

Minutes
Planning Board Meeting
Tuesday, July 19, 2016

Members Present: Neil Schuster, Chairperson; Don Girouard, Rene Ittenbach, Michael O'Toole, Vangel Cotsis, Peter Scontras, and Bob Hamblen, City Planner. Absent: Marty Devlin

1. Minutes of July 5, 2016

Rene: I move to accept the minutes as written, seconded by Don. Motion passes 5-0

Vangel came in slightly tardy (5:07) and did not vote on the minutes, but was here for the full review of item 2.

2. Public Hearing: Review of a Plan for the Disposition of City-owned Real Estate known as Unit 91, Island Terrace Condominium. Tax Map 37, Lot 1-1-91.

Hamblen: 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 city owned 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.

He has been in communication with Sam Zaitlin and ITOA.

Mike: any written comments from staff? **Bob:** Only one from Cheryl, who has encouraged the City to sell. **Don:** any significant changes that have happened since the July 9 memo? **Bob:** No. Some items had to be addressed such as, electrical, the elevator and the stairway. **Don:** Has the City received a list of problems from the tenants, any emergencies? **Rene:** Or has the City gone to the tenants to ask if there are any problems? **Bob:** No. We can't continue to lose money every month, so that is why the City wants to sell. **Peter:** any other party involved? Is it uncontested? I sense it in Mr. Zaitlin's letter. **Bob:** Nothing legal. **Mike:** He would like to

have Tim Murphy's input. We should have his comments. **Don:** This is a planning issue.

Vangel: Has the Board heard enough? Are we comfortable to pass this off so quickly without hearing from staff and without Mr. Zaitlin's memo being addressed or heard? **Peter:** He agrees with Vangel. It is hard to make a vote without hearing from everyone. Mr. Murphy's input is important. **Rene:** If this is to be real estate, there would be inspections, and it would come back as site plan if there were any issues.

Mike: I move to open the public hearing, seconded by Rene. Motion passes 6-0

Sam Zaitlin: He submitted his letter to the Board, which speaks of general public access and limitations on parking, the city's desire to unburden itself of this ongoing expense is fraught with complications that could tie this matter up in litigation for some time and make it extremely difficult to dispose of. This property was taken from ITOA, not Saco Island. The City of Saco has put itself in the commercial real estate business and is now dealing with expenses it should never have incurred. This meeting was not properly noticed. Mr. Murphy's letter to the Administrator at the end of March was a complicated summation. Tim's intent was that we would go to court. It would be a legal issue. Easement of access is our issue. The way that Bill has structured the RFP, doesn't account for adequate parking.

Rene: Move to close the public hearing, seconded by Mike. Motion passes 6-0

After all was discussed, it was determined that abutters were not properly notified.

Peter: I move to table until proper notification is given, seconded by Don. Motion passes 6-0.

Regular meeting ended at 6:00 p.m.

Respectfully submitted by,

Maggie Edwards
Board Secretary