

PUBLIC

HEARING

AGENDA

ITEM

4



Town of Clinton

27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

DECLARATION OF SLUM AND BLIGHT AREA MAINE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

It is hereby found and declared:

That there exists in the Town Clinton, Maine a deteriorating, dilapidated, slum and blighted area, dangerous buildings, deficient public improvements and incompatible uses of property, which constitute a serious and growing menace, injurious and inimical to the public health, safety, morals and welfare of the residents of the Town of Clinton, Maine.

That the existence of such an area, as shown on the attached map and identified as "Village Area", and located in Census Tract Numbers: Portion of 1000, 1012, 1031, and 1032. All of 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, and 1025, is found to be consistent with Maine State Statute 30-A, Chapter 205, Section 5202 and regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570.

That the blighted area will be addressed with Community Development Block Grant (CDBG) and other funds through eligible activities, in accordance with all CDBG regulations and Maine State Statute 30-A, Chapter 205, Sections 5201 through 5205.

That the activities to be conducted are designed to eliminate the causes of slum and blight.

The Declaration with attendant documentation is hereby enacted on the 11th day of June, 2007 and is effective from this day forth until such conditions have been remedied through completion of the CDBG project.

AUTHORIZED SIGNATURES of the CLINTON BOARD OF SELECTMEN

Jeffrey Towne, Chairman

Chester Nutting

Stephen Hatch

Joseph Massey

Randy Clark



CDBG REQUIREMENTS FOR AREA-WIDE SLUM AND BLIGHT DESIGNATION

A definition of a slum and blighted area can be found in the MRSA Title 30-A, Chapter 205, 5202. The following definition of a blighted area will serve as a starting point in determining if the proposed area in your community may qualify under this national objective.

- A. An area in which there is a predominance of buildings or improvements which are conducive to ill health, the transmission of disease, infant mortality, juvenile delinquency or crime and are detrimental to the public health, safety, morals or welfare because of:** 1) Dilapidation, deterioration, age or obsolescence; 2) inadequate provision of ventilation, light, air, sanitation or open spaces; 3) high density of population or overcrowding; 4) the existence of conditions which endanger life or property by fire and other causes; or 5) any combination of these factors.

- B. An area which is a menace to the public health, safety, morals, or welfare in its present condition because of:** 1) the predominance of inadequate street layout, unsanitary or unsafe conditions; 2) tax or special assessment delinquency exceeding the fair value of the land; 3) the existence of conditions which endanger life or property by fire and other causes; or 4) any combination of these factors.

The important thing to remember is that it is necessary to target an **area** to meet this national objective. This area must be defined by the applicant and shown to have contiguous boundaries and interrelated problems causing the **entire area** to be blighted.

In addition to the state definition of blighted area, the HUD rules for CDBG Program activities defines further what conditions must exist for an area to be considered blighted. These conditions are: 1) the local area meets the definition of a blighted area under state or local law; 2) throughout the blighted area there is a **substantial** number of deteriorating buildings or the public improvements are in a **general** state of deterioration; 3) the CDBG activities will address one or more of the conditions which contributed to the deterioration of the area; and 4) records are retained that sufficiently document that a project meets the national objective of addressing slums and blight on an area-wide basis.

Your community must take into consideration **both** the state and CDBG requirements when qualifying a slums/blight area-wide project. First, you should review the State Statute above to make sure the area in question is applicable. Then you should apply the HUD Condition (B) related to **buildings** or **public improvements**. In the case of public improvements, it is insufficient for only one type of public improvement to be in a state of deterioration, the public improvements **taken, as a whole** must **clearly exhibit signs of deterioration**. If both the state and HUD requirements seem to apply to your potential CDBG project, the following process should occur with **all materials sent to OCD as part of your Project Development submissions**.

REQUIRED DOCUMENTATION

1. Written descriptions of the conditions, which you feel, qualify the area at the time of its designation. This description must be in sufficient detail to demonstrate how the area met all criteria. Also included must be the method by which the area was identified and delineated.

2. Support documentation that details the specific conditions that exist in the designated area. This documentation can include, but is not limited to, structural analysis of buildings, engineering studies, local code enforcement officials, planning board actions, public health and safety concerns, and actions taken by other state or local authorities.
3. A detailed map outlining the designated blighted area and photographs documenting the entire conditions in the designated blighted area.
4. Documentation that a duly authorized local public hearing dealing with the slum blight area-wide designation was held prior to the official Declaration of Slum and Blight Area adoption. This documentation must include a copy of the local newspaper advertisement, attendance list and official minutes of the hearing.
5. A Declaration of Slum and Blight enacted by the legislative body of your community and containing the municipal seal. (A sample copy of a Declaration of Slum and Blight is attached.)



Full Highlighted Search Result

Query *Title 30-A Section 5202* on document *Title 30-A - §5202*.

Definitions

You can navigate between the hits using the "<<" and ">>" tags around a hit. Clicking "<<" takes you to the previous hit, clicking ">>" takes you to the next hit.

Go to the first [Title 30-A Section 5202](#)

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<< **Title**>> 30-A - §5202. Definitions Prev: Chapter 205 §5201 Next: Chapter 205 §5203 Download Chapter 205

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Legislature << **Title**>> 30-A: MUNICIPALITIES AND COUNTIES (HEADING: PL 1987, c. 737, Pt.

A, §2 (new)) Part 2: MUNICIPALITIES (HEADING: PL 1987, c. 737, Pt. A, §2 (new))

Subpart 8: DEVELOPMENT (HEADING: PL 1987, c. 737, Pt. A, §2 (new))

Chapter 205: COMMUNITY DEVELOPMENT (HEADING: PL 1987, c. 737, Pt. A, §2 (new))

§5202. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1987, c. 737, Pt. A, Â§2 (new); Pt. C, Â§106 (new); 1989, c. 6 (amd); c. 9, Â§2 (amd); c. 104, Pt. C, Â§Â§8, 10 (amd).]

1. Blighted area. "Blighted area" means:

A. An area in which there are a substantial number of buildings or improvements that are detrimental to the public health, safety or welfare because of:

- (1) Dilapidation, deterioration, age or obsolescence;
- (2) Inadequate provision for ventilation, light, air, sanitation or open spaces;
- (3) High density of population and overcrowding;
- (4) The existence of conditions that endanger life or property by fire and other causes; or
- (5) Any combination of these factors; or [1999, c. 540, Â§4 (amd).]

B. An area that is a threat to the public health, safety or welfare in its present condition and use because of:

- (1) Inadequate street layout, unsanitary or unsafe conditions;
- (2) Tax or special assessment delinquency exceeding the fair value of the land;
- (3) The existence of conditions that endanger life or property by fire and other causes; or
- (4) Any combination of these factors. [1999, c. 540, Â§4 (amd).] [1999, c. 540, Â§4 (amd).]

2. Community development program. "Community development program" means a program adopted by a municipality under this chapter which has as its primary objective the development of a viable community by providing decent housing principally for persons of low and moderate incomes, or by expanding economic opportunity by providing public facilities. This program must conform to the municipality's comprehensive plan. The program may include the following specific objectives:

A. The identification and elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities important to the welfare of the community and principally to persons of low and moderate income; [1987, c. 737, Pt. A, Â§2 (new);

Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

B. The elimination of conditions which are detrimental to health, safety and public welfare through code enforcement, demolition, interim rehabilitation assistance and related activities; [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

C. The conservation and expansion of housing stock in order to provide a decent home and a suitable living environment for all persons, but principally those of low and moderate income; [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

D. The expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities; [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

E. A more rational use of land and other natural resources and the better arrangement of residential, commercial, industrial, recreational and other needed activity centers; [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

F. The reduction of the isolation of income groups within the community and surrounding geographical areas and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial deconcentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods in order to attract persons of higher income; and [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

G. The restoration and preservation of properties of special value for historic, architectural or aesthetic reasons. [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).] [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

3. Disposition. "Disposition" includes the sale or lease of the property to persons not necessarily the original owners, or the municipality's retention of the property after acquisition or after acquisition and rehabilitation or demolition.[1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

4. Owner. "Owner" means any person having an estate, interest or easement in the property to be acquired, or having a lien, charge, mortgage or encumbrance on the property.[1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

5. Slum area. "Slum area" means a blighted area in an extreme state of deterioration and decay. [1987, c. 737, Pt. A, [Â§2 \(new\)](#); Pt. C, [Â§106 \(new\)](#); 1989, c. 6 (amd); c. 9, [Â§2 \(amd\)](#); c. 104, Pt. C, [Â§Â§8, 10 \(amd\)](#).]

Section History:

PL 1987, Ch. 737, [§A2,C106 \(NEW\)](#). PL 1989, Ch. 6, [§ \(AMD\)](#). PL 1989, Ch. 9, [§2 \(AMD\)](#).

PL 1989, Ch. 104, [§C8,10 \(AMD\)](#). PL 1999, Ch. 540, [§4 \(AMD\)](#).

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State House Room 108

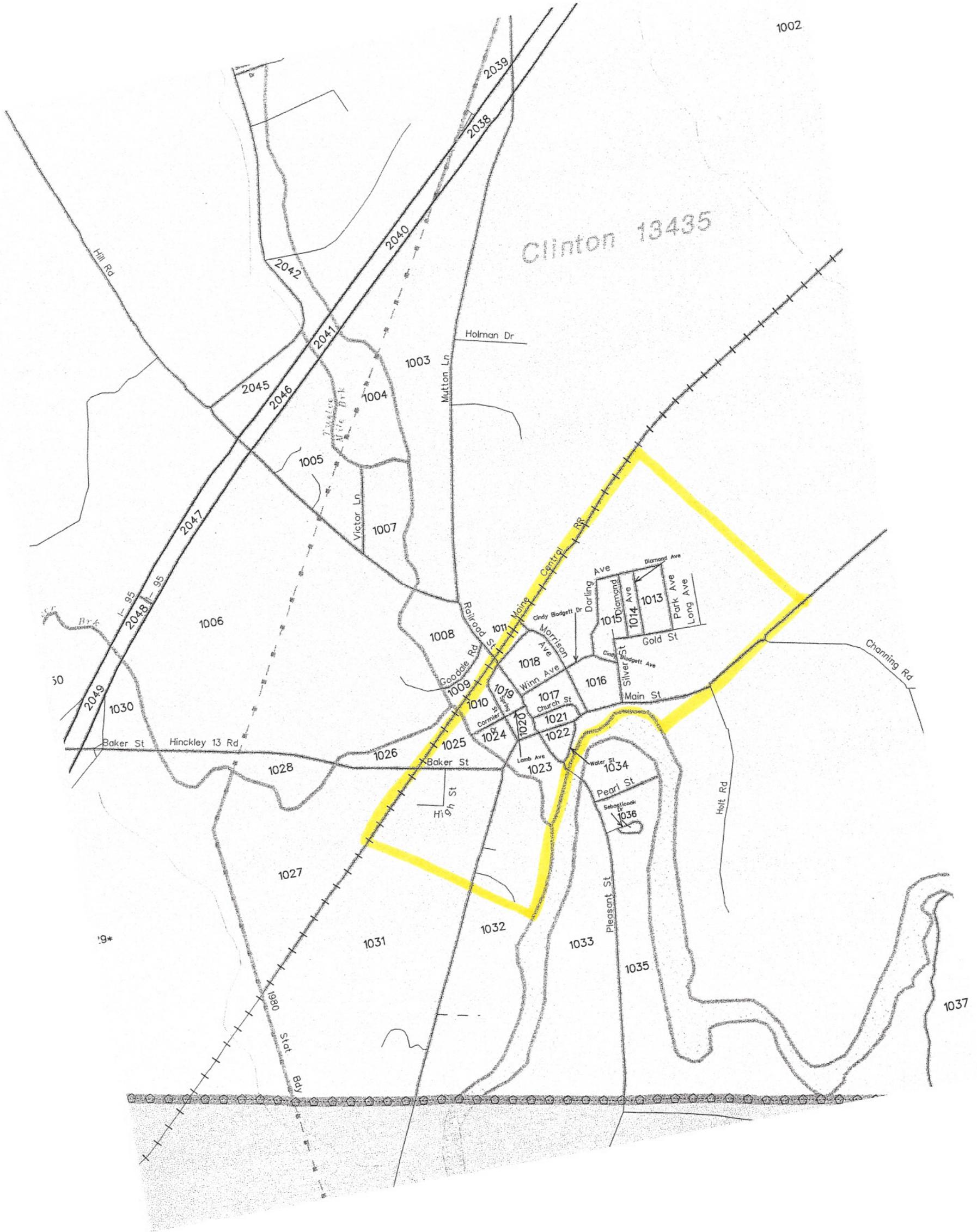
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1002

Clinton 13435





Town of Clinton

27 Baker Street

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Clinton, ME 04927

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DESCRIPTION of CONDITIONS

The Town of Clinton and the Maine Department of Economic and Community Development funded a Downtown Improvement Study Plan. Kent Associates Planning & Design Consultants of Gardiner, Maine in association with the Clinton Community Development Committee conducted the study. The Improvement Plan was completed in 2005.

The plan brought together the key components of community development- recreation and green space, pedestrian and traffic safety, housing, and business development in an effort to help make Downtown "Village Area" a place that will better support existing and new business and increase community pride.

The "Village Area" is described as the area along Main Street (Route 100) from the cemetery to the Fairgrounds and from the railroad tracks to the Sebasticook River.

The plan proposes specific strategies and actions for each of a number of community development initiatives. Proposed road and streetscape design will improve the predominance of inadequate street and sidewalk layout.

The "Village Area" contains a number of houses and mobile homes that are in various stages of disrepair due to dilapidation, deterioration, age and obsolescence. The attached photos depict the conditions.

Five central downtown initiatives have been developed using Committee and public participation input were as follows:

1. **Business Development.** Encourage business development by making the downtown an attractive place for new and existing businesses; provide the necessary infrastructure and remove regulatory obstacles.
2. **Main Street & Downtown Improvements.** Make physical improvements along Main Street that provide for pedestrian and traffic safety, expand parking, and improve the image of downtown.
3. **Housing.** Identify sites for locating affordable elderly housing units in the downtown that are convenient to businesses and town services and amenities.
4. **The Mill Site.** Establish a use and activities plan for the Mill Site.
5. **Downtown Green Spaces and Trails.** Encourage and develop landscape improvements along Main Street on both public and private parcels; enhance existing green space and recreation opportunities in the downtown by developing new connections (trails) and expanded recreational use of town-owned properties (e.g. the Mill Site, town office site, Douglas Stream).



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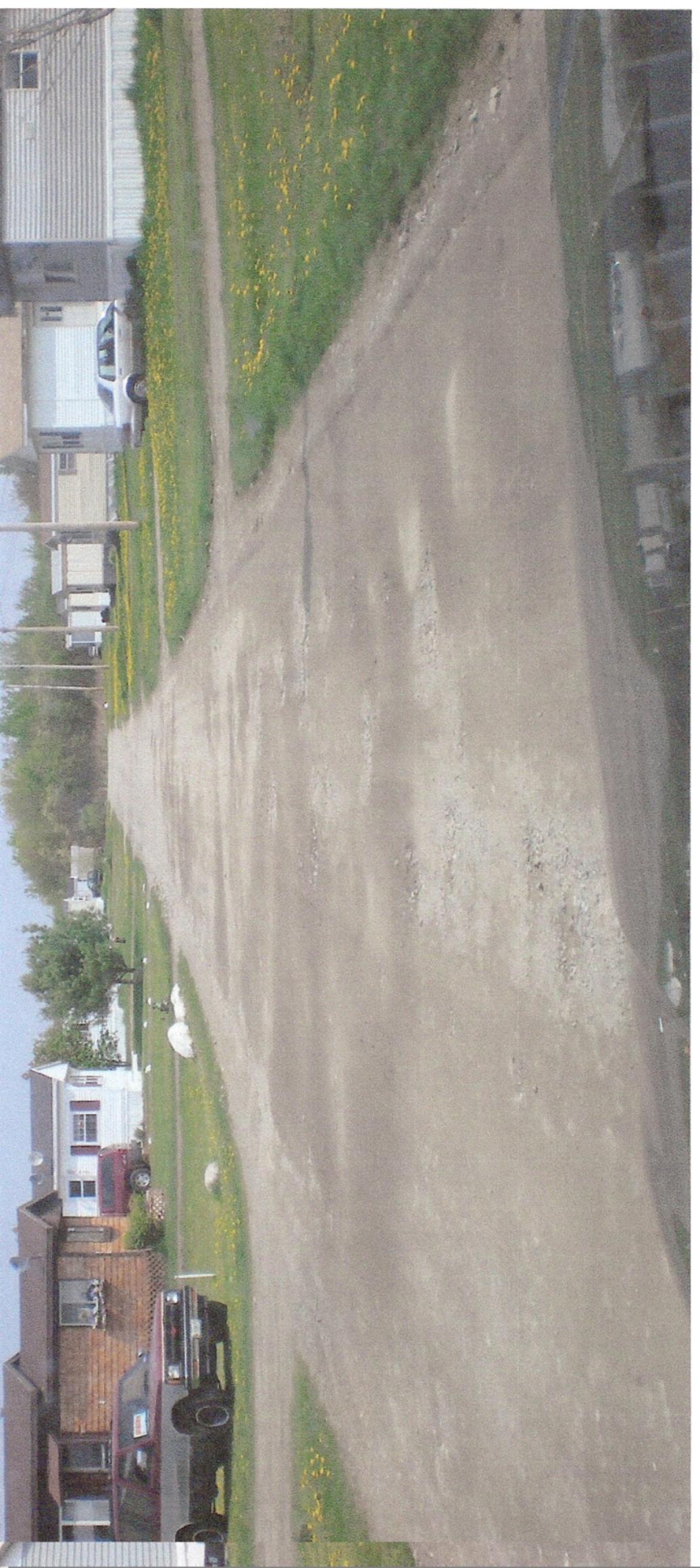




















WATERBURY
CASH

WATERBURY
CASH















Town of Clinton
27 Baker Street

426-8511 phone

Clinton, ME 04927

426-8323 fax

**CODE ENFORCEMENT OFFICER
LOCAL HEALTH OFFICER
STATEMENT
REGARDING CONDITIONS THAT EXIST IN THE
"VILLAGE AREA"**

The "Village Area" of Clinton, Maine contains a number of houses and mobile homes that are in various stages of disrepair due to dilapidation, deterioration, age and obsolescence.

There is heavy infestation of cockroaches in some apartment buildings, and evidence of inadequate electrical wiring detrimental to public health.

There is evidence of mold in the Mobile Home Park detrimental to public health.

Robert Sharkey
Code Enforcement Officer
Local Health Officer

Friday, May 25, 2007 **D1**

Legal Advertisement

**Public Hearing Notice
Town of Clinton**

The Town of Clinton will hold a Public Hearing on June 11, 2007 at 6:30 PM at the Selectmen ^s Meeting Room, Clinton Town Office to discuss a Declaration of Slum and Blight being submitted to the State of Maine CDBG program for a Community Enterprise Grant - Streetscapes Application. The purpose of the grant application is to continue the ongoing efforts to revitalize Clinton's d o w n t o w n b y construction of a Waterfront Trail with lookout platform and Gazebo, installation and wiring of underground conduits for service to the Mill Site, repair and resurface of the 22,000 square foot Mill Site concrete pad, and purchase / installation of planters and benches for the Mill Site. Public comments will be solicited at this Hearing and will be submitted as part of the declaration. All persons wishing to make comments or ask questions about the declaration process are invited to attend this Public Hearing. Comments may be submitted in writing to: James Rhodes, Town Manager, Town of Clinton, 27 Baker Street, Clinton, Maine 04027 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town ^s programs or services, please call James Rhodes, Town Manager at 426-8511 so that accommodations can be made.

