRED PRIOR TO CITY ACCEPTANCE IN ACCORDANCE WITH THE STIPULATIONS OF THE MOU

Date Issued: July 21, 2016
Updated: July 27, 2016

General Conditions	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
Mobilization and Insurances (6%)				$ 5,702.00
Bonds and Insurances (0.8%)				$ 761.00
Subtotal				$ 6,463.00

Earthwork	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
Clear, Grub and Site Preparation	0.25	ACRE	$ 3,400.00	$ 850.00
Common Excavation	882	CY	$ 14.00	$ 12,348.00
Subtotal				$ 13,198.00

Pavement and Gravel	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
Mill Existing Pavement	5	SY	$ 8.00	$ 40.00
Hot Bituminous Shim Pavement	140	TON	$ 70.00	$ 9,800.00
Hot Bituminous Surface Pavement	219	TON	$ 70.00	$ 15,330.00
Hot Bituminous Binder Pavement	70	TON	$ 70.00	$ 4,900.00
Bituninous Tack Coat	70	GAL	$ 5.00	$ 350.00
Base Gravel	49	CY	$ 30.00	$ 1,470.00
Subbase Gravel	56	CY	$ 22.00	$ 1,232.00
Subtotal				$ 33,122.00

Storm Drainage	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
12" Diameter Storm Drain	100	LF	$ 40.00	$ 4,000.00
Subtotal				$ 4,000.00

Erosion & Sediment Control	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
Silt Fence	1,000	LF	$ 4.00	$ 4,000.00
Erosion Control Mesh "Curlex" Blanket	2,000	SY	$ 4.50	$ 9,000.00
Loam and Seed	48	UNIT	$ 400.00	$ 19,200.00
Subtotal				$ 32,200.00

Survey, Inspections and Legal	QUANTITY	UNIT	UNIT PRICE	TOTAL COST
Right-of-Way Monumentation	1	ALLOW	$ 5,000.00	$ 5,000.00
As-Built Survey Plan	1	ALLOW	$ 3,000.00	$ 3,000.00
Legal Review and Filing Fees	1	ALLOW	$ 2,500.00	$ 2,500.00
Inspections	1	LS	$ 2,000.00	$ 2,000.00
Subtotal				$ 12,500.00

SUBTOTAL EXCLUDING GENERAL CONDITIONS	**$ 95,020.00**
CONTINGENCY (10%)	**$ 9,502.00**
TOTAL OPINION OF REMEDIAL ROAD IMPROVEMENT COST	**$ 110,985.00**

References:

1. Memorandum of Understanding (circa 2005) between the City of Saco and Perperty Owners along the unaccepted portion of Berry Road.
2. Unit Prices for this Engineer's Opinion of Cost are based on other similar projects and historic experience.

Notes:

The Engineer's Opinion of Probable Construction Costs is based upon Engineer's professional judgement and experience. Engineer has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing. Engineer makes no warranty, express or implied, that the bids or the negotiated cost of the Work will not vary from the Engineer's Opinion of Probable Construction Costs.

1. On July 21, 2016, Saco DPW performed a site visit to review the conditons of the existing road and determine remedial work necessary to satisfy the stipulated requirements prior to City Acceptance as outlined in the MOU (circa 2005). The scope of work is generally described in a memo from the City Engineer dated July 27, 2016.
2. The pavement quantities are based on the following pavement section buildup and areas:

	Shim	**Overlay**	**Partial Depth**	**Full Depth**
	Thickness (In)	Thickness (In)	Thickness (In)	Thickness (In)
Bituminous Surface Pavement MDOT 9.5mm Superpave	1	1.25	1.25	1.25
Bituminous Binder Pavement MDOT 12.5mm Superpave		0	2	2
Base Gravel MDOT Type "A"		0	3	3
Subbase Gravel MDOT Type "D"		0	0	18
Area (sf)	21,000	21,000	4,200	1,000

3. Approximate length of ditching work (linear feet) = 1,500 | 14 Excavation area (sf) per linear foot
4. Standard Loam and Seed buildup based upon 4 inches.
5. Quantities and work are subject to variations and changes required by final Memorandum of Understanding.

Date: October 24, 2005

WORKSHOP ITEM COMMENTARY

AGENDA ITEM: Repair and Maintenance of Berry Road

STAFF RESOURCE: Bob Hamblen, City Planner

COUNCIL RESOURCE: Councilor David Tripp

BACKGROUND: A number of homeowners on the Berry Road have expressed interest in clarifying the status of the unaccepted portion of Berry Road. This has been an ongoing discussion involving residents, City staff, and attorneys for several years, with no resolution to date.

The City Attorney has offered the opinion that the unimproved portion of Berry Road has not been maintained for 150 years, and has therefore effectively been abandoned by the City with no public easement. If this is also the Council's conclusion, then the Council may be asked by neighbors to clarify whether their efforts toward determining ownership of a "Berry Road Extension" right of way, then construction of a street for eventual acceptance by the City, would have the Council's support. The Council discussed this item at Council Workshop on August 22, 2005 and again on September 26, 2005. This item was discussed at the Council Meeting on October 3, 2005.

EXHIBITS: Memorandum of Understanding Concerning Berry Road from City Attorney (*tab 2, previously provided)*
Memos from City Attorney, June 16, 2005 and Jan. 8, 2003
Letter from David Ordway, attorney, June 2, 2005
Memo from City Planner
'Widening of Berry Road' document, Sept. 6, 1869
Affidavit, R.L. Cassette, April 22, 2005
'Public Ways,' document authored by Jim Katsiaficas, attorney, MMA

RECOMMENDATION: It is the recommendation of staff that the Council accept the opinion of the City Attorney, thereby finding that the unaccepted portion of Berry Road was abandoned prior to Sept. 3, 1965, and therefore no public easement exists; and that if abutters to the unaccepted portion of Berry Road pursue construction of an extension to Berry Road, then clear title to a 50 foot wide right of way shall be established, and it shall be constructed to City street standards.

SUGGESTED MOTION: *"Be it Ordered that the City Council* find that the unimproved portion of Berry Road has not been kept passable for the use of motor vehicles at the expense of the City for a period of 30 or more consecutive years, and has therefore been discontinued by abandonment as outlined in Title 23 M.R.S.A. §3028, and that the City Council hereby authorizes the City Administrator to enter into and sign the agreement titled **"Memorandum of Understanding Concerning Berry Road."**

"I move to approve the Order".

Date: October 24, 2005

MEMORANDUM OF UNDERSTANDING

Now comes the **CITY OF SACO**, a municipal corporation, 300 Main Street, Saco, Maine ("CITY") and the **OWNERS**, those individuals set forth on **Tab 1** attached hereto, all of whom own property presently along and adjacent to an unimproved and unaccepted portion of Berry Road, who state and agree as follows:

1. The CITY, by and through its City Council, has expressed a willingness to accept all of Berry Road as a municipal street provided certain conditions are met. The parties intend herein to set forth those conditions.

2. The OWNERS agree to cooperate in the construction of improvements to Berry Road, as further set forth below, from its current terminus (as shown on **Tab 2**; City GIS/Map, also known as "MR. SID" from the end of the pavement to the end of the original proposed paper street where it intersected with Foss Road, and what is land now or formerly of Precourt (see Tax Map 95, Lot 3), a linear distance of 1221 feet, more or less, all as shown on **Tab 2**.

3. Upon completion of the construction of Berry Road as set forth above, OWNERS shall dedicate the way to the CITY, and shall simultaneously deliver to the CITY executed Quitclaim Deeds to all portions of said improved right of way. Provided the road has been constructed as required herein, and said construction is certified by Public Works, and provided a dedication has been made and all Quitclaim Deeds are delivered, the CITY shall not unreasonably withhold or condition the acceptance of Berry Road, but shall thereupon poll its Council for vote.

E.P. (95) (MB)

4. All costs of construction shall be borne by OWNERS in such proportions as they, among themselves, shall agree in writing. CITY may, at its sole option, provide assistance including engineering and construction review and analysis, survey or other data swapping, etc.

5. CITY may refuse to accept any portion of right of way for Berry Road where any required Quitclaim Deed has not been executed or delivered.

6. The following construction standards shall be met by OWNERS:

A. Right of way shall be 3 rods wide (~~49.5~~ 50 feet) all as originally set forth by the original developer.

B. Pavement shall be no less than 20 feet in width, and shall at point of beginning of unimproved Berry Road match and connect to the existing pavement of the improved portion of Berry Road.

C. With the exception for a variance of 20 foot pavement widths, all cross sections shall otherwise be in conformance with CITY road specifications for construction including base materials, thickness, etc.

Date: October 24, 2005

If test pits indicate substandard materials, those portions shall be excavated and rebuilt as the Department of Public Works deems necessary.

E. From the existing end of pavement to Bentley Circle, the road shall be box cut, and appropriate, conforming base and sub-base materials shall be installed.

F. Gravel shoulders of not less than 2 feet in width shall be installed on both sections of Berry Road to be improved hereunder. Owners are not required to undertake any work on any portion of the current paved, improved and accepted portion of Berry Road.

G. A hammerhead turn, approved in design by CITY, shall be installed at the terminus of Berry Road, all within the proposed right of way.

H. Monuments shall be installed periodically to document the right of way, all as determined between Department of Public Works in conjunction and discussion with Tom Milligan. A final as built plan showing said right of way, construction, any improvements, drainage, monuments and track of pavement shall be provided to CITY.

I. Adequate drainage including drainage easements and underdrain as required, shall be fixed and constructed.

6. OWNERS and Milligan shall cooperate with CITY and Deluca-Hoffman during construction, and thereafter.

7. Base coat paving must be finished and in place before November 15, 2005. Final coat paving shall occur in the spring, provided a sufficient security is provided.

WITNESS:

Kathleen H Kern
Signature
Kathleen H. Kern
Print Name

Eric Picard
Signature
Eric Picard
Print Name

Eric Picard
Signature
Eric Picard
Print Name

CITY OF SACO:

Richard Michaud
Richard Michaud
City Administrator

Andre Caron
Andre ~~Nichole~~ Caron
ANDRE CARON

Nicole A Caron
Nicole Caron

Date: October 24, 2005

WITNESS:

Signature
Print Name

Signature
Print Name

Signature
Print Name

Signature
Print Name

Signature
Print Name

Signature
Print Name

Signature
Print Name

Signature
Print Name

Signature
Print Name

Paul Precourt

Irene Precourt

Jean Paul Hall

Carol Hall

Pauline Hall

Robert Gagne

Rose Gagne

James Blow

Michelle Blow

Date: October 24, 2005

WITNESS:

Eric Picard
Signature
Eric Picard
Print Name

Eric Picard
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Eric Picard
Print Name

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Eric Picard
Eric Picard
Eric Picard
Eric Picard

Curtis McCulloch
Curtis McCulloch

Maureen McCulloch
Maureen McCulloch

Lionel Belanger
Lionel Belanger
100 ARRAN ON MAPLE DR.,

Anita Belanger
Anita Belanger

Ronald J. Blanger
Ronald Belanger

Andre Picard
Andre Picard

Norman Spaulding
Norman Spaulding

Claudette Spaulding
Claudette Spaulding

DAVID R RIDDOCH
DAVID R RIDDOCH

Judith A. Ellsworth
JUDITH A ELLSWORTH

Date: October 24, 2005

TAB 1

OWNER ABUTTORS

(Berry Road Extension)

1.	Andre and Nichole Caron 115 Berry Road Saco, ME 04072	(Map 95, Lot 6-3)
2.	Paul and Irene Precourt 84 Berry Road Saco, ME 04072	(Map 95, Lot 3)
3.	Jean Paul and Carol Hall 27 Rotary Drive Saco, ME 04072	(Map 95, Lot 9)
4.	Pauline Hall 307 Boom Road Saco, ME 04072	(Map 94, Lot 8)
5.	Robert and Rose Gagne 30 Westland Avenue Biddeford, ME 04005	(Map 85, Lot 7)
6.	James and Michelle Blow 107 Berry Road Saco, ME 04072	(Map 95, Lot 6-2)
7.	Curtis and Maureen McCulloch 101 Berry Road Saco, ME 04072	(Map 95, Lot 6)
8.	Lionel and Anita Belanger 77 Berry Road Saco, ME 04072	(Map 86, Lot 9)
9.	Ronald Belanger 93 Berry Road Saco, ME 04072	(Map 86, Lot 9-1)
10.	Andre Picard 43 Berry Road Saco, ME 04072	(Map 86, Lot 8)
11.	Norman and Claudette Spaulding 116 Berry Road Saco, ME 04072	(Map __, Lot __)

MEMORANDUM OF UNDERSTANDING CONCERNING BERRY ROAD

Now comes the **CITY OF SACO**, a municipal corporation, 300 Main Street, Saco, Maine ("CITY") and the **OWNERS**, those individuals set forth on **Tab 1** attached hereto, all of whom own property presently along and adjacent to an unimproved and unaccepted portion of Berry Road, who state and agree as follows:

1. The CITY, by and through its City Council, has expressed a willingness to accept all of Berry Road as a municipal street provided certain conditions are met. The parties intend herein to set forth those conditions.

2. The OWNERS agree to cooperate in the construction and improvement of Berry Road, as further set forth below, from its current terminus (as shown on **Tab 2**, City GIS/Map) from the end of the existing pavement through to the end of the original proposed paper street where said paper street intersected with the proposed Foss Road, and what is land now or formerly of Precourt (see Tax Map 95, Lot 3), a linear distance of 1221 feet, more or less, all as shown on **Tab 2**.

3. Upon completion of the construction of Berry Road as set forth above, OWNERS shall dedicate the way to the CITY, and shall simultaneously deliver to the CITY executed Quitclaim Deeds to all portions of said improved right of way. Provided the road has been constructed as required herein, and said construction is certified by Public Works, and provided a dedication has been made and all required Quitclaim Deeds are delivered, the CITY shall not unreasonably withhold or condition the acceptance of Berry Road, but shall in good faith and recognition of all parties efforts, thereupon poll its Council for vote.

4. All costs of design construction testing and inspection shall be borne by OWNERS in such proportions as they among themselves, shall agree in writing. CITY may, at its sole option, provide assistance including engineering and construction review and analysis, survey or other data sharing, etc.

5. The following construction standards shall be met by OWNERS:

A. Right of way shall be 49.5 feet (3 rods) wide.

B. Pavement shall be no less than 20 feet in width, and shall at point of beginning of unimproved Berry Road match and connect to the existing pavement of the improved portion of Berry Road.

C. With the exception for a variance of 20 foot pavement widths, all cross sections shall otherwise be in conformance with CITY road specifications for construction including base materials, thickness, etc.

D. Gravel base installed to date lying between Bentley Circle to the end, as shown on **Tab 2**, will be accepted provided limited test pit borings are acceptable. If test pits indicate substandard materials, those portions shall be excavated and rebuilt as the Department of Public Works deems necessary.

E. From the existing end of pavement to Bentley Circle, the road shall be box cut, and appropriate, conforming base and sub-base materials shall be installed.

F. Gravel shoulders of not less than 2 feet in width shall be installed on both sides of those sections of Berry Road to be improved hereunder. Owners are not required to undertake any work or improvements on any portion of the current paved, improved and accepted portion of Berry Road.

G. A hammerhead turn, approved in design and location by CITY, shall be installed at the terminus of Berry Road, all within the proposed right of way.

H. Monuments shall be installed periodically to document the right of way, all as determined between Department of Public Works in conjunction and discussion with Tom Milligan. A final as built plan showing said right of way, construction, any improvements, drainage, monuments and track of pavement shall be provided to CITY.

I. Adequate drainage including drainage easements and underdrain as required, shall be fixed and constructed.

6. OWNERS and Milligan shall cooperate with CITY and Deluca-Hoffman during construction, and thereafter.

7. Base coat paving must be finished and in place before November 15, 2005. Final coat paving shall occur in the spring, provided a sufficient security is provided.

WITNESS:

_____
Signature

_____
Print Name

_____
Signature

_____
Print Name

_____
Signature

_____
Print Name

WITNESS:

_____
Signature

CITY OF SACO:

_____
Richard Michaud
City Administrator

_____
Andre Nichole Caron

_____
Nichole Caron

_____
Paul Precourt

Print Name	
Signature	Irene Precourt
Print Name	
Signature	Jean Paul Hall
Print Name	
Signature	Carol Hall
Print Name	
Signature	Pauline Hall
Print Name	
Signature	Robert Gagne
Print Name	
Signature	Rose Gagne
Print Name	
Signature	James Blow
Print Name	
Signature	Michelle Blow
Print Name	

WITNESS:

Signature	Curtis McCulloch
Print Name	
Signature	Maureen McCulloch
Print Name	
Signature	Lionel Belanger
Print Name	
Signature	Anita Belanger
Print Name	
Signature	Ronald Belanger
Print Name	
Signature	Andre Picard
Print Name	
Signature	Norman Spaulding
Print Name	
Signature	Claudette Spaulding
Print Name	

To further create the incentive for the commercial sector to recycle, it is being recommended that the recycling carts be distributed to the businesses within the community free of charge and that the collection of the recyclables be done without additional charge to the businesses as well.

Given the fact that in 2004, 5,688 tons of commercial waste was delivered to Maine Energy, this would mean additional revenue to the City of $113,760. However, some of this additional revenue will be needed in order to purchase the carts for the commercial sector and for the increased cost to the City for collection of the commercial recyclable material by BBI. The remaining additional revenue would be minimal.

MAIN MOTION Councilor Cote moved, Councilor McDougal, seconded that it be Ordered that the City Council approve the increase of the solid waste commercial tipping fee from $60 to $80 per ton and to distribute recycling carts to those businesses interested free of charge and to begin the collection of their recyclable materials at no additional charge to them. The motion passed with four (4) yeas and three (3) nays. Councilors Tardif, Tripp and McDonough voted in the negative.

Further move to approve the Order. The AMENDED motion passed with four (4) yeas and three (3) nays. Councilors Tardif, Tripp and McDonough voted in the negative.

AMENDMENT Councilor Michaud moved, Councilor Cote seconded, to amend the main motion with the following language: Said fee implementation of the fee increase will occur only after the change to Chapter 181, Solid Waste has been voted upon and approved by Council. The motion passed with four (4) yeas and three (3) nays. Councilors Tripp, McDonough and Tardif voted in the negative.

Councilor McDonough moved, Councilor Tripp seconded, to table the matter until future implementation of the changes to Chapter 181. The motion failed with three (3) yeas and four (4) nays. Councilors Michaud, Cote, McDougal and Smith voted in the negative.

E. Repair and Maintenance of Berry Road

A number of homeowners on the Berry Road have expressed interest in clarifying the status of the unaccepted portion of Berry Road. This has been an ongoing discussion involving residents, City staff, and attorneys for several years, with no resolution to date.
The City Attorney has offered the opinion that the unimproved portion of Berry Road has not been maintained for 150 years, and has therefore effectively been abandoned by the City with no public easement. If this is also the Council's conclusion, then the Council may be asked by neighbors to clarify whether their efforts toward determining ownership of a "Berry Road Extension" right of way, then construction of a street for eventual acceptance by the City, would have the Council's support.

Councilor Tripp moved, Councilor McDonough seconded, that it be Ordered that the City Council find that the unimproved portion of Berry Road has not been kept passable for the use of motor vehicles at the expense of the City for a period of 30 or more consecutive years, and has therefore been discontinued by abandonment as outlined in Title 23 M.R.S.A. §3028, and that the City Council hereby authorizes the City Administrator to enter into and sign the agreement titled "Memorandum of Understanding Concerning Berry Road.

Further move to approve the Order. The motion passed with seven (7) yeas.

OWNER ABUTTORS

(Berry Road Extension)

1.	Andre and Nichole Caron 115 Berry Road Saco, ME 04072	(Map 95, Lot 6-3)
2.	Paul and Irene Precourt 84 Berry Road Saco, ME 04072	(Map 95, Lot 3)
3.	Jean Paul and Carol Hall 27 Rotary Drive Saco, ME 04072	(Map 95, Lot 9)
4.	Pauline Hall 307 Boom Road Saco, ME 04072	(Map 94, Lot 8)
5.	Robert and Rose Gagne 30 Westland Avenue Biddeford, ME 04005	(Map 85, Lot 7)
6.	James and Michelle Blow 107 Berry Road Saco, ME 04072	(Map 95, Lot 6-2)
7.	Curtis and Maureen McCulloch 101 Berry Road Saco, ME 04072	(Map 95, Lot 6)
8.	Lionel and Anita Belanger 77 Berry Road Saco, ME 04072	(Map 86, Lot 9)
9.	Ronald Belanger 93 Berry Road Saco, ME 04072	(Map 86, Lot 9-1)
10.	Andre Picard 43 Berry Road Saco, ME 04072	(Map 86, Lot 8)
11.	Norman and Claudette Spaulding 116 Berry Road Saco, ME 04072	(Map __, Lot __)

Memorandum

To: Kevin Sutherland, City Administrator
From: Bob Hamblen, City Planner
Re: Private Road and City Street Options, Berry Road
Date: July 28, 2016

As you know, Berry Road and its possible extension/completion/acceptance has become a matter for discussion with the City Council. I'm taking no position on the issue, but do want to bring to your attention a few things that may bear on future plans should the road be completed and accepted.

Private Roads

Private roads are regulated by Section 724 in the Zoning Ordinance. The subsection that landowners should be aware of is found in subsection 9:

I. Maximum length dead end--1500 feet (including a dead end public road, an existing private road or private road network)

The existing, accepted portion of Berry Road is roughly 4,000 feet in length. Sec. 724.9.I says that a dead-end, whether a public road, a private road or a private road network (two private roads connected) may extend no more than 1,500 feet. Staff is not claiming this prohibits the completion and acceptance of Berry Road, but is suggesting that plans on the part of property owners that include extending a private or public road off the westerly end of Berry Road would encounter this hurdle.

City Streets

The Subdivision Regulations limit the length of a dead-end street to 1,000 feet, with a waiver possible in certain situations. If, for example, a landowner at the end of Berry Road hoped to build a City street off Berry Road in order to subdivide property, this would in effect be extending an existing dead-end street that's already 4,000 feet long. The Planning Board's hands would be tied – such a street would not be allowed.
The exception to this would be if said landowner was able to design and build the street as a through street, for example, by building a street from Berry Road to Boom Road, or Berry Road to Rte. 5.
The subsections below lay out these restrictions:

- 10.11.2 Street Design
  All streets ….. shall be designed as through streets or future through streets unless waived by the Board.

- 10.11.5.9.A: Where the Board has waived the dead end restriction, the following criteria shall be followed: Dead end streets shall not be longer than one thousand (1,000) feet, unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions.

I hope this provides some clarification. Let me know if any questions. Thanks.

City of Saco

Economic Development Department
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

William J. Mann, Economic Development Director
Telephone: (207) 282-3487
Fax: (207) 282-8202
Email: wmann@sacomaine.org

July 28, 2016

Saco City Council
c/o Mr. Kevin Sutherland
City Administrator
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

RE: Plan for the Disposition of City owned Real Estate - MLB # 037-001-001-091
Known as Unit 91 Island Terrace Condominiums
Reference: Saco City Code Chapter 81 – Article 1 (Sale of City-Owned Real Property)

Dear Mayor Michaud and Councilors of the city of Saco:

Attached is my letter to the Planning Board of July 9, 2016 along with a DRAFT Request For Qualified Proposals for the Disposition of the above referenced tax acquired property.

I look forward to discussing this matter in more detail at you meeting this coming Monday and will endeavor to answer any questions you may have at that time.

Sincerely,

William J. Mann

cc: Kevin Sutherland

City of Saco

WORKSHOP ITEM: B
August 1, 2016

Economic Development Department William J. Mann, Economic Development Director
Saco City Hall Telephone: (207) 282-3487
300 Main Street Fax: (207) 282-8202
Saco, Maine 04072-1538 Email: wmann@sacomaine.org

July 9, 2016

City of Saco Planning Board
c/o Mr. Robert H. Hamblen
City Planner
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

RE: Plan for the Disposition of City owned Real Estate - MLB # 037-001-001-091
Known as Unit 91 Island Terrace Condominiums
Reference: Saco City Code Chapter 81 – Article 1 (Sale of City-Owned Real Property)

Dear Chairman Schuster and Members of the Planning Board:

As prescribed in the above referenced Chapter 81 of the Saco City Code we seek the input and recommendation of the Planning Board as to the disposition of the above referenced real estate.

BACKGROUND: The City of Saco became the owner of this real estate by operation of law when a maturing tax lien of Unit 91, LLC was left unpaid and matured on January 11, 2016. Since that time the City has been working with Dirigo Management to manage the property (which is partially occupied by several commercial tenants who had leases with the former owner) and work with the condo association and abutting property owners to clarify various property issues including the status of easements, an aging heating system that is in need of replacement and controlled by a third party, and much deferred maintenance.

We will continue to work to resolve the many outstanding issues but are uncertain that we can do that in a fashion that maximizes the benefit for the community and minimizes the cost to the City of Saco and its taxpayers. Accordingly, we are recommending the following to both the Planning Board and City Council.

RECOMMENDATION: That City staff prepare a Request for Qualified Proposals (RFQP), that said RFQP be reviewed by the City Attorney and issued seeking proposals for the Purchase of Real Estate - MLB # 037-001-001-091known as Unit 91 Island Terrace Condominiums. It is contemplated, subject to the review of the City Attorney that the qualifications will include:

- The Responder to the RFQP shall have a documented go forward financial capacity to complete both a purchase and any proposed development or change of use of the real estate.
- The Responder to the RFQP (be they an individual, an entity, or any individual owners of the proposing entity) shall have documented financial history free of tax liens / foreclosures in the State of Maine for the last five years.
- The Responder to the RFQP shall have a documentable track record of financial capacity and technical capability to complete whatever the responder to the RFQP is proposing.

The City shall reserve the right to accept or reject any and all offers proposals as it determines in its sole discretion.

SUGGESTED MOTION: *"Be it Ordered that the City Council authorize* the City Administrator to issue a Request for Qualified Proposals for the Purchase of Real Estate - MLB # 037-001-001-091known as Unit 91 Island Terrace Condominiums.

I appreciate Bob's willingness to present this to the Planning Board on the 19th.

Please let me know if you need anything further.

Sincerely,

William J. Mann

cc: Kevin Sutherland

DRAFT

Subject to review by City of Saco Attorney, Planning Board and City Council

City of Saco

Request for Qualified Proposals("RFQP") For the Sale and Development/Redevelopment of Real Property owned by the City of Saco, Maine commonly known as Unit 91 in the Island Terrace Condominium Association 110 Main Street, Saco, Maine (MLB # 037-001-001-091)

I. Introduction and Overview

Pursuant to § Saco City Code Chapter 81 – Article 1 regarding the Sale and Disposition of Municipally Owned Land/Property (the "Policy"), the City of Saco is exploring the potential sale and development of the real property owned by the City of Saco (the "City") located at Unit 91 in the Island Terrace Condominium Association, 110 Main Street in Saco, Maine commonly known as "Unit 91" (the "Property"). The Property can be generally described as a two level condominium unit with an underground parking garage containing 40 vehicle parking spaces, 3 motorcycle parking spaces, and several utility rooms. The upper level of the unit consists of 30,000+/- sq. ft. of space that has been subdivided into several rental units. These rental units are occupied by several commercial tenants, and there are three units that are presently unoccupied. The property is connected to municipal water and sewer.

This development opportunity is located in the center of the Saco-Biddeford Mill District which is presently undergoing a significant development/redevelopment renaissance with new residential and commercial development presently underway in Saco Mill No. 4 directly adjacent (to the north) of the Property. To the east and abutting the Property, is Mill Building #2 which was recently acquired by a new and experienced developer who is actively working to maximize the vitality and development opportunity related to that project. To the south there are several active development projects currently underway all culminating in greater residential density and commercial activity further enhancing the attractiveness of the Property. Additionally, the Property is located in Saco's vibrant downtown and will benefit from the strong business community building efforts of Saco Main Street, Inc., the City's downtown organization. Currently the Property is home to a Karate Academy, a farmers & artisans market, a photography studio, a marketing firm, the Department of Labor. The garage is actively used by these

businesses and their visitors.

At this time, the City is making a Request For Qualified Proposals ("RFQP") For the Sale and Development/Redevelopment of Real Property owned by the City of Saco, Maine commonly known as Unit 91 in the Island Terrace Condominium Association located at: 110 Main Street, Saco, Maine (MLB # 037-001-001-091) with a goal of maximizing the long term economic development opportunity that the Property represents. To that end, the City is seeking proposals for the purchase and development of the Property in accordance with the requirements set forth herein ("Proposals"). Proposals will be evaluated on a number of factors (outlined below) including, but not limited to:
(i) The ability to maximize the long-term economic development viability and potential of the Property;
(ii) The ability to complement/enhance the other development that has occurred within Island Terrace Condominium, on Saco Island, within the greater mill district and general vibrancy in the downtown neighborhood.
(iii) Responders to the RFQP shall have a documentable go forward financial capacity to complete both a purchase and any proposed development or change of use of the real estate.
(iv.) Responders to the RFQP (be they an individual, an entity, or any individual owners of the proposing entity) shall have a documented financial history free of tax liens / foreclosures in the State of Maine for the last five years.
(v.) Responders to the RFQP shall have a documentable track record of financial capacity and technical capability to complete whatever the responder to the RFQP is proposing.

The City will accept sealed Proposals until 5:00 pm, Friday, September 16, 2016 (the "Due Date").

Information relevant to this Request For Qualified Proposals (the "RFQP) and potential sale will be posted here: http://www.sacomaine.org (Need to put exact link). It is the intention of the City to notify Responders to the RFQP which satisfy the requirements set forth in the Instructions to Proposers below, if any, by October 7th, 2016
in advance of review and discussion of such Proposals by the City Council at their October 17, 2016 meeting.

The City reserves the right to waive any irregularity or defect in any submission, request clarification or additional information regarding Proposals, to cancel this RFQP, and to reject any and all Proposals or parts thereof, at its sole discretion. The City shall assume no liability for expense incurred by a Proposer in replying to this RFQP.

A. The following documents are available at the City's website:
http://www.sacomaine.org (Need to put exact link).

1. Request For Qualified Proposal (RFQP)
2. Link to the City Code Chapter 81 regarding the Sale and Disposition of Municipally Owned Land/Property
3. Copy of current Municipal Assessment Card
4. Copy of City of Saco Tax Lien Certificate

5. A listing of PERMITTED AND CONDITIONAL USES in the B-4 Zone
6. A listing of Standards of Performance for Planned developments

B. RFQP Timeline

1. Tuesday, August 16, 2016 – RFQP Release Date.
2. Weeks of August 22, 2016 and August 30, 2016 – Optional site visits.
    a. Contact William Mann to schedule.
3. Friday, August 19th, 2016 – Questions due by 1:00 p.m. All questions must be submitted in writing to: wmann@sacomaine.org
4. Wednesday – August 24, 2016 – Questions and Answers will be posted publically at http://www.sacomaine.org (Need to put exact link).
5. Friday, September 16, 2016 – Proposals Due by 5:00 p.m.
6. Anticipated: October 7, , 2016 – Proposers whose Proposals are under consideration will be notified.
7. Anticipated: October 17, 2016 – City Council to consider a recommendation for sale and development/redevelopment.

Note: If the City Council decides to proceed with a Proposal, such decision shall be subject to: (i) the negotiation and execution of a mutually satisfactory Purchase and Sale Agreement; and (ii) satisfaction of the pertinent terms and provisions of the City Charter and the Policy.

- Anticipated: Late October/Early November 2016 – Negotiate Purchase & Sale Agreement
- Anticipated: December 2016 – New owner takes title

II. Instructions to Proposers

A. Proposal Submission Procedures

1. Sealed Proposals must be received on or before the Due Date (Friday, September 16, 2016 at 5:00 p.m.) Proposals received after the Due Date will not be considered.
2. Proposers shall submit one (1) clearly marked original, two (2) photocopies, and one (1) electronic version (either via email or on a flash drive) of their Proposal Package. Proposals must be received in one envelope or box marked "PROPOSAL – Unit 91" and addressed to:

    William J. Mann
    Economic Development Director
    City of Saco - Saco City Hall
    300 Main Street
    Saco, Maine 04072-1538
    Email: wmann@sacomaine.org

3. Proposal Packages must include:
    - A letter of introduction.
    - A proposed development plan outlining the proposed use of the Property.
    - A corresponding business plan including: demonstrated experience in the field or with similar businesses, timing of project completion, and demonstrated

- compatibility with existing and proposed zoning regulations. This should also
- include the number and types of jobs that will be created by the proposed
- development and the timing of jobs in the market, both in terms of availability and duration.
- A proposed timeline for taking occupancy of the Property under the development plan.
- An offer of payment for the Property
- A statement / analysis of the municipal impacts of proposed development.
- A document providing evidence of Proposer's financial capability to complete the purchase and development plan.
- A written certification that the Responder and all individuals/ owners that are a part of the responder, if an entity, have a financial history free of tax liens / foreclosures in the State of Maine for the last five years.
- A statement indicating how your Proposal represents the highest value to the City in terms of direct or indirect financial, economic, or community benefits.

Please review the evaluation criteria when responding.

Failure to provide any of the above requested information may result in disqualification of Proposal. The City reserves the right to request additional information pertaining to the Proposal Package, or any other matters related to the Request for Proposal. Proposal documents, including the Offer of Payment, must be signed by persons authorized to contractually bind the Proposer.

B. Property Inspection

Non-mandatory property site inspections will be scheduled for the weeks of August 22, 2016 and August 30, 2016. Please contact William Mann at (207) 282-3487 or email wmann@sacomaine.org to schedule a site inspection. Proposers are encouraged to inspect the Property.

C. Questions Regarding Request For Qualified Proposal

Questions regarding the RFQP must be made in writing and submitted electronically to: wmann@sacomaine.org Questions are due no later than Friday, August 19, 2016 at 1:00 p.m. All questions and answers will be posted publically on Wednesday, August 24. 2016 at http://www.sacomaine.org (Need to put exact link).

D. Official Contact Information:

William J. Mann
Economic Development Director
City of Saco
300Main Street
Saco, Maine 04072
wmann@sacomaine.org
(207) 282-3487

III. Method of Award and Selection Criteria

Complete responses to this RFQP will be evaluated by City staff along with two individuals appointed by the Island Terrace Condominium Association (of which the Property is a part) and an appointee of the Mayor of Saco. That group will submit its recommendation(s) to the Saco City Council for their review and action. Decisions to sell the Property are at the sole discretion of the City Council. This RFQP process shall not create a binding obligation on the part of the City of Saco, Its elected officials, employees or agents, to sell the Property unless and until a Purchase and Sale Agreement has been executed and the pertinent City Charter and Policy requirements have been satisfied.

The selection criteria shall include, but not be limited to, the following:

- Completeness of the Proposal Packet.
- Proposal recognizes the highest long-term economic benefit to the City of
- Saco.
- Development Proposal meets the City's economic development goals.
- Development Proposal demonstrates readiness and proof that site can be operational within 12 months.
- Development Proposal satisfies requirements of current and proposed zoning regulations.

IV. Terms and Conditions

All information contained within this RFQP and all supporting documents is based upon information from a variety of sources. Additional information may be made available via written addenda throughout the RFQP process. Proposers shall be responsible for their own due diligence in preparing a Proposal. No representation or warranty is made by the City with respect to the condition of the Property, the suitability of the Property for a Proposer's potential use or the information provided herein.

A. Proposers shall be responsible for the accuracy of the information they provide to the City in connection with this RFQP.

B. The City Council reserves the right to reject any and all Proposals, to waive minor irregularities in any Proposal, to issue additional RFQPs, and to either substantially modify or terminate the proposed sale at any time prior to final execution of a Purchase and Sale Agreement.

C. The City shall not be responsible for any costs incurred by a Bidder in connection with the preparation, submission, or presentation of its Proposal.

D. Nothing contained herein shall require the City to enter into exclusive negotiations with any Bidder and the City reserves the right to amend, alter and revise its own criteria in the selection of a Bidder without notice.

E. The City reserves the right to request clarification of information submitted in a Proposal and to request additional information from any Bidder.

F. The City may not accept any Proposal after the time and date specified in the RFQP.

G. The City Council retains the sole discretion in the selection of a successful Proposal, if any.

H. Upon selection of a Proposal, the City shall enter into negotiations with the successful Proposer for a Purchase and Sale Agreement with terms and conditions acceptable to the City. Until the execution of a contract, the City is under no obligation to sell the Property and it reserves the right to cease negotiations at any time and retain title to the Property. Except with respect to matters of title, the Property shall be conveyed to the party acquiring the same "AS IS" and without warranty as to quality, physical condition or environmental condition.

I. **CONFIDENTIALITY:** The successful response will become part of the contract file and will become a matter of public record subject to public disclosure, as will all other responses received. If the response includes material that is considered by the bidder to be proprietary and confidential under insert legal reference, the Proposer shall clearly designate the material as such, explaining why such material should be considered confidential. The bidder must identify each page or section of the response that it believes is proprietary and confidential with sufficient grounds to justify each exemption from release, including the prospective harm to the competitive position of the bidder if the identified material were to be released. Under no circumstances can the entire response or price information be marked confidential. Responses so marked may not be considered.

The RFQP process shall in all respects be governed by, and construed in accordance with, the laws of the State of Maine.

Thank you for your interest in doing business in the City of Saco.

WORKSHOP ITEM: C
Date: August 1, 2016

WORKSHOP ITEM COMMENTARY

AGENDA ITEM: **(Workshop)** Addition of Chapter 161 - Prohibited Products to Saco Municipal Code of Ordinances

STAFF RESOURCE: Kevin Sutherland

COUNCIL RESOURCE: Councilor Eric Cote

BACKGROUND: Polystyrene, referred to colloquially as Styrofoam, is a synthetic polymer used to make meat trays, egg cartons, seafood, containers, cups, plates, bowls, and trays. However, polystyrene negatively impacts the environment because it breaks down into non-biodegradable pieces that can harm wildlife and marine life. Polystyrene is an increasingly common form of litter, particularly along waterways and shores. Many states across the country including Massachusetts, New York, and Florida have implemented polystyrene bans. Currently in Maine, the towns/cities of Brunswick, Portland, and Freeport maintain a ban on the use of polystyrene in food packaging or retail sale. As polystyrene is harmful to the environment and easily substituted for other materials, we request that an ordinance be passed to add Chapter 161 – Prohibited Products to the City of Saco's general code, which would prohibit the use of polystyrene in food packaging and retail sale in Saco. The sale and packaging of raw seafood would be exempt from this ban. The City's goal with this ordinance would be to replace polystyrene foam food containers with reusable, recyclable, or compostable alternatives. With regard to implementation of a polystyrene ban in Saco, we recommend the subsequent implementation of a monetary fine system for violations of the ban, should the ban be approved and go into effect.

EXHIBITS:
1. Kevin Sutherland Memo to Council 6-13-16
2. Addition to the Municipal Code of Ordinances – Chapter 160 – Prohibited Products

RECOMMENDATION: Staff recommends consideration of the proposed changes.

FUNDING: None needed.

SUGGESTED MOTION: ***"****Be it Ordered that the City Council does hereby ordain and approve the First Reading for the addition to the Saco Code, Chapter 160- Prohibited Products, and further moves to set the Public Hearing for September 6th, 2016."*

"I move to approve the order."

CITY OF SACO, MAINE

Administration
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

Kevin Sutherland, City Administrator
Telephone: (207) 282-4191
Email: KSutherland@sacomaine.gov
Facebook: /sacomaine
Twitter: @sacomaine

MEMORANDUM

TO: Mayor Michaud and Saco City Council
FROM: Kevin Sutherland, City Administrator
DATE: June 13, 2016
RE: Polystyrene Foam Ban Discussion

Councilor Cote has requested a discussion regarding Saco joining the list of Maine communities that have placed a ban on Polystyrene Foam. I've asked Indiana Thompson, one of this summer's interns to research some information to share as part of the discussion.

What is polystyrene foam?

Expanded polystyrene foam (EPS) is the product that is made into cups, plates, take-out food containers, meat trays, egg cartons, and packing materials. These products are often incorrectly referred to as "Styrofoam". Polystyrene foam is not biodegradable and is not recyclable. It is made of fossil fuels and synthetic chemicals. It is argued that exposure to these toxins can be harmful to the environment and a person's health. Animal exposure to EPS and toxins can be harmful whether it is through digestion, or absorption from contaminants in the water. Alternatives to polystyrene foam are readily available.

Current Bans in Maine and other States:

- Currently in Maine, the towns/cities of Portland, Brunswick, and Freeport maintain a ban on the use of polystyrene in food packaging or retail sales.
- Freeport's ban has been in place since 1990, while Portland and Brunswick implemented their bans in 2015.
- Many other states around the country have polystyrene bans including California, Florida, Massachusetts, New Jersey, New York, Oregon, Texas, Washington, and Washington, D.C.
- In 1993, Maine implemented a state-wide ban on the "use of expanded polystyrene for serving individual portions of food or a beverage at a facility or function of the State or of a political subdivision unless containers are recycled (which is near-to impossible)" (Surfrider Foundation)

How the polystyrene ban affects establishments in Portland, Maine (per "City of Portland Polystyrene Foam Ban Frequently Asked Questions")

- No food packager or retail establishment in Portland shall serve or sell prepared food and no food packager shall package meat, eggs, bakery products or other food in polystyrene foam containers.
- The City of Portland shall not use, purchase or otherwise acquire polystyrene foam food or beverage containers.
- Parties who contract with the City shall not use polystyrene food or beverage containers at any city facility or on projects within the City that are funded (in whole or in part) by the City.
- Retailers may not offer polystyrene foam products such as cups, plates, trays or coolers for sale.
- The sale and packaging of raw seafood is exempt from adhering to the ban's restrictions

If the City Council expresses an interest in pursuing a polystyrene foam ban, the Code Enforcement Officer will collaborate with the City Attorney to draft a new Chapter in the City Code. Drafting a new chapter will require additional research, the development of an implementation plan and timeline, and the determination of enforcement procedures and a monetary fine system. The process of adopting a new Chapter in the City Code requires Council discussion during Workshop, First Reading, Public Hearing, and Second and Final Reading.

City of Saco, Maine
Addition to the Municipal Code of Ordinances
Chapter 160 – Prohibited Products

Chapter 160 – Prohibited Products

Sec. 160-101. Definitions.

As used in this Chapter the following terms have the following meanings:

"Food packager" means any person who places meat, eggs, bakery products, or other food in packaging materials for the purpose of retail sale of those products.

"Prepared food" means food or beverages that are served at the food vendor's location having been previously prepared elsewhere or are prepared at the vendor's location by cooking, chopping, slicing, mixing, brewing, freezing or squeezing. "Prepared food" does not mean raw, uncooked meat or eggs. Prepared food may be eaten either on or off premises.

"Polystyrene foam" means and includes blown polystyrene and expanded and extruded foams (sometimes referred to as Styrofoam®, a Dow Chemical Company trademarked form of polystyrene foam insulation) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion blow molding (extruded foam polystyrene). Polystyrene foam is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays, and egg cartons. For the purposes of this chapter, the term "polystyrene" shall not include clear polystyrene known as "oriented polystyrene."

"Retail vendor" means any person, restaurant, store, shop, sales outlet or other establishment, including without limitation, a grocery store, convenience store, or a delicatessen.

Sec. 160-102. Prohibitions.

(a) No retail vendor shall serve or sell prepared food or drinks in polystyrene foam containers and shall not package consumable liquids, meat, eggs, bakery products or other food or food products in polystyrene foam containers.

(b) No party shall package consumable liquids, meat, eggs, bakery products or other food or food products in polystyrene foam containers for sale or use in the City.

(c) No retail vendor that sells food products or consumable liquids at retail shall use polystyrene foam food or beverage containers.

(d) The City shall not use polystyrene foam food or beverage containers at any City facility or City-sponsored event.

(e) No City department or facility shall purchase or acquire polystyrene foam food or beverage containers.

(f) All parties who contract with the City are prohibited from using polystyrene foam food and beverage containers in, on, or within City facilities and projects.

Sec. 160-103. Exemptions.

(a) The sale and packaging of raw and live seafood is exempt from the provisions of this Chapter.

(b) Retail vendors and food packagers that are currently existing or are established in the City by the effective date of the ordinance will be exempted from the provision of this Chapter prohibiting the use of polystyrene foam for one (1) year, absent a showing of undue hardship. Undue hardship includes, but is not limited to, situations unique to the food vendor and not generally applicable to other persons in similar circumstances. In no event may a hardship extension run longer than two (2) years in total.

(c) Retail vendors, food packagers, City departments, City facilities, and contractors shall be exempt from the provisions of this Chapter in a situation deemed by the City Administrator to be an emergency for the preservation of the public peace, health, or safety.

(d) Retail vendors that receive items pre-packaged in polystyrene foam food or beverage containers that have been packaged outside the City of Saco may re-sell such items without repacking those items and such use or sale shall not constitute a violation of this ordinance.

Sec. 160-104. Violations and enforcement.

The Code Enforcement Officer or his/her designee(s), or other official designated by the City Administrator shall have the primary responsibility for enforcement of this Chapter. If the Code Enforcement Officer or his/her designee(s), or other official designated by the City Administrator determine(s) that a violation of this Chapter has occurred, he/she shall issue a written warning notice to the food vendor that a violation has occurred. Penalties for violation of this Chapter shall be as set forth in the Master Schedule of Revenues, Charges, Fees and Fines, Appendix A to this Municipal Code of Ordinances.

Sec. 160-105. Effective Date.

Enforcement of the Chapter shall begin on [insert date here]

Sec. 160-106. Severability.

If any part or provision of this Chapter, or the application thereof to any person or circumstances is held invalid, the remainder of the Chapter, including the application of such part or provision to other persons or circumstances, shall not be affected thereby, and shall continue in full force and effect. To this end, provisions of this Chapter are severable.

CITY OF SACO, MAINE

Administration
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

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MEMORANDUM

TO: Mayor Michaud and Saco City Council
FROM: Kevin Sutherland, City Administrator
DATE: July 28, 2016
RE: Medical Marijuana Caregivers

The city enacted a 6 month moratorium on medical marijuana caregiver facilities. The moratorium was prompted by an updated legal opinion in regard to medical marijuana caregivers and the regulations that municipalities may impose on them. The newest legal opinion states that a municipality cannot zone these businesses out, but they can regulate where they go as well as provide standards for the buildings they will be housed in. Prior to the moratorium medical marijuana caregivers were defined under "personal services" and able to locate in many different zones within the city. This categorization of "personal services" was not creating any clarity as to where these businesses should be located; this resulted in a lack of consistency for code enforcement as well as planning.

This moratorium was enacted at the June 6th, 2016 city council meeting; therefore the city is almost 2 months into the moratorium. The goals of the moratorium were to give the city time to develop proper definitions for these new businesses that are locating in the city, as well as the appropriate location for these businesses.

Currently, the planning department, code enforcement, the police department and the city administrator's office have been working on drafting definitions for these businesses as well as proper zoning. The aforementioned departments have drafted definitions for medical marijuana caregivers, growing and growing facility, full definitions are attached to this memo. In addition, the departments have discussed potential zones for these businesses; there has been a consensus of the I-2 zone. Throughout this process the departments recognized that it would be important to make this new use a prohibited use under home occupations. Smaller growing facilities are often inside a residence and this has been an issue for police as well as code enforcement, prohibiting this use in home occupations will reduce these issues in both departments. In addition, the departments have created standards specific to growing facilities; these standards are also attached to this memo.

Moving forward, these definitions and zoning recommendations will be put to a public hearing at the next planning board meeting, taking place on August 2nd, 2016. After the public hearing the planning board will give a recommendation to the city council regarding the definitions, zoning, and standards for medical marijuana caregivers. The tentative date is the August 15th, 2016 city council meeting for the first reading.

Article 3 – Definitions - excerpt

Recycling center: A facility for the collection and processing of recyclables, excluding sewage sludge, into marketable resources. Such facilities would include, but not be limited to, materials recovery facilities and recycling drop off centers. The term does not include incinerators, other disposal facilities, or facilities that process general municipal solid waste. (Amended 4/1/91)

Registered dispensary: "Registered dispensary" or "dispensary" means a not-for-profit entity registered under *Sec. 12. 22 MRSA §2422, sub-§6* that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to registered patients who have designated the dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients. Accessory uses are limited to commercial kitchen facilities for preparing food, drinks, tinctures, and balms containing medical marijuana; counseling services for medical marijuana patients; alternative therapies for medical marijuana patients such as massage and acupuncture; and the sale of medical marijuana delivery appliances. (Amended 7/19/10)

Registered dispensary, non-growing: "Registered dispensary, non-growing" means a not-for-profit entity registered under *Sec. 12. 22 MRSA §2422, sub-§6* that acquires, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to registered patients who have designated the dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients. The cultivation, must take place off-site, and, if in Saco, at a "Registered dispensary" or "Registered dispensary, grow only." Accessory uses are limited to commercial kitchen facilities for preparing food, drinks, tinctures, and balms containing medical marijuana; counseling services for medical marijuana patients; alternative therapies for medical marijuana patients such as massage and acupuncture; and the sale of medical marijuana delivery appliances. (Amended 7/19/10)

Registered dispensary, grow-only: "Registered dispensary, Grow-Only" means a not-for-profit entity registered under *Sec. 12. 22 MRSA §2422, sub-§6* that possesses and cultivates marijuana for medical use in conjunction with a "Registered dispensary" or a "Registered dispensary, non-growing", at another site, but which does not dispense medical marijuana. Accessory uses are limited to commercial kitchen facilities for preparing food, drinks, tinctures, and balms containing medical marijuana. (Amended 7/19/10)

Religious conference center: A church affiliated building or complex, including sleeping facilities and common dining facilities, at which meetings of a religious or educational nature are held. (Amended 6/19/89)

Medical Marijuana Care givers, growing: Individual or business that has registered with the state pursuant to 22 M.R.S. §2422(8-A) as a caregiver. The individual or business has established patients and is engaged in growing medical marijuana outside of the caregivers primary residence (see growing facility) pursuant to 22 M.R.S. §2423-A (2)(B).

Medical Marijuana Caregivers, Growing facility: Growing facility is a building where plants are stored and cultivated may have patient rooms on sight separate from plant cultivation and processing. The facility must be locked and secured. The facility cannot contain more than 3 separate licensees. The facility is located separately from the caregiver's primary residence.

410-12. I-2 INDUSTRIAL BUSINESS DISTRICT (ed. note: includes I-2b district at former Maine Turnpike Exit 5) (Amended 8/1/88, 9/19/88, 3/2/92, 3/16/92, 4/1/91, 6/4/91, 7/6/93, 7/6/93, 2/28/94, 2/19/02, 5/21/12)

PERMITTED USES

1. Hotels and motels
2. Retail uses (I-2b only)
3. Accessory uses, including eating establishments associated with hotels and motels
4. Teen Center
5. Financial institutions
6. Business offices
7. Business services
8. Hospitals and clinics for humans
9. Research and testing labs
10. Light Industry
11. Any use permitted in the Resource Protection District
12. Essential services
13. Municipal Uses
14. Recycling center
15. Nursery School
16. Adult day care center, Type 1 and 2
17. Municipal animal incinerator
18. Enclosed Sports Arena
19. High Voltage Transmission Lines (Amended 12/15/08)
20. Commercial School
21. Elder/Disability Housing Facility-Limited Service (5/21/12)
22. Elder/Disability Care Facility – Full Service (5/21/12)
23. Elder/Disability Housing Facility (in conjunction with uses 21 or 22) (5/21/12)
24. Places of Worship (Amended 7/16/12)
25. Medical Marijuana Caregivers, growing
26. Medical Marijuana Caregivers, growing facility

CONDITIONAL USES

1. Self-service storage units (Amended 10/2/86)
2. Distribution (including not more than 10% of gross floor space for retail purposes)
3. Public and private schools
4. Day Care Centers
5. Registered dispensary, grow-only (Amended 7/19/10)
6. Addiction Treatment Facility (Amended 12/6/10)
7. Car washes in I-2 only (not to include I-2b) (Amended 11/5/12)

Section 711. Home Occupations

711-1. CONDITIONS

Home occupations shall conform with the following conditions:

1) The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
2) Not more than one employee outside the family shall be employed in the home occupation.
3) There shall be no exterior display, no exterior sign except as permitted by Section 707 of this Ordinance, no exterior storage of materials, and no other exterior indication of the home occupation or variation from the residential character of the building.
4) No nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated.
5) No traffic shall be generated by such home occupation in such volumes that it will create hazardous conditions in the neighborhood.
6) In addition to the off-street parking provided to meet the normal requirement of the dwelling, off-street parking shall be provided in conformance with the standards of this Ordinance.
7) The home occupation shall not utilize more than the equivalent of 25% of the total floor area of the dwelling unit.
8) A home occupation shall include, but not be limited to the following:
    a) art studio or other crafts studio
    b) dressmaking or similar shop
    c) hairdressing shop
    d) teaching or tutoring facility
    e) office of a physician; dentist, optometrist, lawyer, engineer, architect, accountant, or similar professional
    f) office of a real estate broker or agent
    g) office of an insurance agent or broker

711-2. PROHIBITED HOME OCCUPATIONS

A home occupation shall not be interpreted to include the following:

1) Facility for the repair of motor vehicles
2) The retailing of any item not produced on the premises
(Amended 8/1/88)
3) Medical Marijuana Caregivers, growing

CITY OF SACO, MAINE

AGENDA ITEM: A
Date: August 1, 2006

Administration
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

Kevin L. Sutherland, City Administrator
Telephone: (207) 282-4191
Email: KSutherland@sacomaine.gov
Facebook: /sacomaine
Twitter: @sacomaine

MEMORANDUM

TO: Mayor Michaud and Saco City Council
FROM: Kevin Sutherland, City Administrator
DATE: July 28, 2016
RE: Occupant Appeal regarding 32 Clark Street

On July 11th a letter was submitted to the property owner of 32 Clark Street (Appendix A) from Code Enforcement Officer Richard Lambert. According to the state Property Maintenance Code, any person directly affected by a decision of the code official shall have a right to appeal is filed within 20 days after the date of decision notice or order was served.

City Council and staff received several emails and a posting (Appendix B) on July 15th which is being considered an application for appeal. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Under the same code, the appeals board (council) has to hear the appeal within 20 days and therefore we are calling a meeting of council after the workshop to hear the appeal and make a decision.

City of Saco

Inspection Department
Saco City Hall
300 Main Street
Saco, Maine 04072-1538

Richard Lambert, CBO, Code Enforcement Officer
Telephone: (207) 284-6983
Fax: (207) 282-8202
Email: rlambert@sacomaine.gov

July 11, 2016

Mr. Ronald Doe
32 Clark Street
Saco, Maine 04072

DELIVERED IN HAND

RE: Notice of Violation, Finding of Dangerous Premises. 32 Clark Street, Saco, ME. Tax Map 39, lot 211.

Dear Mr. Doe:

As you know, the City has been investigating a complaint concerning the operation of a lodging and rooming house in the single family apartment owned by you and located at 32 Clark Street, Saco. This occupancy is occurring on the left side of the building and this letter applies only to that portion of the building. On July 6, 2016 I performed an inspection of the east side of the building that is being operated as a rooming/boarding home and was accompanied by Deputy Fire Chief David Pendleton and two Firefighters from the Saco Fire Department. The following is a report of our findings:

1. As indicated in previous letters to you dated November 4, 2015 and June 8, 2016, the use of this building as a rooming/boarding home is not permitted by the Saco Zoning Ordinance, Section 410-1, Permitted and Conditional Uses in the R-1 Low Density District. **The use of this building as a boarding/rooming house must cease immediately.**
2. The rear basement had numerous improperly terminated live wires and exposed live wires in a circuit breaker which constitute a shock hazard. In addition, the circuit breaker panel cover is missing thereby exposing the buss bar and energized components, also causing a shock hazard. This is a violation of the City of Saco's Property Maintenance Code, Section 604.3, Electrical system hazards. **Properly terminate and remove unused electrical wiring, secure circuit breaker panel cover to electrical distribution box to prevent shock hazard.**
3. The smoke alarm in the rear basement is not properly secured to the ceiling and is supported by the power wires of the unit**. Properly secure the smoke alarm to the ceiling or wall as per the manufacturer's installation instructions.**
4. There was what appeared and smelled like cat feces on the floor of the utility room under the stairs in the rear basement. This is a violation of Saco's Property Maintenance Code, Section 305.3, Interior surfaces. **Properly dispose of the cat feces and sanitize the area using a disinfectant solution.**
5. Although at the time of our inspection no one appeared to be occupying the rear basement space, it appears that the space was arranged for occupants in the past. Information from your building manager also indicates that the space was recently used for human habitation. **This space does not have an adequate second means of escape and cannot be used for human habitation.**
6. The sump pump in the rear basement is piped directly into the sanitary plumbing lines and discharges to the municipal sanitary sewer system. This is a violation of the Saco City Code, Section 176-30 which prohibits the discharge of stormwater into the sanitary system. **Disconnect the sump pump from the sanitary plumbing and discharge the stormwater into an approved stormwater system or directly to the exterior of the building.**
7. The smoke alarm in the living room outside of the sleeping area designated as the manager's sleeping area was missing the battery back-up. This is a violation of Saco's Property Maintenance Code, Section 704.3 Power Source (for smoke alarms). **Provide battery for the unit.**

8. The front basement area has an unlawful accumulation of discarded mattresses & boxsprings. This can contribute fuel to a fire (fire load) and create noxious and toxic smoke. **Dispose of used and discarded bedding.**
9. The bedroom designated as "Room 2" has access only through the second floor bathroom and can be locked from the outside (from the bathroom side) preventing exiting from any occupant within the bedroom. All bedrooms within the occupancy appear to be fitted with exterior hasps and padlocks which can be used in such a manner as to prevent exiting from any occupant within the bedroom. This is a violation of the NFPA 101 Life Safety Code, Section 26.2.3.5.1. **Discontinue the use of bedroom 2 as a sleeping room and remove all hardware located on the exterior of bedroom doors that can be used to prevent exiting by an occupant.**
10. There was no smoke alarm in the front bedroom marked "Room 1", the manager's bedroom or room 6 on the third floor. This is a violation of Saco's Property Maintenance Code, Section704.2, Smoke Alarms. **Provide an AC powered smoke alarm with battery backup in all sleeping rooms.**
11. Rooms designated as "5" and "6" on the third floor do not have adequate emergency escape windows. This is a violation of the NFPA 101 Life Safety Code, Section 26.2.1.2. **Provide compliant emergency escape windows or discontinue the use of the rooms.**
12. As a Lodging or rooming house, the provisions of the NFPA Life Safety Code Section 26.3.4.1.1 requires that the building is provided with a manual fire alarm system and occupant notification in accordance with Section 9.6 of the same code. This building does not have such a system.
13. As a Lodging or rooming house, the provisions of the NFPA Life Safety Code Section 26.3.5.2 requires that the doors leading from the bedrooms to the corridor have no louvers or operable transoms in corridor walls. The rooms on the third floor are fitted with transoms above the doors which do not comply with this requirement.
14. As a Lodging or rooming house, the provisions of the NFPA Life Safety Code Section 26.2.2.1 requires that the walls separating the sleeping rooms from the stairway and corridor have a minimum ½ hour fire resistance rating, with all openings protected with smoke-actuated automatic-closing or self-closing doors having a fire resistance comparable to that required for the enclosure. The construction of the walls and doors within the occupancy does not meet this standard.
15. As I have indicated to you in a letter I sent you on July 30, 2014, the Saco City Code, Chapter 169 prohibits the occupation of recreation vehicles or campers on private property. It has been reported to the City by your building manager that you presently occupy the camper parked near the garage. During my inspection of the premise, I found that the camper was connected to the power supply in the garage. **You must discontinue the use of the camper as living quarters immediately.**

16. It has been reported to the City and evidence on site indicates that there is an infestation of bedbugs within the unit. This is a violation of the Saco Property Maintenance Code, Section 309.1. **You must hire a professional exterminator to eradicate the bedbugs.**

As this building lacks proper safeguards for fire-resistance ratings of exits, number of exits, fire protection systems and a dangerous electrical system, I am declaring this side of the building to be a dangerous premises. As such this side of the building is condemned and declared unfit for human occupancy. This side of the building must therefore be vacated by Friday, July 15, 2016 at 3 pm. At that time, the City will post this building as Condemned and order it to be vacated immediately. Any person who shall occupy a placarded premises and any owner or any person responsible for the premise who shall let anyone occupy a placarded premise shall be liable for penalties provided by Title 30A MRS, § 4452. A copy of this notice is being provided to all occupants of this building as well as to your local manager.

Any person failing to comply with a notice of violation or order served in accordance with Section 107 of the Property Maintenance Code shall be deemed guilty of a civil infraction and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violations, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of the Property Maintenance Code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Any person directly affected by a decision of the code official or a notice or order issued under the Property Maintenance Code shall have a right to appeal to the board of appeals (the Saco City Council), provided a written application for appeal is filed within 20 days after the date of decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

If you have any questions on this, please contact me at any of the methods listed above.

Sincerely,

Richard Lambert, CBO
Code Enforcement Officer
Local Health Officer
City of Saco, Maine

David Pendleton
Deputy Fire Chief
City of Saco, Maine

C: Occupants, 32 Clark St.

Kevin Sutherland

From: Peter Rivard <privard@my.com>
Sent: Friday, July 15, 2016 2:15 PM
To: Mayor
Subject: Richard Lambert's unlawful decision to condemn and vacate 32 Clark street SACO

Richard Lambert CEO for the City of Saco has delivered a Notice of Violation, and finding of dangerous premises to 32 Clark st in Saco. This is not legal. He has not adhered to lawful or correct procedure. He has previously inspected these premises many times in the past and has even inspected them in the past couple of weeks. Prior to the inspection referred to in this notice, I have personally shown Mr.Lambert around the house and he expressed no concerns, nor did he offer any suggestions. He has preposterously gone from no guidance, no stipulations to the landlord, Mr Ronald P Doe, to a bizarre Condemnation and order to vacate on four days notice. There is nothing structurally wrong with this house. He has deemed the other half of the house to be sound. There has been no mention of demolition. The 16 points addressed in the notice ARE ALL WELL WITHIN REACH OF COMPLIANCE AND MOST CAN EAILY BE ACCOMPLISHED WITHIN ONE WEEK. It seems that rather than inconveniencing the landlord in any way, he chooses to put innocent tenants out into the streets. I have a right to appeal this decision within 20 days of the notice, and I assert my right to do so. My name is Peter G Rivard and I am a tenant at 32 Clark st. I have been here a year and acted as house manager, per Mr Does request, until the end of June. At this time I asked Mr Doe to take appropriate measures to eradicate an infestation of bedbugs. When I insisted I was fired. At this time I was also sending several emails to Mr Lambert. He was encouraging but did not choose to answer any of inquiries for guidance. The language in the notice is such that I fear for my safety. IF ANY PUBLIC OFFICIALS OR PUBLIC SERVANTS OF THE CITY OF SACO ATTEMPT TO INTIMIDATE HARASS OR INTERFERE WITH OR PHYSICALLY RESTRAIN MY PERSON, EITHER AT THE BEHEST OF MR LAMBERT OR INDEPENDENTLY, THE CITY OF SACO SHALL BE HELD LIABLE, AND EACH SUCH PERSON SHALL ALSO BE HELD LIABLE PERSONALLY. I will also post this on my door.I will be sending manners in which all the Code infractions may be abated. I will also be suggesting a trust fund of $10,000. Dollars to be set up. It will be fully funded, by me, immediately. It will be dispersed solely and exclusively by the (entire) Saco city council. It will be used exclusively to pay for work and supplies to address code violations and only code violations. None of if may be used towards any tax liens. Peter G Rivard call or text at (207) 502 3809. You have my email and you know my address. Thank You

Sent from myMail for iOS

Kevin Sutherland

From: Peter Rivard <privard@my.com>
Sent: Monday, July 18, 2016 4:08 PM
To: Kevin Sutherland
Cc: Emily Roy
Subject: 32 Clark st

6) It becomes increasingly difficult not undertake speculation as to Mr Lambert's motives in seeking a condemnation, vacation, and placarding as opposed to imposing repairs and a timetable on the landlord.
7) In his capacity as C.E.O. Mr Lambert has been here several times in the past, included recently. I showed him around the house and he expressed no concerns at this time.
8) There is an alarming deficit of housing for the disenfranchised, and people with considerable challenges are often rendered homeless.
9) Thus far Mr Doe has chosen to collect substantial rent, yet refused to provide even cleaning supplies.
Sent from myMail for iOS

Kevin Sutherland

From: Peter Rivard <privard@my.com>
Sent: Monday, July 18, 2016 4:26 PM
To: Council Ward 7
Subject: Solutions

10) Ronald Paul Doe in perpetuating fraud in a number of ways, not the least of which is claiming I have not paid due rent for six months. This is quite demonstrably false as I shall document fully at 8:30 AM on July 22nd in public court. I have paid for July in full and (not for the first time) offered to pay a few months in advance with a view to aiding in any efforts at abatement.
11) One way or another it seems that the hard working taxpayers of Saco will unfairly be burdened while the appropriate party bears no recriminations.

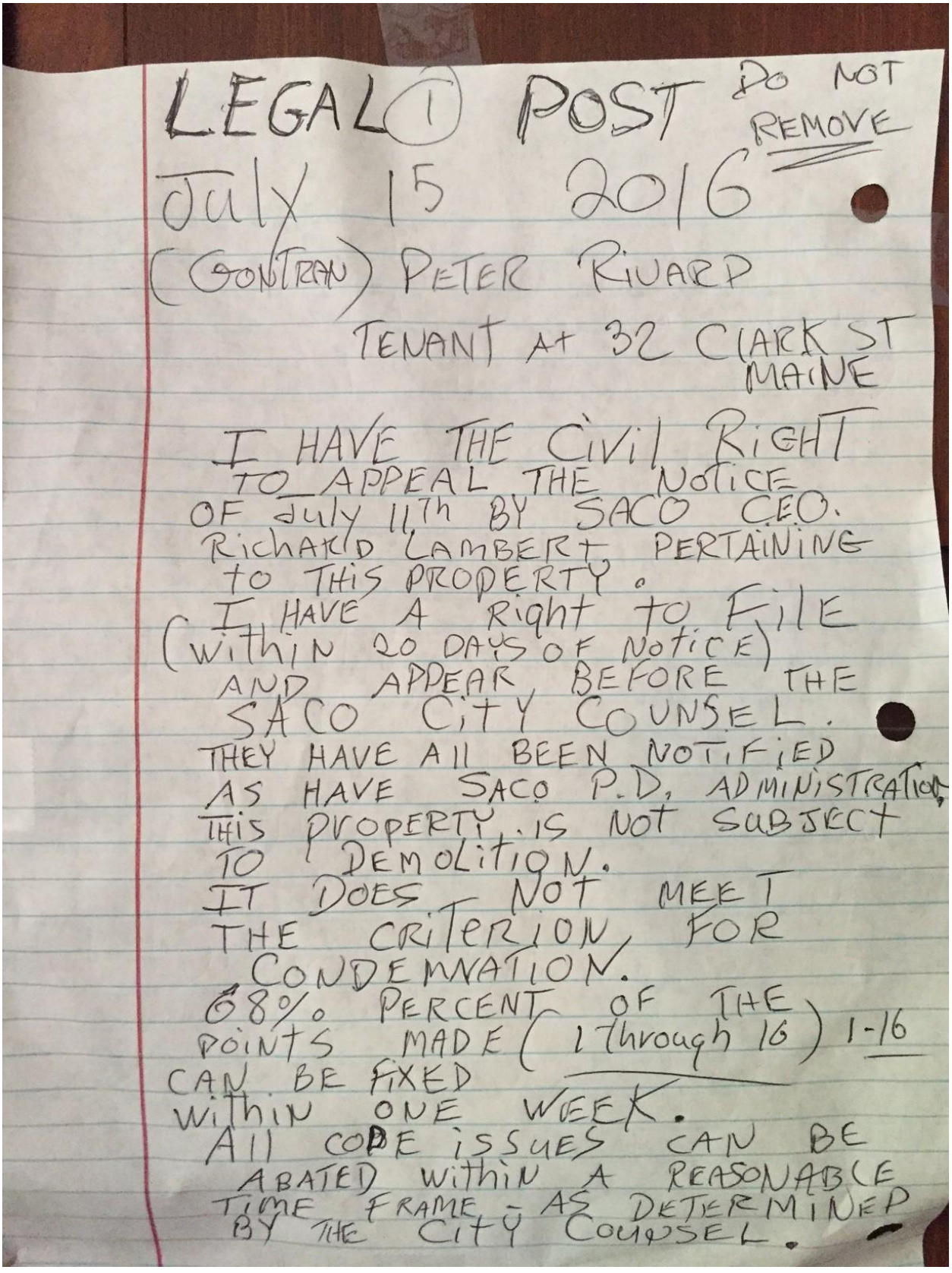
Sent from myMail for iOS

Kevin Sutherland

From: Peter Rivard <privard@my.com>
Sent: Monday, July 18, 2016 5:33 PM
To: Council Ward 7
Cc: Emily Roy
Subject: Astonishing gesture of good will

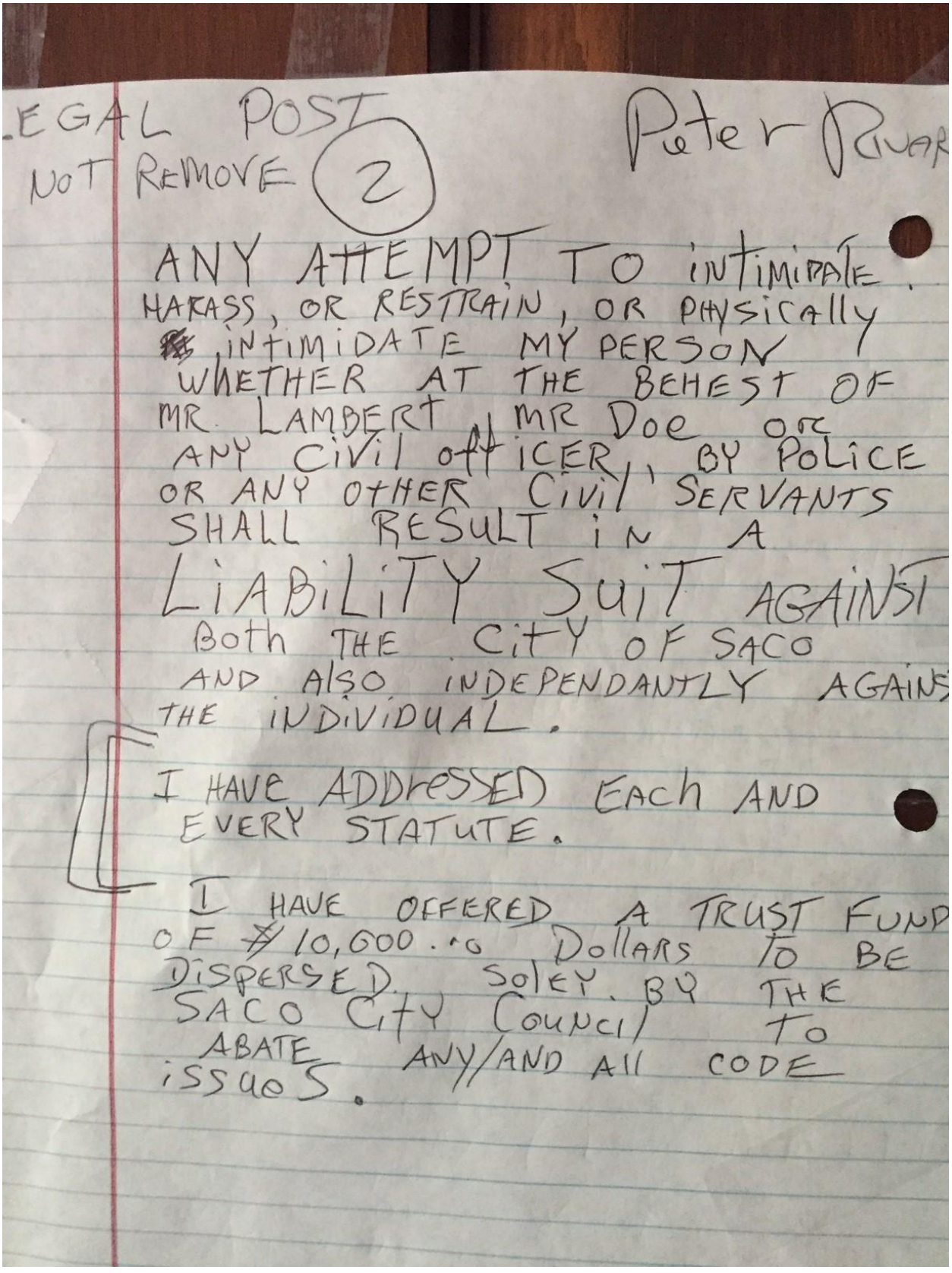
11) I propose a solution wherein the taxpayers and the municipality will not be unduly burdened and the code violations will be abated. Also the loss valuation and ignominious result of neighboring a boarded, condemned property can be averted. Also not to be overlooked is the undeniable impact this scenario would have on valuation tax due to the City. I propose a fund of up to ten thousand (10,000.00) dollars that A) Will be administered exclusively by the entire City Council. B) No amount therein may be used on anything whatsoever that is not entirely specific to abatement of specific municipal code violations. C) None of the fund shall be used toward any tax liens or other purposes. D) If any agent is deemed appropriate and expeditious toward overseeing the undertaking it may not be Mr Lambert. E) I shall be entitled to peruse all receipts applicable. F) I will endow the fund and this same amount shall be applied towards my rent. G) The entire amount of this fund is on deposit with the Bank Of America, Saco branch, and is immediately available. H) My rent has been $600.00 per month, other than when I was working 60 hours a week as house manager. Mr Doe has a check already for July. I will know by tomorrow whether it has been cashed yet. i) My rent of six hundred dollars per month shall be reduced to five hundred dollars per month during the period of fulfillment of the undertaking described herein. At that time it will revert to $600. once again. Mr Doe was offered a choice between cash or check for July. Regards G.P. Rivard

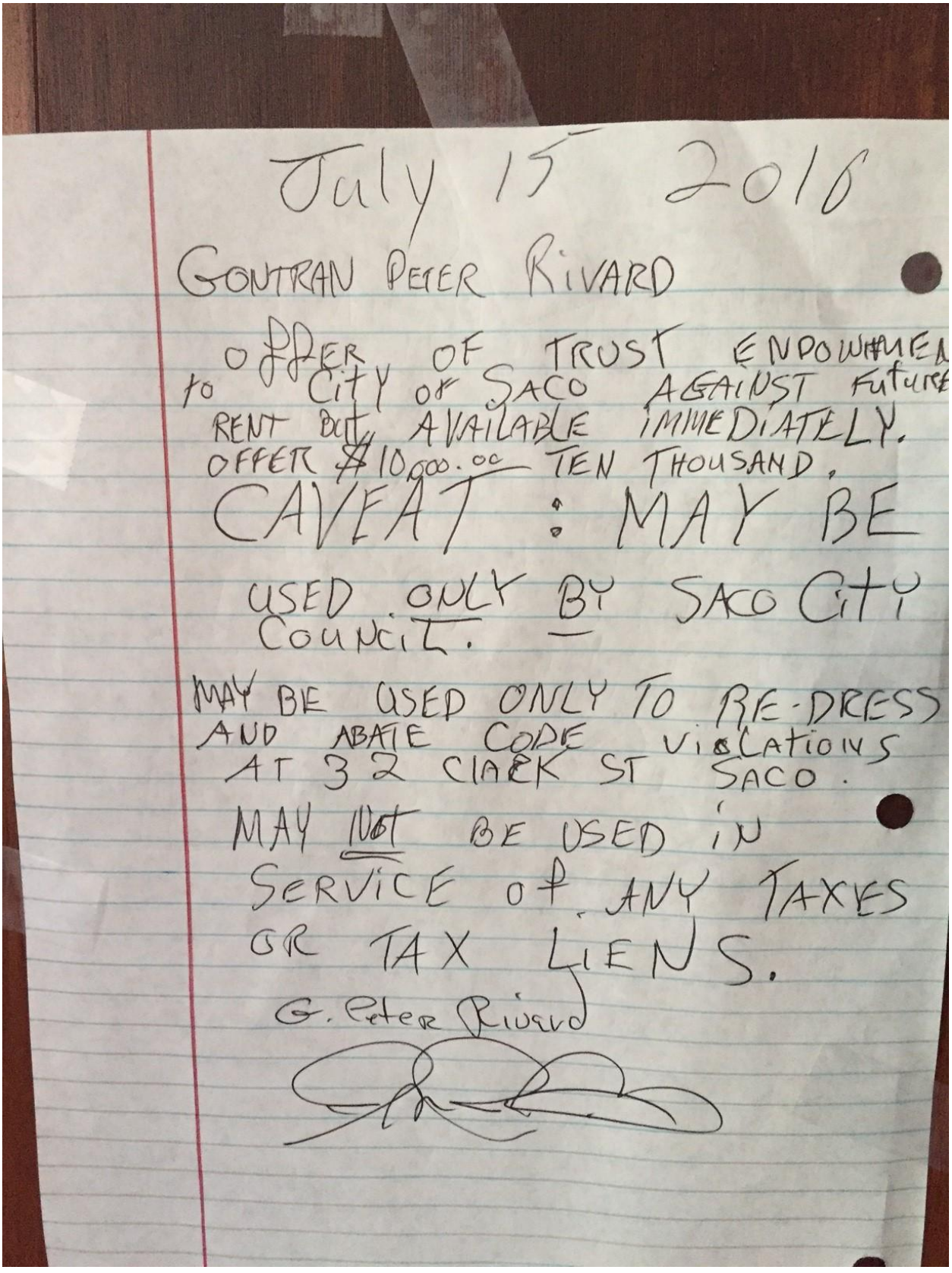
Sent from myMail for iOS



LEGAL (1) POST DO NOT REMOVE
July 15 2016
(CONTRAN) PETER RIVARD
TENANT AT 32 CLARK ST
MAINE

I HAVE THE CIVIL RIGHT TO APPEAL THE NOTICE OF JULY 11TH BY SACO C.E.O. RICHARD LAMBERT PERTAINING TO THIS PROPERTY.
I HAVE A RIGHT TO FILE (WITHIN 20 DAYS OF NOTICE) AND APPEAR BEFORE THE SACO CITY COUNSEL.
THEY HAVE ALL BEEN NOTIFIED AS HAVE SACO P.D. ADMINISTRATION
THIS PROPERTY IS NOT SUBJECT TO DEMOLITION.
IT DOES NOT MEET THE CRITERION FOR CONDEMNATION.
68% PERCENT OF THE POINTS MADE (1 through 16) 1-16
CAN BE FIXED WITHIN ONE WEEK.
ALL CODE ISSUES CAN BE ABATED WITHIN A REASONABLE TIME FRAME AS DETERMINED BY THE CITY COUNSEL.


LEGAL POST
NOT REMOVE
2
Peter Ruar
ANY ATTEMPT TO INTIMIDATE, HARASS, OR RESTRAIN, OR PHYSICALLY INTIMIDATE MY PERSON WHETHER AT THE BEHEST OF MR. LAMBERT, MR DOE OR ANY CIVIL OFFICER, BY POLICE OR ANY OTHER CIVIL SERVANTS SHALL RESULT IN A LIABILITY SUIT AGAINST Both THE CITY OF SACO AND ALSO INDEPENDANTLY AGAINST THE INDIVIDUAL.
I HAVE ADDRESSED EACH AND EVERY STATUTE.
I HAVE OFFERED A TRUST FUND OF $10,000.00 Dollars TO BE DISPERSED SOLEY BY THE SACO City Council TO ABATE ANY/AND All CODE issues.



July 15 2016

GONTRAN PETER RIVARD

OFFER OF TRUST ENDOWMENT to City of SACO AGAINST FUTURE RENT BUT AVAILABLE IMMEDIATELY. OFFER $10,000.00 TEN THOUSAND.

CAVEAT : MAY BE USED ONLY BY SACO City Council.

MAY BE USED ONLY TO RE-DRESS AND ABATE CODE violations AT 32 CLARK ST SACO.

MAY NOT BE USED IN SERVICE of ANY TAXES OR TAX LIENS.

G. Peter Rivard