

AGENDA
CITY COUNCIL OF THE CITY OF BATH, MAINE

Regular Meeting
Wednesday, May 5, 2021 6:00 p.m.
Remote Meeting

We encourage your comments and views, and appreciate your participation in your local government.

A. Pledge of Allegiance

B. Roll Call

Bath Housing Market Summary, Vision and Best Practices by Debora Keller, Executive Director

Proclamation: Arbor Week, May 16th-May 22nd

C. Public Hearing:

- 1) New Liquor License for Longreach Kitchen & Catering, LLC located at 387 Whiskeag Road *(approval)*

D. Consent Agenda:

(Items as marked with an asterisk (*) on the agenda shall be considered routine matters not requiring debate. In the case of items marked with an asterisk, the motion as stated in parenthesis following the items on the agenda shall be considered to have been passed by the City Council as part of the Consent Agenda. Any Councilor wishing to have any item so marked with an asterisk removed from the Consent Agenda shall have the unlimited right to do so at any time prior to the vote by Council on the Consent Agenda. If such an item is removed from the Consent Agenda, it shall be dealt with in the normal course of the meeting.)

*2) Minutes of the previous Bath Council Meeting of April 6, 2021 and Special Meeting of April 21, 2021 and Item F3. *(motion to accept as presented)*

E. Time Devoted to Residents to Address the City Council:

F. Ordinances, Orders, and Resolutions:

- 3) Order: Appointing City Arborist/Tree Warden (annual appointment)

G. Petitions & Communications:

H. City Manager's Report:

I. Committee Reports:

J. Unfinished Business:

K. New Business:

L. Councilor Announcements:

EXECUTIVE SESSION:

Discuss Real Estate Matter per 1 MRSA §405(6)(C)

Discuss Personnel Matter per 1 MRSA §405(6)(A)

ADJOURN

MAP
of the City of
BATH
SAGadahoc CO.
MAINE
Surveyed, drawn & published by
H. H. & C. CO., N.Y.

HOUSING MARKET SUMMARY, VISION & BEST PRACTICES

RECOMMENDATIONS FOR POLICY DEVELOPMENT

CITY OF BATH, MAINE

PREPARED FOR
THE BATH HOUSING DEVELOPMENT CORPORATION &
THE CITY OF BATH
BY LEVINE PLANNING STRATEGIES, LLC
JANUARY 2021





HOUSING MARKET SUMMARY, VISION & BEST PRACTICES

RECOMMENDATIONS FOR POLICY DEVELOPMENT

CITY OF BATH, MAINE

JANUARY 2021

IMAGES COURTESY OF THE OSHER MAP LIBRARY AT THE UNIVERSITY OF SOUTHERN MAINE

PREPARED FOR:
THE BATH HOUSING DEVELOPMENT CORPORATION &
THE CITY OF BATH
BY LEVINE PLANNING STRATEGIES, LLC





INTRODUCTION

The Bath Housing Development Corporation (BHDC) is working to produce and preserve housing that serves the needs of Bath residents and workers. As part of that work, BHDC and the City of Bath wanted to better understand the housing market in the city at this time. This report includes three parts:

1. A summary of the current state of housing supply and demand in Bath;
2. A housing vision for the City; and
3. A summary of best practices in housing policy and planning.

It concludes with a set of recommended actions for Bath that applies appropriate best practices to the specific housing issues and vision laid out.

There has been past work completed related to this issue, most recently the 2014 Bath Area Housing Assessment. In 2018, the Bath Housing Authority and BHDC, working together, completed a strategic plan that focused on the four key issues of relationships, solutions, advocacy, and capacity building.

This strategic plan emphasized the need to be more than just a property manager, but a proactive member of the community,



working with other organizations, developing & facilitating development of housing, and advocating for good housing policy. At the same time, the plan cited the need to have a work plan that can be completed given the available resources, while working to build that capacity when possible.

The City of Bath's current comprehensive plan, completed in 2009, contains proactive housing policy recommendations as well. It cited the age and condition of the housing stock as issues, as well as the cost of rental properties to tenants. It also noted the lack of housing production in the city, and recommended focusing of new housing production in certain areas, primarily near downtown. As the city begins to consider a new comprehensive plan, the information in this summary should be useful.

In developing this document, all available data sources were analyzed. Much of the necessary data was available at the City of Bath Assessor's Office, as well as via the U.S. Census. Some additional data collection was done, but was limited to key areas where additional information was important to the story being told in this report.

As with many reports, the analysis depends on the accuracy of the information provided. In many cases, as with many smaller cities, there is some margin of error in the data that was considered when producing this report. For example, most U.S. Census data in this report is from the American Community Survey. That source allows for more detailed, and much more recent, data, but is based on statistical samples and therefore is not definitive.

This report would not have been possible without the assistance of staff from both the Bath Housing Development Corporation and the City of Bath. However, any errors herein are the responsibility of the report author.

PART ONE: HOUSING MARKET SUMMARY

HOUSING UNITS IN BATH

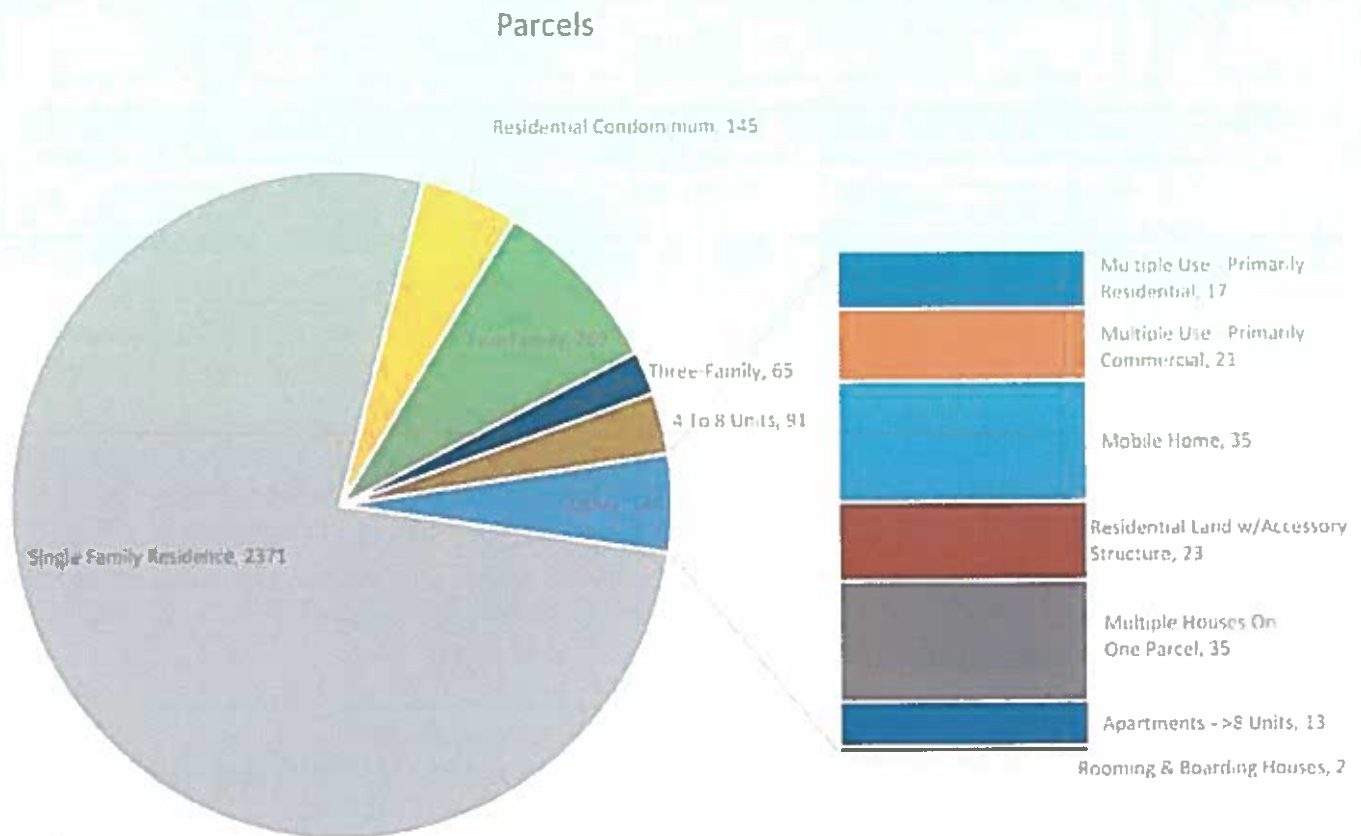
While it may seem like a simple data collection effort to determine how many housing units there are in Bath, it's actually challenging to get a precise number. According to the American Community Survey, there were between 4219 and 4683 housing units in the city in 2018. However, in the 2010 U.S. Census, there were 4,437 housing units identified. In the City's assessor's database, a total of only 4,090 units are identified in FY2018, a reduction of 63 from the total of 4,153 in FY2017.

The precise number is not critical. What is useful to know is that the number of housing units has remained fairly stable over the past 10 years, though with a small possible decline. In that time, the population has also remained fairly stable, listed at 8,514 in 2010 and estimated at around 8,329 in 2018.

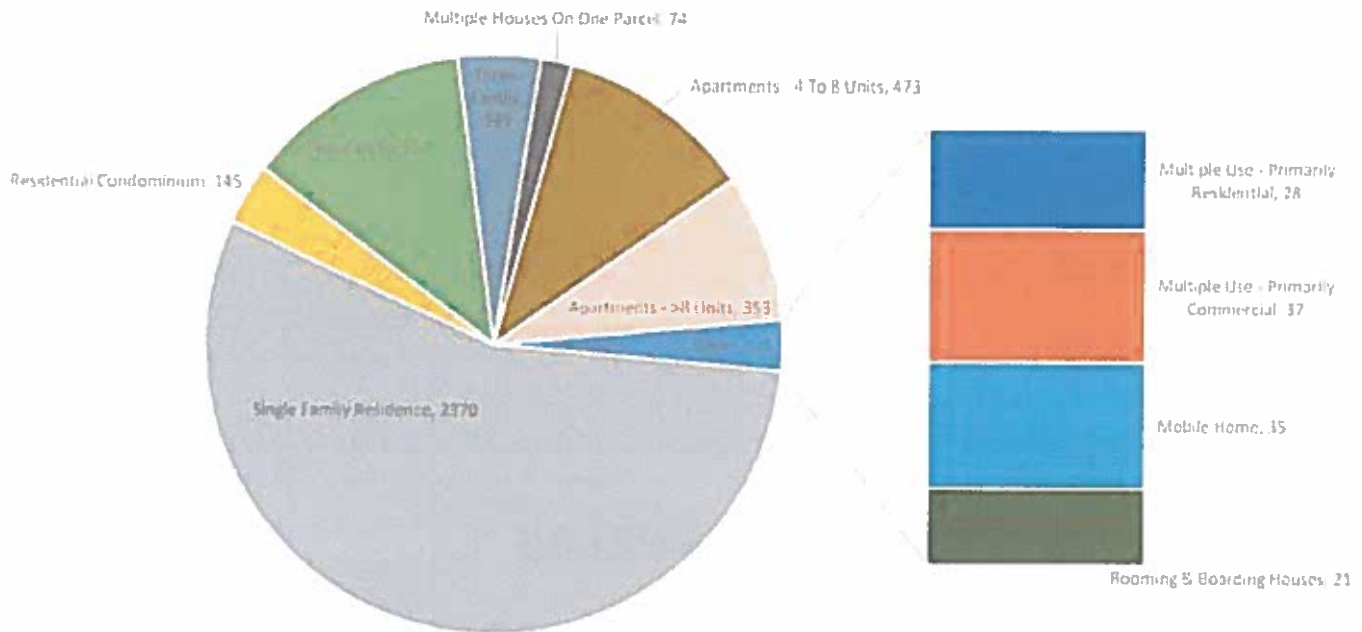
The housing stock in Bath reflects the variety inherent in an older New England city. Just over half of the housing units in the city are in single family homes, with the rest of the units in a mix of two-family homes, triple-deckers, apartment homes and other types. Only 35 homes in Bath are mobile homes. There are 145 condominium units.

HOUSING VALUES

Housing values are inherently informed estimates. Until someone sells their house in an arms-length transaction, there is no way to establish precisely how much a house is worth. The value of a house will also vary by person. Someone who has lived in a house their whole life, and never wants to move, will value a house highly, regardless of its market value. Similarly, someone who sees a house as an investment and will never step foot in it will be calculating as to the return on the house.



Housing Units in Bath by Type



Having said all of that, there are a few ways to estimate the general value of a house other than selling it:

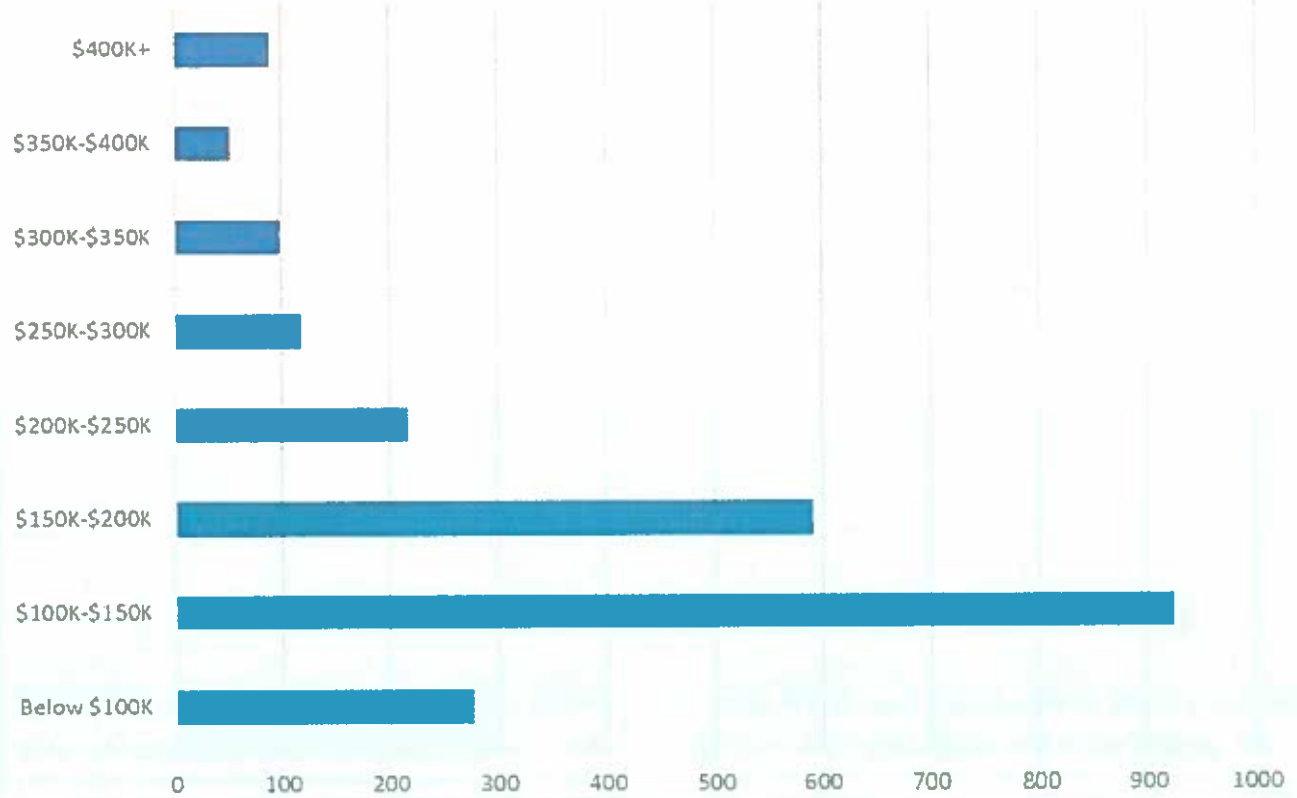
Assessments: Since Bath, like most cities, charges a property tax, they have to have a value on which to base that tax. That value, set by the city, is the assessment. Assessments provide a general sense of house values when updated regularly. However, they are also restricted based on state law and assessment methodology. For example, assessments tend to look at houses broadly, without significant regard for detail. A unique, historic home, for example, will probably not assess differently than a more typical home of that size and condition. In reality, that home may sell for a lot more than the more typical one. Assessments are required to be updated every 10 years under Maine law, although communities frequently often do so less often. There are incentives to conduct a City-wide reassessment, as the state will reduce state aid for cities where the assessed values are seen as too low. The City of Bath has just completed a revaluation project, undertaking a reassessment of the entire

City to establish new baseline of values (more on that below.) Those revaluation numbers provide a reasonably good baseline of housing values to work with.

U.S. Census Values: As part of their American Community Survey (ACS,) the Census Bureau conducts annual surveys of various demographic issues with a randomly selected subset of the population. Those surveys, small by themselves, are combined with surveys over the past few years to create a statistically valid sample of the community. This data, while subject to some margin of error, is far more current and comprehensive than the decennial census, which was last completed in 2010. As part of the ACS, the Census Bureau asks respondents the value of their house. This data is somewhat skewed by being both self-reported and estimated, but provides another data point for looking at housing values.

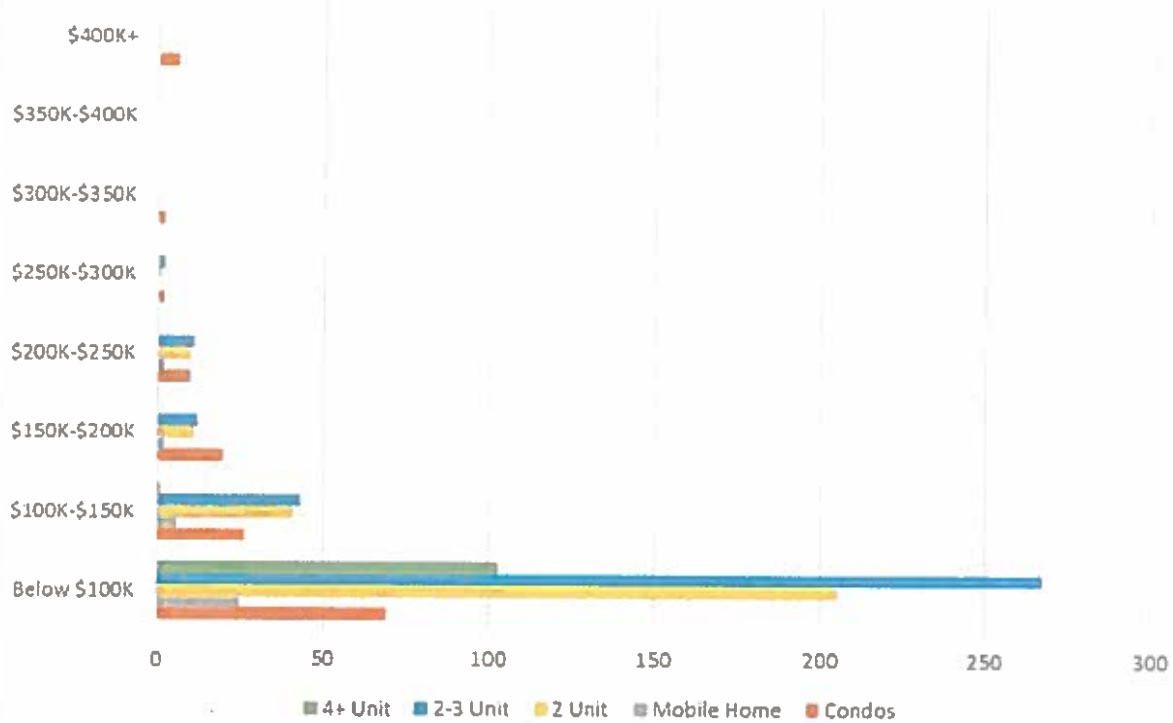
Recent Sales Data: Through real estate brokers, it's possible to analyze recent actual sales in a city to determine housing values based on real transac-

Values for Single Family Homes

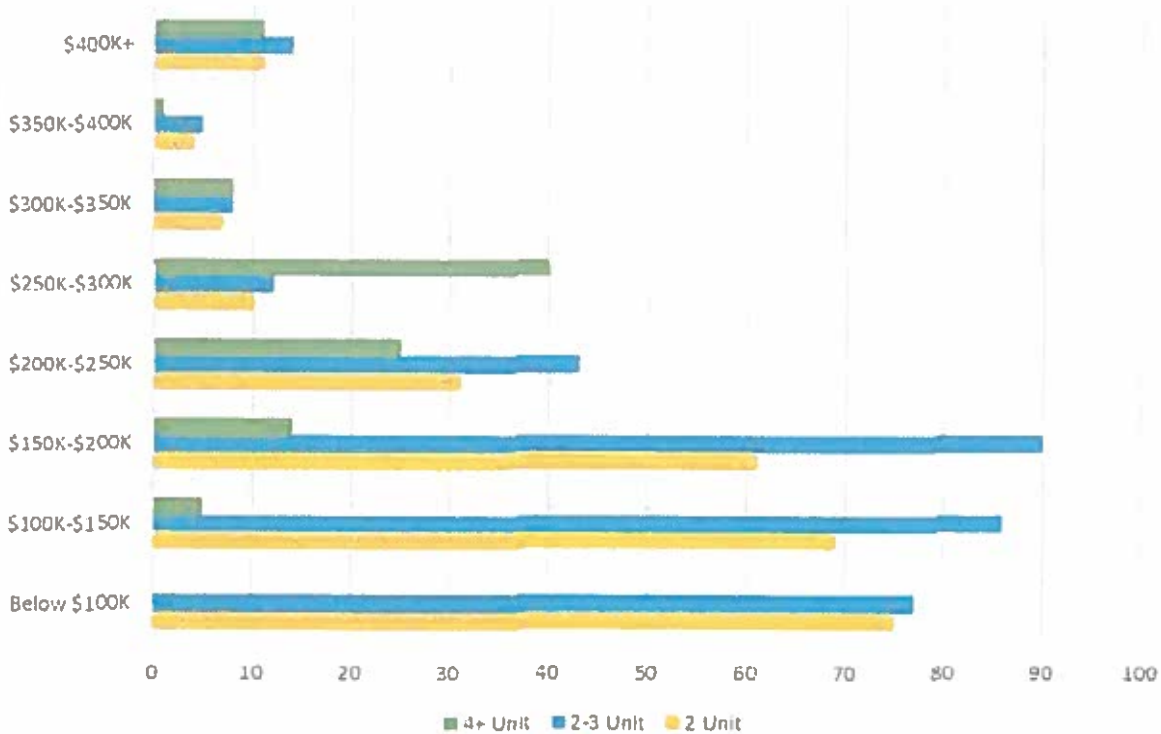


Per Unit Value	Single Family Homes	Condos	Mobile Home	2 Unit	2-3 Unit	4+ Unit
Below \$100K	280	69	25	205	267	103
\$100K-\$150K	925	26	6	41	43	1
\$150K-\$200K	590	20	2	11	12	0
\$200K-\$250K	217	10	2	10	11	0
\$250K-\$300K	119	2	0	1	2	0
\$300K-\$350K	99	2	0	0	0	0
\$350K-\$400K	54	0	0	0	0	0
\$400K+	84	6	0	0	0	0
TOTAL BUILDINGS	2368	135	35	268	335	104

Per Unit Value for Multifamily Buildings by Type



Value by Housing Type for Multifamily Housing



tions. This is probably the most reliable way to determine values. However, the data sample is often small, because only so many sales take place in one year. You may find, for example, that no houses of a particular type or in a certain neighborhood have been sold recently, so you need to do some educated guesswork. Recent sales data can also be broken down more finely by building type, number of bathrooms, and other details not easily available elsewhere.

Looking at the three approaches above results in three different median single-family house values in Bath. Recent sales data is also shown below, divided by type of housing.

Determining the most reliable value of a particular house is best left to a professional real estate appraiser. An appraiser will look at recent sales, as well as the possible income you could get from renting a house and the actual cost of constructing that same house. Using those three approaches, an appraisal can come close to the market value of a house. However, that sort of in-depth analysis is impossible to conduct for an entire city.

VARIATION IN HOUSING VALUES

The median house value only tells one part of the story. There is a wide range of housing types in Bath, of various sizes and qualities. As shown in the chart below, according to the ACS, estimated values for single family homes are generally below \$250,000, but are not dominated by one value range. A similar pattern is seen for multifamily housing. These widely-ranging numbers reflect the range of quality and location in the housing stock, as well as the likely poor shape of some multifamily rental properties.

Looking at the multifamily data on a per-unit basis reveals a little about the actual value of those individual housing units. As might be expected, the per-unit values are generally lower than those for single-family homes. Multifamily homes appear to still be a cost-effective way to enter the home ownership market for those willing to handle renting out the other units in a building.

CONDITION AND AGE OF HOUSING

Bath’s housing stock is generally old and in need of repair. While there is no easily accessible data on the condition of the buildings, there is good data on their age. As seen on the next page, more than half the housing in Bath was build before 1940. The age of the buildings is not a direct indicator of housing condition, but in general the older a building the more it is in need of repairs and updates.

This proportion is constant across occupancy types. A majority of both owner-occupied and renter-occupied housing units were built before 1940. A slightly smaller majority of renter-occupied units are that old, with the difference generally represented in housing built between 1940 and 1959.

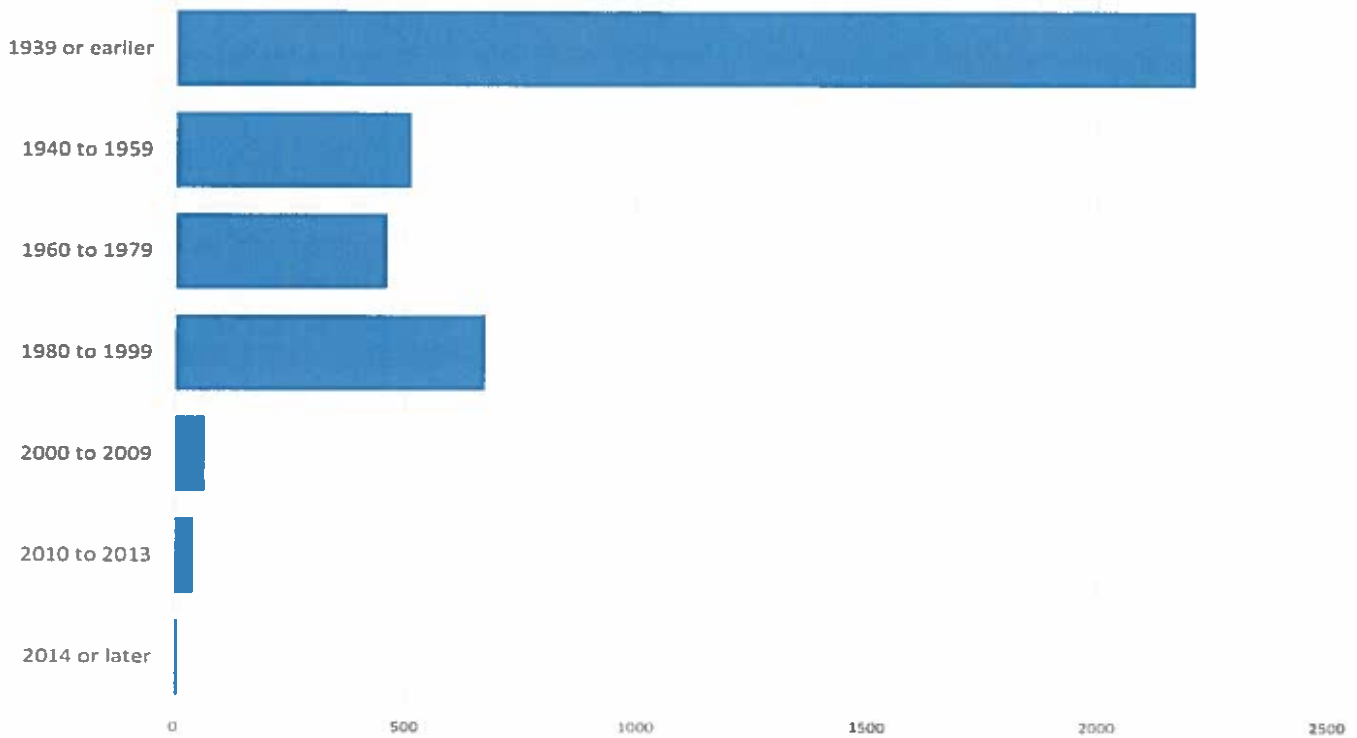
Regardless of the details, the age and condition of housing in Bath appear to be an issue in looking at the housing market in general. It is likely that existing units need upgrades and perhaps major repairs.

2019 REVALUATION

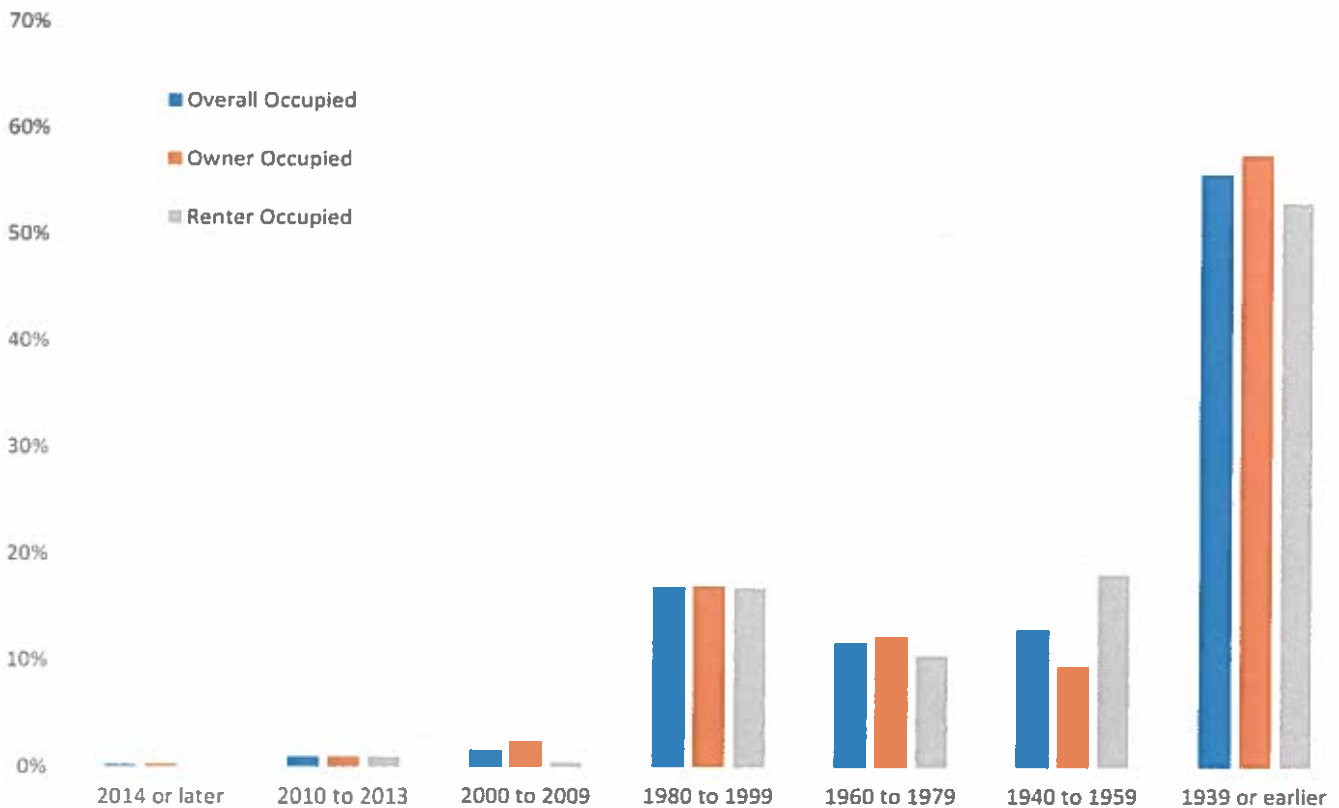
In 2019, the City of Bath conducted a revaluation, re-assessing all properties in the City. These revaluations, in addition to being required periodically under state law, allow the property tax impacts to fall more regu-

2019	Single Family	Multifamily	Condominiums	All Sales
Median Price	\$ 200,000	\$ 188,250	\$ 165,000	\$ 196,500
Mean Price	\$ 237,909	\$ 232,069	\$ 274,665	\$ 241,207
Number of Sales	141	26	21	188
Source: The Vitalius Group				

Year Built of Occupied Housing Units in Bath (2018 ACS)



Age of Housing Stock by Type of Occupancy (2018 ACS)



larly based on the values of individual properties, by updating those values based on the current market.

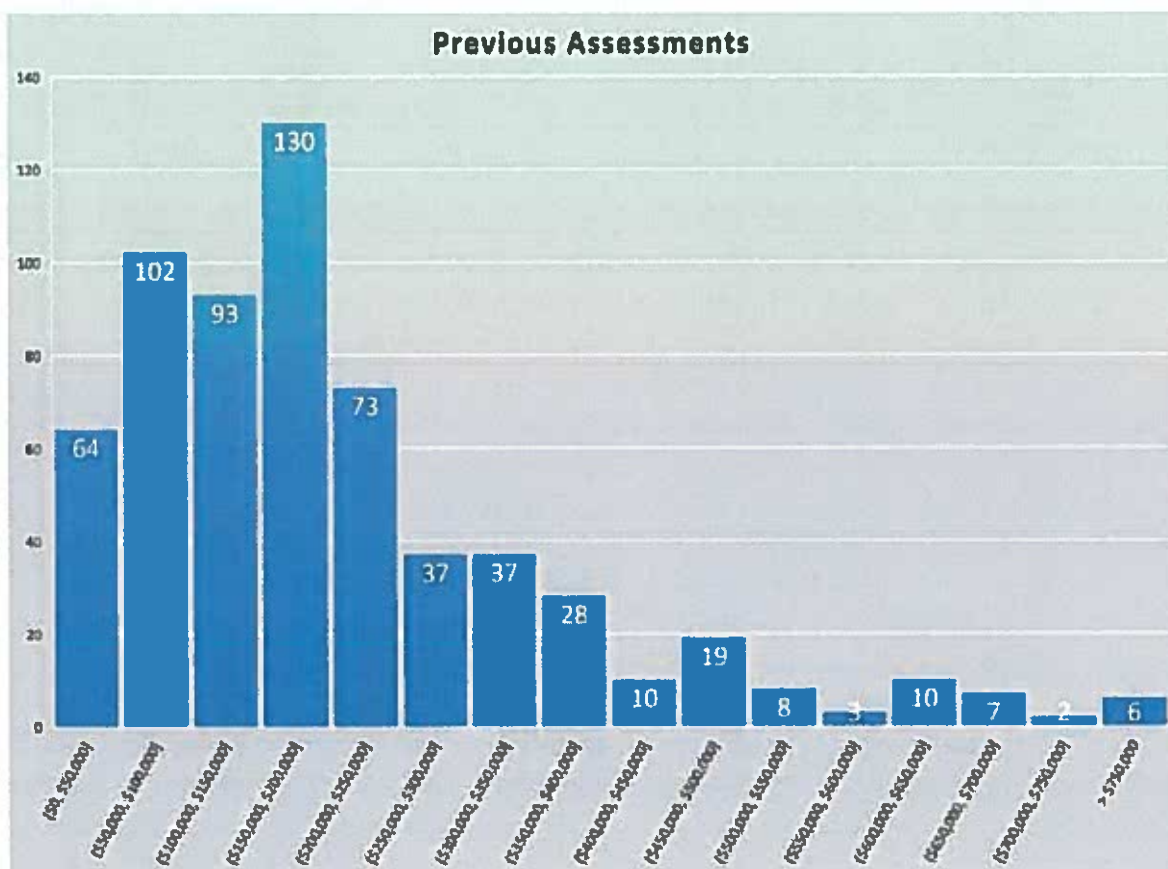
It is often assumed that taxes will go up after a re-valuation. While that can happen, there is no reason why it necessarily does. As property assessments are adjusted, the total valuation of all property in the city will go up or, less frequently, down. Some properties will be assessed much higher than before, some will be more or less the same, and some may be assessed at a lower value. In the absence of any unusual change in city operations or capital investment, those revised valuations will in turn affect the tax rate (or "mill rate.") If the overall city valuation went up, the mill rate would go down accordingly. The effect on an individual property might be higher taxes – in theory because the property is worth more based on the re-assessment. On the other hand, for a property that is assessed at the same amount as before, the property tax bill would likely go down.

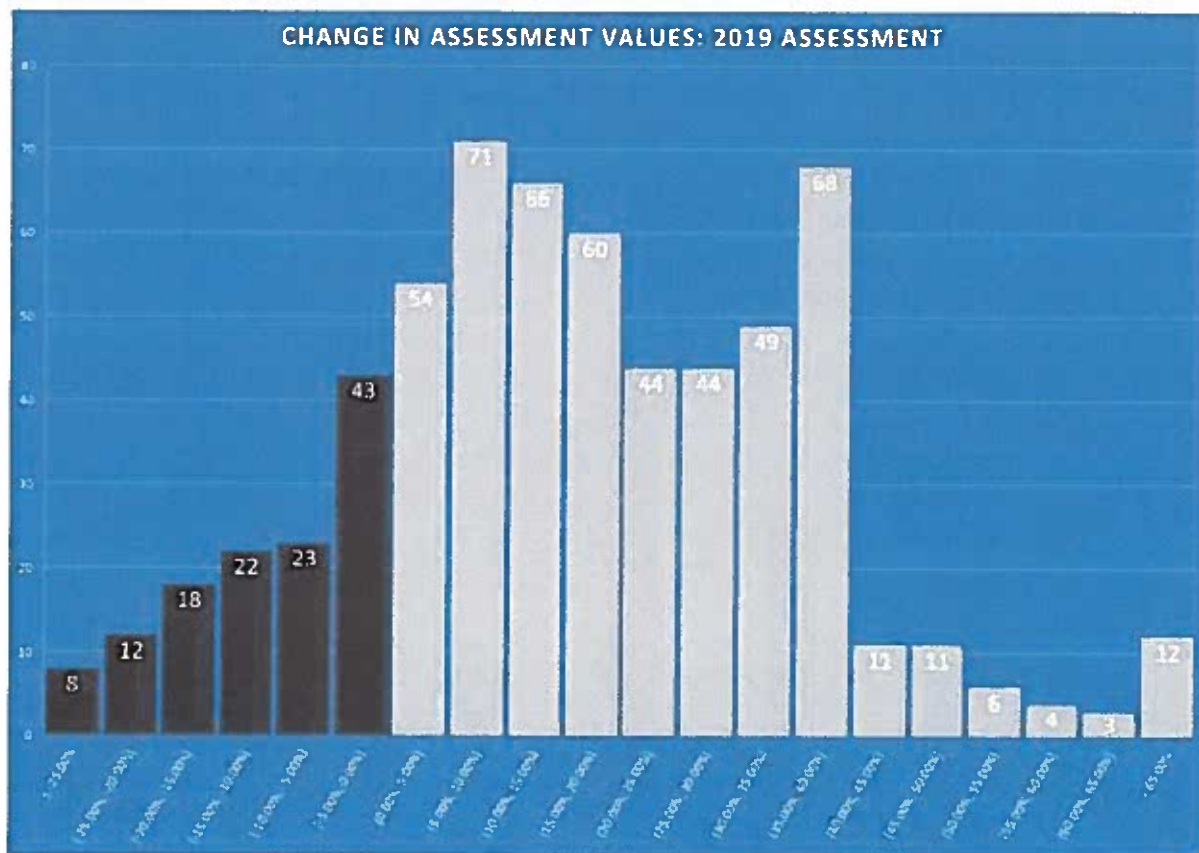
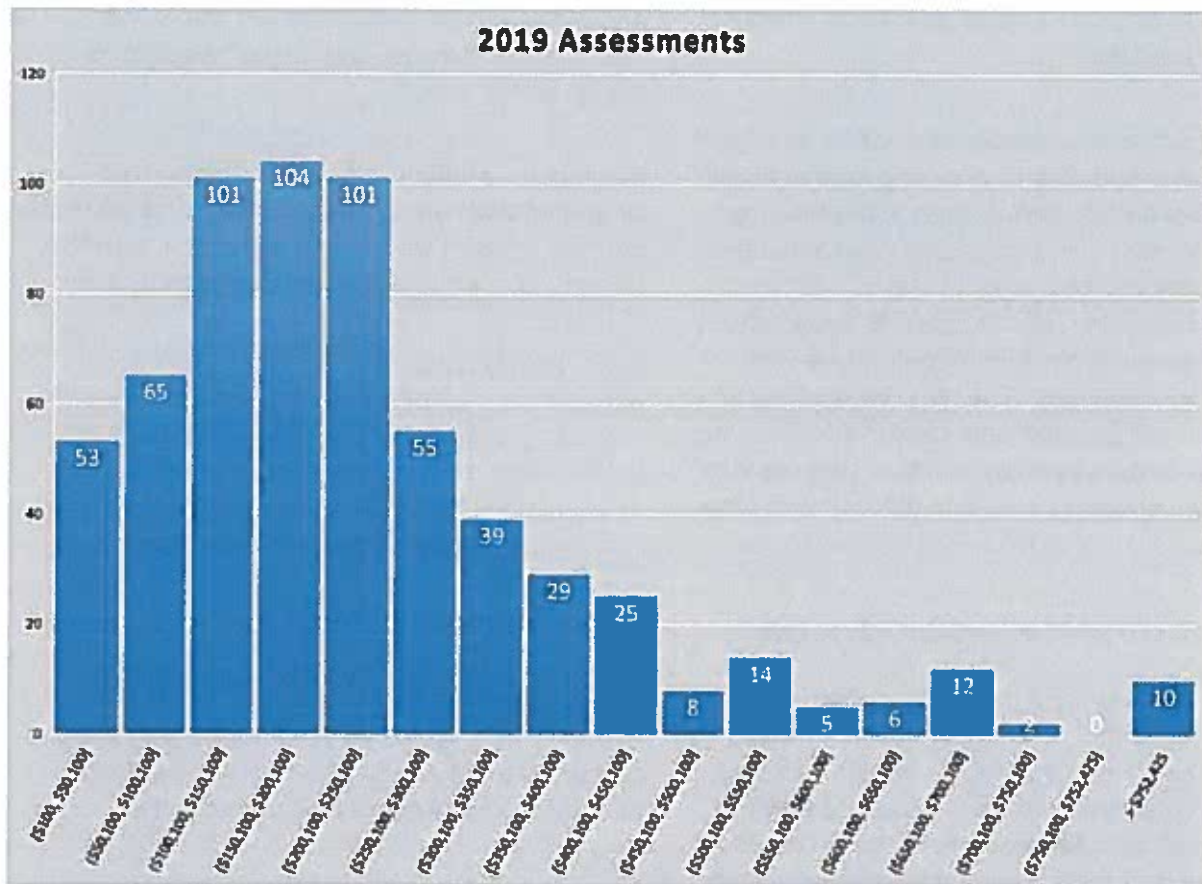
The assessment changes, put in place for FY2020 tax

bills, are shown in the charts below. In general, assessments went up between 0% and 20% for most properties. There is a significant subset for which that adjustment was higher, and some properties that saw lower assessments.

Again, these changes to individual valuations don't necessarily result in higher taxes overall, as the tax rate would adjust to the new overall value of property in the city. Taxes may go up based on the increased cost of providing labor and services, as would happen in most years. On the other hand, those who own particularly valuable properties, perhaps with water views or other amenities, might see a more significant tax increase, while others would only see the one they might normally see.

In fact, in Bath, the overall revenue generation from property taxes budgeted went down from FY19 to FY20, when the revaluation took effect. The FY19 estimate for property tax collection was \$7.16 million,





while the FY20 estimate was \$6.86 million, a reduction of over \$280,000.

Revaluation, while often misunderstood, is an important part of understanding the housing market in any city, as it will still cause some churn in the housing market. Those who own homes that have amenities they don't want or need, or can't afford, will be challenged with higher tax bills. Others will see no effect, or perhaps see some tax relief if their house was previously "overassessed." The most likely effect of reassessment will be additional sales in the following few years, as owners evaluate whether they want to continue owning homes based on their revised property tax bills.

HOUSING SIZES AND HOUSEHOLD SIZES

Most of the housing units in Bath have two or three bedrooms. While that is typical of housing types generally, which are often built for nuclear families, it does not match well with the household types in Bath. The most common household size is one person, with the next most common being two people.

This change in household sizes is caused by a number

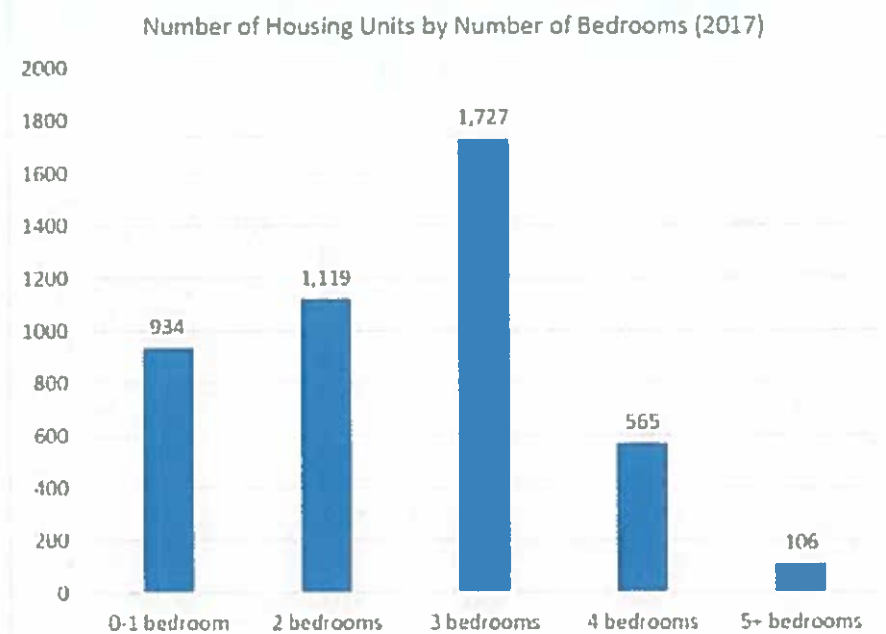
of factors. Smaller family sizes for traditional families, new types of families, and retiree households all contribute to this trend.

Households of this size typically do not need three-bedroom units, and will likely incur unnecessary housing costs if they are in a larger unit than they require. These additional housing costs include:

- Higher rents
- Increased heating and cooling costs
- In the case of owner-occupied units, additional maintenance costs

On the other hand, an extra bedroom may provide an opportunity to get additional income by renting it out. However, that additional household member would generally be factored into the household sizes shown, and therefore it appears that most households are not taking advantage of that opportunity.

It is possible that some of these extra bedrooms could be rented out as short-term rentals, which would not show up as increased household sizes. However,



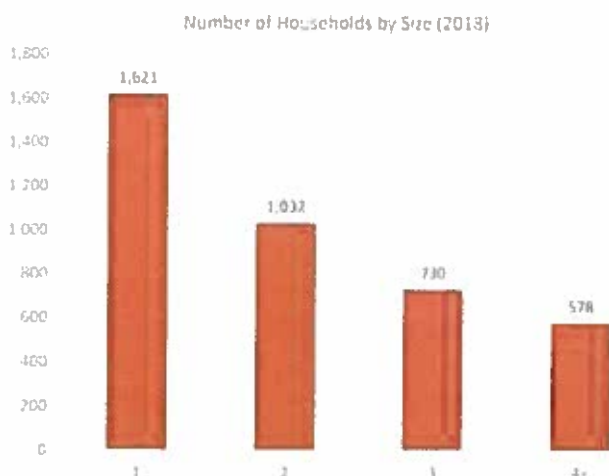
according to AirDNA, a web site that collects information on short term rentals, there are only eight rooms being rented out on a short-term basis in Bath.

COMMUTING PATTERNS, MIGRATION AND HOUSING MARKET AREA

Bath's housing market does not exist in a vacuum. There is a larger regional market that affects housing costs and decision making. If someone who works in Bath can't afford a home in the city, they may look farther afield and drive to their work. Sometimes people will prefer living somewhere other than where they work. In today's two-income households, sometimes a location decision is a "halfway" point between two workplaces.

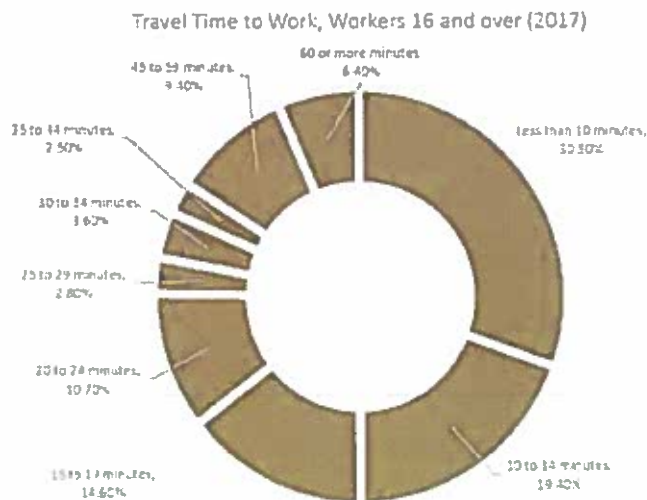
The 2014 Housing Assessment Study completed for the Bath Housing Development Corporation analyzed commuting patterns and identified a Housing Market Area (HMA) for Bath. That area represents a reasonable set of comparable communities that potential Bath residents often look at when thinking about where to live. While it is not comprehensive, it shows the larger market that is worth thinking about. Their map of the area, below, also shows the Housing Authority Area (HAA) that is served by the Bath Housing Authority.

Federal resources are often based on a larger housing market area. In the base of Bath, the market is often assumed to be all of Sagadahoc County (see below for more information on this approach.)



One piece of data that is relevant is how far people in Bath drive to work. As shown to the left, the commute times for Bath residents is actually fairly short compared to many parts of the state. That may be because they work locally. Another possible reason is that, as shown in the other chart below, the times leaving for work vary. Over a quarter of the workers in Bath leave for work after 9 am.

Bath is an employment center, as shown by the fact that many more people commute into the city to work than leave to work elsewhere. For the most recent time period where data is available (2011-2015),



Migration to Sagadahoc County

From	Gross	Net
Cumberland County	857	94
Rest of Maine	960	-80
Elsewhere	589	-369

Migration to Bath

From	Estimate
Portland	61
Elsewhere	886

(Source: American Communities Survey)

Totals are annual based on 2013-2017 survey data

an estimated 7,446 workers came into Bath for employment, while 2,095 Bath residents commuted to other places to work. In all, only 1,669 workers both live and work in Bath.

This means that there is likely some demand for additional housing in the city that would meet the needs of some of those 9,115 workers who live elsewhere, although it is difficult to determine an exact number of workers who would choose to live in Bath were the opportunity presented to them.

There is a perception that people moving to Bath from more expensive markets - like Portland - are affecting housing prices and supply. While the data is not definitive, there does appear to be some net in-migration from Portland and Cumberland County to Bath and Sagadahoc County. This in-migration is somewhat off-set by out-migration to Portland and Cumberland County, but overall it appears that more people are moving into the area than out to those areas. There is the possibility that the COVID-19 pan-

Bath Workers by Place of Residence

2011-2015 American Community Survey

Residence	Workers
Bath	1,669
Brunswick	966
Topsham	581
Woolwich	385
Lewiston	373
West Bath	333
Wiscasset	328
Phippsburg	268
Lisbon	243
Portland	202
Dresden	198
Buxton	174
Bowdoin	157
Bowdoinham	145
Litchfield	144
Harpwell	139
Richmond	123
Other Communities	2,687
TOTAL	9,115

Bath Residents by Place of Work
2011-2015 American Community Survey

Workplace	Workers
Bath city	1,669
Brunswick town	686
Topsham town	266
Georgetown town	118
West Bath town	105
Augusta city	87
Woolwich town	82
Freeport town	77
Lewiston city	71
Portland city	53
Other Workplaces	550
TOTAL	3,764

demographic may increase this net migration, as people seek places outside of larger cities to live and work.

AFFORDABILITY AT DIFFERENT INCOMES

“Affordable housing” is often confused with low-income housing, because it is often used as a shorthand way of saying “housing that is affordable to low-income households.” In fact, what is considered affordable depends on a household’s income.

In general, housing is considered affordable to a particular household if its overall cost of housing is at or below 30% of its overall income.

If the unit is owner-occupied, that would mean that the household’s mortgage, insurance, taxes, utilities, and other housing-related expenses. It does not generally include the mortgage interest deduction available to many home owners.

If the unit is a rental, that would mean that the household’s rent, utilities and other housing-related expenses are at that level. For condominiums, the association’s fees and special assessments would be included in this amount.

For example, as shown below, a household earning \$35,000 to \$39,999 would be able to afford a house or apartment that cost \$937.50 a month or less. At the median household income in Bath in 2017 of \$50,160, a housing unit costing \$1,254 would be considered affordable.

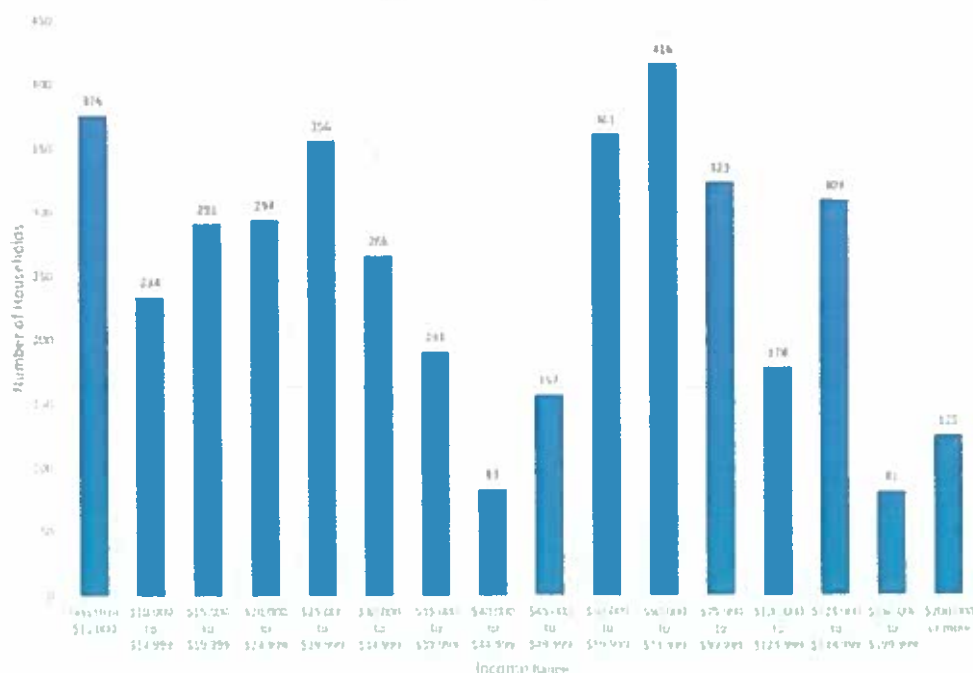
The concept of “low-income” is based on generally accepted federal terminology that defines that term based on 80% of the “Area Median Income (AMI).” The area used for this in Bath is the Sagadahoc County Housing & Urban Development (HUD) Metropolitan Fair Market Rent Area (HMFA). HUD uses thresholds at 30%, 50%, 60% and 80% of AMI for various funding programs. The exact amount of these threshold levels is further defined by the number of people in the household, as shown on the chart at the end of this report.

In return for restricting housing units to households at or below those levels, agencies can utilize federal programs for development funding. For example, the HOME funding program generally requires that units be affordable at 60% of AMI or below.

While these income levels are broad, it is possible to

Household Income (2017)	Number	Housing Cost Affordability
Total:	4,041	
Less than \$10,000	376	\$ 187.50
\$10,000 to \$14,999	234	\$ 312.50
\$15,000 to \$19,999	291	\$ 437.50
\$20,000 to \$24,999	294	\$ 562.50
\$25,000 to \$29,999	356	\$ 687.50
\$30,000 to \$34,999	266	\$ 812.50
\$35,000 to \$39,999	191	\$ 937.50
\$40,000 to \$44,999	83	\$ 1,062.50
\$45,000 to \$49,999	157	\$ 1,187.50
\$50,000 to \$59,999	361	\$ 1,375.00
\$60,000 to \$74,999	416	\$ 1,687.50
\$75,000 to \$99,999	323	\$ 2,187.50
\$100,000 to \$124,999	178	\$ 2,812.50
\$125,000 to \$149,999	309	\$ 3,437.50
\$150,000 to \$199,999	81	\$ 4,375.00
\$200,000 or more	125	\$ 5,000.00

Household Income Distribution (2017)

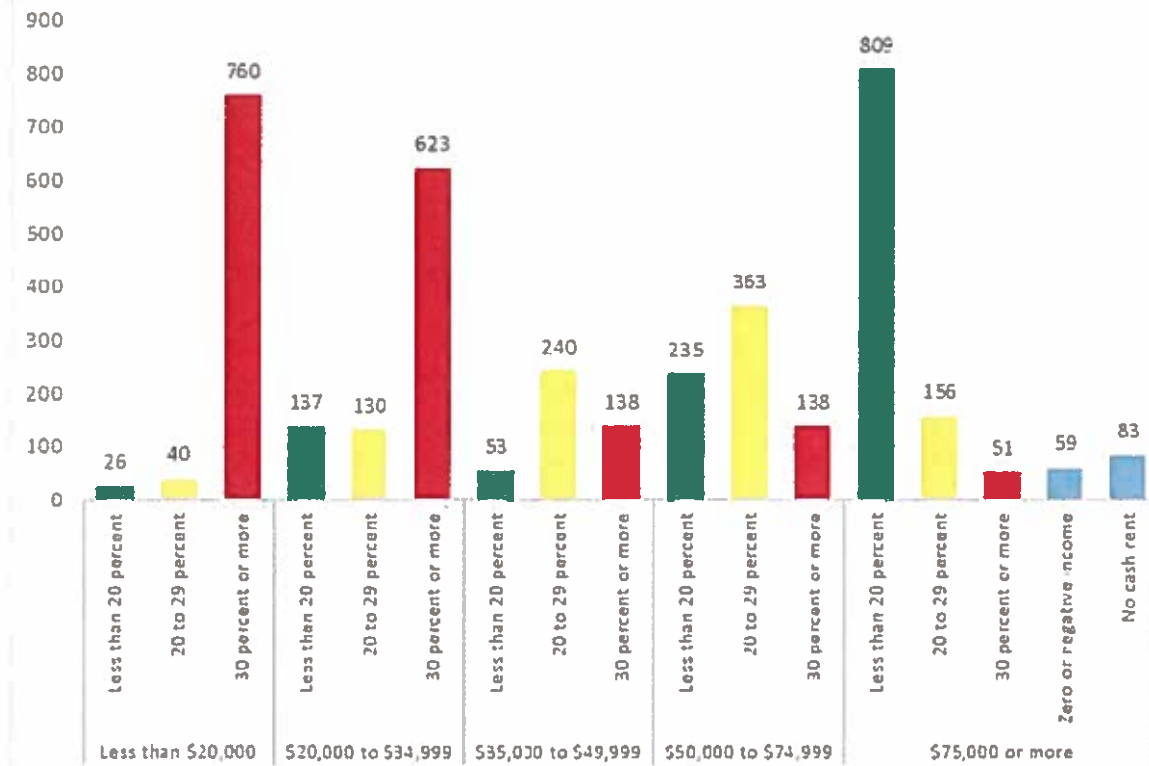


CITY POLICIES

The 2009 Bath Comprehensive Plan proposed the following actions on housing policy and planning:

- ➔ Promote housing development unlike what already exists... and allow and encourage mixed-use, mixed-income, and mixed-age housing developments.
- ➔ Strive for at least 10 percent of all new housing to be affordable to first-time homebuyers and support such efforts of the Bath Housing Authority.
- ➔ Continue renter-to-owner programs.
- ➔ Develop a children's park, with young-family-friendly amenities.
- ➔ Improve neighborhoods, including urban neighborhoods, by improving infrastructure, utilities, and the public realm. Provide incentives to landowners who help preserve or increase a sense of neighborhood.
- ➔ Support the Bath Police Department's Community Policing program.
- ➔ Implement locally if appropriate, and advocate for state level energy- and water-saving building and plumbing regulations.
- ➔ Encourage and assist Bath residents and property owners to implement the Recommended Actions for the Bath Community and Residents listed in the "City of Bath Energy and Climate Action Plan."

Percentage of Income Paid on Housing (2017)



also look more specifically at households in Bath and how much of their income they spend on housing. As seen below, in 2018, there were 1,710 households in Bath that spent more than 30% of their income on housing costs, and therefore were not in affordable housing. Of that 1,710 households, 1,383 earned less than \$35,000. In all, 42% of Bath households are not in affordable housing.

The average income of an employee working in Bath in 2018 was \$57,824 (Maine Center for Workforce Research and Information.) At that income level, a household with one worker could afford \$1,446 in rent or mortgage payments (including utilities and other housing expenses.)

SHORT TERM AND SEASONAL RENTALS

Short term rentals via platforms such as AirBnB or VRBO, are generally the rental of some or all of a housing unit for less than 30 days at a time. Most short-term rental stays are for a few days. There is some concern among housing researchers that al-

lowing housing units to be used as short-term rentals have negative impacts on the long-term supply, and affordability, of housing units for permanent residents. According to AirDNA, an information clearinghouse on short term rentals, there are 40 active short-term rentals in Bath, with an average daily rent of \$173 and an average monthly revenue to the operator of \$2,040. Of those 40 rentals, 32 are entire units, while eight are rooms within a unit. Occupancy rates overall are estimated at 59%, with a peak at 90% in August and a bottom of 33% in January. It appears that their data set includes some units in West Bath, Arrowsic, and Phippsburg but most of these units are in Bath proper.

That number of short-term rentals amounts of less than one percent of the housing units in the city. While that level of activity seems very low, even a small reduction in the number of long-term rental units can impact a tight housing market. This issue is worth monitoring.

It is difficult to estimate the number of seasonal rent-

VACANT UNITS IN BATH (2018)

For rent	146
Rented, not occupied	25
For seasonal, recreational, or occasional use	77
Other vacant	242
Total	490

als in Bath. The 2018 ACS data shows only 77 units out of over 4,000 identified as seasonal. However, it shows an overall vacancy level of 490 units, which is over 10 percent of all units in the City. It's quite possible that some of these units listed as "other vacant" are used seasonally or as second homes.

Seasonal homes are a challenge for the year-round housing stock on the rental side. However, they can also present an opportunity for some residents who own their home. Moving out during the summer to rent out a primary residence seasonally is an age-old strategy in some parts of the country with a number of visitors, such as Cape Cod. Some families may be able to find other places to stay for part of the summer and collect enough seasonal rent to allow them to remain in their homes.

DEED-RESTRICTED HOUSING UNITS IN BATH

Federal programs fund a variety of housing units designed to be affordable at various income levels. These programs generally provide support for construction and development costs in return for a restriction on the property's deed that limits who the units can be rented or sold to based on income. By lowering the cost of housing production, these pro-

grams make renting or selling units for less money feasible.

These affordability restrictions are usually time limited. In the early days of these programs, the restrictions were shorter – often in the range of 30 years. As a result, starting in the 1990's, there began to be a number of developments for which the restrictions expired. These so-called "expiring use" developments resulted in the possibility of losing units that were affordable to low-income residents. While some did expire, in other cases there was discussion with the property owner that resulted in the affordability restrictions being extended. In most of those cases, those negotiations involved an addition influx of public resources to allow for renovation or improvement of the housing.

Deed restrictions can be generally categorized in two ways:

- **Target income levels.** Most federal sources are designed to assist households at 80% of Area Median Income or 60% of Area Median Income. Some other sources allow for higher incomes, such as the Maine Affordable Hous-

2020 INCOME LIMITS, SAGadahog COUNTY HMFA

HOUSEHOLD SIZE	1	2	3	4	5	6
30% LIMITS	\$ 16,500	\$ 18,850	\$ 21,720	\$ 26,200	\$ 30,680	\$ 35,160
VERY LOW-INCOME LIMITS (50%)	\$ 27,500	\$ 31,400	\$ 35,350	\$ 39,250	\$ 42,400	\$ 45,550
60% LIMITS	\$ 33,000	\$ 37,688	\$ 42,413	\$ 47,100	\$ 50,888	\$ 54,638
LOW INCOME LIMITS (80%)	\$ 44,000	\$ 50,250	\$ 56,550	\$ 62,800	\$ 67,850	\$ 72,850

ing Tax Increment Finance program, which has target income levels up to 120% of AMI.

- **Rent levels.** In deed-restricted units, rents are generally set in one of two ways. The rent can be set at a percentage of the actual household income, or a maximum rent can be set based on a percentage of the target income level. In the first case, rents are often lower than in the second case, as many households are well below the maximum incomes allowed. However, that lower rent can sometimes translate into lower levels of funding for maintenance and improvements. Shown below are the approximate maximum affordable rents at each of these income limits and household sizes.

The deed-restricted developments in Bath are listed in the table below. There are a total of 22 developments with 558 deed-restricted units in Bath today. Approximately 60% of those units (337) limit their rent based on the income of the residents, while the remainder set rents based on the target income levels.

An emerging practice is to include market-rate, or unrestricted, units in developments with deed-restricted housing. That allows for a more natural diversity in a development as well as helping internally subsidize construction and operations. In addition, sometimes a deed-restricted unit is developed in an existing market rate building. In total, these 22 developments include 86 unrestricted housing units.

While there are no deed-restricted developments with expiration dates in the next couple of years,

there are some developments with expiration dates in the next 10 years. Most notably, Maritime Apartments (sometimes called Northwood Court) has 134 deed-restricted units, with the deed restriction expiring in 2029. The Elmhurst Group Home on High Street, which provides supportive services for eight households – and includes a ninth unit that is currently not being used due to code issues – has a deed restriction that expires in 2024. Looking ahead to the 2030's, there are other of deed restrictions that will expire. Getting ahead of these expirations will be important to avoid losing these important deed-restricted units, as it often takes several years to come to agreement with a property owner regarding extending restrictions.

IMPACTS OF THE COVID-19 PANDEMIC

There are a lot of organizations and academics researching what impacts there may be on the housing market as a result of the current pandemic. On the one hand, some think it may reduce housing prices as households consolidate or move to less expensive locations. On the other hand, some think that places with high qualities of life, like Maine, may see external demand increase housing costs, as households leave larger urban areas to work remotely.

To date, there have been no clear impacts of either sort on the market in the Bath region. However, there is a possibility that these impacts may lag, and may not be apparent until later in 2021 or in 2022. It will be helpful to monitor the market and see how a delayed impact from the COVID-19 pandemic may affect the housing market.

AFFORDABLE RENTS AT 2020 INCOME LIMITS, SAGadahoc COUNTY HMFA

HOUSEHOLD SIZE	1	2	3	4	5	6
30% LIMITS	\$ 413	\$ 471	\$ 543	\$ 655	\$ 767	\$ 879
VERY LOW-INCOME LIMITS (50%)	\$ 688	\$ 785	\$ 884	\$ 981	\$ 1,060	\$ 1,139
60% LIMITS	\$ 825	\$ 942	\$ 1,060	\$ 1,178	\$ 1,272	\$ 1,366
LOW INCOME LIMITS (80%)	\$ 1,100	\$ 1,256	\$ 1,414	\$ 1,570	\$ 1,696	\$ 1,821



CITY DEVELOPMENT AREAS

The *2009 Bath Comprehensive Plan* proposed that there should be four general areas of housing development:

- ➔ A Low-Density Land Use Area in North Bath northwest of Whiskeag Creek with no more than one unit for every 1.5 acres;
- ➔ A Medium-Density Residential Area generally in the southern part of the city, where higher densities would be permitted where served by public sewer and water and lower densities elsewhere; and
- ➔ A High-Density Residential Area around downtown, with one unit allowed on every 6,000 square feet, with higher densities allowed in areas with more public amenities such as sidewalks;
- ➔ Mixed Commercial and Residential Areas in some other areas around downtown, allowing higher residential densities as well as some commercial uses.

Deed Restricted Housing

Property Name and Address	Units		Housing Type				Rental Structure				Owner
	Total Number	Accessible Units	Elderly			Family/All	Income Based Rent (Subsidized)	At or Below Fair Market Rents	Market Rents	Latest Restriction Expiration	
			55 and older	62 and older	w/disabilities						
Academy Green 530 High Street	24	2				•	3	21	0	2041	Preservation Management, Inc.
Dikes Landing	18	18		•	•		18	0	0	N/A	Bath Housing Authority
Elmhurst Group Home 808 High Street	8*	2		•	•		8	0	0	2024	Elmhurst Inc. (SUPPORTIVE HOUSING)
Glynn Courtyard (fmrlly Orchard Court) 19 Noble Ave	68					•	0	14	54	2051	C&C Realty Management
Huse School Apartments 39 Andrews Road	59					•	0	43	16	2062	Saco Falls Management
Maritime Apts./AKA Northwood Court 12 Windjammer Way	134	14				•	80	54	0	2029	Realty Resources
Oak Grove Common 301 Oak Grove Avenue	34	4				•	16	18	0	2043	Realty Resources
Oak Ridge Apts. 401 Oak Grove Avenue	30	1		•	•		30	0	0	2040	Realty Resources
Plant Memorial Home One Washington Street	37			•	•		0	32	5	2033	Plant Assisted Living Services (ASSISTED LIVING)
Seacliff and Family 29 Shaw, 570 Middle & 47 Floral Sts	50	40		•	•	•	50	0	0	2032	Bath Housing Authority
The Anchorage 100 Congress Avenue	39	39		•	•		39	0	0	N/A	Bath Housing Authority
The Moorings 125 Congress Avenue	40	40		•	•		40	0	0	N/A	Bath Housing Authority
Washington House 809 Washington Street	53	2		•	•		53	0	0	2031	Eagle Point Management LLC
822/832/842 Middle Street	7					•	0	7	1	2031	Bath Housing Development Corporation
19 Oak Street	5					•	0	3	2	2025	Bath Housing Development Corporation
806 Middle Street	2					•	0	2	0	2046	Bath Housing Development Corporation
28 Maple Street	2					•	0	2	0	2047	Bath Housing Development Corporation
49 Elm Street	2					•	0	2	0	2046	Bath Housing Development Corporation

Property Name and Address	Total Units	Accessible Units	55+	62+	w/disabilities	Family/All	Income Based Rent	At/Below FMR	Market Rent	Restriction Expiration	Owner
470 Washington Street	3					•	0	3	0	2047	Bath Housing Development Corporation
41-43 Lincoln Street	6					•	0	6	0	2049	Bath Housing Development Corporation
24 Summer Street	10					•	0	2	8	2049	Bath Housing Development Corporation
Evergreen Woods	6	2			•	•	0	6	0	2036	Tedford Housing (SUPPORTIVE HOUSING)
Gilbert Place	6	0			•	•	0	6	0	2035	Tedford Housing (SUPPORTIVE HOUSING)
TOTALS							337	221	86		

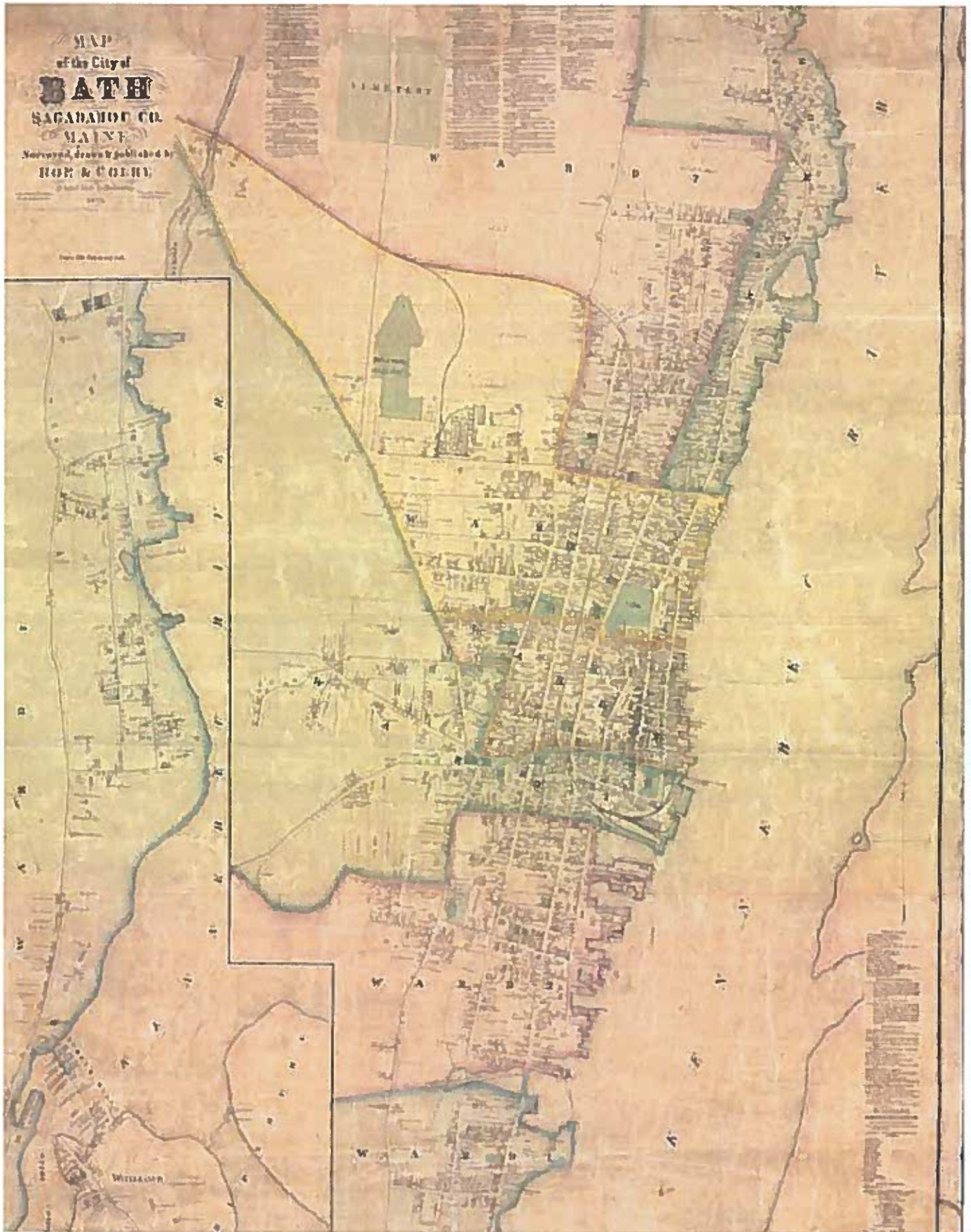
• 9th unit is offline due to egress issues

Sources: MaineHousing, Maine Affordable Housing Coalition, Bath Housing Development Corporation



Shipyard at Bath, N.J.

PART TWO: HOUSING VISION



In 2020, Bath Housing Development Corporation – in partnership with the City of Bath – embarked on a project to analyze housing needs and then articulate a housing vision that outlines values and broad goals for this community. The hope is that the vision will drive future efforts in this region – efforts that may involve the creation of new housing, but that don't stop there.

Housing needs have outpaced available solutions. This is evident in the recent analysis, which showed that over 1,750 households in Bath struggled to pay for housing in 2019. This struggle has been compounded in 2020 in light of the COVID-19 pandemic, a robust national discussion of structural racism, and a struggling economy. Our community conversation about housing comes at a critical juncture.

Bath Housing offers this vision for our community:

- ➔ *Bath is a vibrant, resilient and inclusive community. Everyone who works here, grew up here, wants to stay here or wants to come here has a reasonable opportunity to live here.*
- ➔ *Local policies support diverse housing opportunities: A range of housing options meets the varied and changing needs of an economically and increasingly racially diverse population including current residents and newcomers alike. The community will engage in an examination and analysis of existing and potential regulations to ensure compatibility with the stated housing goals.*
- ➔ *Housing efforts in Bath will be approached collaboratively, with regional partners including neighboring communities, non-profits and for-profit developers.*

To meet this vision, Bath Housing will collaborate with municipalities and other community partners.



SHIP WRECKED AT BATH, ME.

PART THREE: BEST PRACTICES

There are a number of strategies that have been tried in communities across the U.S. to address gaps between housing supply and demand. Some of these tools are fairly broad, and seek to create more housing stock of all types and price points. A second set are more focused on below-market housing production. A third set of tools focus on the existing housing stock, to ensure that units that are meeting local demand are not lost to the market through conversion, expiration of deed restrictions, or simply becoming unsafe. A fourth set relates to direct assistance. Then there are the impacts of the current pandemic or other emergencies on households' ability to pay for housing.

While not all these best practices are appropriate for all markets, it's helpful to outline them as a universe of tested tools for consideration. They can then be compared to the vision outlined above and a subset of tools chosen for potential implementation.

"NIMBY" AND "YIMBY"

Many people involved in land use issues are familiar with the term "Not in My Backyard." That term, usually shortened to the acronym "NIMBY," refers to local opposition to new development.

Some of the concerns raised are legitimate. Will there be traffic problems? Will the stormwater from the new development flow into my yard?

On the other hand, NIMBY opposition to a project can sometimes be based on less legitimate motivations. People will often oppose a project that they fear will have negative impacts on their homes - even if that fear is not rational. Often, new housing - especially below-market affordable housing - causes NIMBY opposition.

More recently, there has been a rise in a different movement. This movement supports new housing development as a way of addressing the well-documented housing shortages in Maine and elsewhere. Known as "YIMBY" - for "Yes, in my backyard!" - this movement is increasing in popularity in larger cities.

There may be other practices that are so far untested, and could work well in Bath. This outline of best practices is not intended to rule out new, creative, ideas, but to set a stage of what has already been tried.

Categories of Best Practices

The tools described generally fall into four categories:

- 1. Encouraging General Housing Production:** These tools generally look to provide incentives – or reduce disincentives – to creation of new housing by changing zoning, offering direct or indirect support, or otherwise changing the rules to developing housing in a community;
- 2. Encouraging Below-Market Affordable Housing Production:** This category is similar to the one listed above, but focuses impact on housing that is affordable to lower-income residents. Tools may include affordable housing overlays, offering land at below-market prices, or providing direct funding for below-market affordable housing;
- 3. Preserving Existing Below-Market Affordable Housing:** This category consists of tools that try to head off threats to the existing supply in a community, through making sure they remain safe and stay up to code, are not converted to other uses, and remain affordable at certain income levels;
- 4. Direct Assistance to Households:** This category consists of tools that directly assist efforts to retain existing households or provide financial assistance for housing costs.

While there is some overlap between these categories, they help group the concepts and match them more closely with intended results.

Encouraging General Housing Production

There are a number of tools that focus on reducing impediments to housing development. These tools work best when the market is strong, and existing land use codes are one of the primary limiting factors in housing production.

The goal of these tools is to increase supply without a

ACCESSORY DWELLING UNITS

Accessory Dwelling Units - or ADUs - are often seen as a way of addressing housing needs with a softer touch than building new buildings.

ADU's are sometimes called "in-law apartments" or "granny flats." They are additional, smaller, housing units that are incorporated into a single- or two-family home in a way that generally makes them less perceptible from the street. The door is often on the side or back of the building. In many cases, they are built in an existing basement, attic or garage, so the feel of the house from the street doesn't change.

ADU's are permitted in many places in Maine. However, often the requirements to permit one make it hard to build one. Requiring extra parking, or extensive design review, for example, will sometime limit the ability to produce new housing through ADU's.

New Hampshire has a statewide law requiring that all municipalities allow ADU's with limited restrictions.

focus on particular sectors or affordability to certain income levels. Advocates for this approach argue that more supply is needed, and that economic reality will reduce overall housing costs as supply goes up. Others argue that land use controls are unnecessarily limiting, and that allowing homeowners to, for example, add another housing unit on their lot will make their housing costs more affordable.

This approach has become more popular as the "YIMBY" ("Yes in My Backyard") movement has gained popularity. YIMBY activists argue for a supply-side solution to housing issues, and work to counter the "NIMBY" ("Not in My Backyard") efforts to fight new development that have dominated many municipal land use debates.

- **Allowing Accessory Dwelling Units By-Right:** Accessory Dwelling Units (ADU's) are additional housing units that are generally smaller and less visible. Often built on the side or back of a house, or located in the

basement or attic, they are also sometimes built in a garage or other small second building. While many communities allow for ADU's – sometimes called "in-law apartments" or "granny flats" because traditionally they were built for relatives – there are often a number of limitations that make that allowance hard to take advantage of. For example, many communities require that those who live in the unit are related to the property owner. Often, the property owner is required to live in the house. There are also often maximum unit sizes for an ADU, and limits on where they can be located. There can be an extensive public review process that discourages some property owners from pursuing development of an ADU. Finally, some communities cap the income levels of those who can live in an ADU. While any allowance for ADU's is welcome from a housing production perspective, the highest impact appears to be when there are fewer restrictions on their development. In particular, the best practice appears to be to not put residency or income restrictions on the unit or the main house; to not require additional off-street parking; and to allow for a streamlined review process.

- **Reducing Setback, Lot Size, and Parking Requirements:** Many communities have requirements for new homes that are far more stringent than those in the existing built pattern. Over the late 20th century and into the 21st century, residents often pushed for these changes in their neighborhoods as a way to slow or stop new housing from being developed nearby. In reality, such requirements have negative impacts on both housing production and affordability, as they increase the development costs and limit the sites on which new homes can be built. They also can result in less certainty, not more, because land owners may petition a municipality for a contract zone or other change that allows them to develop despite these restrictions. Best practices for these zoning requirements are to allow them to match the existing built form.

- **Allowing Multifamily Housing in More Areas:** There is often a great deal of unwarranted concern about multifamily housing. Residents fear it will change the character of their neighborhood. City leaders worry about increased costs for schools and public services.

In reality, well-designed multi-family housing often results in reduced public service costs, by placing new development where services and infrastructure already exists. In addition, there is no reason a two-unit building has to be any less consistent with neighborhood character than a single-family building. Best practices suggest that communities should look

OVERHAULING LAND USE CODE- THE CASE OF SOMERVILLE, MA

It's a lot of work to rewrite your land use code entirely, so that effort is often avoided. That can lead to a disconnect with policy, especially after creating a new Comprehensive Plan that doesn't mesh well with the existing code. Often, communities make do with tweaks to their zoning and site plan ordinances, avoiding making significant overhauls. If you trace back the history of land use codes in most cities, you may find the existing language is based on wording from fifty years ago- or even longer!

A few communities have taken the plunge and started a new code. Portland recently approved a new land use code. In that case, though, the code was still based on the original "Chapter 14" and not an entire rewrite.

The City of Somerville, Massachusetts, recently approved an entirely new zoning ordinance. The previous code was based on an outdated of "dedensification," or limiting new housing production. The City passed a new Comprehensive Plan that called for the development of more housing to address a shortage of safe, affordable units.

The effort took some time. There were a few iterations of the code that the City Council examined and sent back to staff for further analysis and exploration. Finally, in 2019, the Council approved a new code that was consistent with the City's Comprehensive Plan as well as the Council's priorities. This new zoning ordinance sets clear rules for how new housing can be built without extensive review processes and uncertainty.

closely at where they allow multi-family housing and allow that option in as many places as possible. Tying a design review process or a clear form-based code to this change will help ensure that the character of an area is respected.

Encouraging Below-Market Affordable Housing Production

- **Density Bonuses:** Similar to broader changes to land use codes described above, some communities have opted to provide for additional development rights for projects that meet certain below-market affordability requirements. Generally, it takes a higher number of units on the same lot to make the finances of a below-market affordable housing project viable. Developers of such projects often achieve that higher density by asking for an amendment to the zoning for such a parcel, after they achieve site control. Such a request creates a great deal of risk and uncertainty for the developer, who is faced with the need to offer the highest price for a parcel before knowing if it will be useful for their plans. By allowing a higher density and other relief for such projects up front, the developer of such a project is able to compete with commercial and market-rate developers with the confidence that they can move forward with a project without regulatory risk.

- **Inclusionary Zoning:** Inclusionary zoning is a regulatory tool that is based on the finding that producing market rate housing creates pressure on the below-market housing market. For this reason, inclusionary zoning ordinances require that a certain percentage of new housing developments be affordable to low-income or median-income residents. For example, a typical inclusionary zoning ordinance might require that ten percent of the units in all new developments of ten units or more be affordable to households making 80% or less of area median income. These below-market units are funded through an internal subsidy from the market-rate units. For this reason, it is important that the details of an inclusionary zoning ordinance be carefully developed to ensure that the requirements don't make new housing development infeasible. At the same time, the requirements must be consistent with the actual needs of the community.

DENSITY BONUSES

If a total code rewrite isn't feasible, it's worth thinking strategically about a few tools that can help address housing needs. One tool that can open up some new opportunities is to provide density bonuses for below-market housing.

Density bonuses can be applied in the entire community, or focused on certain areas such as key commercial corridors. Simply put, they allow development of more housing units than would normally be permitted, provided that some of the units are offered at affordable prices to low-income households. For example, a density bonus may allow a development to include 25% more units than would otherwise be permitted, if half of the units are affordable at 80% of Area Median Income.

Allowing more units is key to making below-market developments economically feasible. Passing such a tool will also make such developments more competitive for other sources of funding.

- **Creation of a Housing Trust:** Many cities have set up a Housing Trust as a dedicated account to fund development of below-market housing. These Housing Trusts are funded by a variety of sources: impact fees on development; unencumbered fund balance at the end of the fiscal year; grants and donations; and, most often, from fees in lieu of providing below-market units as part of an inclusionary zoning ordinance. Often there is an advisory board that recommends how the funds should be expended, with the final decision left to the City Council. Such a Trust serves as a holding account that allows a city to leverage other resources and guide housing development. Trust expenditures can consist of gap financing for tax credit projects; soft second loans for developers as part of a capital stack; pre-development expenses to identify housing sites; and other housing-related expenses. Trust Funds are not generally used to fund staff, although each community can determine the best use of its own Fund.

- **Affordable Housing Tax Increment Financing:** Maine's Tax Increment Finance (TIF) laws allow for the use of this tool for affordable housing under 30-A M.R.S.A. §§5245-5250-G. A district can consist of one or several parcels, as long as at least 25% of the district is suitable for residential development, the district is predominately residential, and at least 33% of the units in the district are for households making no more than 120% of Area Median Income. Most often, Affordable Housing TIF districts consist of a parcel for a specific development. The funds can be used to offset development or operating expenses for the below-market development, or other allowed uses. This tool, while one of the most flexible in this list, also is essentially a direct municipal subsidy of the development, as the municipality will still have to fund the services that would normally be paid for out of the foregone tax revenue.

INCLUSIONARY ZONING

Inclusionary zoning is a tool that requires that a percentage of housing units in new developments be affordable at certain income levels. This tool is based on studies that show that the production of market-rate housing results in a need for more below-market affordable housing.

For example, the City of Burlington, Vermont, requires at least 15% of the units in any new development of five units or more be affordable. Conversion of existing buildings to housing are also regulated starting at ten units. While some communities allow a fee-in-lieu option, Burlington does not.

Studies from national think tanks such as the Urban Land Institute and the Lincoln Institute of Land Policy suggest that inclusionary zoning, if set at rates appropriate for a specific market, will not significantly impact market-rate housing development. At the same time, it will produce much-needed below-market units.

AFFORDABLE HOUSING TRUSTS

An affordable housing trust can provide a dedicated source of funding to leverage other investments in housing production. One of the oldest municipal housing trusts in the country is in Brookline, Massachusetts, where a housing trust has been in existence since 1998.

Brookline's housing trust is funded from a variety of sources. It is governed by a Housing Advisory Board, which consists of housing professionals and residents of below-market units. The trust allows the Town to invest in housing that may not be eligible for other sources, as well as to allow for additional community amenities that may not be eligible for other funds.

The Brookline Affordable Housing Trust has collected over \$12 million since its inception, and spent about \$9 million on developments. It has contributed to local control over new below-market developments, and contributed to developing 538 units in a very expensive community. Most housing trusts are far more modest, but still address a local need to leverage and influence housing production.

- **Use of Federal Resources:** Projects in Bath are eligible to utilize federal resources such as the HOME Investment Partnership program (HOME) and the Community Development Block Grant program (CDBG.) The State of Maine receives over \$4 million a year in HOME funds and over \$11 million a year in CDBG funds. HOME funds can be used for development of below-market affordable housing. CDBG funds are more limited and cannot be used for new construction. However, they can be used for site acquisition and preparation, as well as for rehabilitation of housing units. From 1983 to 2019, Bath projects received a total of \$11.47 million in CDBG funds, to fund 64 projects, of which at least six were housing developments. The HOME program has funded at least 17 projects in Bath since its creation. HOME and CDBG funds are both competitive and allocated annually. In addition to HOME and CDBG funds, MaineHousing administers the state's allocation of federal Low-Income Housing Tax Credits (LIHTC.) The LIHTC program is one of the primary sources of funding for below-market housing

in the U.S. However, the 9 percent credits, which are the most useful, are extremely competitive. The 4 percent credits, which are easier to obtain, work best when layered with other sources of public subsidy. There is also a National Housing Trust Fund that can fund extremely low-income affordable housing.

- **Use of Public Land or Buildings:** Municipalities and other public agencies that have surplus land or buildings sometimes offer it for use for below-market

AFFORDABLE HOUSING TAX INCREMENT FINANCING

Affordable Housing Tax Increment Financing (AHTIF) is often the subject of some confusion. It is sometimes seen as a way that a community gives existing tax revenue to housing developments, when those tax revenues might otherwise help pay for schools or public services. This results is possible if AHTIF is not used thoughtfully. However, in most cases, AHTIF can be a win-win, where a community collects more tax revenue than it might otherwise collect, and a development gains much-needed operating expenses.

Land in Tax Increment Finance districts is also generally "sheltered" from state calculations related to municipal and school aid. In other words, the valuation in districts is often not counted in those calculations. Since these state aid programs are often based inversely on overall land valuation, that means that creating Tax Increment Finance districts can result in increased state funding for the community.

AHTIF is best used when a project would not be feasible without it. In that case, the community is not giving up existing, or even potential, tax revenue. The tax revenue captured would not exist without the use of the tool, because the project would not go forward. Even in that case, the community often keeps some percentage of the new revenue.

Use of the AHTIF tool also gives projects a leg up in seeking Low Income Housing Tax Credits (see below) by providing "points" for local funding of a project.

housing development. The land can be offered at a discount or, often, for free or a token price. This strategy requires confidence that the property in question is truly not needed any longer, and also that the reduced price will make a project financially feasible. Often additional subsidies are also needed.

- **Site Preparation:** Similar to providing public property, municipalities can provide resources towards site preparation. These efforts can include environmental assessment and/or cleaning – potentially through a federal brownfields program – or simply removing buildings and regrading the site. These efforts can be done through contractors or, time and other factors permitting, with municipal labor.

Preserving Existing Below-Market Affordable Housing

- **Land Trusts:** A Land Trust is a not-for-profit owner of land that generally holds it in order to develop below-market housing. The Trust will enter into a partnership to develop housing on the land – or renovate existing housing on the land. Through owning the underlying land, the Trust is able to require that the housing be affordable at certain income levels. Land Trust ownership of land is an alternative to recording a deed restriction on the property, which is sometimes vulnerable to being ignored or eliminated by another party with interest in the property. A Land Trust is not to be confused with a Housing Trust, described above.

65 MUNJOY STREET: AN EXAMPLE OF PROACTIVE LOCAL HOUSING POLICY

Using a variety of tools, the City of Portland was able to work successfully with a local private developer to create eight deed-restricted condominium units on a formerly contaminated parking lot in the Munjoy Hill neighborhood. This project took a 10,000 square foot parcel used primarily for snow emergency parking, and used it to provide home ownership opportunities.

First off, the City offered the parcel for sale for \$1 through a competitive process, provided a developer would produce deed-restricted housing. The selected developer and the City jointly funded site cleanup through federal Brownfields funding and private equity. The City then provided \$175,000 in local Housing Trust funds to close a financing gap in the project.

The completed units were required to be sold to households earning below 120% of Area Median Income. Generally, they sold for 30 to 40% below what they would sell for on the open market. The units are deed-restricted, so when they are sold again, future buyers will also have to meet the same income limits. The \$2.3 million project took 4 years start to finish. While there were lessons learned on all sides as part of this development process, it has provided much-needed below-market housing on Portland's Peninsula.



- **Addressing Expiring Use Properties:** Many below-market affordable housing units were developed in the second half of the 20th century by private developers using federal financing programs. Those programs required affordability restrictions for a set period of time, often 30 to 50 years. Unfortunately, many of those restrictions have expired in the past 20 years, and more are slated to expire in the next ten. These so-called “expiring use” properties also often require renovations as they suffer from deferred maintenance. Rather than losing these below-market

LOW INCOME HOUSING TAX CREDITS

The “Low Income Housing Tax Credit (LIHTC)” program provides each state with an allocation of tax credits that fund below-market affordable housing. Each state issues a “Qualified Allocation Plan” that sets forth how developers can apply for credits through a process of allocating points for various factors. Factors include the per-unit cost of the development and whether the project is receiving local support.

These tax credits are sold by the developer to corporations or other taxpayers who are seeking to reduce their federal tax bills. Each \$1 of credit generally sells for less than \$1, saving that taxpayer money. The revenue from sale of the tax credits helps fund the development.

There are actually two kinds of tax credits. The so-called “9 percent” credits are more limited but provide more funding for a development. The so-called “4 percent” credits are easier to receive but provide less funding. In addition, the funding from a 4 percent tax credit may be limited to certain kinds of projects.

Created in 1986, LIHTC is a complex program, but it has been politically durable. As a result, many developers count on LIHTC as a source of funding. They also count on local governments to help their efforts to receive tax credits by taking actions such as providing a Affordable Housing Tax Increment Finance district, or approving a project in a timely fashion.

units to the free market, many cities provide funding or other incentives to extend the terms of affordability and, at the same time, improve the properties. Sometimes the funding will also allow for additional market-rate and/or below-market units to be built on the site to help reduce the public subsidy required to address the expiring use.

- **Housing Preservation Ordinances:** A Housing Preservation Ordinance is a regulatory tool that limits conversion of existing housing to non-residential use or demolition. In general, these ordinances require that units that are removed from the market be replaced in kind, or, alternatively, funding for a replacement unit be provided to a Housing Trust to allow for development of additional housing.

Direct Assistance to Households

- **Tenant Protections:** Local governments can pass some tenant protections that go beyond state and federal protections. For example, they can require longer notice periods when leases are renewed. They can also set rules for what happens when a unit is converted to a condominium. Such protections can help prevent displacement. However, they also need to be considered in the context of the rights of other tenants in the building, and the property owner. If a resident in a building is causing significant hardships for other tenants, for example, limiting the ability to require that tenant to move may be unfair to other residents of the building. Similarly, a tenant that is intentionally damaging a unit may not be one that should be able to take advantage of extended tenant protections. Good policy must balance a number of needs.

- **Homebuyer Assistance Programs:** Many cities have also used HOME funds or other sources to fund programs to help households buy their own homes. These programs are often run as a second mortgage program, with reduced qualification requirements and/or lower interest rates. In effect, the city acts as a lender, subordinate to the primary mortgage holder, to allow a buyer to qualify to buy a home. These loans require an infrastructure to service them, as they require regular payments and monitoring of balanc-

es due. They also have the risk of overleveraging a household, requiring that their housing payments exceed what they can afford in the long run. Cities are reluctant to foreclose on defaulted mortgages. Sometimes these mortgages are forgiven after the household lives in the house for a certain period of time. However, if the city does not collect payments, such a program will require influxes of capital if they are to endure. Alternatively, some municipalities simply help fund a down payment through a one-time grant or a loan that becomes due upon resale. That approach is simpler and can be helpful in some markets.

- **Property Tax Relief Programs:** Some communities allow for property tax relief for low-income or senior households. These programs are not common, but allow households to defer or simply reduce their tax burdens if they are below certain income levels.

- **Tenant Based Rental Assistance (TBRA):** Some cities use housing funds – such as HOME funds or Housing Trust funding – to provide rental assistance for low-income households. The challenge with this strategy is that it will be very easy to commit to spending more resources than are available. Careful development of – and enforcement of – policies with respect to this assistance is required to ensure that the funds are used strategically. For example, some TBRA programs provide for a security deposit and last rent payment for a household one time. Another common strategy is to allow for an emergency payment for a household with a documented hardship, but not an ongoing direct funding of that household's rent. This tool rarely is used and primarily works when a municipality receives HOME funds directly from the federal government.

- **Housing Rehabilitation Programs:** Many communities, particularly “entitlement” communities that receive CDBG and/or HOME funds directly, operate rehabilitation programs that allow low-income households to qualify for loans or grants. These funds allow these households to make needed repairs or upgrades to maintain and improve the quality of their housing. One challenge with this approach is determining how long a household must remain in that housing unit after improving it, as it is inefficient

to use limited public funds only to have a household relocate and have a higher-income household benefit from the improvements. While housing rehabilitation programs have declined in popularity over the past 20 years, there has also been some interest in programs focused on energy efficiency, as those improvements will have public benefits beyond the current tenants' time in the unit.

- **Lead Abatement Programs:** Many communities receive grants from the federal government to operate lead abatement programs for low-income households. These programs, often funded for two years at a time, create funding and administration of lead abatement efforts in a community. Challenges associated with such a program include finding licensed lead abatement contractors willing to work within federal requirements, as well as finding households willing to go through the considerable inconvenience of having their unit vacated for abatement.

- **Rent Stabilization:** Rent Stabilization can take a number of forms. At its simplest, it can limit rent increases to tenants to be below a cap, say 10 percent a year. There can be exceptions to these limits, in cases of property improvement or retenanting of a unit. However, those exceptions need to be designed to avoid unforeseen consequences, such as providing an incentive to move a tenant out so the rent can be reset at a higher level. At a more aggressive scale, rent stabilization becomes rent control, where rent increases are strictly limited to cost-of-living increases and are not reset when a new tenant moves in. Rent stabilization – particularly in its more aggressive form as rent control – is generally seen as a very crude tool that has a number of negative effects. For example, it may result in conversion of units to condominiums. It also is seen as contributing to neglect of rental properties by landlords, who may feel they can't afford to make improvements. Finally, there is some evidence that those who benefit from rent stabilization may not be those who most need rent relief.

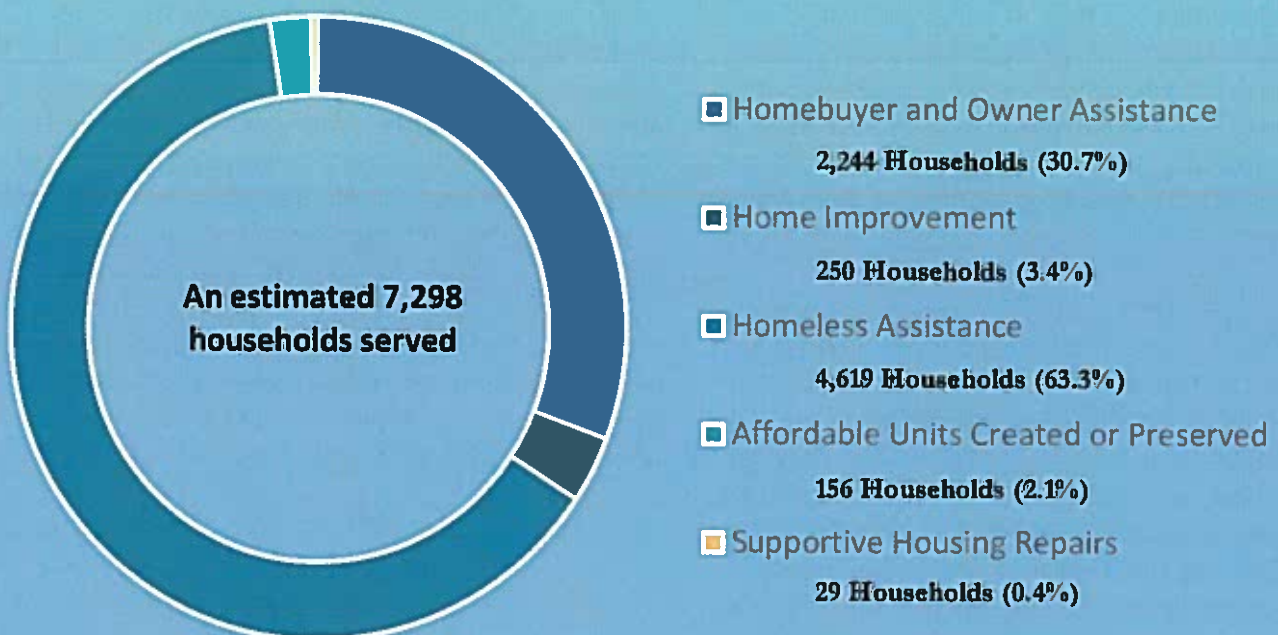
Maine's HOME Fund

Maine's HOME fund is a state revolving fund to fund housing initiatives. It is primarily funded by a portion of the real estate transfer tax. Created in 1982, it was tied to the real estate transfer tax in 1986 and gained a dedicated, somewhat predictable funding source.

Money in the Housing Opportunities for Maine Fund may be applied to:

- (1) Reduce the rate of interest on or the principal amount of such mortgage loans as the Maine State Housing Authority determines;
- (2) Reduce payments by persons of low-income for the rental of single-family or multi-unit residential housing;
- (3) Make mortgage loans and such other types of loans or grants as the Maine State Housing Authority determines;
- (4) Fund reserve funds for, pay capitalized interest on, pay costs of issuance of or otherwise secure and facilitate the sale of the Maine State Housing Authority's bonds issued under this subchapter;
- (5) Pay the administrative costs of state public bodies or other public instrumentalities and private, nonprofit corporations directly associated with housing projects; and
- (6) Otherwise make the costs of single-family or multi-unit residential housing affordable by persons of low-income.

In 2017 and 2018, MaineHousing invested \$25,302,726 of HOME Funds to serve low and moderate income homeowners, homebuyers, and renters across Maine. The HOME program, like a local Housing Trust, has been a flexible source for funding housing needs in the state of Maine. By focusing on a variety of tools, including homebuyer assistance and homeless services, it takes a holistic approach to the issue.



Responding to Emergencies

- **Pandemic Relief:** The COVID-19 pandemic has resulted in an enormous challenge for renters, home owners and landlords alike. Loss of income has resulted in the inability of many households to make housing payments. Landlords, who sometimes have borrowed or made investments in a property in anticipation of receiving rent payments, are also sometimes at risk of losing their property to a lender if they do not collect expected income.

Fortunately, there have been some programs as part of COVID-19 relief to prevent evictions related to the pandemic. Similarly, some lenders have made accommodations for challenges that property owners have had in making their usual payments. However, as the pandemic passes and such programs and accommodations end, there may be a sudden increase in such challenges in the housing market.

Such relief programs are likely beyond the financial resources of local governments. It is possible, however, that longer-term programs to respond to this challenge are approved at the federal or state levels. These efforts are worth tracking, and monitoring for a potential role for cities, towns and regional agencies.

- **Other Household Crises:** Sometimes an individual household will have a financial challenge that is not related to COVID-19 or other external factors. Someone may lose their job, or there may be a sudden, expensive failure of a major system in the house. Some communities use some portion of their federal funding to provide emergency assistance to households to prevent homelessness. Most of these programs relate to physical problems, such as a failed sewer line or boiler. Limited funding may be provided in an crisis situation, provided a household income qualifies and remains in the home for a certain period of time.



RECOMMENDATIONS FOR BATH & THE REGION

Based on the vision set forth above, there is a clear subset of the national best practices that should be considered for adoption in Bath. That subset is best on the explicit and suggested priorities in the vision. While not all of these programs and policies may ultimately be adopted, they are all worth taking to the next step as the City and Bath Housing work on housing issues.

Provide additional new housing, respecting the character of neighborhoods and environmental constraints without allowing those issues to supersede the need to develop a range of housing types in many parts of the city.

- ➔ Consider allowing accessory dwelling units by right, without requirements that would limit their ability to add to the housing stock for residents of diverse backgrounds, ages, family types, races, and incomes
- ➔ Look closely at setback, lot size, and related requirements to allow for appropriate infill development.
- ➔ Explore the extension of some multi-family housing into existing single-family zones in order to add to the housing stock for residents of diverse backgrounds, ages, family types, races, and incomes
- ➔ Consider adoption of inclusionary zoning policies based on the current market, with an initial target of requiring that ten percent of units in developments of ten units or more be affordable to households at 80% of Area Median Income. A fee-in-lieu provision should be considered to fund a Housing Trust.
- ➔ Continue use of and support for the Affordable Housing TIF program.
- ➔ Proactively survey public land and buildings for future utilization and offer public property that will not have a foreseeable future use for housing development.

Avoid displacement of existing Bath residents

- ➔ Consider a housing preservation and replacement ordinance as outlined above, to prevent loss of housing supply. Such an ordinance could include elements related to the impacts of Short Term Rentals on the long-term housing supply.
- ➔ Work to monitor expiring deed restrictions and reach out to owners of those properties several years in advance of any expiration to explore ways to extend the restrictions.
- ➔ Explore property tax relief programs to determine if such a tool is a feasible way to help households remain in their homes.

Improve and modify Bath's housing stock to bring it up to code, increase livability, enhance energy efficiency, and reduce operating costs for low- and moderate-income households.

- ➔ Explore a comprehensive housing rehabilitation program for low-income households, with a focus on energy efficiency programs and lead remediation.
- ➔ Promote and support the Comfortably Home program that funds people who age 55+ or with a disability to make needed home repairs or modifications.

Develop a local funding source to leverage existing sources in building housing affordable at a variety of income levels.

- ➔ Create a Housing Trust and fund it with a variety of methods, including consideration of a policy whereby a percentage of unencumbered fund balances go into the Trust every year.

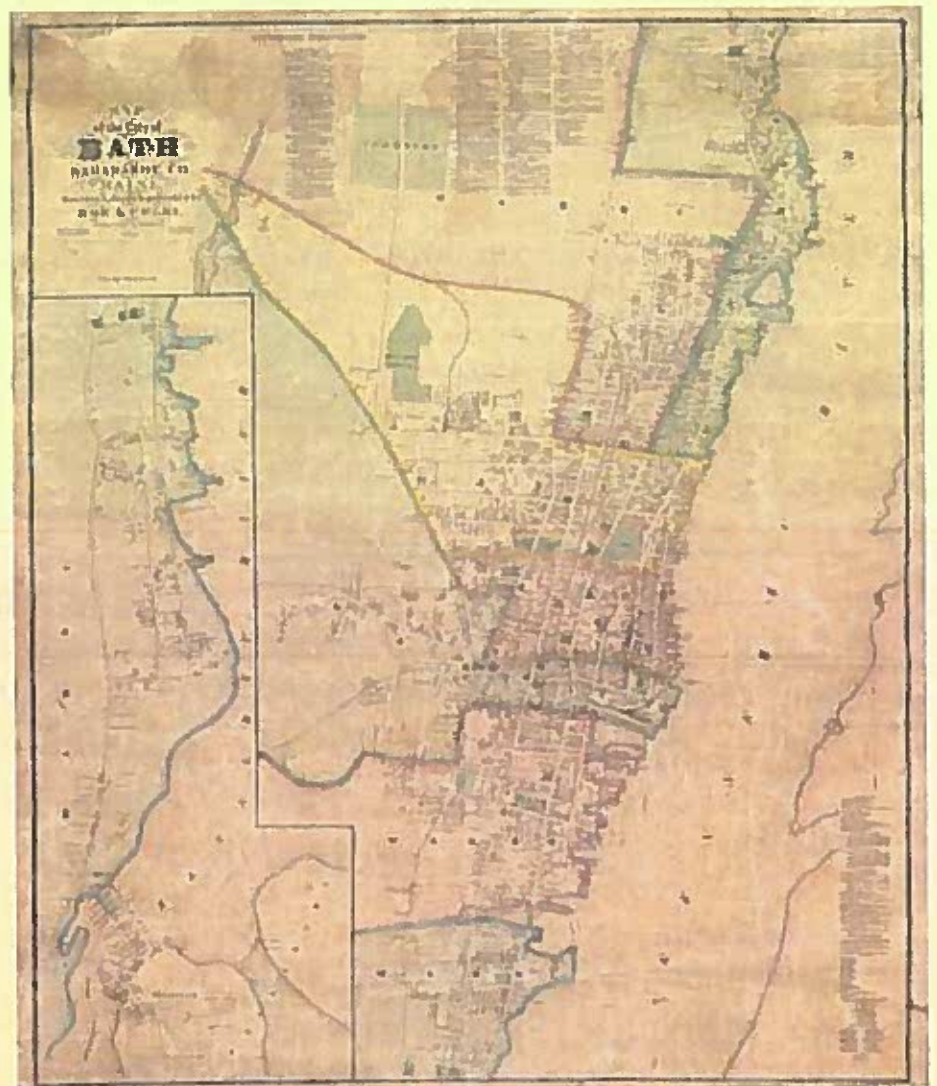
Think regionally

- ➔ Consider what tools might apply in other communities near Bath. Many of the recommended tools outlined for Bath are also worth considering in other communities in the region, or as part of a joint regional effort. In particular, the following tools may be applicable regionally:

1. Looking at allowing accessory dwelling units;
2. Extending some multi-family housing allowances;
3. Looking at Affordable Housing TIF districts;
4. Exploring use of public land and buildings;
5. Exploring property tax relief programs; and
6. Looking at creation of a Housing Trust.



Shipwrecked at Bath





LEVINE PLANNING STRATEGIES

Tools for Building Communities



1850-1860
1860-1870
1870-1880
1880-1890
1890-1900
1900-1910
1910-1920
1920-1930
1930-1940
1940-1950
1950-1960
1960-1970
1970-1980
1980-1990
1990-2000
2000-2010
2010-2020
2020-2030
2030-2040
2040-2050
2050-2060
2060-2070
2070-2080
2080-2090
2090-2100



1850-1860
1860-1870
1870-1880
1880-1890
1890-1900
1900-1910
1910-1920
1920-1930
1930-1940
1940-1950
1950-1960
1960-1970
1970-1980
1980-1990
1990-2000
2000-2010
2010-2020
2020-2030
2030-2040
2040-2050
2050-2060
2060-2070
2070-2080
2080-2090
2090-2100

PROCLAMATION

ARBOR WEEK

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world (more often as a weekly observance), and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BATH, MAINE, HEREBY PROCLAIMS THE WEEK OF MAY 16th – MAY 22nd AS,

ARBOR WEEK

in the City of Bath, and we urge all citizens to celebrate Arbor Week and to support efforts to protect our trees and woodlands, and

FURTHER, We urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED this 5th day of May 2021

Aaron Park, Chairperson
City Council of Bath, Maine





NOTICE

THE MUNICIPAL OFFICERS OF THE CITY OF BATH WILL CONDUCT A PUBLIC HEARING FOR APPROVING:

the **LIQUOR LICENSE APPLICATION** FOR:

Longreach Kitchen & Catering, LLC
387 Whiskeag Road
Moriah Jellison, Contact Person
Terrance Geaghan, Contact Person

SAID PUBLIC HEARING WILL BE HELD ON **WEDNESDAY, MAY 5, 2021 AT 6:01 P.M.** VIA REMOTE MEETING, AND ALL PERSON(S) MAY APPEAR TO SHOW CAUSE WHY SAID APPLICATIONS SHOULD OR SHOULD NOT BE APPROVED.

How to participate:

- Provide written comments in advance to Darci L. Wheeler, City Clerk, at dwheeler@cityofbath.com or City Clerk's Office, City of Bath, 55 Front St., Bath, ME by 5 p.m. on Wednesday, May 5, 2021.
- Access to the meeting, online or by phone, will be available on Tuesday, May 4, 2021, at www.cityofbath.com. If you need phone information and are unable to access the City's website, call (207) 443-8332.

Darci L. Wheeler
CITY CLERK

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that the study of the history of the United States is essential for a full understanding of the country and its people. The paper then discusses the various methods used by historians to study the past, including the use of primary and secondary sources, and the importance of critical thinking in the study of history.



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Section I: Type of License, Status and Applicant Information

1. New license or renewal of existing license? ☒ New ☐ Renewal

If a renewal, please provide the following information:

Your current license expiration date: _____

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

3. Indicate the type of license applying for: (choose only one)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course with auxiliary and mobile cart options
(Class I, II, III, IV) | <input type="checkbox"/> Tavern
(Class IV) | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

☐ Other: _____

Refer to Section VI For Fee Schedule

4. If application is for a new license or the business is under new ownership, indicate starting date:

05/01/2021

Section II: Licensee/Applicant(s) Information

Legal Business Entity Applicant Name (corporation, LLC): Longreach Kitchen & Catering, LLC	Business Name (D/B/A): Long Reach Kitchen & Catering
Individual or Sole Proprietor Applicant Name(s): Morian Jellison	Physical Location: 387 Whiskey Rd Bath, Maine 04530
Individual or Sole Proprietor Applicant Name(s): Terrance Greaghan	Mailing address, if different: 55 Mechanic St. Bath, Maine 04530
Mailing address, if different from DBA address: 55 Mechanic St. Bath, Maine 04530	Email Address: longreachkitchen@gmail.com
Telephone # Fax #: 207-841-0009	Business Telephone # Fax #: 207-442-8411
Federal Tax Identification Number: 86-2910002	Maine Seller Certificate # or Sales Tax #: 1215853
Federal Basic Permit Number:	Website address: www.facebook.com/longreachkitchen

1. Business records are located at the following address:

55 Mechanic St Bath, Maine 04530

2. Is licensee/applicant(s) a business entity like a corporation or limited liability company?



Yes



No

If Yes, complete Attachment I at the end of this application

3. Do you own or have any interest in any another Maine Liquor License?



Yes



No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Bath Brewing Company	CARL-2018-10699	141 Front Street Bath, Maine 04530

4. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Morian Jellison (maiden: Greaghan)	10/09/1981	Brunswick, ME
Terrance Greaghan	11/30/1947	Bangor, ME

Residence address on all of the above for previous 5 years

Name Morian Jellison

Address: 55 Mechanic St. Bath, ME 04530

Name Morian Jellison

Address: 36 Mechanic St. Bath, ME 04530

Name Terrance Greaghan

Address: 44 Federal St. Wiscasset, ME 04578

Name Terrance Greaghan

Address: 673 Middle Rd. Woolwich, ME 04579

5. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No
6. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No
7. For a licensee/applicant who is a business entity as noted in Section II, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?
- ☐ Yes ☒ No ☐ Not applicable – licensee/applicant(s) is a sole proprietor
8. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine? ☐ Yes ☒ No
9. Will any law enforcement officer directly benefit financially from this license, if issued?
- ☐ Yes ☒ No
- If Yes, provide name of law enforcement officer and department where employed:
- _____
10. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

11. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

12. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

13. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Sean McCarthy Preservation Golf, 20 Federal St. Brunswick, ME 04011

14. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

15. Do you permit dancing or entertainment on the licensed premises? ☒ Yes ☐ No

If yes, please check that you have received authorization from the municipality in which you are doing business to conduct this type activity.

- ☒ The licensee/applicant affirms that permission has been granted by the municipality for dancing or other allowed entertainment at this place of business.

16. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section III. (Use additional pages as needed)

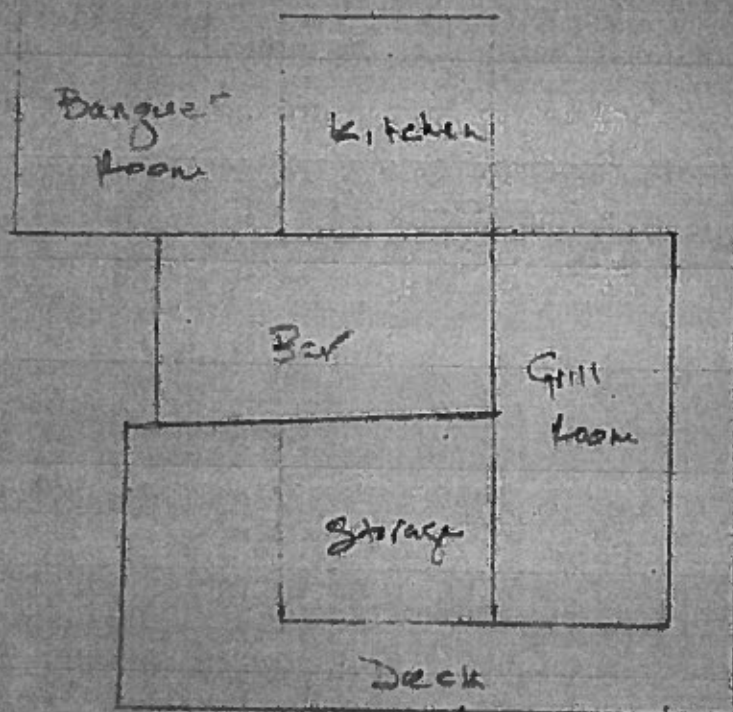
License shall cover front "Grill Room", interior bar/pub room, Merry meeting Banquet Hall, and wraparound covered deck. See attached drawing marked "Exhibit A".

17. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Open Bible Baptist Church

Distance: 1.2 miles

Exhibit A



Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601: and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section V: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section VI: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

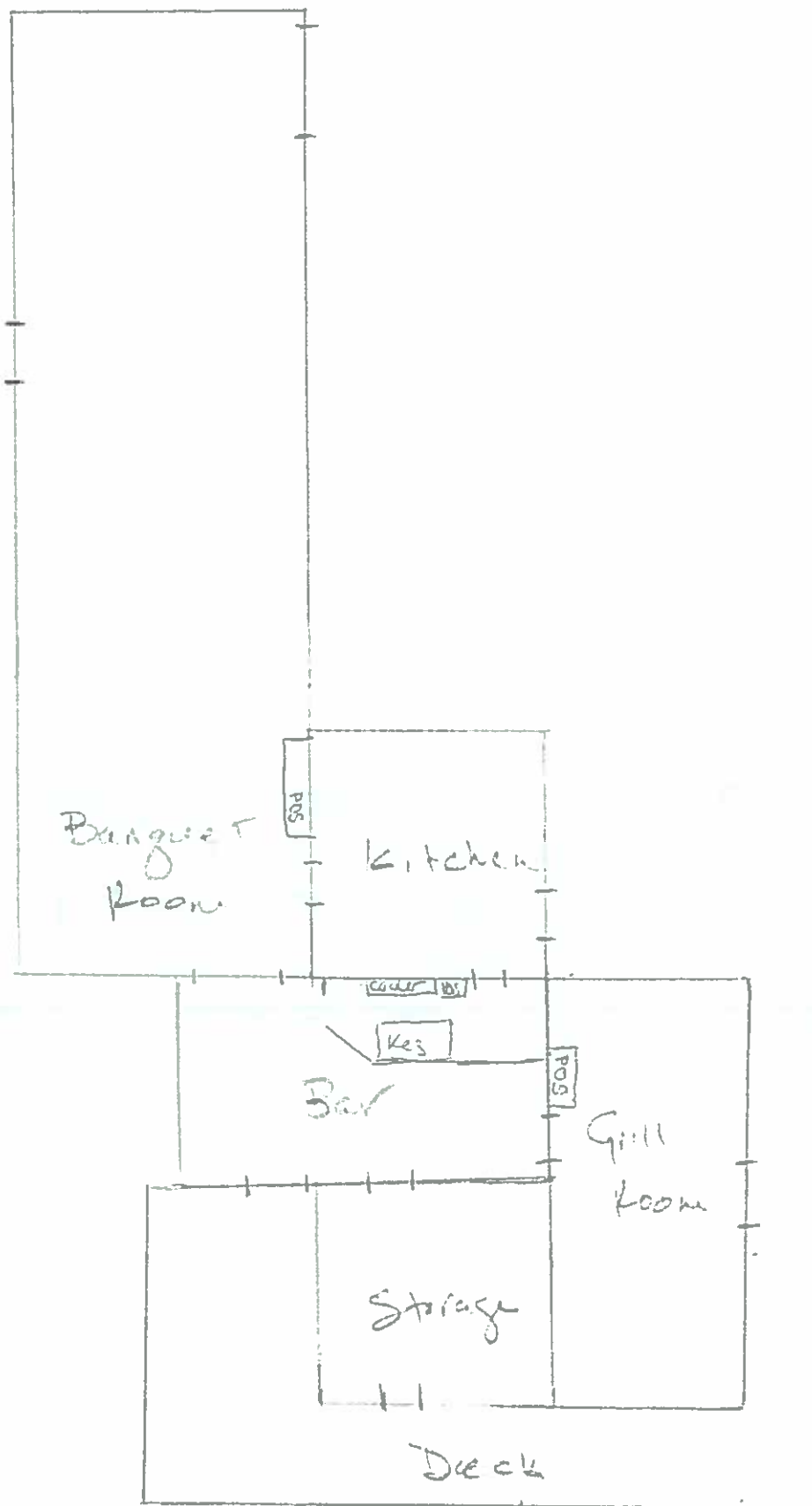
Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00
Self-Sponsored Events	This class is for Qualified Caterers Only	\$ 700.00

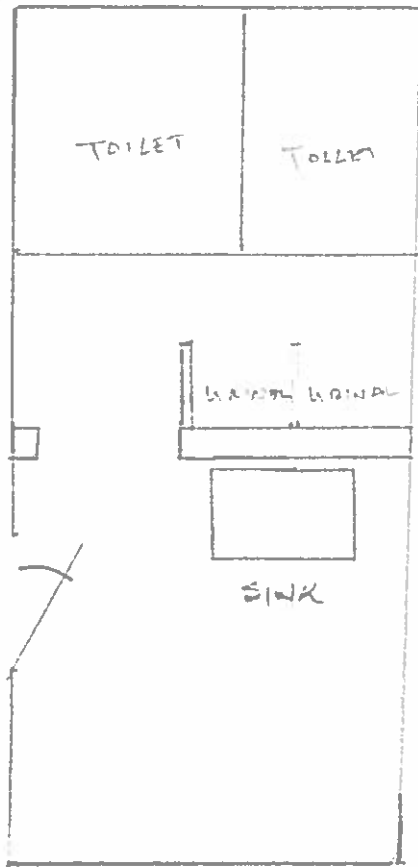
Section VII Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

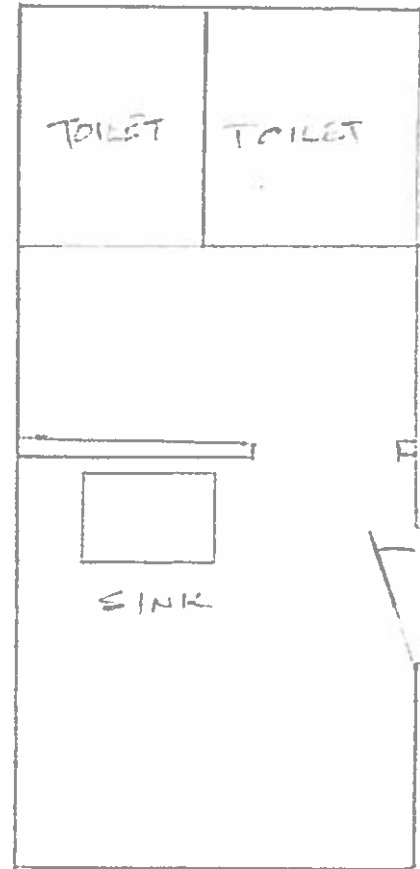
Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

See Attached

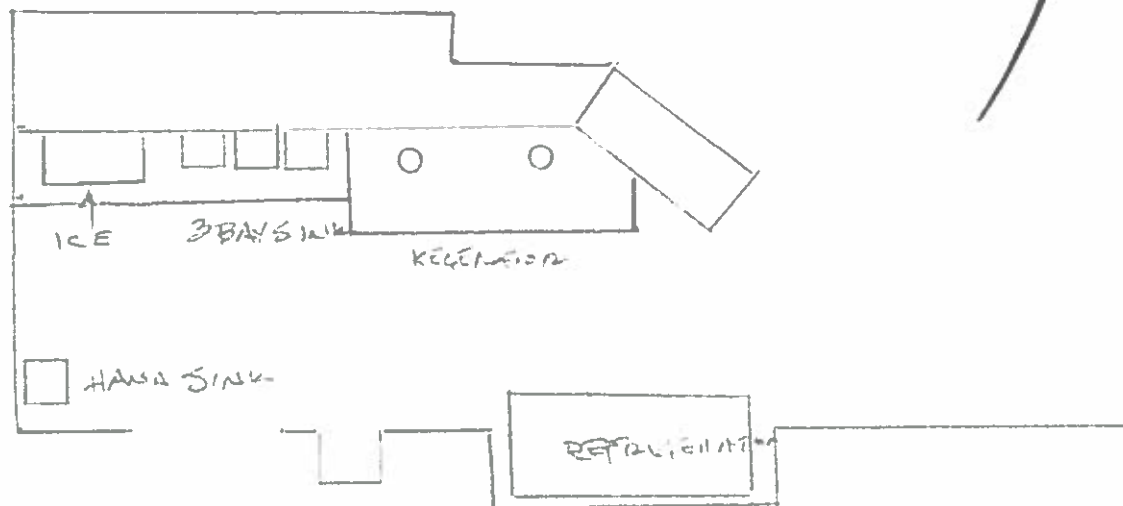




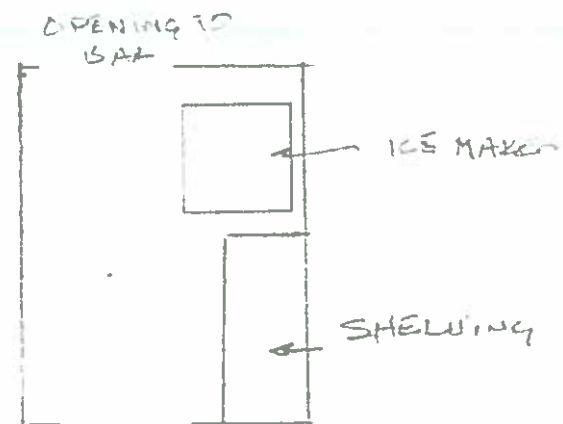
MEN'S ROOM

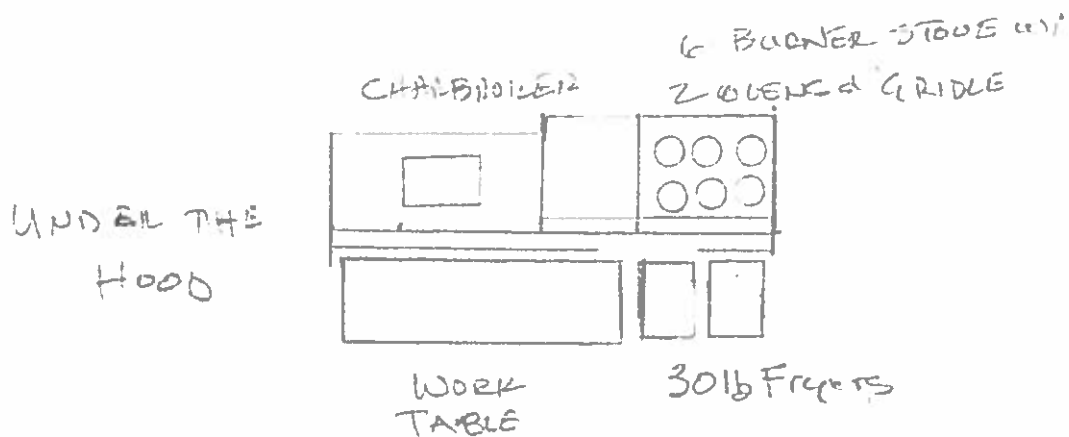
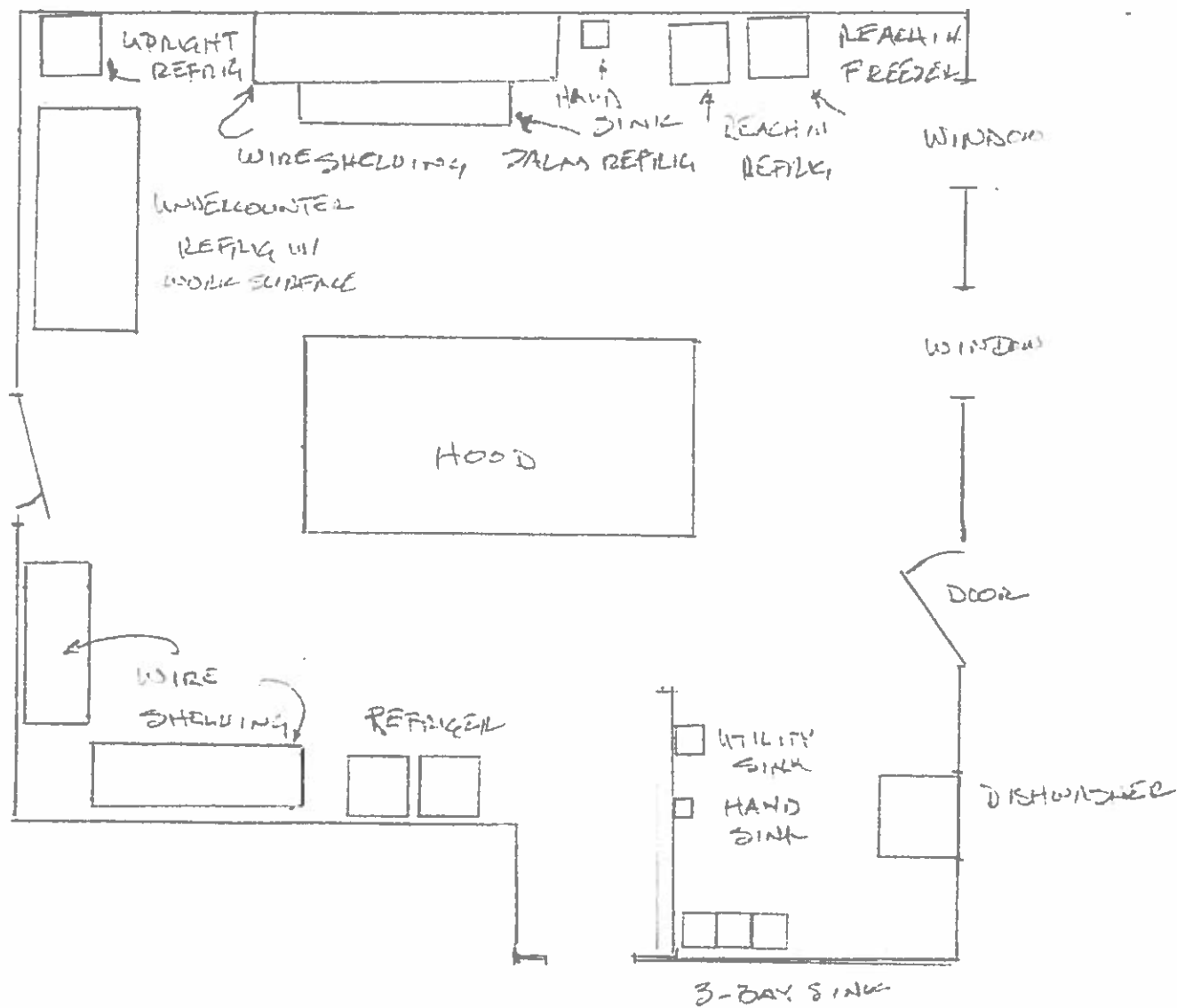


LADIES' ROOM



BAL





Section III: Signature; Fee; Delivery of application

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 04/26/2021

[Signature]
Signature of Duly Authorized Person*

[Signature]
Signature of Duly Authorized Person*

Moriah Jellison
Printed Name Duly Authorized Person

TERRANCE H. GEARHART
Printed Name of Duly Authorized Person

*The person signing this application must appear in Section VIII on this application.

Section IV: For use by Municipal Officers and County Commissioners only Approval of an application for an on-premises liquor license –

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application on this date: _____.

Check only one: ☐ City ☐ Town ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: _____

Who is approving this application? ☐ Municipal Officers
☐ County Commissioners of _____ County

Signature of Officials	Printed Name and Title

This Approval Expires in 60 Days

Section VIII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section II of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Longreach Kitchen & Catering
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 03/26/2021 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Morian Jellison	55 Mechanic St Bath, Maine 04530	10/09/1991	Owner	50%
Morian Jellison	36 Mechanic St Bath, Maine 04530	10/09/1991	Owner	50%
Terrance Greaghan	44 Federal St Wiscasset, ME 04578	11/30/1947	Owner	50%
Terrance Greaghan	673 Middle Rd. Woolwich, ME 04579	11/30/1947	Owner	50%

(Ownership in non-publicly traded companies must add up to 100%.)

Restaurant Lease

This Lease Agreement ("this Lease") is dated for May 1, 2021, by and between Preservation Bath LLC ("Landlord") and Long Reach Kitchen & Catering ("Tennant"). The parties agree as follows:

RESTAURANT Landlord, in consideration of the lease payments provided in this Lease, leases to Tennant the exclusive right to use the Restaurant space at The Bath Golf Club consisting of the Banquet Hall, Deck, Storage Closet, Basement Storage, Kitchen, Bar, and Dining Areas (the "Restaurant" located at The Bath Golf Club, 387 Whiscag Rd, Bath, Maine 04530 all as shown on Exhibit A annexed hereto and incorporated herein by reference. The within Lease also includes rights to the use of common areas and common facilities, including parking area, jointly with Landlord, Landlord's agents and employees, and other tenants (except such areas as may be designated by Landlord for exclusive use of a particular tenant or tenants), their agents, employees and invitees. All such use of any common areas and common facilities shall be such as will not unreasonably obstruct or interfere with the joint use thereof, and shall be in compliance with all applicable laws, rules and regulations.

FURNISHINGS The kitchen equipment, all food and beverage related equipment, hardware, flatware, glassware, banquet equipment, all furniture including tables, chairs, event tables, banquet tables, and additional event chairs shall be included as part of the leased premises. Tennant shall return all such items at the end of the Lease term in a condition as good as the condition at the beginning of the Lease term, except for such deterioration that might result from normal use of these furnishings.

TERM The Lease term will begin on May 1, 2021 and terminate on December 31, 2021.

LEASE PAYMENTS Tenant shall pay to Landlord monthly installments as follows, payable in advance on or before the fifth of each month:

1. For the months of May through October, the monthly rent shall be \$2,500.00;
2. For the months of November and December, the monthly rent shall be \$1,500.00;
3. In addition, Tenant shall pay as additional rent one-half of the private event rental fees of the leased space for functions, not including amounts paid for food and bar service. Such amounts will be paid to Landlord upon collection of fees by Tenant. Should Tenant receive rental fees for functions falling in the 2022 calendar year during Lease term and not renew Lease for 2022, Tenant's half of rental fees will be paid to Landlord prior to the end of Lease.

Lease payments shall be made to the Landlord at 20 Federal Street, Brunswick, Maine 04011, or to such other address as the Landlord may designate in writing.

POSSESSION Tenant shall be entitled to possession on the first day of the term of this Lease, and shall yield possession to Landlord on the last day of the term of this Lease, unless otherwise agreed by both parties in writing. At the expiration of the term, Tenant shall remove its goods and effects and peaceably yield up the premises to Landlord in as good as condition as when delivered to Tenant, ordinary wear and tear expected.

USE OF RESTAURANT Tenant may use the premises only for the purpose of conducting a restaurant or bar, including special events which may include live music. The Tenant may only serve alcoholic beverages if properly licensed. The Restaurant may be used for any other purpose, only with prior written consent of Landlord, which shall not be unreasonably withheld. Tenant shall notify Landlord of any anticipated deviation from the regular hours of operation of the Restaurant no later than the first day of such deviation.

SIGNS The design and type of signs shall be subject to the prior written approval of Landlord, which Landlord may grant in its sole discretion, it being understood that the Restaurant is part of an integrated and uniform building, and that control of signs by Landlord is essential in order to maintain uniformity and aesthetic value in said building. Tenant agrees to submit to Landlord as soon as reasonably possible its outside elevation plans showing such proposed changes. Tenant shall maintain such signs in good condition and repair at all times, and shall hold Landlord harmless from injury to person or property arising from the erection or maintenance of such signs. Any sign placed in or upon the Restaurant, upon written request of Landlord, shall be removed by Tenant at Tenant's expense upon the expiration or sooner termination of this Lease, and all damage caused by the removal of such sign shall be fully repaired at the cost and expense of Tenant.

QUIET ENJOYMENT The Landlord covenants that Landlord has lawful titles to the above described real property, and the right to make this Lease for the term aforesaid and, conditioned upon the prompt performance and observance by the Tenant, Tenant's agents and employees of all of the terms, covenants and conditions hereof required to be performed or observed by Tenant, Tenant's agents and employees, Tenant shall at all times during the terms of this Lease have the peaceable and quiet enjoyment of the Demised Restaurant.

STORAGE Tenant shall be entitled to store items of personal property, in the existing dry storage closet, the kitchen, the bar, the back hallway leading to the upstairs office, and the basement underneath the kitchen during the term of this Lease. Landlord shall not be liable for the loss of, or damage to, such stored items.

PROPERTY INSURANCE Landlord and Tenant shall each maintain appropriate insurance of their respective interests in the Restaurant and property located on the Restaurant location. Landlord shall be named as an additional insured entity in such policies. Tenant shall deliver appropriate evidence to Landlord as proof that adequate insurance is in force issued by companies reasonably satisfactory to Landlord. Landlord shall receive written notice from the insurer prior to any termination of such insurance policies. Tenant shall also maintain any other insurance which Landlord may reasonably require for the protection of Landlord's interest in the Restaurant. Tenant is responsible for maintaining casualty insurance on its own property.

LIABILITY INSURANCE Tenant shall maintain liability insurance on the Restaurant in a total aggregate sum of at least \$1,000,000.00. Tenant shall deliver appropriate evidence to Landlord as proof that adequate insurance is in force issued by companies reasonably satisfactory to Landlord. Landlord shall receive advance written notice from the insurer prior to any termination of such insurance policies.

MAINTINENCE

Landlord's obligations for maintenance shall include:

- The roof, outside walls, and other structural parts of the building
- The parking lot, driveways, and sidewalks, including snow and ice removal
- The sewer, water pipes, and other matters related to plumbing
- The electrical wiring
- The heating/air conditioning systems

Tenant's obligations of maintenance shall include:

- Maintenance of kitchen equipment, sinks, bar equipment, and associated equipment and products
- All other items of maintenance not specifically delegated to the Landlord under this Lease

PEST CONTROL Tenant, at its sole expense, shall engage exterminators to control vermin and pests on a regular basis. Such extermination services shall be supplied in areas where food is prepared, dispensed, or stored and in all areas where trash is collected and deliveries are made.

COVENANT AGAINST WASTE Tenant agrees that Tenant will not commit waste in or upon the Restaurant or any portion thereof. The Tenant shall be responsible for the ventilation and cleanliness of the demised premises, and for keeping the waste sewerage lines free from grease stoppages. Tenant shall be responsible for the professional removal of grease to avoid spilling, and for grease recycling of shortening/oils.

TAXES Tax attributable to the Restaurant or the use of the Restaurant shall be allocated as follows:

REAL ESTATE TAXES Landlord shall pay all real estate taxes and assessments for the Restaurant.

PERSONAL TAXES Landlord shall pay all personal taxes and or other charges which may be levied against the Restaurant and which are attributable to Tenant's use of the Restaurant, along with all sales and/or use taxes (if any) that may be due in connection with lease payments.

TERMINATION UPON SALE OF RESTAURANT Notwithstanding any other provision of this Lease, Landlord may terminate this lease upon 60 days written notice to Tenant that the Restaurant has been sold.

DEFAULTS Tenant shall be in default of this Lease if Tenant fails to fulfill and lease obligation or term by which the Tenant is bound. Subject to any governing provisions of law to the contrary, if Tenant fails to cure any financial obligation within 10 days (or any other obligation within 15 days) after written notice of such default is provided by Landlord to Tenant, Landlord may take possession of the Restaurant without further notice (to the extent permitted by law), and without prejudicing Landlord's rights to damages. In the alternative, Landlord may elect to cure and default and the cost of such action shall be added to Tenant's financial obligations on this Lease. Tenant shall pay all costs, damages, and expenses (including reasonable attorney fees and expenses) suffered by Landlord by reason of Tenant's defaults. All sums of money or charges required to be paid by Tenant under this lease shall be additional rent, whether or not such sums or charges are designated as "additional rent". The right provided by this paragraph are cumulative in nature, and are in addition to any other rights afforded by law.

LATE PAYMENTS For any late payment that is not paid within 10 days after its due date, Tenant shall pay a late fee of \$25.00.

CUMULATIVE RIGHTS The rights of the parties under this Lease are cumulative, and shall not be construed as exclusive unless otherwise required by law.

NON-SUFFICIENT FUNDS Tenant shall be charged \$25.00 for each check that is returned to Landlord for lack of sufficient funds.

REMODELING OR STRUCTURAL IMPROVEMENTS Tenant may make alterations to the leased premises at its sole cost and expense as may be necessary to suit its occupancy of the leased premises with prior written consent of the Landlord, which shall not be unreasonably withheld. Provided, however, that any such alterations shall be of good workmanship and materials at least equal to the condition of the leased premises as of the beginning of the term of the within Lease, and further provided that such alterations shall not reduce the size, strength or value of the leased premises at the beginning of the term within of the within Lease. Tenant shall not install awnings or advertisements on any part of the Restaurant without Landlord's prior written consent. At the end of the Lease term (or at the request of the Landlord), Tenant shall be entitled to remove such

fixtures or improvements, and shall restore the Restaurant to substantially the same condition of the Restaurant at the commencement of this Lease.

ACCESS BY LANDLORD TO RESTAURANT Subject to Tenant's consent (which shall not be unreasonably withheld), Landlord shall have the right to enter the Restaurant to make inspections, provide necessary services, or show the unit to prospective buyers, mortgagees, tenants or workers. However, the Landlord does not assume liability for the care or supervision of the Restaurant. As provided by law, in the case of an emergency, Landlord may enter Restaurant without Tenant's consent. During the last three months of this Lease, or any extension of this Lease, Landlord shall be allowed to display the usual "To Let" signs and show the Restaurant to prospective tenants.

INDEMNITY REGARDING USE OF RESTAURANT To the extent permitted by law, Tenant agrees to indemnify, hold harmless, and defend Landlord from and against any and all losses, claims, liabilities, and expenses, including reasonable attorney fees, of any, which Landlord may suffer or incur in connection with Tenant's possession, use or misuse of the Restaurant, except Landlord's act or negligence.

DANGEROUS MATERIALS Tenant shall not keep or have on the Restaurant any article or thing of a dangerous, flammable, or explosive character that might substantially increase the danger of fire on the premises other than such as a commonly used in the operation of a restaurant or dining facility, or that might be considered hazardous by a responsible insurance company, unless prior written consent of Landlord is obtained and proof of adequate insurance protection is provided by Tenant to Landlord.

COMPLIANCE WITH REGULATIONS Tenant shall promptly comply with all laws, ordinances, requirements and regulations of the federal, state, county, municipal and other authorities, and the fire insurance underwriters. However, Tenant shall not by this provision be required to make alterations to the exterior of the building or alterations of a structural nature. Tenant will promptly secure maintain and comply with all permits, licenses and other authorizations required for the use of the property as a Restaurant, and for the lawful operation, maintenance, and repair of the property, or any part thereof. Tenant will not do any act or thing which constitutes public or private nuisance. Landlord will join, if necessary, in the application for any permit or authorization with respect to any Legal Requirements. In connection with its use of the property, Tenant shall comply with all applicable governmental laws, rules and regulations, federal, state and local, including those relating to environmental matters.

SUBORDINATION OF LEASE This Lease is subordinate to any mortgage that now exists, or may be given later by the Landlord, with respect to the Restaurant.

ASSIGNABILITY/SUBLETTING Tenant may not assign or sublease any interest in the Restaurant, nor effect a change in the majority ownership of the Tenant (from the ownership existing at the inception of this Lease), no assign, mortgage or pledge this Lease, without prior written consent of Landlord, which shall not be unreasonably withheld.

GOVERNING LAW This Lease shall be constructed in accordance with the laws of the State of Maine.

ENTIRE AGREEMENT/AMENDMENT This Lease Agreement contains the entire agreement of the parties, and there are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Lease. This Lease may be modified or amended in writing, if the writing is signed by the party under the amendment.

SEVERABILITY If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting such provision, it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

WAIVER The failure of either party to enforce any provisions of this Lease shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Lease.

BINDING EFFECT The provisions of this Lease shall be binding upon and inure to the benefit of both parties and their respective legal representatives, successors and assigns.

SIGNATURES AND NOTICE The Lease shall be signed by the following parties. No notice under this Lease shall be deemed valid unless given or served in writing and forwarded by mail, postage pre-paid, addressed to the parties below:

LANDLORD:

Preservation Bath, LLC President
387 Whiskeag Rd
Bath, Maine 04530

TENANT:

Long Reach Kitchen & Catering, LLC Owner
55 Mechanic St
Bath, Maine 04530

Such addresses may be changed from time to time by either party, providing notice as set forth above. Notices mailed in accordance with the above provisions shall be deemed received on the third day after posting.

LANDLORD:

Preservation Bath, LLC

By: Sean McCarthy

Sean McCarthy
President

Date: 04/05/21

TENANT:

Long Reach Kitchen & Catering

By: 
Moriah Jellison (Apr 5, 2021 09:34 EDT)

Moriah Geaghan Jellison
Owner

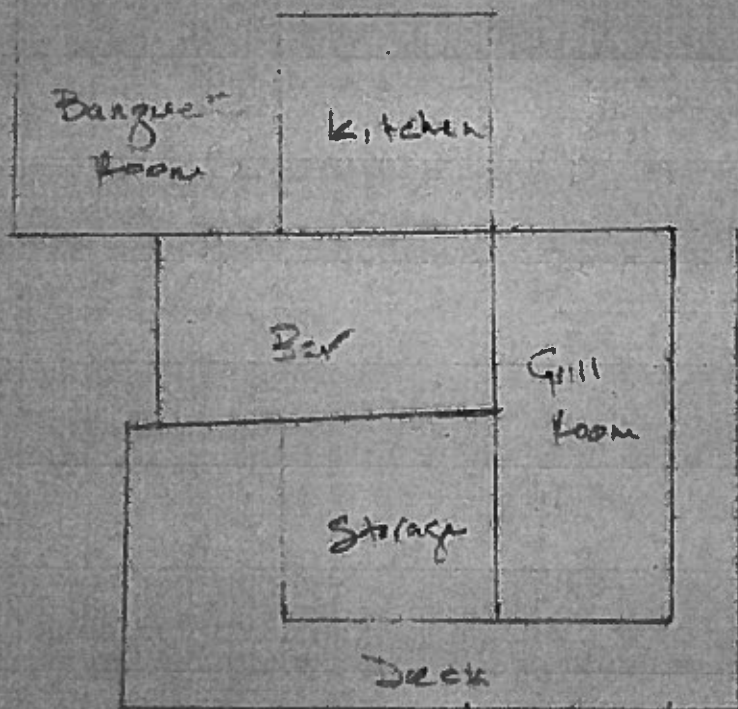
Date: 04/052021

By: Terrance H. Geaghan
Terrance H. Geaghan (Apr 5, 2021 10:21 EDT)

Terrance Geaghan
Owner

Date: 04/05/21

Exhibit A





Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008
(207) 624-7220

Application for an Auxiliary License

Please clearly complete this form in its entirety.

1. Type of Application: ☐ Golf Course ☒ Golf Course with a mobile service bar
☐ Ski Area

Application Fee: \$100.00 each. Please make check payable to the Treasurer, State of Maine.

2. Licensee Information:

Legal Name: Longreach Kitchen & Catering

Doing business as: Longreach Kitchen & Catering

License Number: _____

Mailing Address: 55 Mechanic Street
Bath, Maine 04530

Physical Location Address: 387 Whiskeag Rd
Bath, Maine 04530

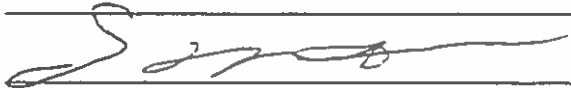
Telephone Number: 207-841-0009 Fax: _____

Email address: longreachkitchen@gmail.com

3. Describe auxiliary premise and the location at the ski area or golf course: (include diagram)
Mobile bar service via golf cart on the Bath Golf Club

4. Name, address & telephone number of Property Owner (include copy of lease / rental agreement):

Preservation Bath, LLC
20 Federal Street Brunswick, Maine 04011


Signature of Owner

Sean McCarthy
Printed Name

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

For use by Municipal Officers and County Commissioners only:

Note: This application must be approved by the Municipal Officers of the municipality of the applicant or if the applicant is in an unincorporated place, by the County Commissioners. Please complete the following certification:

State of Maine, County of _____

The undersigned being: ☐ Municipal Officers ☐ County Commissioners

for _____, Maine.
(Name of Municipality)

Dated this _____ day of _____, 20____ at _____, Maine.

Signature of Officials	Printed Name and Title

Please include a copy of the receipt paid to the County Commissioners – if applicable.

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

For Office Use Only:

Date Filed: _____ ☐ Approved ☐ Not Approved

Date Issued: _____ Issued By: _____



State of Maine
Division of Alcoholic Beverages and
Lottery Operations
Division of Liquor Licensing and Enforcement

Corporate Information Required for
Business Entities Who Are Licensees

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name: Longreach Kitchen & Catering, LLC
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 03/26/2021 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Mariah Jellison	55 Mechanic St. Bath, ME 04530 36 Mechanic St. Bath, ME 04530	10/09/81	Owner	50%
Terrance Greaghan	44 Federal St. Wiscasset, ME 04578 673 Middle Rd. Woolwich, ME 04579	11/30/47	Owner	50%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

8. If Yes to Question 7, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

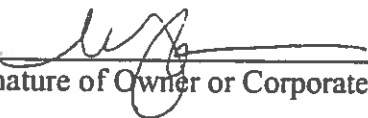
Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

PLEASE SIGN IN BLUE INK



Signature of Owner or Corporate Officer

12 April 2021

Date

Monah Jellison

Print Name of Owner or Corporate Officer

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



State of Maine
Division of Alcoholic Beverages and
Lottery Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name: Preservation Bath LLC
2. Doing Business As, if any: The Bath Golf Club
3. Date of filing with Secretary of State: 6/1/2012 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: N/A
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
See Attached Schedule				

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☒ No ☐

8. If Yes to Question 7, please complete the following: (attached additional sheets as needed)

Name: Sean McCarty

Date of Conviction: 5/2014

Offense: OUI

Location of Conviction: Cumberland County

Disposition: No Conviction

Signature:

PLEASE SIGN IN BLUE INK



Signature of Owner or Corporate Officer

4/22/21
Date

Sean McCarty
Print Name of Owner or Corporate Officer

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

Preservation Bath LLC Ownership Information

- Robert J. Footer, Jr
 - 10 Aspen Ln. Bath, ME 04530
 - Partner
 - 1.43%
- Joseph Hummer
 - 17 Thoreau Dr Nashua, NH 03062
 - Partner
 - 1.43
- James Hummer
 - 20 Varney Mill Rd Bath, ME 04530
 - Partner
 - 1.43
- Richard Marco
 - 28 Carriage House Ln Bath, ME 04530
 - Partner
 - 1.43
- Bryce R Payne
 - 31 Willow St Bath, ME 04530
 - Partner
 - 1.43
- Philip K Reynolds
 - 10 Salem Dr Pinehurst, NC 28364
 - Partner
 - 1.43
- TBGC Holdings, LLC
 - 20 Federal St. Brunswick, ME 04011
 - Partner
 - 91.42
 - Sean McCarthy
 - 10 Cresfield Ter. Portland, ME 04103
 - Managing Member
 - Owner of TBGC Holdings, LLC



State of Maine
Division of Alcoholic Beverages and
Lottery Operations
Division of Liquor Licensing and Enforcement

Corporate Information Required for
Business Entities Who Are Licensees

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752. Please clearly complete this form in its entirety.

1. Exact legal name: Longreach Kitchen & Catering / Preservation Golf
2. Doing Business As, if any: Longreach Kitchen & Catering / The Bath Golf Club
3. Date of filing with Secretary of State: 03/26/2021 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attached additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Long Reach Kitchen & Catering	55 Mechanic St. Bath, ME 04530 36 Mechanic St. Bath, ME 04530		Owner	99.8%
Preservation Golf aka The Bath Golf Club	387 Whiskey Rd. Bath, ME 04530		Owner	0.2%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☐ No ☒

8. If Yes to Question 7, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

PLEASE SIGN IN BLUE INK



Signature of Owner or Corporate Officer

12 April 2021

Date

Moriab Jellison

Print Name of Owner or Corporate Officer

Submit Completed Forms To:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

pdch #1002
4/27 Dfw



CITY OF BATH, MAINE
APPLICATION FOR
SPECIAL AMUSEMENT PERMIT FOR MUSIC, DANCING
OR ENTERTAINMENT FOR ESTABLISHMENTS
LICENSED FOR THE SALE OF LIQUOR

NAME OF APPLICANT: Mariah Jellison

RESIDENCE: 55 Mechanic St. Bath, Maine 04580

NAME OF BUSINESS: Longreach Kitchen & Catering

BUSINESS ADDRESS: 337 Whiskey Rd Bath, Maine 04530

1. Describe in detail kind and nature of entertainment:

Small venue entertainment between the hours of 11am - 9pm
including occasional live music or DJ services.

2. Describe in detail room or rooms to be used under this permit:

Entertainment will be in main clubhouse banquet
hall, known as the "Merry meeting Room"; acoustic music
possibly on exterior covered deck.

3. Has applicant ever had a license to conduct the business herein described either denied or revoked?

No

If so, describe circumstances:

4. Has applicant, including partners or corporate officers ever been convicted of a felony? No.
If so, describe specifically those circumstances:

5. When does your current liquor license expire? Application Submitted 4/26/21

Signature of Individual

Name of Corporation

If Partnership, members of partnership

If Corporation, duly authorized Officer

Application for Special Amusement Permit: (Fee of \$25.00 must accompany application)

Dated at 10:22am on April 27th, 2021

MRSA Title 28-A §1054

This permit includes:

- A. Any music, except radio or other mechanical device.
- B. Any dancing; or
- C. Entertainment of any sort.

This permit is required if a licensee for sale of liquor to be consumed on the premises provides activities or entertainment, listed above, must first obtain a special amusement permit from the municipality in which the licensed premises are located.

STATE OF MAINE
Sagadahoc County, ss
Bath, Maine

The undersigned being Municipal Officer(s) of the City of Bath, Maine hereby approve the application in accordance with the provisions of Title 28-A §1054, Maine Revised Statutes.

Dated: _____

Approved by:

Codes Enforcement Officer: _____ Date: _____

Police Chief: _____ Date: _____

Fire Chief: _____ Date: _____

**REGULAR MEETING MINUTES
CITY COUNCIL OF THE CITY OF BATH, MAINE**

Wednesday, April 7th, 2021 6:00 PM

Remote Meeting

Present: Councilor Ambrosino, Councilor Bailey, Councilor Paulhus arrived at 6:09pm, Councilor Nordmann, Councilor Leonard, Vice Chairperson DeChant, Councilor Bauer, Councilor Dingley and Chairperson Park.

Also, in attendance, the City Manager, Peter Owen, City Solicitor, Roger Therriault, City Clerk, Darci Wheeler, Assistant City Manager, Marc Meyers, City Planner, Ben Averill, and Police Chief, Michael Field.

Chairperson Park led the Pledge of Allegiance, City Clerk Darci Wheeler called the Roll.

Presentation of City Chair and Proclamation to Mari Huotari Eosco for 13 years and 9 months of dedicated service on the Bath City Council.

C: Public Hearing 6:10pm:

- 1) Ordinance: Approving Firefighters' Contract (*second passage*)

ORDINANCE APPROVING CONTRACT

Professional Fire Fighters of Bath, IAFF Local 1611

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT, PURSUANT TO THE REQUIREMENTS OF §1102 OF THE CHARTER OF THE CITY OF BATH, A BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF BATH AND THE PROFESSIONAL FIRE FIGHTERS OF BATH, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1611, COMMENCING JULY 1, 2019, AND EXTENDING THROUGH JUNE 30, 2022. A COPY OF WHICH IS ATTACHED HERETO, BE AND HEREBY IS APPROVED, AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY OF BATH.

City Manager Peter Owen explained that the 3-year Firefighter contract is a brand-new written contract and has aligned with other union contracts such as Public Works and the Police Department regarding increases. The contract includes a fitness initiative and physical agility testing.

Motion made by Councilor Ambrosino to accept as presented, seconded by Councilor Paulhus

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley

NAYS: None

Passed, 8-0

Law in 21 days

D. Consent Agenda 6:12pm

(Items as marked with an asterisk (*) on the agenda shall be considered routine matters not requiring debate. In the case of items marked with an asterisk, the motion as stated in parenthesis following the items on the agenda shall be considered to have been passed by the City Council as part of the Consent Agenda. Any Councilor wishing to have any item so marked with an asterisk removed from the Consent Agenda shall have the unlimited right to do so at any time prior to the vote by Council on the Consent Agenda. If such an item is removed from the Consent Agenda, it shall be dealt with in the normal course of the meeting.)

***2) Minutes of the previous Regular Meeting of March 3, 2021 and Special Meeting of March 17, 2021 (Motion to Accept as Presented)**

Motion made by Councilor Bauer to accept as presented, seconded by Councilor Ambrosino

ROLL CALL VOTE:

YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 8-0

E. Time Devoted to Residents to Address the City Council: 6:14pm NONE

F. Ordinances, Resolutions and Orders 6:16pm

3) Order: Complete Streets Policy

ORDER- ADOPTION OF COMPLETE STREETS POLICY

WHEREAS, the City Council of the City of Bath has established Bike & Pedestrian Committee to advocate for a safe and inviting environment within the City of Bath for bicycling and walking and to encourage citizens to walk and bicycle as a reasonable alternative mode of transportation; and

WHEREAS, the City Council of the City of Bath has established a Transportation Committee to provide a safe and efficient multi-modal transportation and parking system for the benefit of residents and visitors of the City of Bath; and

WHEREAS, the Bike & Pedestrian Committee of the City of Bath has reviewed and recommended a policy to encourage publicly funded transportation projects to be designed with all modes of transportation in mind, also known as a Complete Streets Policy; and

WHEREAS, the Transportation Committee of the City of Bath has also reviewed and recommended said Policy to encourage publicly funded transportation projects to be designed with all modes of transportation in mind; and

WHEREAS, it is appropriate that the City Council of the City of Bath consider and adopt said Policy as official City Policy relating to goals, objectives, and action items in the Policy.

NOW, THEREFORE, BE IT ORDERED, by the City Council of the City of Bath, that the City has adopted a Complete Streets Policy as official policy in order to plan for, design, construct, operate, and maintain an appropriate and integrated transportation system that will meet the needs of all users

Motion made by Councilor Leonard to accept as presented, seconded by Councilor DeChant

City Planner, Ben Averill spoke regarding the Order. The Bicycle and Pedestrian Committee and the Transportation Committee have agreed in a March meeting to bring this to Council. The Order considers are modes of transportation, not just vehicular. Councilor Leonard emphasizes that this policy may be new but is already in practice. Councilor Bailey, as member of Transportation Committee, supports the Order and the work of the Bicycle and Pedestrian Committee.

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley

NAYS: None

Passed, 8-0

4) Ordinance: Outdoor Wood Boiler Ordinance Amendment (*1st Passage*)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 8. FIRE PREVENTION

ARTICLE III. OUTDOOR WOOD BOILERS AND OUTDOOR FURNACES

Amend as follows:

Sec. 8-201. Prohibition of Outdoor Wood Boilers and Outdoor Furnaces.

(1) Purpose:

Studies have been done indicating that outdoor furnaces and outdoor wood boilers pose environmental and health risks well beyond any public or private benefit. The smoke from these heating devices cause noxious, offensive odors and the emissions are detrimental to the public health. The purpose of this Section is to prohibit the use, construction, maintenance, or operation of outdoor furnaces and outdoor wood boilers in the City of Bath.

(2) Outdoor furnaces and outdoor wood boilers prohibited

The use, construction, maintenance, or operation of an outdoor furnace or outdoor wood boiler, other than those legally in existence and operation as of January 23, 2007, is prohibited in the City of Bath.

(3) Replacement of legally existing furnaces and boilers. Where it is expedient and desirous to replace a legally existing outdoor furnace or outdoor wood boiler (grandfathered unit), it may be replaced with a unit with at least the same or greater operating efficiency as the unit being replaced. A permit from the Codes Enforcement Officer is required prior to replacement. Maintenance is permitted on grandfathered units in order to minimize detrimental emissions.

(4) Outdoor furnaces or outdoor wood boilers defined

"Outdoor furnace" or "outdoor wood boiler" means any equipment, device, or apparatus, or any part thereof, which is installed, affixed, or situated outdoors, for the purpose of combustion of solid fuel to produce heat or energy.

(5) Penalties

Penalties for violation of this prohibition shall be as set forth in Section 8-105.

Motion made by Councilor Bauer to accept as presented, seconded by Councilor Bailey

Codes Enforcement Officer, Scott Davis, explains that this amendment would allow an existing wood boiler to be replaced with a new one. The ban would still apply and would not allow new wood boilers to be installed.

ROLL CALL VOTE:

YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 8-0

5) Ordinance: Chapter 17, Article 6, 17-260 Municipal Parking Lots Amendment
(1st Passage)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-260. Municipal Parking Lots.

Add the following:

(h) Castine Avenue Parking Facility – The Castine Avenue Parking Facility parking area shall be designated as permit parking only. Permits shall be issued on a month-to-month basis at an initial cost of Forty-Five Dollars (\$45.00) per month. The parking fee may, from time to time, be amended and adjusted by Resolution of the City Council.

Motion made by Councilor Bailey to accept as presented, seconded by Councilor Ambrosino

Police Chief, Michael Field, explained that the City had regained control of the Castine Ave parking facility on April 2nd, 2021. The lot will be designated as a municipal parking lot. Councilor Bailey questioned the fees and asked if they fee could be higher. Chief explained that the Council can review fees yearly.

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley

NAYS: None

Passed, 8-0

6) Resolution: Castine Avenue Permit Lot Parking Fees

RESOLUTION SETTING PERMIT PARKING FEES CASTINE AVENUE PARKING FACILITY

WHEREAS, the City Council of the City of Bath has previously leased the Castine Avenue Parking Facility to an Operator, who in turn leased spaces to parkers; and

WHEREAS, that Lease has expired; and

WHEREAS, the City is now leasing spaces in the parking facility; and

WHEREAS, the Facility is to be designated as a permit parking area only; and

WHEREAS, an initial parking fee needs to be established by Council during the pendency of the proposed Ordinance designating the lot as permit only parking; and

WHEREAS, Section 17-260 provides for the administration of permits and the setting of permit fees by Resolution of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the permit fees for the use of the Castine Avenue Parking Facility, shall be Forty-Five Dollars (\$45.00) per month, for each individual parking area, and for all subsequent months thereafter or until such time as amended by further Resolution of this Council.

City Solicitor Therriault explained that the Resolution sets the fee for now until the ordinance goes into place.

Motion made by Councilor Nordmann to accept as presented, seconded by Councilor DeChant

ROLL CALL VOTE:

YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 8-0

G. Petitions & Communications 6:55pm NONE

H. City Manager's Report 6:55pm

Mr. Owen gave recognition to Doug Watson for his 25 years of service to the Fire Department, training and advising firefighters.

I. Committee Reports 6:56pm

Councilor Bailey reports that Community Development member Jamie Pacheco has proposed a sub committee Agricultural Committee food access and systems. Century Club means to recognize community members that are 100 years old. Transportation Committee met with Bike and Ped Committee with a Slow Maine Down program.

Councilor Ambrosino Forestry Committee is turning items over for its Backpack Program and components to the Patten Free Library. The Backpack will be loaned out to them and they can explore the area.

Councilor DeChant reports that Main Street Bath operates the information center. Funding is provided by soliciting and advertising and they currently have funds to operate between Memorial Day thru Labor Day Friday thru Monday. Next big event is May 15th, Spring into Summer.

Councilor Dingley reports that the Solid Waste Committee is moving forward with the compost bins and a reminder that the Spring Clean up week is April 12-17 and Hazardous Waste Collection Day is May 8th, preregistration for this event is April 12th.

J. Unfinished Business NONE

K. New Business NONE

L. Councilor Announcements 7:02pm

Councilor Ambrosino states that the Friends of Patten Free Library will hold its mini book sale April 23, 24, and 25 in Library Park.

Councilor DeChant shared that the sign ordinance will be looked at and updated at a future meeting.

Councilor Bailey stated that the Senior Center Newsletter is out for the month. The Age Friendly Communities of the Lower Kennebec is holding a Zoom seminar on April 22 at 5:30pm regarding elder abuse. Committee openings are posted on the website.

Chairperson Park explains that homebound persons can be vaccinated. Please contact the Midcoast Hospital. The Library is reopening April 12th for limited hours 10-1.

EXECUTIVE SESSION:

Discuss Real Estate Matters per 1 MRSA §405(6)(C)

Chairperson Park asked for a motion to enter Executive Session at 7:07pm.

Councilor DeChant motioned, seconded by Councilor Paulhus

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley

NAYS: None

Passed unanimously, 8-0

Councilor Leonard motioned to enter Regular Session at 7:30pm, seconded by Councilor Bailey.

Chairperson Park asked for a motion to adjourn the meeting.

Councilor Bauer motioned to adjourn, seconded by Councilor Bailey.

ROLL CALL VOTE:

YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed, 8-0

Meeting adjourned at 7:48pm.

Attest:

Darci L. Wheeler, City Clerk

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, April 21st, 6:00 pm
Remote Zoom Meeting

Present: Councilors Ambrosino, Bailey, Paulhus, Nordmann arrived at 6:09pm, Leonard, DeChant, Bauer, Dingley, and Chairperson Park

Also, in attendance, the City Manager, Peter Owen, City Solicitor, Roger Therriault and City Clerk, Darci Wheeler.

City Clerk Wheeler called the Roll.

1) Ordinance: Outdoor Wood Boiler Ordinance Amendment (*2nd Passage*) 6:01pm

Chairperson Park read the following.

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 8. FIRE PREVENTION

ARTICLE III. OUTDOOR WOOD BOILERS AND OUTDOOR FURNACES

Amend as follows:

Sec. 8-201. Prohibition of Outdoor Wood Boilers and Outdoor Furnaces.

(1) Purpose:

Studies have been done indicating that outdoor furnaces and outdoor wood boilers pose environmental and health risks well beyond any public or private benefit. The smoke from these heating devices cause noxious, offensive odors and the emissions are detrimental to the public health. The purpose of this Section is to prohibit the use, construction, maintenance, or operation of outdoor furnaces and outdoor wood boilers in the City of Bath.

(2) Outdoor furnaces and outdoor wood boilers prohibited

The use, construction, maintenance, or operation of an outdoor furnace or outdoor wood boiler, other than those legally in existence and operation as of January 23, 2007, is prohibited in the City of Bath.

(3) Replacement of legally existing furnaces and boilers. Where it is expedient and desirable to replace a legally existing outdoor furnace or outdoor wood boiler (grandfathered unit), it may be replaced with a unit with at least the same or greater operating efficiency as the unit being replaced. A permit from the Codes

Enforcement Officer is required prior to replacement. Maintenance is permitted on grandfathered units in order to minimize detrimental emissions.

(4) Outdoor furnaces or outdoor wood boilers defined

"Outdoor furnace" or "outdoor wood boiler" means any equipment, device, or apparatus, or any part thereof, which is installed, affixed, or situated outdoors, for the purpose of combustion of solid fuel to produce heat or energy.

(5) Penalties

Penalties for violation of this prohibition shall be as set forth in Section 8-105.

Councilor DeChant made motion to waive the second reading of the ordinance, Councilor Bauer made second.

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Leonard, DeChant, Bauer, and Dingley

NAYS: NONE

Passed unanimously, 7-0

Councilor Bauer made motion. Councilor DeChant second.

Codes Enforcement Officer Scott Davis gave background on the ordinance. This amendment would allow existing wood boilers to be replaced for more efficient units.

Chairperson Park asked if there were any public comment. Seeing none, he asks for final council comments.

ROLL CALL VOTE:

YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 7-0

2) Ordinance: Chapter 17, Article 6, 17-260 Municipal Parking Lots Amendment (*2nd Passage*)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-260. Municipal Parking Lots.

Add the following:

(h) Castine Avenue Parking Facility – The Castine Avenue Parking Facility parking area shall be designated as permit parking only. Permits shall be issued on a month-to-month basis at an initial cost of Forty-Five Dollars (\$45.00) per month. The parking fee may, from time to time, be amended and adjusted by Resolution of the City Council.

Councilor DeChant made motion to waive the second reading of the ordinance, Councilor Leonard made second.

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Leonard, DeChant, Bauer, and Dingley

NAYS: NONE

Passed unanimously, 7-0

Councilor Ambrosino made motion. Councilor Bailey second.

Police Chief, Michael Field, explained that the City had regained control of the Castine Ave parking facility on April 2nd, 2021. The lot will be designated as a municipal parking lot and permits can be purchased at the police station for \$45.

Chairperson Park asked if there were any public comment. Seeing none, he asks for final council comments.

ROLL CALL VOTE:

YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 7-0

3) Order: To approve Midcoast Hospital Lease

ORDER APPROVING LEASE

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LEASE BY AND BETWEEN THE CITY OF BATH, REGIONAL SCHOOL UNIT 1 AND MIDCOAST HOSPITAL, FOR 800 HIGH STREET, FOR A PERIOD OF SIX (6) MONTHS COMMENCING JULY 1, 2021, AND RUNNING THROUGH DECEMBER 31, 2021, SAID LEASE BEING ATTACHED HERETO, BE AND HEREBY IS APPROVED AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE THE LEASE AND

ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION ON BEHALF OF THE CITY OF BATH.

Councilor Leonard made motion. Councilor DeChant second.

Assistant City Manager Marc Meyers spoke regarding the Order. Michael Pinkham, Facilities Manager and Joe Grant, Chief Operating Officer of Midcoast Hospital were in attendance to speak about their training program and the use of the space.

Councilor Bauer questions if they trainees will be using the downtown areas for delivery of food items.

Councilor Bailey questions the use of the parking and the impact on residents.

Chairperson Park asks if Merrymeeting Adult Ed is still operating in there with Councilor Leonard affirming. Parking will not be a conflict with both operations.

Chairperson Park asked if there were any public comment. Seeing none, he asks for final council comments.

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley

NAYS: NONE

Passed unanimously, 8-0

Chairperson Park asked for a motion to enter into Executive Session at 6:24pm regarding a Legal Matter.

Councilor Ambrosino motioned to enter Executive Session, seconded by Councilor Paulus.

ROLL CALL VOTE:

YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino

NAYS: None

Passed unanimously, 8-0

Executive Session

Discuss Legal Matter per 1 MRSA §405(6)(E) 6:28pm

Councilor DeChant motioned to enter back into Regular Session, seconded by Councilor Nordmann.

Chairperson Park asked for a motion to move into the Workshop at 7:39pm.

Councilor Paulhus motioned, seconded by Councilor Ambrosino.

ROLL CALL VOTE:

YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley

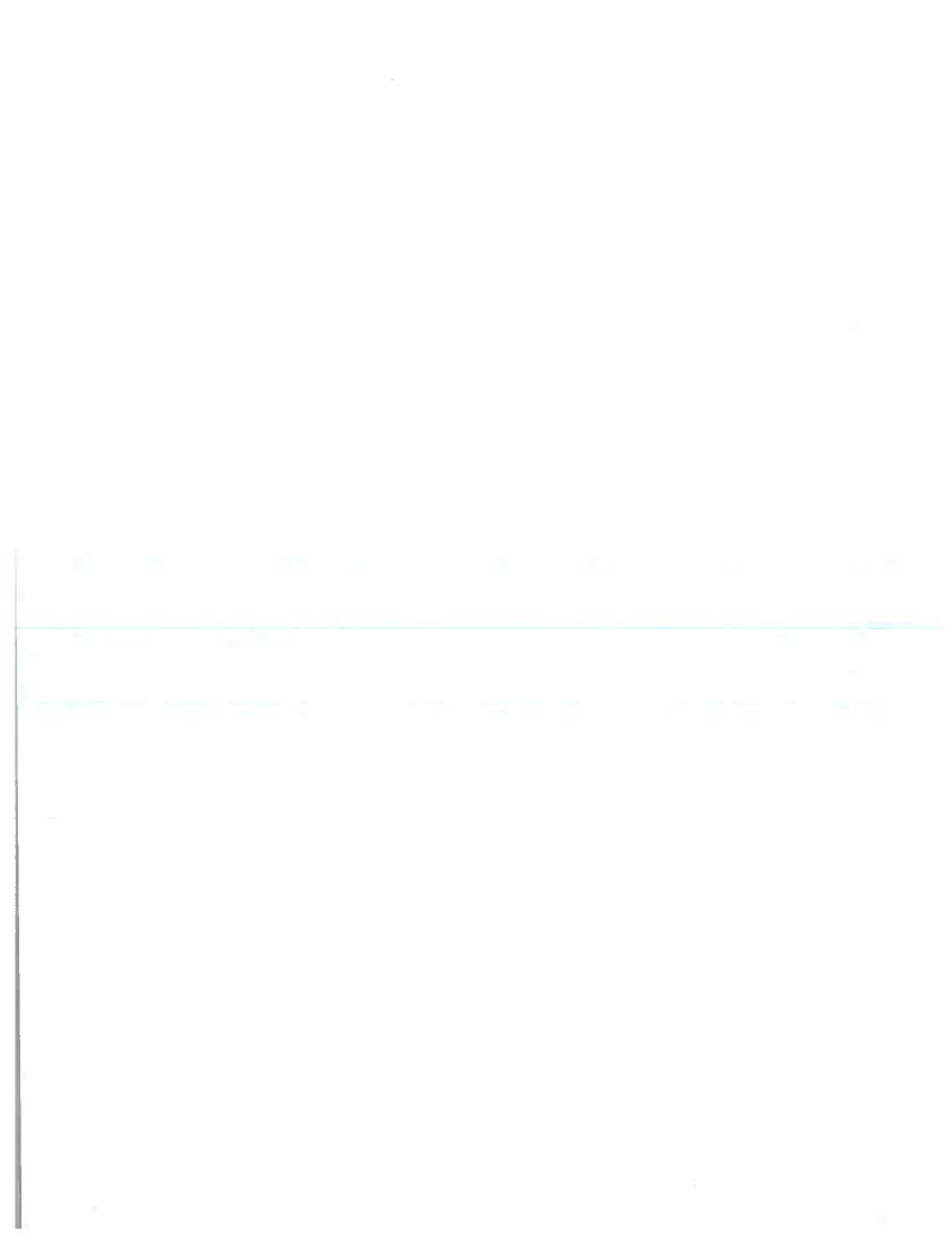
NAYS: None

Passed, 8-0

Meeting adjourned at 7:39pm.

Attest:

Darci L. Wheeler, City Clerk



ORDER

APPOINTING CITY ARBORIST/TREE WARDEN

WHEREAS, the City, through the Forestry Division and Community Forestry Committee, has shown concern with the community forest as a valuable part of the City's infrastructure and,

WHEREAS, State law Title 30A § 3282 provides municipalities the power to appoint a City Arborist/Tree Warden annually and,

WHEREAS, said law gives the Arborist/Warden control of the care of the municipal trees and the power to enforce all laws relating to the preservation of those trees and,

WHEREAS, Bath City Council adopted a forestry ordinance May 7, 1993 and,

WHEREAS, Kyle Rosenberg has worked in the capacity of the City Arborist and has shown his abilities in the care and concern for the City's trees and,

WHEREAS, Kyle Rosenberg is qualified by virtue of his experience, licensure and position as City Arborist/Tree Warden,

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that Kyle Rosenberg is hereby appointed as the City Arborist/Tree Warden for one year from this date.

