

CITY OF SACO, ME
CITY COUNCIL
CITY COUNCIL MEETING
PACKET
AUGUST 3, 2026 - 06:30 PM

MAYOR JODI L. MACPHAIL
COUNCILOR DOUGLAS EDWARDS
COUNCILOR JOSHUA D. PARKS

COUNCILOR JEFFREY ONNEN
COUNCILOR WILLIAM GAYLE
COUNCILOR TRICIA HUOT
COUNCILOR NATHAN D. JOHNSTON

SACO CITY COUNCIL MEETING
AUGUST 3, 2026 - 06:30 PM

CITY HALL AUDITORIUM

1. CALL TO ORDER

2. RECOGNITION OF MEMBERS PRESENT

3. PLEDGE OF ALLEGIANCE

4. GENERAL

A. Thornton Academy Girls Lacrosse Recognition

5. COMMITTEE CORRESPONDENCE TO COUNCIL

6. PUBLIC COMMENT

7. APPROVAL OF MINUTES

A. July 20, 2026

Attachment: cm_2026_07_20 - Draft Minutes.pdf

8. CONSENT ITEMS

A. Confirmation of the Mayor's Reappointments to the Zoning Board of Appeals-George Chase and Robert Dziadzio and Promotion from Alternate Member to Regular Member-Robert Dziadzio

Attachment: Consent Item A-Zoning Board of Appeals.pdf

B. Confirmation of the Mayor's Reappointments to the Coastal Waters Commission-Richard Milliard, Leonard Hurrell, and Jim Katz

Attachment: Consent Item B- Coastal Waters Commission.pdf

C. Confirmation of the Mayor's Reappointments to the Parks and Recreation Advisory Board-Christopher Yanni, Andrew Bracy, and Jaime Marcotte

Attachment: Consent Item C- Reappointments of Parks and Recreation Advisory Board Members.pdf

D. Certification of Election Results-June 9, 2026, School Budget Referendum Election

Attachment: Consent Item D-Certification of Election Results for June 9 2026.pdf

9. ACTION ITEMS

A. (Second/Final Reading) Dyer Library Funding Request

Attachment: IC_Final Read_Dyer Library Funding Request_08.03.26 Final.pdf

B. (Second/Final Reading) Proposed Ordinance Amendment to Chapter 60 Ambulance Service to provide for an Annual Educational Funding Allocation and Annual Ambulance Division Equipment Reserve Fund

Attachment: IC_Final Read_Ambulance Fund_08.03.26.pdf

C. (One Reading) Smith-Stockman Connector Review

Attachment: Action Item C-Smith Stockman Connector.pdf

D. (First Reading) Proposed Charter Amendments

Attachment: Action Item D-First Read_Charter Amendments.pdf

E. (One Reading) Emergency Ordinance to Establish a Temporary Prohibition on Data Centers

Attachment: Action Item E-One Read_Emergency Ordinance Data Centers.pdf

F. (First Reading) Mobile Home Park Lot Rent Stabilization Ordinance (Proposed to be Chapter 145 in City Code)

Attachment: Action Item F-First Read_Mobile Home Park Lot Rent Stabilization Ord.pdf

10.NEW BUSINESS

A. Petition for a Contract Zone filed by TowerCo, LLC for a portion of Ricker Road (Map 101, Lot 25) currently zoned Rural Conservation (RC).

Attachment: New Business Item A- Petition for a Contract Zone Filed by TowerCo_ LLC.pdf

11.ADMINISTRATIVE UPDATE

12.COUNCIL DISCUSSION AND COMMENT

13.ADJOURNMENT

MAYOR JODI L. MACPHAIL
COUNCILOR DOUGLAS EDWARDS
COUNCILOR JOSHUA D. PARKS
COUNCILOR WILLIAM DOYLE

COUNCILOR JEFFREY ONNEN
COUNCILOR WILLIAM GAYLE
COUNCILOR TRICIA HUOT
COUNCILOR NATHAN D. JOHNSTON

SACO CITY COUNCIL MEETING MINUTES
JULY 20, 2026 - 6:30 PM

CITY HALL AUDITORIUM

Workshop

1. Assessing Overview

Assessor Sean McCarthy and Deputy Assessor Kate Kern provided a presentation on the 2026 Valuation Update. The update included: What were the results of the measure and list; How do we update values; Why did we update values; and What does this mean for the future.

The measure and list was a 18-month project where property inspections were verified and data was corrected to provide a solid data foundation to begin analyzing sales to measure how close our assessments are to market value. The average ratio across the city determines the amount the state reimburses us for exemptions. The state law requires between 70%-110% and still be in state compliance and a quality rating of less than 20. If you drop below 91% ratio that's when the factoring of exemptions starts happening.

A total of 399 qualified sales were used to determine what adjustments need to be made and to make changes in a controlled environment and examine results. Factoring to a lower ratio costs the city money due to loss of some state reimbursements for exemptions and personal property revenue and it shifts the tax burden to lower valued properties. Building values increased to match Marshall & Swift and land values increased to conform with sale prices with adjusted values of various neighborhoods to ensure equity. It is worth noting that the 91% ratio is the minimum increase to get 100% value of all of the exemptions. The state lets you claim to be within 10% of whatever your true value ratio is. The city will monitor how sales trend over time to get a picture of how the market is continuing to change and if necessary, make market adjustments to meet acceptable sales ratio standards and meet statutory requirements.

Directors McCarthy and Kern addressed councilors questions.

2. Smith-Stockman Connector Update

Public Works Director Travis Moore and City Engineer Adam Bliss provided an update on the Smith-Stockman Connector which covered the areas of background, design, and options.

It's been a long-standing goal of the city to connect parcels along this section of Route 1 with a rear access road. With the 2021 redevelopment of the former Pizza Hut the city has title to a 50' wide strip of land along the rear of this property. Council funded design in May 2022 with an appropriation of $75,000 for Public Works to begin the survey and design of what the connector road could look like. Roadway concept was discussed on May 15, 2025, at a Traffic Safety Committee meeting.

To date we have 90% of plans which will allow for permitting through the Army Corp of Engineers and DEP. Once permitting is complete, drawings will be updated to final construction drawings. Remaining items: Permitting, 5 easements or land acquisitions, and additional funding.

Options: 1) No build - $0; 2) Construct Drainage Only - $600,000; and 3) Construct Roadway & Drainage $1,100,000.

Director Moore and Engineer Bliss address councilors questions.

This item will be coming back in the future as a New Business item.

1. CALL TO ORDER

On Monday, July 20, 2026, at 7:15 p.m. a City Council meeting was held in the City Hall Auditorium.

2. RECOGNITION OF MEMBERS PRESENT

Mayor Jodi MacPhail recognized the members of the Council and determined that the Councilors present constituted a quorum. Councilors present: Douglas Edwards, Joshua Parks, Jeffrey Onnen, William Gayle, Tricia Huot, and Nathan Johnston. Absent: Councilor William Doyle. City Administrator Ryan Pelletier was also present this evening.

3. PLEDGE OF ALLEGIANCE

4. GENERAL

5. COMMITTEE CORRESPONDENCE TO COUNCIL

- Councilor Edwards - As we are in summer, many people are in and out on vacations, but I wanted to remind you of the events coming up that are sponsored in part by Saco Main Street. So, this Saturday, Music on Main, July 25th. This one is supposed to be team focused, but certainly a great time for a free event next to the old Vic and Wits. You'll have fun. Also, August 1st coming up, there's Pride in the Park. It's a totally free event. You can go to the sacomainstreet.org or to register if you want to be in the color run or if you want to volunteer. And speaking about volunteers, they're always looking for volunteers. And I understand you may not be available this summer, but when it's time to go back to school and you may find yourself with some time, feel free to peruse the sacomainstreet. org or web page to take a look at volunteer opportunities.

6. PUBLIC COMMENT

The following individuals chose to speak:

- Sarah Giles-Gardner, 17 Pine Haven Street
- Barb Thomas, Meserve Circle
- Kathy Dobbins, 28 Meserve Circle
- Brian Laroche, 19 Meserve Circle
- Lisa Desrochers, 18 Pine Haven Street
- Zack Ashley, 24 Therrien Avenue
- Sandra Guay, 52 Cumberland Avenue
- Joe Gunn, 22 Boynton Brook Road
- Richard Gosselin, 7 Meserve Circle
- Pamela Sears, 8 Settlers Way

7. APPROVAL OF MINUTES

Councilor Huot moved, Councilor Edwards seconded, to approve the minutes of the July 6, 2026, City Council meeting as written. The motion passed with six (6) yeas.

8. CONSENT ITEMS

Councilor Johnston moved, Councilor Onnen seconded, to approve Consent Agenda items #A & #B as follows:

A. Annual Report Filing Extension - I move to grant Staff a forty-five (45) day extension for filing the Annual Report.

B. Confirm Mayor's Appointment to the Shoreline Commission - Yohana Josephson - Be it ordered that the City Council confirm the Mayor's appointment to the Shoreline Commission of Yohana Josephson, with a term expiring on October 21, 2027. Further move to approve the order.

The motion passed with six (6) yeas.

9. ACTION ITEMS

A. (One Reading) Acceptance of Councilor Doyle's Resignation

Councilor Parks moved, Councilor Edwards seconded, Be it ordered that the City Council accepts the resignation of Councilor William Doyle, effective immediately. The motion passed with six (6) yeas.

B. (One Reading) Fee Schedule Clarification

Councilor Parks moved, Councilor Edwards seconded, Be it ordered that the Saco City Council approves the Fee Schedule Clarification to correctly reflect the $90 per hour for outside police assignments officer with cruiser. Further move to approve the order. The motion passed with six (6) yeas.

C. (Public Hearing) Proposed Ordinance Amendment to Chapter 60 Ambulance Service to Provide for an Annual Educational Funding Allocation and Annual Ambulance Division Equipment Reserve Fund

Councilor Parks moved, Councilor Gayle seconded, to open the public hearing on the proposed ordinance amendment to Chapter 60 Ambulance Service. The motion passed with six (6) yeas.

There were no public comments.

Councilor Parks moved, Councilor Edwards seconded, to close the public hearing; and further move to schedule the second/final reading on August 3, 2026. The motion passed with six (6) yeas.

D. (Public Hearing) Renewal Application for Special Entertainment Permit-Golden Rooster Restaurant

Councilor Johnston moved, Councilor Gayle seconded, to open the Public Hearing. The motion passed with six (6) yeas.

There were no public comments.

Councilor Johnston moved, Councilor Edwards seconded, to close the Public Hearing and be it ordered that the City Council grant the renewal application submitted by Chris Rizeakos d/b/a Golden Rooster Restaurant for a Special Entertainment Permit to be concurrent with the establishment's current liquor license. Further move to approve the Order. The motion passed with six (6) yeas.

E. (First Reading) Dyer Library Funding Request

Councilor Huot moved, Councilor Edwards seconded, Be it Ordered that the Saco City Council approves the First Reading of the Dyer Library Funding Request in the amount of $75,000; and further moves to schedule the Final Reading on August 3, 2026. Further move to approve the order. The motion passed with six (6) yeas.

10. NEW BUSINESS

A. Call for Letters of Interest-Ward 3 Council Vacancy

City Administrator Ryan Pelletier - Tomorrow, the City Clerk will advertise publicly the call for interested parties in Ward 3. Our charter requires a 21-day notice. So, August 12th will be the deadline for people interested in being appointed for that seat.

In concurrence with that, because Councilor Doyle resigned outside of the 75-day window, that position will also be advertised for a special election that will be held at the regular election date of November 3. So, people interested in being appointed need to have their letters in by August 12th and a public hearing with those interested to address council for the appointment will happen on the August 17th council meeting night.

B. Proposed Charter Amendments

City Administrator Ryan Pelletier - We've received a few proposed charter amendments; 2 from Councilor Doyle and 2 from Councilor Johnston. Those have been included in your packet. We'll continue to work with council on making refinements to those charter amendments.

Administrator Pelletier addressed councilors questions.

The charter amendments will be brought back on August 3, 2026, for a First Reading.

C. Dyer Library Draft Memorandum of Understanding (MOU)

City Administrator Ryan Pelletier - This follows through with some of the comments made earlier during Director Smith's presentation during the budget.

We determined that it would be a good idea for both parties to codify the relationship that the city has with Dyer Library for the in-kind services that we had been providing and with the addition of the facilities support.

So, administration has been working with Director Smith to propose a draft MOU. This is under new business. So, we ask council to review. If there are any suggested changes or questions, we're happy to take those into consideration.

We are working with our legal counsel to finalize this, and it will come back at a future time for action.

11. ADMINISTRATIVE UPDATE

City Administrator Ryan Pelletier provided administrative updates.

12. COUNCIL DISCUSSION AND COMMENT

- Councilor Edwards - I've been thinking about whether I should make this comment or not, but I personally I feel I want to. I think many Saco residents as well as Biddeford residents were shocked and discouraged and saddened by the tragic killing of Joan Sebastian Guerrero. I know that our City of Saco is trying to protect our citizens. Our police are not actively searching for members of this

community. I would ask that despite or despite one's particular politics, we can all agree that any death, whether it's by accident or by fiat, it's a loss of life from our community. I live in the hope that one day we will be closer to what we say at the end of the pledge that we say every week, every time we're in here, that we become closer to being indivisible with justice and liberty for all.

13. EXECUTIVE SESSION

Councilor Parks moved, Councilor Gayle seconded, Be it ordered that the City Council enter into executive session, pursuant to [M.R.S.A. Title 1, Chapter 13,Subchapter 1, §405 (6)]: (E) Consultation between the municipality and its attorney: 1. To hold an executive session, pursuant to 1 M.R.S. § 405(6)(E), to consult with the City Solicitor concerning the Council's legal rights and duties relating to Data Centers; and 2. To hold an executive session, pursuant to 1 M.R.S. § 405(6)(E), to consult with the City Solicitor concerning the Council's legal rights and duties relating to an application by Tower Co, LLC. The motion passed with six (6) yeas. Time: 8:15 p.m.

EXIT EXECUTIVE SESSION

Mayor MacPhail, and City Councilors: Edwards, Parks, Onnen, Gayle, Huot, Johnston, and City Administrator Ryan Pelletier were all present.

Councilor Onnen moved, Councilor Edwards seconded, to exit executive session. The motion passed with six (6) yeas. Time: 9:06 p.m.

14. REPORT FROM EXECUTIVE SESSION

Councilor Parks stated there was no report.

15. ADJOURNMENT

Councilor Edwards moved, Councilor Huot seconded, to adjourn the meeting. The motion passed with six (6) yeas. Time: 9:06 p.m.

Attest:_____

Michele L. Hughes, City Clerk

DRAFT

CONSENT ITEM A
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: Confirm Mayor's Reappointments to the Zoning Board of Appeals-George Chase and Robert Dziadzio and Promotion from Alternate Member to Regular Member-Robert Dziadzio

COUNCIL RESOURCE: Councilor Joshua Parks, Ward 2

STAFF RESOURCE: Ryan Pelletier, City Administrator
David Twomey, Director-Code Enforcement

BACKGROUND: The Zoning Board of Appeals consists of seven (7) members and two (2) alternate members appointed by the Mayor and confirmed by the Council for a term of five (5) years. Primarily the Zoning Board of Appeals, after public hearing and majority vote of its members, will decide administrative appeals, variances, Historic Preservation Commission appeals shore-land variances, and denials of building permits.

Mayor MacPhail has recommended George Chase and Robert Dziadzio be reappointed to the Zoning Board of Appeals, with terms expiring on August 3, 2031.

Mayor MacPhail has also recommended that Robert Dziadzio be promoted from alternate member to regular member.

RECOMMENDATION: The Mayor recommends approval of these reappointments and the promotion of Robert Dziadzio from alternate member to regular member on the Zoning Board of Appeals.

SUGGESTED MOTION: *"Be it ordered that the City Council confirm the Mayor's reappointments of George Chase and Robert Dziadzio, for terms expiring on August 3, 2031, and for the promotion of Robert Dziadzio from alternate member to regular member".*

"I move to approve the Order."

CONSENT ITEM B
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: Confirm the Mayor's Reappointments to the Coastal Waters Commission – Richard Milliard, Leonard Hurrell, and James Katz

COUNCIL RESOURCE: Councilor Jeffrey Onnen, Ward 4

STAFF RESOURCE: Ryan Pelletier, City Administrator

BACKGROUND: The Coastal Waters Commission shall be composed of seven members, to be appointed by the Mayor for a three-year term and approved by the City Council. Each Commission member shall be a resident of the city, shall be persons qualified to perform the duties of such office, and shall serve without compensation.

The Mayor is recommending the reappointments of Richard Milliard, Leonard Hurrell, and James Katz to serve on the Coastal Waters Commission, each for a three-year term.

RECOMMENDATION: The Mayor recommends confirmation of the reappointments of Richard Milliard, Leonard Hurrell, and James Katz to the Coastal Waters Commission

SUGGESTED MOTION: *"Be it Ordered that the City Council confirm the Mayor's reappointments of Richard Milliard, Leonard Hurrell, and James Katz to serve on the Saco Coastal Waters Commission, effective September 12, 2026, each for three-year terms ending on September 11, 2029."*

"I move to approve the Order".

CONSENT ITEM C
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: Confirm the Mayor's Reappointments to the Parks and Recreation Advisory Committee-Christopher Yanni, Andrew Bracy, and Jaime Marcotte

COUNCIL RESOURCE: Councilor Douglas Edwards, Ward 1

STAFF RESOURCE: Ryan Pelletier, City Administrator
Ryan Sommer, Director of Parks & Recreation

BACKGROUND: The Parks and Recreation Advisory Board was established for the purpose of planning a city-wide Parks and Recreation Program and to advise and assist the Parks and Recreation Director in initiating and maintaining this Program. The Board consists of 11 members. The responsibility of the Parks and Recreation Advisory Board includes: (1) responsibility to promote, enhance, and protect recreational opportunities in Saco to maintain and further develop the quality of life. (2) Serve as an Advisor to the Parks and Recreation Director, and as a forum for the discussion of new and creative programs including needs and requirements of present and future activities, programs, and projects.

RECOMMENDATION: The Mayor recommends confirmation of the reappointments of Parks and Recreation Board Committee Members Christopher Yanni, Andrew Bracy, and Jaime Marcotte.

SUGGESTED MOTION: *"Be it ordered that the City Council confirm the Mayor's reappointments of Christopher Yanni, Andrew Bracy, and Jaime Marcotte to serve on the Parks and Recreation Committee effective August 3, 2026, each for three-year terms ending on June 30, 2029.*

"I move to approve the order."

CONSENT ITEM D
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: Certification of Election Results – June 9, 2026, School Budget Validation Referendum Election

COUNCIL RESOURCE: Councilor Nathan Johnston, Ward 7

STAFF RESOURCE: Michele L. Hughes, City Clerk

BACKGROUND: On Tuesday, June 9, 2026, a School Budget Validation Referendum Election was held. The election results are being submitted to the Council for Certification as required by Section 7.03 b. of the Charter of the City of Saco.

EXHIBITS: 1. Election results

RECOMMENDATION: Staff recommends approval.

SUGGESTED MOTION: *"Be it Ordered that the City Council hereby approve the results of the June 9, 2026, School Budget Validation Referendum Election as presented".*

"I move to approve the Order".

CONSENT ITEM D
Exhibit 1

STATE OF MAINE - CITY OF SACO
JUNE 9, 2026 STATE PRIMARY & BUDGET VALIDATION REFERENDUM
OFFICIAL ELECTION RESULTS

DEMOCRATIC PARTY

UNITED STATES SENATOR	TOTAL
COSTELLO, DAVID A.	262
MILLS, JANET T.	785
PLATNER, GRAHAM C.	2,410
LAFLAMME, ANDREA (DECLARED WRITE-IN)	7
BLANK	108
TOTAL	3,572

GOVERNOR	TOTAL
BELLOWS, SHENNA	708
JACKSON, TROY DALE	641
KING, ANGUS III	331
PINGREE, HANNAH M.	757
SHAH, NIRAV D.	1065
BLANK	70
TOTAL	3,572

REP. TO CONGRESS - DIST 1	TOTAL
PINGREE, CHELLIE	3,332
BLANK	240
TOTAL	3,572

STATE SENATOR - DIST. 31	TOTAL
BAILEY, DONNA	3,254
BLANK	318
TOTAL	3,572

REP. TO THE LEG. - DIST. 126	TOTAL
GATTINE, ANDREW	366
BLANK	63
TOTAL	429

REP. TO THE LEG. - DIST. 129	TOTAL
ARCHER, MARSHALL F.	1,274
BLANK	205
TOTAL	1,479

REP. TO THE LEG. - DIST. 130	TOTAL
COPELAND, LYNN HOLLAND	1,487
BLANK	177
TOTAL	1,664

COUNTY TREASURER - YORK CTY.	TOTAL
MILLS, BOBBY J.	3,010
BLANK	562
TOTAL	3,572

SHERIFF - YORK CTY.	TOTAL
KING, WILLIAM L. JR.	3,085
BLANK	487
TOTAL	3,572

DISTRICT ATTORNEY - YORK CTY. - DIST. 1	TOTAL
SLATTERY, KATHRYN M.	3,081
BLANK	491
TOTAL	3,572

COUNTY COMMISSIONER - YORK CTY. - DIST. 3	TOTAL
CHENETTE, JUSTIN M.	3,194
BLANK	378
TOTAL	3,572

REPUBLICAN PARTY

UNITED STATES SENATOR	TOTAL
COLLINS, SUSAN M.	1,099
BLANK	104
TOTAL	1,203

GOVERNOR	TOTAL
BUSH, JONATHAN J.	290
CHARLES, ROBERT B.	303
JONES, DAVID J.	27
LIBBY, JAMES D.	25
MASON, GARRETT PAUL	113
MCCARTHY, OWEN Z.	38
MIDGLEY, BENJAMIN T.	301
WESSELS, ROBERT J.	17
BLANK	89
TOTAL	1,203

REP. TO CONGRESS - DIST. 1	TOTAL
PIETROWICZ, JOSHUA JAMES	301
RUSSELL, RONALD	734
BLANK	168
TOTAL	1,203

STATE SENATOR - DIST.31	TOTAL
PLUMMER, GARRETT	989
BLANK	214
TOTAL	1,203

Page 1 of 2

CONSENT ITEM D
Exhibit 1

STATE OF MAINE - CITY OF SACO
JUNE 9, 2026 STATE PRIMARY &
BUDGET VALIDATION REFERENDUM
OFFICIAL ELECTION RESULTS

REPUBLICAN PARTY

REP. TO THE LEG. - DIST. 126	TOTAL
MONGUE, ETHAN E.	162
BLANK	30
TOTAL	192

SHERIFF - YORK CTY.	TOTAL
CORBETT, DAVID G.	960
BLANK	243
TOTAL	1,203

SCHOOL BUDGET VALIDATION REFERENDUM

QUESTION #1

Do you favor approving the Saco Municipal School Administrative Unit budget for the upcoming school year adopted at the latest Saco Municipal School Administrative Unit budget meeting?

	TOTAL
YES	3,700
NO	1,046
BLANK	123
TOTAL	4,869

NOTICE FOR VOTERS AT SCHOOL BUDGET VALIDATION REFERENDUM
CITY OF SACO 2026- 2027 SCHOOL OPERATING BUDGET

The School Operating Budget approved by the City Council is the Amount Submitted to this Referendum Vote
The City Council approved a Total School Budget of $59,954,304[*as recommended by the School Board*]

Cost Center Budget Categories	School Board Recommended These Cost Center Amounts
Regular Instruction	$32,509,410
Special Education	$13,110,431
Career and Technical Education	$0
Other Instruction	$294,669
Student and Staff Support	$3,535,739
System Administration	$1,350,982
School Administration	$1,547,689
Transportation and Buses	$2,578,424
Facilities Maintenance	$4,116,000
Debt Service and Other Commitments	$910,960
All Other Expenditures	$0

Total As Recommended By School Board To City Council	$59,954,304
Total As Approved By City Council And Submitted To This Referendum	$59,954,304
Amount of City Council Proposed Increase To Be Allocated By School Board If Ratified By This Referendum Vote	$0

The School budget amount approved by City Council includes locally raised funds over and above the City's local contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act.

Superintendent of Schools

May 11, 2026

Total Ballots Cast: Absentee	1,573
Total Ballots Cast: In-Person	3,296
Registered Voters	15,662
Voter Turnout	31.09%

ACTION ITEM A
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM:	**(Second/Final Reading)** Dyer Library Funding Request
COUNCIL RESOURCE:	Councilor Tricia Huot, Ward 6
STAFF RESOURCES:	Ryan Pelletier, City Administrator Emily Cole-Prescott, Deputy City Administrator
BACKGROUND:	During the Fiscal Year 2026 Budget process, the City Council allocated funding for the Dyer Library for capital improvement projects. As part of that discussion, the Dyer Library was asked to present project information to the Council and formally request authorization to use these funds.
EXHIBITS:	1. Memo from Sophie Smith, Executive Director Dyer Library/Saco Museum dated July 14, 2026 Re: Dyer Library Youth Services Renovation & Expansion 2. Youth Services Renovation & Expansion Plan Presentation 3. July 20, 2026 First Reading City Council Materials
RECOMMENDATION:	Staff recommend the City Council completes its Final Reading for this item.
MOTION:	***"Be it Ordered that the Saco City Council approves the Final Reading of the Dyer Library Funding Request in the amount of $75,000."*** ***"I move to approve the Order."***

ACTION ITEM A
Exhibit 1

DYER LIBRARY
SACO MUSEUM

TO: Mayor MacPhail and Saco City Council

FROM: Sophie Smith, Executive Director Dyer Library/Saco Museum

DATE: July 14, 2026

SUBJECT: Dyer Library Youth Services Renovation & Expansion

The Dyer Library Youth Services Department currently operates in a strained 1,250-square-foot space that can no longer effectively serve Saco's growing families. Surging attendance has pushed the footprint beyond its functional limits, compromising programmatic quality and patron access.

Our renovation expands the footprint to 1,950 square feet and redesigns it as a developmentally intentional environment. Grounded in Montessori and NAEYC principles and designed in partnership with architecture firm Woodhull (formerly Barba + Wheelock,) the room will feature targeted zones serving children from birth through age 12. Space to accommodate young adults ages 13-18 will remain in the hallway with possible future expansion into the Deering Loft.

Early childhood investment in public infrastructure is one of the highest-yield uses of municipal capital. This project carries a 13% annual return on investment, per the Heckman Equation on high-quality childhood environments and a 16x social value multiplier—every dollar invested returns sixteenfold back to the community.

The project is funded through a diversified strategy that maximizes resources. The $75,000 designated for this project in the FY26 Saco municipal budget will serve as our primary anchor funding. To close the remaining project balance without requesting additional municipal appropriations, we will deploy resources from our donor-restricted endowment as well as targeted fundraising.

Our phased timeline protects safety and maintains uninterrupted youth programming. To accommodate youth services displacement, regular large meetings will reroute to the Museum Gallery, while small gatherings utilize the new front library meeting space.

Ultimately, this strategic expansion ensures that Dyer Library can fully meet the evolving needs of Saco's growing population while remaining a sustainable model of public-private partnership.

371 Main Street | Saco, Maine 04072 | phone (207) 283-3861 | fax (207) 283-0754 | www.dyerlibrarysacomuseum.org

ACTION ITEM A
Exhibit 2

Youth Services Renovation & Expansion Plan

Creating a developmentally intentional, future-proof public learning hub for Saco's growing families.

DYER LIBRARY

STRATEGIC IMPERATIVE

The Need for Space Expansion

Strained Operations

The Youth Services Department currently operates in a critical 1,250 sq. ft. space. Surging family attendance compromises programmatic quality and public access.

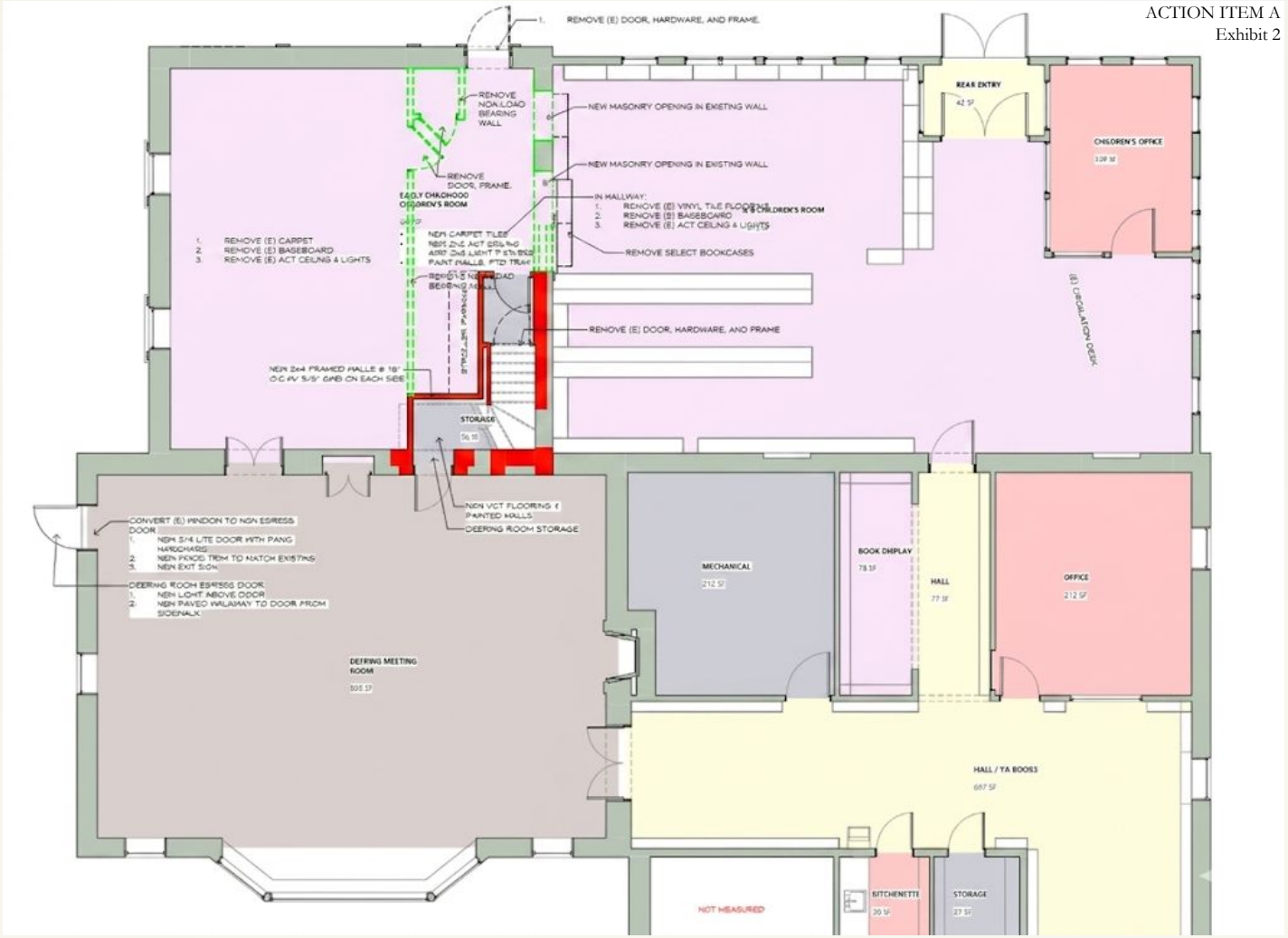
A Developmentally Intentional Footprint

In partnership with **Woodhull Architects**, this project expands the space to 1,950 sq. ft., featuring age-targeted Montessori & NAEYC zones and a dedicated Family Zone.

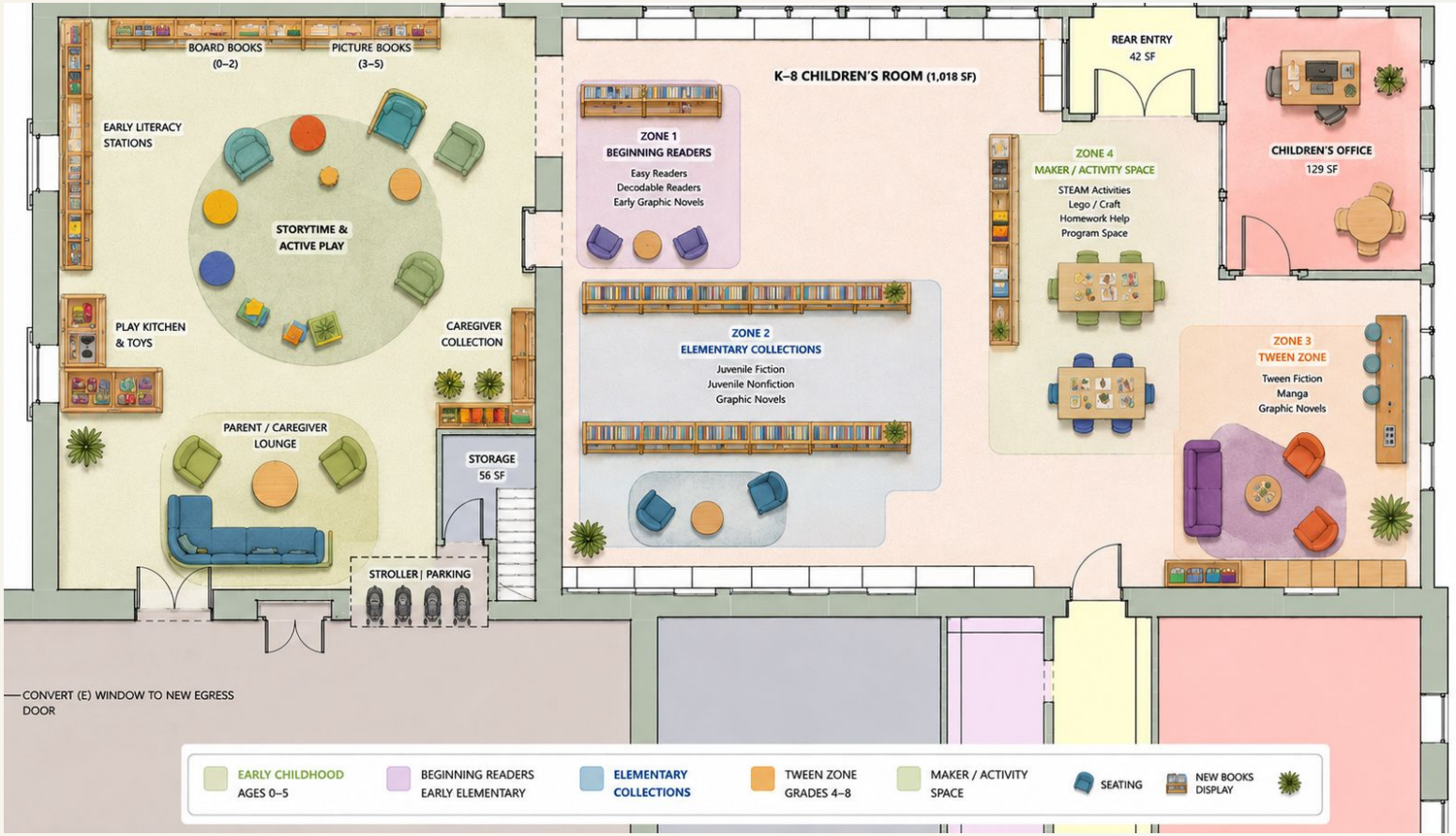


ACTION ITEM A
Exhibit 2

PROPOSED CHANGES



POSSIBLE LAYOUT



ACTION ITEM A
Exhibit 2

FISCAL RESPONSIBILITY

Project Costs

ITEM		Total Cost
HARDCOSTS		
CONSTRUCTION SUBTOTAL*		$ 61,613
GENERAL CONDITIONS*	15%	$ 9,242
DESIGN & ESTIMATE CONTINGENCY*	8%	$ 5,668
OVERHEAD AND PROFFIT*	5%	$ 3,826
BOND AND INSURANCE*	2%	$ 1,607
ESCALATION - ASSUME FALL 2026 START*	3%	$ 2,459
CONSTRUCTION SUBTOTAL		**$ 84,415**
*PCM Concept Estimate dated 4/21/2026		
SOFTCOST (AGENCIES & CONSULTANTS)		
ARCHITECT / ENGINEERING FEE (10% - 15% OF CONST. COST) **	10%	$ 8,442
FIXTURES, FURNISHINGS, EQUIPMENT (FFE)	Allowance	$ -
ADITIONAL HAZARDOUS MATERIALS TESTING	Allowance	$ 5,000
BUILDING PERMIT	Allowance	$ 5,000
SOFTCOST SUBTOTAL		**$ 18,442**
PROJECT TOTAL		**$ 102,857**
OWNER'S CONTINGENCY (10% OF SOFT & HARD COSTS)	10%	$ 10,286
GRAND TOTAL		**$ 113,142**
**Estimated full survice cost, to include Measured Drawings, Schematic Design, Design Development, Construction Drawings, Bidding/Negotiation, and Construction		
Mechanical and Electrical Design Build		
Civil Engineer, Plumbing Engineer, Landscape Architect excluded		

ACTION ITEM A
Exhibit 2

FISCAL RESPONSIBILITY

Diversified Funding Strategy

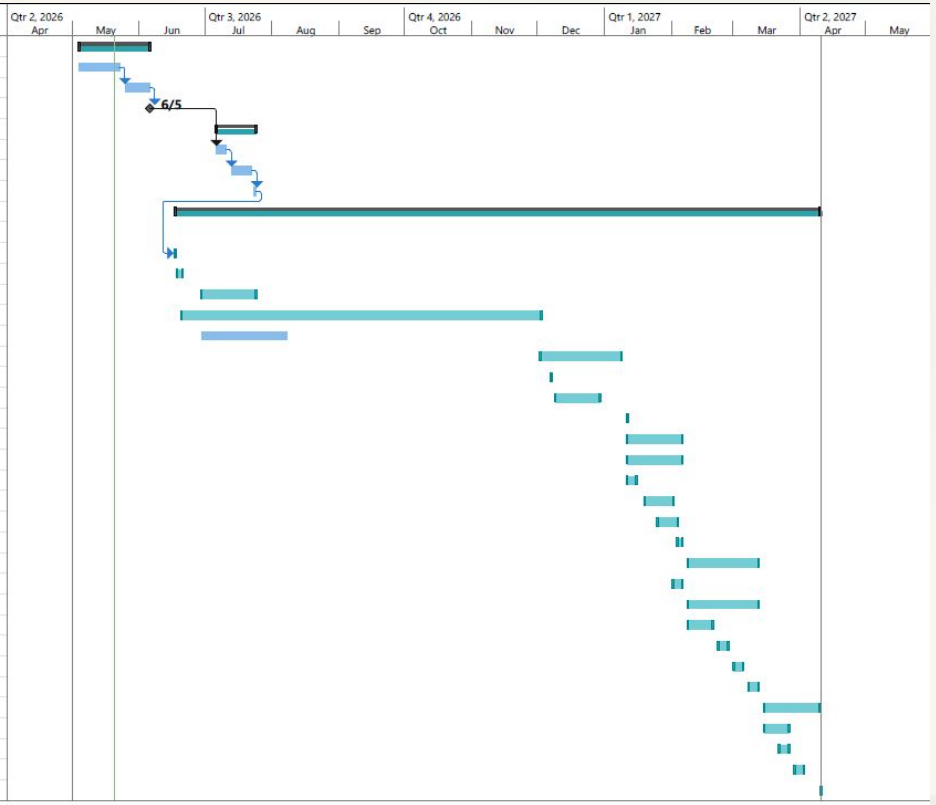
Funding Source	Mechanism & Purpose	Amount / Target	Status
City Council (FY26)	Capital Budget Allocation (Primary Anchor Funding)	$75,000	Secured
Deering Endowment	Mission-Aligned Building & Construction Balance	$38,000*	Committed
Targeted Fundraising	Business Partnerships and Community Support	Outfit / FF&E	Active Drive

*Note: Active collaboration with Saco's municipal Facilities Team is projected to drive total construction costs below the original $113,000 estimate.

ACTION ITEM A
Exhibit 2

PROJECT PHASING

ID	Task Name	Duration	Start	Finish
1	**Bathroom Renovation**	**25 days**	**Mon 5/4/26**	**Fri 6/5/26**
2	Bathroom 1 - Hadicapped	15 days	Mon 5/4/26	Fri 5/22/26
3	Bathroom 2- former staff	10 days	Mon 5/25/26	Fri 6/5/26
4	Bathrooms Complete	0 days	Fri 6/5/26	Fri 6/5/26
5	**Ref. Room Glass Workspace**	**15 days**	**Mon 7/6/26**	**Fri 7/24/26**
6	Remove / modify bookcases	5 days	Mon 7/6/26	Fri 7/10/26
7	Install Glass wall	8 days	Mon 7/13/26	Wed 7/22/26
8	Ref Room workspace-mtg-room-Complete	2 days	Thu 7/23/26	Fri 7/24/26
9	**YS Expansion / Updating**	**213 days**	**Wed 6/17/26**	**Fri 4/9/27**
10	***PH 1: Approve and Announce***			
11	BOT Review Approval	1 day	Wed 6/17/26	Wed 6/17/26
12	Public Announcement	3 days	Thu 6/18/26	Sat 6/20/26
13	Order: furnishings - carpet	20 days	Mon 6/29/26	Fri 7/24/26
14	**Ph2: Fundraise and Coordinate**	119 days	Sat 6/20/26	Wed 12/2/26
15	cull Youth books for book sale	30 days	Mon 6/29/26	Fri 8/7/26
16	**Ph3: Room Preparation**	28 days	Wed 12/2/26	Fri 1/8/27
17	Preconstruction meeting	1 day	Mon 12/7/26	Mon 12/7/26
18	Rooms: move furnture/ reconfigure	15 days	Wed 12/9/26	Tue 12/29/26
19	Service Disruption Begin ?????	1 day	Mon 1/11/27	Mon 1/11/27
20	**Ph 4: Const: Demo / Shell work**	20 days	Mon 1/11/27	Fri 2/5/27
21	Board Room / Hallway closed	20 days	Mon 1/11/27	Fri 2/5/27
22	Demo walls / ceiling / ext doors	5 days	Mon 1/11/27	Fri 1/15/27
23	Rough in Elec, modify ducts, align floors	10 days	Tue 1/19/27	Mon 2/1/27
24	new walls built - new ceiling rough grid	8 days	Mon 1/25/27	Wed 2/3/27
25	masonry wall opening	3 days	Wed 2/3/27	Fri 2/5/27
26	**Ph5: Const: Install / open to CR**	25 days	Mon 2/8/27	Fri 3/12/27
27	Remove books from CR as needed	5 days	Mon 2/1/27	Fri 2/5/27
28	Childrens RM closed to public	25 days	Mon 2/8/27	Fri 3/12/27
29	Finshes connected between rms	10 days	Mon 2/8/27	Fri 2/19/27
30	Punchlist_both rooms,final finish-paint	5 days	Mon 2/22/27	Fri 2/26/27
31	New trim, carpet, base of walls	5 days	Mon 3/1/27	Fri 3/5/27
32	Load in shelving-furniture	5 days	Mon 3/8/27	Fri 3/12/27
33	**Ph 6: Const Float - reopening**	20 days	Mon 3/15/27	Fri 4/9/27
34	Construction float	10 days	Mon 3/15/27	Fri 3/26/27
35	Visually complete rooms_Art_drapes_	5 days	Mon 3/22/27	Fri 3/26/27
36	Soft opening	5 days	Mon 3/29/27	Fri 4/2/27
37	Grand reopening	1 day	Sat 4/10/27	Sat 4/10/27



Project: Simple Project Plan
Date: Wed 5/20/26

Task
Split
Milestone
Summary
Project Summary
Inactive Task
Inactive Milestone
Inactive Summary
Manual Task
Duration-only
Manual Summary Rollup
Manual Summary
Start-only
Finish-only
External Tasks
External Milestone
Deadline
Progress
Manual Progress

ACTION ITEM B
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: **(Second/Final Reading)** Proposed Ordinance Amendment to Chapter 60 Ambulance Service to provide for an Annual Educational Funding Allocation and Annual Ambulance Division Equipment Reserve Fund

COUNCIL RESOURCE: Councilor Joshua Parks, Ward 2

STAFF RESOURCES: David Hamel, Fire Chief
Emily Cole-Prescott, Deputy City Administrator

BACKGROUND: Fire Chief Hamel has requested the creation of annual reserves for educational funding allocation and ambulance division equipment, both to be funded from the Ambulance Fund. To specify that the existing Ambulance Fund can be used for these purposes, staff has compiled the attached ordinance amendment for the City Council's consideration.

EXHIBITS:

1. Proposed Ordinance Amendment to Chapter 60: Ambulance Service
2. June 15, 2026 City Council New Business Materials
3. July 6, 2026 City Council First Reading Materials
4. July 20, 2026 City Council Public Hearing Materials

RECOMMENDATION: Staff recommend the City Council complete its second/final reading.

MOTION: ***"Be it Ordered that the Saco City Council hereby ordains the ordinance amendment to Chapter 60 Ambulance Service to provide for an Annual Educational Funding Allocation and Annual Ambulance Division Equipment Reserve Fund."***

"I move to approve the Order."

STAFF NOTE: *Recommended edits are shown in underlined red text below.*

Chapter 60

AMBULANCE SERVICE

§ 60-1.	**Garaging of ambulance.**	**§ 60-4.**	**Collection and deposit of fees.**
§ 60-2.	**Fee schedule.**	**§ 60-5.**	**Ambulance Fund.**
§ 60-3.	**Service outside city.**		

[HISTORY: Adopted by the City Council of the City of Saco 5-1-1995 as Ch. XXIV, Sec. 24-1, of the 1994 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Emergency telephone system — See Ch. 90.

Mutual fire aid pacts — See Ch. 102, Art. IV.

Vehicles and traffic — See Ch. 211.

§ 60-1. Garaging of ambulance.

The City of Saco ambulance shall be garaged at the Central Fire Station of the City of Saco.

§ 60-2. Fee schedule. [1] [Amended 4-16-1996; 6-19-2000; 3-5-2001; 4-23-2007]

Fees shall be determined by Council after a public hearing, except for ambulance fees which will be adjusted annually according to the Medicare New England Fee Schedule, specifically, Maine locality 03, York and Cumberland Counties.

§ 60-3. Service outside city.

The ambulance will not service residents of other cities or towns outside the City limits unless that City or town has a mutual aid pact with Saco and provided that it shall have a comprehensive ambulance service.[2]

§ 60-4. Collection and deposit of fees.

All fees will be collected by the Finance Department and deposited in the Ambulance Fund account on a weekly basis.

§ 60-5. Ambulance Fund.

Effective January 1, 1994, an Ambulance Fund shall be established to perpetuate the purchase of City ambulances and to provide adequate funds for the continued service, operations, staffing, annual training, capital equipment, division equipment reserve, and contractual services, as well as the ongoing maintenance of ambulance equipment and vehicles. The fees collected shall be deposited by the Finance Department into a fund as aforementioned. As ambulances are purchased, any additional funds in that account shall remain for the purchase or replacement of equipment necessary for the operation of the municipal ambulance or the municipal

1. **Editor's Note: Copies of the current fee schedule are on file in the office of the City Clerk.**
2. **Editor's Note: See also See Ch. 102, Fire Prevention, Art. IV, Mutual Fire Aid Pacts.**

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ambulance service as determined from time to time by the City Council. The process of accumulating funds shall continue as described above.

1. Annual Educational Funding Allocation: Ambulance Revenue Fund Balance can be used for purposes of annual education training requirements for the Fire Department. On an annual basis, the Fire Chief shall present a funding request for use of the Funds for the next fiscal year.
2. Annual Ambulance Division Equipment Reserve: Ambulance Revenue Fund can be used for purposes of ambulance division equipment reserve. On an annual basis, the Fire Chief shall present a funding request for use of the Funds for the next fiscal year.

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ACTION ITEM C
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: **(One Reading)** Smith Stockman Connector

COUNCIL RESOURCE: Councilor Nathan Johnston, Ward 7 & Traffic Safety Committee Liaison

STAFF RESOURCES: Travis Moore, Public Works Director
Emily Cole-Prescott, Deputy City Administrator

BACKGROUND: At the July 20th City Council workshop, Public Works Director Travis Moore and City Engineer Adam Bliss presented information about the Smith-Stockman Connector project. During that presentation, three options were provided, as follows, and in no particular order:

- Option A: Do Nothing (No Build) – No cost
- Option B: Drainage Only – $600,000 est.
- Option C: Roadway & Drainage – $1,100,000 est.

City Staff is asking that the City Council provide direction on the three options in the form of a vote. The next step will depend on the results of the City Council's decision.

EXHIBITS: 1. July 20, 2026 City Council New Business Materials (link)

RECOMMENDATION: Staff recommend the City Council review, ask any questions, and make a decision.

MOTION: ***"Be it Ordered that the Saco City Council approves Option _____ and direct City Staff to complete the necessary next steps to support this direction."***

"I move to approve the Order."

ACTION ITEM D
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: **(First Reading)** Proposed Charter Amendments

COUNCIL RESOURCE: Councilor Joshua Parks, Ward 2

STAFF RESOURCES: Ryan Pelletier, City Administrator
Emily Cole-Prescott, Deputy City Administrator

BACKGROUND: City Councilors have submitted draft Charter amendments for consideration. The Charter amendment process consists of a first reading, public hearing, and final reading. The State of Maine outlines its process in MRSA Title 30A Chapter 111 Section 2104. If the City Council approves the changes or approves these changes with revisions, the amendments will be placed on the ballot and submitted to the voters for consideration in the November referendum. After the first reading, the Charter amendments will be numbered and re-formatted into the final version available at the next meeting.

EXHIBITS:

1. Charter Amendments:
   - Section 2.03. Eligibility
   - Section 2.06. Vacancies, Forfeiture of Office, Filling of Vacancies.
   - Section 2.07. Powers and Duties of the Mayor.
   - Section 3.01. Appointment; Qualification; Compensation.
   - Section 3.03. Acting City Administrator.
   - Section 4.01. School Department and School Board.
   - Section 5.06. City Solicitor.
2. Email from City Attorney Leah Rachin re: Proposed Amendments

RECOMMENDATION: Staff recommend the City Council complete its first reading and schedule its public hearing on these amendments.

MOTION: *"Be it Ordered that the Saco City Council approve the first reading of the following Charter amendments:*

- *Section 2.03. Eligibility*
- *Section 2.06. Vacancies, Forfeiture of Office, Filling of Vacancies*
- *Section 2.07. Powers and Duties of the Mayor*
- *Section 3.01. Appointment; Qualification; Compensation*
- *Section 3.03. Acting City Administrator*
- *Section 4.01. School Department and School Board*
- *Section 5.06. City Solicitor;*

and further move to schedule a public hearing and final reading for August 17, 2026, before a vote to add to the November referendum. This amendment, if approved by the voters, would have an effective date of January 1, 2027."

"I move to approve the Order."

Section 2.03. Eligibility.

a. Mayor. The Mayor shall be a resident and qualified voter of the City of Saco, and shall remain so during the term of office otherwise the office shall be declared vacant. **[Amended 11-6-2018[1]]**

b. Councilor. The Councilors shall be residents and qualified voters of the ward from which they are elected and shall remain so during their term of office, otherwise the office shall be declared vacant. In an unforeseen circumstance where a Councilor relocates to another ward in the City of Saco, and has not more than twelve (12) months remaining in the term of office, the City Council may determine whether the Councilor remains qualified to serve out the remainder of the term.

1. **Editor's Note: This Charter amendment has an effective date of 7-9-2019.**

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Section 2.06. Vacancies, Forfeiture of Office, Filling of Vacancies.

a. Vacancies. The office of Mayor or a City Councilor shall become vacant upon death, resignation, removal from office in the manner authorized by law, or forfeiture of office.

b. Forfeiture of Office. The Mayor or a City Councilor shall forfeit that office if that office holder: **[Amended 11-6-2018[1]]**

1. Lacks at any time during the term of office any qualification for the office prescribed by this Charter or by law.

2. Violates any express prohibition of this Charter.

3. Is convicted of a crime or offense involving moral turpitude.

4. Fails to attend three consecutive regular meetings of the City Council without being excused by the City Council.

c. Filling of Vacancies.

1. A vacancy in the office of Mayor shall be filled by the Deputy Mayor, as provided in Section 2.05(c), and the new Mayor shall hold that office until the first Monday in December following the next regular municipal election. The remaining unexpired term of the Mayor's office, if any, shall be filled at that next regular municipal election. If such vacancy occurs less than seventy-five (75) days before the next regular municipal election, the unexpired term shall be filled by a special election within one hundred five (105) days from the day the vacancy is created. The vacancy created in the City Council by the elevation of the Deputy Mayor shall be filled in accordance with the provisions of Section 2.06(c)(2). A successor Deputy Mayor shall be selected by the City Council at the second regular meeting after certification of the results of the next regular municipal election. **[Amended 11-2-2021[2]]**

2. In the case of a vacancy created in the City Council, the City shall notify the general public and request letters of interest for a period of not less than ~~twenty-one (21)~~ thirty (30) days. The City Council shall nominate and the City Council confirm with a majority vote, from those letters of interest, an eligible and qualified resident of the applicable ward following a Public Hearing before the Council, to hold office ~~until~~ for the remainder of the term ~~can be filled at the next regular municipal election~~. After following the process identified above, if the City Council fails to fill the vacancy within 30 days, then the Mayor shall appoint a qualified resident to the seat, who shall hold it for the same length as if appointed by City Council. ~~If such vacancy occurs less than seventy-five (75) days before the next regular municipal election to fill the office of Councilor the unexpired term of the Councilor shall be filled by a special election within one hundred five (105) days from the day the vacancy is created.~~ **[Amended 11-2-2021]**

3. Elections to fill vacancies shall be called and held, and nominations made as in other elections. See Article VII on Elections.

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1. **Editor's Note: This Charter amendment has an effective date of 7-9-2019.**
2. **Editor's Note: This Charter amendment has an effective date of 1-1-2022.**

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Section 2.07. Powers and Duties of the Mayor.

a. The Mayor shall be the Chief Executive Officer of the City and shall be recognized as the head of the City government.

b. The Mayor shall preside at all meetings of the City Council and the School Board and shall vote only in case of a tie. **[Amended 11-6-2018[1]]**

c. The Mayor shall have the power to veto any appropriations order, or any severable portion of any appropriation order without effecting the validity of the remainder of the order. If there is a veto of any such measure, that measure, with the Mayor's written objections, shall be returned at the next regular meeting of the City Council, and the City Council shall proceed to reconsider the same. If, upon reconsideration, it shall be passed by a vote of not less than five (5) members of the City Council, it shall have the same validity as if signed by the Mayor. **[Amended 11-6-2018[2]]**

d. Appointments. The Mayor shall appoint and the City Council confirm all members of municipal boards, committees, commissions or other municipal appointed positions created herein or that may be hereafter created of the City of Saco. All candidates interested in serving on a municipal board, committee, commission or other municipal appointed position created herein or that may be hereafter created; shall be a resident of the City of Saco; and must be a registered voter in the City of Saco throughout their term. The Mayor may appoint a student to serve so long as they are a resident of the City of Saco, are at least fifteen (15) years of age, provide parent and/or guardian consent, and are in good academic standing. All candidates shall apply for consideration for appointment by application filed with the City Clerk. **[Amended 11-2-2021; 11-7-2023[3]]**

If an appointment has not been made by the Mayor and confirmed by City Council within thirty (30) days from the date of the vacancy, or a candidate fails to be confirmed by a majority of the City Council, the City Council shall then proceed to fill the vacancy-based upon applications received to that date. If in the event no candidates for filling the vacant membership has applied, or no suitable candidate identified, the Mayor shall be provided the opportunity to appoint within another 30 days. If after sixty (60) days from the date of vacancy no candidate has been appointed and confirmed, the City Council shall then proceed to fill the vacancy.

A vacancy in the membership on a municipal board, committee, commission or other appointed positions shall be determined upon the notification of the City Clerk about occurrence of any of the following:

1. The death of a member;
2. The effective date of the resignation of a member;
3. The expiration of the term of office;
4. Three unexcused absences during a one-year period;

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1. **Editor's Note: This Charter amendment has an effective date of 7-9-2019.**
2. **Editor's Note: This Charter amendment has an effective date of 7-9-2019.**
3. **Editor's Note: This Charter amendment has an effective date of 1-1-2024.**

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5. The removal by City Council for having engaged in misconduct, criminal activity, or for violating the Code of Ethics/Conduct of the City, or otherwise acting in violation of their oaths of office;

6. No longer a registered voter in the City.

A member may resign by submitting a written resignation to the Chairperson, the Mayor, City Council and City Clerk for the resignation to be valid. The member's office shall become vacant on the effective date the resignation.
The Mayor may serve as a non-voting member of all municipal boards and commissions, except where prohibited by law. The Mayor shall, at the beginning of each Council year, appoint a Councilor to serve as a liaison to each and every municipal board, body, or commission. The liaison's term shall run for one year. The Mayor may only appoint a new liaison to any municipal board, body, or commission during the Council year if a vacancy arises, in which event the Mayor shall appoint a successor liaison to serve out the balance of the Council year.

e. The Mayor shall have no administrative duties except those expressly granted by this Charter.

f. The Mayor shall have frequent conferences with the City Administrator. The Mayor will keep the City Council informed as to the progress on all City Council directives, the general financial standing of the City, the current status of all negotiations, Administrative proposals for future City plans, and recommendations for City Council action. The Mayor will request any information and supporting documents that the Mayor believes are necessary in order for the Mayor and the City Council to make reasoned and informed decisions on matters coming before the City Council or its member Committees. **[Amended 11-6-2018[4]]**

g. The Mayor shall exercise such other powers and perform such other duties as may be prescribed by this Charter, by ordinance, or by applicable State law.

h. Office of the Mayor. The City can provide a ceremonial office in City Hall for the Mayor, for the conduct of official functions only, at a location determined by the City Administrator. **[Added 11-8-2022[5]]**

4. **Editor's Note: This Charter amendment has an effective date of 7-9-2019.**
5. **Editor's Note: This Charter amendment has an effective date of 7-1-2023.**

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Section 3.01. Appointment; ~~Qualfication~~ Qualification; Compensation.

The Mayor and the City Council shall meet jointly to review all applications for the position of City Administrator. After consultation, the Mayor shall appoint and the City Council ~~may~~ confirm a City Administrator for a term of three (3) years, and the City Council shall fix the City Administrator's compensation. The City Administrator shall be appointed solely based on executive and administrative qualifications, with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the office of City Administrator, as herein set forth. The City Administrator need not be a resident of the City or the State at the time of appointment but may reside outside the City while in office only with the approval of the City Council.

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Section 3.03. Acting City Administrator.

During any vacancy in the office of City Administrator and during the temporary absence or disability of the City Administrator, the Deputy City Administrator shall have the same powers and duties as the City Administrator. In the event both City Administrator and Deputy City Administrator offices are vacated or a temporary absence is created, as determined by vote of the Council, the Council may designate a properly qualified person to perform the duties of City Administrator and fix such person's compensation. While so acting, such person shall have the same powers and duties as those given to and imposed on the City Administrator. This person shall not be the Mayor, or a City Councilor, or a former Mayor or City Councilor, unless that person has been out of office for at least a year.

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Section 4.01. School Department and School Board.

a. The governance of the Saco School Department, a municipal school unit, shall be vested in its school committee, the Saco School Board ("School Board").

b. The School Board shall consist of seven Board members each serving a three-year term, and each ward of the City will be represented by a member who must be a resident of that ward.

c. Powers and Duties. The School Board shall have such powers and duties as are conferred by law upon municipal school administrative units in regard to the care, management and operation of the public schools, except as otherwise provided in this Charter, including the authority to create an annual school budget as required under state law.

d. Procedure. The School Board shall adopt rules and orders for its procedure, except in no event shall the School Board conduct a meeting without at least four members being present. It shall maintain a journal and publically report therein its proceedings and decisions. The journal or authenticated copies thereof shall be on file at the office of the Superintendent of Schools and the City Clerk. It shall meet at least monthly.

e. Compensation. The members of the School Board shall receive an annual salary of $5,000, to be reviewed by Council every six years.

f. One Board member shall be elected from each ward of the City. The election shall be governed by Article VII of this Charter. The terms of office for School Board members shall commence the first Monday in December, and shall expire three years thereafter, except as set forth below to effect a staggered board. If a vacancy in the office of School Board member arises by virtue of resignation, death, forfeiture of office as described in Section 2.06b of this Charter, change of residence from the ward from which elected, or if a member should miss three consecutive meetings without excuse, the vacancy shall be filled as specified below.

   In the case of a vacancy created in the School Board, the City and School Administration shall notify the general public and request letters of interest for a period of not less than twenty-one (21) days. The School Board shall nominate and the School Board confirm by a majority vote, from those letters of interest, an eligible and qualified resident of the applicable ward following a Public Hearing before the School Board, to hold office until the remainder of the term can be filled at the next regular municipal election. After following the process identified above, if the School Board fails to fill the vacancy within 30 days, then the Mayor shall appoint a qualified resident to the seat, who shall hold it for the same length as if appointed by School Board. If such vacancy occurs less than seventy-five (75) days before the next regular municipal election to fill the office of School Board member, the unexpired term of the School Board member shall be filled by a special election within one hundred five (105) days from the day the vacancy is created.

g. The Mayor shall be the Chair of the School Board and preside over the School Board but shall have no vote except in the case of a tie.

h. Commencing with the 2014 – 2015 school year budget, the School Board shall adopt and submit to the City Council, at the second Council meeting in March of each year, a proposed annual school budget for school operations, programming and anticipated capital expenses that conforms to the requirements of state law and this Charter. The school budget shall detail

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anticipated costs, including existing and proposed debt service for capital projects, all surplus funds remaining from any prior year, all anticipated revenue for the coming year, and shall be reasonably detailed as described in Section 6.04 of the Charter and shall set forth those requirements and details as required by state law. No such budget shall be submitted to the City Council for approval until the School Board has conducted at least one public hearing on its proposed budget. Such proposed budget shall be published by the School Board to the public not less than 14 days before its public hearing.

i. The City Council shall direct the City Administrator to negotiate and implement a facilities policy under which the School Board may manage and operate for educational purposes those existing school buildings owned by the City of Saco.

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Section 5.06. City Solicitor. [Amended 11-5-1996]

There shall be a City Solicitor who shall be appointed by the ~~City Administrator~~ Mayor, in consultation with the City Administrator, and confirmed by the City Council. The City Solicitor shall serve at the will of both the Mayor and the City Council. The City Solicitor shall serve as chief legal advisor to the Mayor and the City Council, the City Administrator, and all City departments, boards, agencies, committees and commissions. The City Solicitor shall represent the City in legal proceedings and shall perform any other duties prescribed by ordinance and law. The City Council shall have the right to employ or retain special attorneys, if it deems it to be in the best interests of the City. The Mayor and City Council, in consultation with the City Administrator, shall review the performance of the City Solicitor annually.

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ACTION ITEM D
Exhibit 2

Emily C. Prescott

From: Leah B. Rachin <LRachin@dwmlaw.com>
Sent: Tuesday, July 28, 2026 3:38 PM
To: Ryan Pelletier; Emily C. Prescott
Subject: Proposed Charter Changes

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

Ryan and Emily,

I've reviewed the proposed Charter changes and offer my comments below. None of them rise to the level of "charter revisions" that would trigger the need for a charter commission. Accordingly, once the Council determines the final language of the proposed changes, they can proceed in the usual course under 30-A M.R.S. § 2105(2).

1. Vacancy in Council (Section 2.06.C.2)

There were two alternative versions submitted by different Councilors (i.e., Johnston and Doyle). I will address each, in turn.

- Counselor Johnston's proposal:
    - The suggested change from 21 days to 30 days is fine.
    - The change to allow the Council to appoint someone to fill the unexpired term (rather than filling the vacancy at the next regular election) is fine because governing statute allows for home rule authority in relation to filling vacancies.
    - One thing to consider about this proposed revision is its practical impact on section 2.06(c)(1). It would mean that if a vacancy is created on the Council as a result of the elevation of a Deputy Mayor to the role of Mayor, then that vacancy would also be filled by appointment for the unexpired term (without an election). As noted above, this would be fine legally, but I just want to make sure that everyone is aware that this will be the upshot of the proposed changes.
- Counselor Doyle's proposal:
    - The removal of the proposed language would be legally permissible for the same reason stated above (i.e., that municipalities have home rule authority to address the manner of filling vacancies in their charters).

While the changes proposed by both Councilors are legally permissible, they obviously espouse different views (i.e., one would allow vacancies to be filled for the entirety of their unexpired terms, while the other would not). Accordingly, the Council will need to determine which of these concepts to put forward.

2. Proposed change to section 2.07(d) (Powers and Duties of the Mayor - Appointments)

    - The proposal here is to allow a student (of at least 15 years of age) to serve on a municipal board or committee. As much as I would love to foster youth engagement and service in municipal affairs, this is legally problematic because under governing statute, individuals serving in a "municipal office" must have reached the age of majority (18 years of age). *See* 30-A M.R.S. § 2526(3) ("Choice and qualifications of town officials"). It is noteworthy that while "municipal office" is not clearly defined, it is generally recognized that if a board is created by statute or charter and involves the exercise of municipality authority whereby binding decisions are made or approvals are issued (such as planning boards and boards of appeal), then members of these boards are municipal officials. The upshot is that decisions of such boards (especially those that come down to a single determinative vote) could be legally challenged, and likely successfully if minor were permitted to serve as a voting member.

3. Proposed changes to section 3.01 (Appointment; Qualification; Compensation – City Administrator)

    - These are fine.

4. Proposed changes to section 3.03 (Acting City Administrator)

    - As proposed, they are fine. I would just suggest the highlighted friendly edit:

During any vacancy in the office of City Administrator and during the temporary absence or disability of the City Administrator, the Deputy City Administrator shall have the same powers and duties as ~~those given to and imposed on~~ the City Administrator. In the event both City Administrator and Deputy City Administrator offices are vacated or a temporary absence is created, as determined by vote of the Council, the Council may designate a properly qualified person to perform the duties of City Administrator and fix such person's compensation. While so acting, such person shall have the same powers and duties as those given to and imposed on the City Administrator. This person shall not be the Mayor, or a City Councilor, or a former Mayor or City Councilor, unless that person has been out of office for at least a year.

5. Proposed changes to section 4.01(g) (Mayor's role on the School Board).

    - I think Councilor Doyle's proposed amendment is fine.

    - Ryan had asked for me to confirm that the Mayor's dual roles would not be considered incompatible offices under Maine law. Ultimately, I do not believe that they would be incompatible. The determinative question in analyzing whether offices are incompatible is whether, when duties overlap, one office has supervisory authority over the other. Here, the Charter makes clear that the elected school board members retain responsibility for governance and the only time the Mayor can vote is to break a tie. The Mayor's role is that of a presiding officer, not a voting member, which prevents there being a supervisory function in most instances. It is important to note that there could be situations when the Mayor should consider

recusal (i.e., if there is litigation between the City and the School Department, or if the Mayor has a personal interest (which would be governed by the ethics policy in any event)).

6. Proposed changes to section 5.06 (City Solicitor)

- These are fine.

Let me know if you have any questions or wish to discuss these issues further.

Best,

Leah

Leah B. Rachin
(she/her/hers)
Attorney

D| 207.253.0578
LRachin@dwmlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101
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Inclusion is a professional and personal value of mine. One way I practice gender inclusion is to share my gender pronouns. Mine are she/her.

DrummondWoodsum
ATTORNEYS AT LAW

The information transmitted herein is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Unintended transmission shall not constitute waiver of any privilege, including, without limitation, the attorney-client privilege if applicable. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the e-mail and any attachments from any computer.

ACTION ITEM E
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM:	**(One Reading)** Emergency Ordinance to Establish a Temporary Prohibition on Data Centers
COUNCIL RESOURCE:	Councilor Jeffrey Onnen, Ward 4
STAFF RESOURCES:	Emily Cole-Prescott, Deputy City Administrator
BACKGROUND:	The City Council is asked to enact an Emergency Ordinance to establish a 61-day temporary prohibition on Data Centers throughout the City of Saco. The purpose of this Emergency Ordinance is to provide time to update City Code relative to Data Centers.
EXHIBITS:	1. Emergency Ordinance to Establish a Temporary Prohibition on Data Centers
RECOMMENDATION:	Staff recommend the City Council review, ask any questions, and make a decision.
MOTION:	*"Be it found by the Saco City Council that an emergency exists, and therefore be it Ordered, that the City of Saco adopt the Emergency Ordinance to Establish a Temporary Prohibition on Data Centers."* *"I move to approve the Order."*

EMERGENCY ORDINANCE
TO ESTABLISH A TEMPORARY PROHIBITION ON DATA CENTERS

WHEREAS, Section 2.10 of the City of Saco Charter (the "City Charter") provides that "[t]o meet a public emergency, affecting life, health, property or the public peace, the City Council may adopt one or more emergency ordinances";

WHEREAS, the Charter further provides that "[a]n emergency ordinance may be adopted with or without amendment, or rejected, at the meeting at which it is introduced";

WHEREAS, the City of Saco Code (the "City Code") Chapter 230 establishes the City of Saco's zoning regulations;

WHEREAS, the City Code, and the zoning regulations contained therein, do not establish regulations adequately addressing several significant potential impacts from data center development and projects, such unaddressed impacts include but are not limited to energy usage; significant water usage; and significant burden on the city's sewer system; the adverse environmental and visual impacts from development of large scale data centers without appropriate regulations; the need for certain site inspections and permitting considerations, and the complexity posed by decommissioning such facilities; and

WHEREAS, the impacts of data center development pose a severe risk of harm to the City, to its residents, to project abutters, to the environment, and to the operations of any proposed project; and

WHEREAS, the City Code's existing regulations do not adequately address, mitigate or abate the risks and harms posed by data center development; and

WHEREAS, the risks posed by unregulated data center development constitute a public emergency affecting the life and health of Saco's citizens, neighbors to such projects, and to the environment; and

WHEREAS, the City requires time to amend the City Code to create adequate Life Safety, Zoning, and Site Plan Review provisions mitigating and addressing the adverse impacts such developments pose to the City and its residents;

NOW THEREFORE, pursuant to the authority vested in the City Council by Section 2.10 of the City Charter, the City enacts and ordains the following Emergency Ordinance;

Section 1. Findings.

A. The City Council declares that a public emergency affecting life, health, property and the public peace exists for the following reasons:

    1. The City Council finds that the City Code does not adequately protect the public, abutters, utility ratepayers and the environment from the adverse impacts that arise

Pending Council Review

from the installation and operation of Data Center projects, as defined by Section 2 of this Emergency Ordinance. The Council concludes that it is necessary to amend the City Code to address these harms. The City Council finds that amendments to the City Code are required, and that such process should commence before the Saco Planning Board in a reasonable timeline. Further and finally, the City Council finds that risks of injury from significant energy consumption, significant water consumption, environmental and pretreatment permitting requirements, and the lack of local regulation warrants the enactment of Life Safety Codes, zoning, and Site Plan Review standards developed by and with the help of the City's Electrical Inspector, City Code Enforcement Department, Fire Department, Central Maine Power representatives, Maine Water Company representatives, Water Resource Recovery Department, and Planning Department.

2. There is increasing interest within or surrounding the City of Saco in the siting and development of Data Center facilities used for the processing, storage, and transmission of vast amounts of digital data, which rely on extensive equipment, systems, and environmental controls to maintain suitable conditions for their operations.

3. The City of Saco's Comprehensive Plan, ordinances, regulations, and policies are inadequate to prevent serious public harm that could result from the siting, installation, operation, and decommissioning of Data Centers within the City.

4. In particular, without appropriate local regulation, the siting, installation, operation, and decommissioning of Data Centers within the City raise legitimate and substantial questions about the impact of such facilities on the City, including but not limited to:

    i. Whether Data Centers are compatible with existing and permitted land uses within the City of Saco;
    ii. Whether Data Centers can be appropriately located and regulated to avoid or minimize potential adverse impacts from the noise, heat, emissions, and other nuisance conditions that may be associated with Data Centers and their extensive machinery, systems, and environmental controls;
    iii. Whether Data Centers can be located to avoid or minimize adverse environmental effects and visual impacts;
    iv. Whether Data Centers will result in a shortage or overburdening of public facilities including local water supplies, roads, waste management systems, and other public infrastructure;
    v. Whether existing regulatory and financial assurances, if any, are adequate to ensure that such development will be properly sited, constructed, operated, and decommissioned; and
    vi. Whether excessive land and water resources will be devoted to this emerging use to the detriment of surrounding properties, natural resources, and other existing and permitted uses.

Pending Council Review

5. As a result, the siting, installation, operation, and decommissioning of Data Centers within the City of Saco has the potential to overburden public facilities and poses a serious threat to the health, safety, and welfare of Saco and its residents and visitors.

6. The City of Saco needs time to evaluate the impacts of and prepare reasonable ordinances and regulations governing the siting, installation, operation, and decommissioning of Data Centers.

7. The City of Saco intends to study its plans, ordinances, regulations, and policies to determine the effects of siting, installing, operating, and decommissioning Data Centers within the City and to consider what additional or different ordinance provisions and regulations are appropriate for such development.

Section 2. Definitions.

As used in this Emergency Ordinance, the following terms have the following meanings:

A. "Data Center" means any building, structure, facility, equipment, or portion or combination thereof, that is primarily designed, constructed, operated, or occupied for the processing, storage, management, mining, hosting, or distribution of large loads of digital data, artificial intelligence operations, blockchain operations, cryptocurrency mining, cloud computing, colocation services, enterprise services, or similar high-intensity computational activities.

B. "Data Center Area" means the gross floor area occupied by (1) any building, structure, facility, equipment, or portion or combination thereof, that contains the physical computing equipment comprising a Data Center, including but not limited to routers, graphics processing units (GPUs), switches, servers, high-density computing systems, storage systems, and other electronic and computing equipment; the physical infrastructure housing such equipment, such as data center racks and server cabinets; and any inter-equipment space and corridors used for cooling and maintenance of the physical computing equipment; and (2) any other impervious surfaces associated with a Data Center, including but not limited to access ways, parking lots, transmission corridors, and any accessory buildings or structures.

Section 3. Prohibition on Data Center Development and Siting.
The City of Saco does hereby prohibit (i) the siting, installation, construction, establishment, or operation of any Data Center, or the expansion of any existing facility or operation so as to render it a Data Center; (ii) the acceptance of, processing of, or acting upon any application, proposal, petition, or request pending on or after the Effective Date of this Ordinance for any new or expanded Data Center; and (iii) the issuance of any development permit, license, or other regulatory approval or any other action or decision of a board, officer, official, employee, agent or department of the City (including but not limited to a building permit, certificate of occupancy, site plan review permit, conditional use permit, or business license) related to any new or expanded Data Center.

Pending Council Review

Section 4. Duration.
This Emergency Ordinance shall expire on the sixty-first (61) day after the date on which the Ordinance was enacted, however, the City Council reserves its right to re-enact the Emergency Ordinance for an additional sixty (60) day time periods prior to its termination.

Section 5. Enforcement, Violations and Penalties.
This Emergency Ordinance shall be enforced by the Code Enforcement Officer of the City of Saco. Any person who violates any provision of this Emergency Ordinance shall be subject to civil penalties and other remedies as provided in 30-A M.R.S.A. § 4452 and Section 1-18 of Saco City Code of Ordinances.

Section 6. Conflicts; Severability.
Any provisions of the City Code that are inconsistent with or conflict with the provisions of this Emergency Ordinance are hereby repealed to the extent applicable for the duration of the Emergency Ordinance. Should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a decision shall not invalidate any other section or provision.

Section 7. Effective Date.
This Ordinance shall take effect immediately upon enactment by the City Council, per Section 2.10 of City Charter.

Pending Council Review

ACTION ITEM F
August 3, 2026

MEETING ITEM COMMENTARY

AGENDA ITEM: **(First Reading)** Mobile Home Park Lot Rent Stabilization Ordinance (Proposed to be Chapter 145 in City Code)

COUNCIL RESOURCE: Councilor Joshua Parks, Ward 2

STAFF RESOURCES: Emily Cole-Prescott, Deputy City Administrator
Ryan Pelletier, City Administrator

BACKGROUND: In Fall 2025, the City Council enacted a temporary emergency moratorium on mobile home park lot rental increases. On March 9, 2026, the City Council repealed that moratorium. During that process, City Staff was instructed to draft a Mobile Home Park Lot Rent Stabilization Ordinance. Over these past several meetings, the City Council has provided high-level policy direction for such an ordinance. However, City Staff anticipates that there will be revisions to this draft ordinance as it moves through the review and adoption process outlined in City Charter Section 2.09 (Ordinances in General). After this First Reading, the process moving forward is as follows:

- Public Hearing
- Second/Final Reading

EXHIBITS:

1. Proposed Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance
2. Rent Stabilization Board Policy Options Memo dated July 29th
3. Memo from Deputy City Administrator to City Council dated July 29th
4. Memo regarding previous moratorium actions dated July 29th
5. July 6, 2026 City Council New Business Materials (link)
6. June 1, 2026 City Council New Business Materials (link)

RECOMMENDATION: Staff recommend the City Council review the first reading materials and schedule the public hearing.

MOTION: ***"Be it Ordered that the Saco City Council approve the First Reading of the Mobile Home Park Lot Rent Stabilization Ordinance, proposed to be Chapter 145 in Saco City Code; and further move to schedule the Public Hearing on August 17, 2026."***

"I move to approve the Order."

Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance

Article I. Purpose. The purpose of this ordinance is to protect the health, safety, and welfare of residents living in Mobile Home Parks by preventing unreasonable lot rent and fee increases. Because residents in Mobile Home Parks typically own their homes but not the land underneath them, they face unique vulnerabilities to excessive rent and fee increases. While Mobile Home Park Owners should expect to receive a reasonable return on their investment, residents of those parks should expect to be protected from unnecessary, excessive cost increases because they may be put at risk of severe housing insecurity.

Article II. Applicability and Exemptions.

Section 2.01 Applicability: This ordinance applies to every Mobile Home Park within the City of Saco except those to which an exemption applies.

Section 2.02 Exemptions: This ordinance shall not apply to:

(a) Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home Residents;

(b) Mobile Home Lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this ordinance.

Article III. Definitions.

Section 3.01 Interpretation. In the interpretation and enforcement of this chapter, undefined terms are given their common and generally accepted meanings unless the context requires otherwise. In the case of any difference of meaning or implication between the text of this Chapter and any map, illustration, or table, the text shall control.

(a) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual or any other legal entity.

(b) The present tense includes the future tense; the singular number includes the plural, and the plural number includes the singular.

(c) The words "shall" and "will" are mandatory; the word "may" is permissive.

(d) The word "lot" includes the words "plot" and "parcel."

Section 3.02 Definitions. The following words shall have the following meaning:

(a) Base Rent: “Base Rent” means the rent amount charged for any Mobile Home Park Lot which is in effect on any specific date.

(b) Consumer Price Index (CPI): “Consumer Price Index” or “CPI” means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, as published by the U.S. Department of Labor, Bureau of Labor Statistics.

(c) Mobile Home: “Mobile Home" means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

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(d) Mobile Home Park: "Mobile Home Park" means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes.

(e) Mobile Home Park Lot: “Mobile Home Park Lot” means the area of land on which an individual mobile home is situated within a mobile home park and which is reserved for use by the occupants of that Mobile Home.

(f) Mobile Home Resident: “Mobile Home Resident” means an occupant of a Mobile Home who rents a parcel of land in a Mobile Home Park.

(g) Operating Expenses: “Operating Expenses” means annual expenses reasonably incurred by the Park Owners directly related to the operation of the Mobile Home Park, including but not limited to:

i. Real estate and personal property taxes
ii. Utilities
iii. Maintenance and repair
iv. Administrative and payroll costs
v. Insurance
vi. Capital Improvements (amortized)
vii. Reasonable reserve contributions
viii. Interest expenses related to acquisition or capital improvements

(h) Park Owner: “Park Owner” means a person, corporation or other entity that owns a Mobile Home Park.

(i) Reasonable Rate of Return: “Reasonable Rate of Return” means a rate of return on investment and operation that provides a Mobile Home Park Owner with a fair and reasonable opportunity to recover operating expenses, maintenance costs, capital improvements, debt service, taxes, insurance, utilities, and other legitimate costs of ownership and operation, together with a reasonable profit, while balancing the purpose of this Ordinance to protect residents from excessive, unreasonable, or destabilizing lot rent increases.

(j) Rent: “Rent” means the total consideration, including any bonus, benefit, or gratuity, demanded, or received by a Mobile Home Park Owner for or in connection with the use or occupancy of a Mobile Home dwelling unit.

(k) Rent Increase: “Rent Increase” means any additional lot rent or fees demanded of, or paid by, a mobile home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.

(l) Rent Stabilization Board: “Rent Stabilization Board” means the municipal body appointed to hear and decide petitions for rent increase(s) that require a hearing.

Article IV. Rent Stabilization Board.

Section 4.01 The Rent Stabilization Board (“Board”) is created to hear requests by Park Owners for lot rental and fee increases that require a hearing as enumerated in Article 5.

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(a) Membership and Terms. The Board shall be comprised of five members with initial terms of one year for one; two years for two; and three years for two. Thereafter, terms will be for three years.
(b) Appointments and Residency Requirement. Members will be appointed by the Mayor and confirmed by the City Council. Board members shall be residents of Saco. At its organizational meeting, the Board shall elect a Chair and a Vice Chair.
(c) Quorum. A Quorum is a minimum of three members, and decisions shall be made by a majority of Board members present and voting.
(d) Annual Meetings. On an annual basis, the Board shall meet to complete Board training, and approve an informational fact sheet for mobile home park lot rent stabilization.

Section 4.02 Board Authority. The Board shall have the authority, in connection with any written petition for hearing under Section 5.05, to:

(a) Review all non-lot rent fees;
(b) Determine whether such fees comply with this Ordinance and state law; and
(c) Disallow, reduce, or otherwise adjust any fee found to be excessive, non-compliant, or inconsistent with the purpose of this Ordinance.

Section 4.03 Processes and Decisions.

(a) Decisions. The Rent Stabilization Board shall approve, deny, or modify the requested increase in a manner that ensures the Park Owner is able to obtain a Reasonable Rate of Return based on the evidence presented.
(b) Hearings. The Board shall conduct a public hearing regarding a petition for a rent or fee increase within 30 days of receipt of such complete petition for a rent or fee increase unless an extension of time is agreed to by the petitioner. The Board shall issue a written decision that includes the Board's findings and conclusions within 30 days of the close of the public hearing, unless an extension of time is agreed to by the petitioner.
(c) Notice to Mobile Home Residents. The Park Owner shall provide a written notice of the petition to the Mobile Home Residents at least 14 days prior to the public hearing on the petition that includes a copy of the filing of the signed written petition and supporting documents to the Mobile Home Residents, and shall also include the hearing date, time, and location. Proof of said notice shall be provided to the Board in advance of the public hearing, and shall be considered part of a complete request for review.
(d) Evidence. The Board may receive any oral or documentary evidence but may exclude irrelevant, immaterial or unduly repetitive evidence. Any interested party to the proceeding, including the Park Owner, Mobile Home Residents, and/or any agent or representative association thereof has the right to present the party's case by oral or documentary evidence, to submit rebuttal evidence, and to conduct any cross-examination that is required for a full and true disclosure of the facts.
(e) Burden of Proof. Decisions will be made by a preponderance of the evidence, and the Park Owners will have the Burden of Proof to establish the amount of a rent or fee increase that is a Reasonable Rate of Return.

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(f) Standard for Approval. The Board shall approve an increase that requires a hearing only upon a finding that the increase is necessary to provide a Reasonable Rate of Return and:

1) Address health and safety conditions;
2) Fund capital improvements essential to the operation of the Mobile Home Park;
3) Cover increased Operating Expenses; or
4) Reflect enhanced services.
5) Park Owners that fail to maintain a Mobile Home Park in decent, safe, sanitary condition, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park.

Article V. Lot Rent and Fee Increase Limitations.

Section 5.01 Limitation on number of rent increases: A park owner may not increase the lot rents or fees more than one (1) time in any twelve (12)-month period.

Section 5.02 Base Rent Calculation: Except as provided herein, a Park Owner shall not demand, accept or retain rent for a Mobile Home Park Lot that exceeds the rent in effect for that lot on *date to be indicated*. In the event the lot was not occupied on *date to be indicated*, the Base Rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Section 5.04.

Section 5.03 Notification Requirements: The Park Owner shall provide notice of any planned increase in lot rent or fees to the affected Mobile Home Residents, no less than 90 days before the effective date of the increase. The 90-day notice must include:

(a) The name, address, telephone number and e-mail address of the Park Owner; and
(b) The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.

Section 5.04 Presumption of Reasonableness: A proposed Rent Increase shall be presumed to provide a Reasonable Rate of Return and shall not require a hearing by the Board if the proposed increase is less than:

(a) The most recently posted annual percentage change in the Consumer Price Index (CPI) plus 1% or
(b) Five percent of the current Base Rent.

Section 5.05 Written Petition for Hearing. A Park Owner seeking a Rent Increase which is not presumed to provide a Reasonable Rate of Return pursuant to Section 5.04 above must submit a signed, written petition to the City Clerk's Office. The City Clerk's Office shall forward the petition to the City Administrator's Office, which will then schedule it with the Rent Stabilization Board for a hearing. The petition must be filed in advance of the rent or fee increase notice described in Section 5.03 above and contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements, or unforeseeable expenses incurred at the Mobile Home Park.

Section 5.06 Vacancy Base Rent: A Park Owner shall be permitted to increase the lot rent by up to 15% whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot.

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Article VI. Violations and Enforcement.

Section 6.01 Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code. Each lot where a violation occurs shall be considered a separate violation.

Article VII. Appeals.

Section 7.01 An appeal of the Board's decision must be made to Superior Court within 30 days of the vote on the original decision.

DRAFT

City Administration
Saco City Hall
300 Main Street
Saco, Maine 04072-1538
Phone: (207) 282-4191

ACTION ITEM F
Exhibit 2

Ryan Pelletier
City Administrator
RPelletier@sacomaine.org

Emily Cole-Prescott
Deputy City Administrator
Eprescott@sacomaine.org

TO: Mayor MacPhail & Saco City Council
FROM: Emily Cole-Prescott, Deputy City Administrator
Ryan Pelletier, City Administrator
DATE: July 29, 2026 (August 3, 2026 City Council Meeting)
RE: Rent Stabilization Board Policy Options Memo

At the July 6th City Council meeting, there was discussion about the makeup of the future Rent Stabilization Board. Based on this feedback, City Staff has compiled several options for the Council's consideration:

Options are provided in no specific order:

- Option A: Citizen Board with Two Councilors as Non-Voting Members:
  - Five residents (excluding councilors):
    - Must reside in Saco
    - No more than 2 from the same ward
    - No more than 2 from the same profession
    - No more than 1 from a Mobile Home Park
  - Need 3 to make quorum
  - Two Council Liaisons to the Board with no vote
- Option B: Citizen Board with Two Councilors as Voting Members:
  - Seven residents (including councilors)
    - Must reside in Saco
    - No more than 2 from the same ward
    - No more than 2 from the same profession
    - No more than 1 from a Mobile Home Park
  - Need 4 to make quorum
  - Two Council Liaisons to the Board, each with voting authority
- Option C: Citizen Board with Three Councilors as Voting Members:
  - Seven residents (including councilors)
    - Must reside in Saco
    - No more than 2 from the same ward
    - No more than 2 from the same profession
    - No more than 1 from a Mobile Home Park
  - Need 4 to make quorum
  - Three Council Liaisons to the Board, each with voting authority
- Option D:
  - City Council acts as Rent Stabilization Board:
    - City Council has authority to review & stabilize rents in mobile home parks

City Administration
Saco City Hall
300 Main Street
Saco, Maine 04072-1538
Phone: (207) 282-4191

ACTION ITEM F
Exhibit 3

Ryan Pelletier
City Administrator
RPelletier@sacomaine.org

Emily Cole-Prescott
Deputy City Administrator
Eprescott@sacomaine.org

TO: Mayor MacPhail & Saco City Council

FROM: Emily Cole-Prescott, Deputy City Administrator

DATE: July 29, 2026 (August 3, 2026 City Council Meeting)

City Administrator Pelletier and I met with Blue Haven Committee representatives Kathy Dobbins (President) and Brian LaRoche (Vice President) to hear more details about the emailed recommendations received to date (appended to this memo as attachments).

General topics of discussion included the ordinance revision process, staff's role in that process, and Charter Chapter 2.09 provisions. We recommended that the Blue Haven Committee compile their talking points into a succinct document for City Council review, and that the Blue Haven Committee participate in the upcoming public hearing, which is tentatively scheduled for the August 17th City Council meeting.

More detailed topics of the discussion included specific sections of the draft ordinance as follows:

- Exemptions language of Section 2.02
- Mobile Home Park versus Manufactured Housing terminology and definitions
- Consideration of anti-retaliation provisions within the ordinance, similar to those in the City of Sanford's ordinance
- Addition of the phrase "whichever is lower" in Section 5.04 of the current draft
- Addition of a capital improvements definition and some mechanism to have a timeline for when capital improvements are required to be completed
- There was discussion about noticing requirements for the Rent Stabilization Board's public hearing. At the end of that discussion, it seemed as though there was some interest in having the City of Saco send standardized public hearing notices rather than having the Park Owners send the public hearing notices.
- There was a question about whether certain state statutes should be incorporated by reference.
- There was discussion of membership of the Rent Stabilization Board. Committee members plan to speak more about this during the upcoming public hearing.
- There was discussion about the definition of Base Rent and Vacancy Base Rent and concern about whether 15% increase in Vacancy Base Rent would cause other considerations for residents within the Mobile Home Park.
- The appeals process was also discussed. It should be noted here that although the Rent Stabilization Board would be set up to hear potential increases that require a hearing, there is also a provision for appeals to Superior Court of the Rent Stabilization Board's decision within a specified timeline.
- Discussion about the definition of Reasonable Rate of Return and how the ordinance currently drafted contemplates Reasonable Rate of Return

Enclosed is the following list of correspondence for this item:

- July 29th Email from Blue Haven Committee Re: Some meeting points for City of Saco Administrator
- July 28th Email from Blue Haven Committee Re: Sarah concerns
- July 28th Email from Blue Haven Committee Re: additional feedback – Brunswick, with enclosed documents
- Rent Stabilization Ordinance Notes and Concerns

ACTION ITEM F
Exhibit 3

Emily C. Prescott

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Wednesday, July 29, 2026 7:39 AM
To: Ryan Pelletier; Emily C. Prescott
Subject: Fwd: Some meeting points for City of Saco Administrator

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

This is also from Sarah onour committee

---------- Forwarded message ---------
From: **Sara Giles** <wishy_82@yahoo.com>
Date: Wed, Jul 29, 2026, 3:31 AM
Subject: Some meeting points for City of Saco Administrator
To: Blue Haven Committee <bluehavencommittee@gmail.com>, Sarah Giles <wishy_82@yahoo.com>, Brian LaRoche <brianrlaroche@gmail.com>, Barb Thomas <barbthomas67@gmail.com>, Gayle Janes <gaylekjanes@gmail.com>, treasurerbhrc@gmail.com <treasurerbhrc@gmail.com>

Five Critical Fixes Needed in the Current Draft

1. Close the Exemption Loophole (Section 2.02(a))

- Current wording allows corporate owners to create sham “resident membership entities.”
- Other cities exempt **only resident-owned cooperatives**.
- We request tightening the language to match Waterville §187-4(B) and Sanford §2(B).
- Section 2.02 — Exemptions

  Original text: “(a) Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home Residents;”

  revision: (a) Mobile Home Parks owned and controlled by a resident-owned cooperative. ~~or other entity in which membership is limited to Mobile Home Residents~~

2. Replace CPI+1% / 5% Presumption with a CPI-Only Cap (Section 5.04)

- Saco’s formula is significantly more permissive than any other Maine ordinance.
- Waterville, Sanford, and OOB all use CPI-U only.
- CPI-only is the statewide standard.
- Remove the Plus 1% and add "WHICHEVER IS LOWER."

3. Define Capital Improvements and Exclude Repairs (Sections 3.02 & 5.05)

- Current draft allows rent increases for routine repairs and maintenance.
- Other cities explicitly prohibit this.
- We request adding a definition and exclusions consistent with Sanford §4(C).
- Section 3.02 — Add Definition of Capital Improvements

Insert after §3.02(g) **(g-1) Capital Improvements: "Capital Improvements" means permanent structural improvements that materially add value or extend the useful life of the Mobile Home Park. Routine maintenance, repairs, or code-required work shall not qualify as capital improvements."**

4. Strengthen Enforcement and Refund Requirements (Section 6.01)

- Current enforcement references general City Code only.
- Other cities include:
  - Refunds of unlawful increases
  - Daily penalties
  - Automatic rollback
- We request adding explicit enforcement language. **Section 6.01 — Enforcement**
- **Original text:** "Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code."

  revision: "Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code. **Any unlawful rent increase shall be void. Park Owners shall refund overcharges within 30 days. Violations shall incur civil penalties of $___ per day per lot."**

5. Strengthen Resident Notice Requirements (Section 4.03(c))

- Current draft requires only 14 days' notice.
- Other cities require full petition documentation and 30+ days' notice.
- We request aligning with Waterville §187-6(B).

Five Additions Saco Should Include

1. Anti-Retaliation Protections

- Missing entirely.
- Required under Title 10 §9097-A and included in Waterville §187-7(B).

2. Fee Regulation and Prohibition on New Fees

- No definition of fees or limits on new fees.
- Sanford §3(A) prohibits new fees without Board approval.

3. Required Documentation for Increases Above CPI

- No requirement for invoices, amortization schedules, or proof.
- OOB §4(C) and Waterville §187-3(D) require full documentation.

4. Annual Reporting Requirement

- Missing entirely.
- Sanford §6(B) and Waterville §187-5(C) require annual financial disclosure.

5. ADA Accessibility Requirements

- Missing entirely.

- Brunswick §7(A) requires ADA-compliant access to common areas.

We respectfully ask the Council to consider SIX important improvements:

1. Clarify and reduce the 15% vacancy increase in Section 5.06, and define what constitutes a *lawful vacancy*. The current draft allows a park owner to raise rent by up to 15% whenever a lawful vacancy occurs — that rate is still too high. The ordinance should clearly define what "lawful vacancy" means and set a lower, reasonable cap. The higher the vacancy rate, the lower the equity and resale value for residents, which erases affordable housing and destabilizes families.

2. Strike "debt service" and "acquisition interest" so residents are never forced to pay a park owner's mortgage.

3. Extend rent-increase hearing notices from 14 days to 45 days, with certified mail, so families have a fair chance to prepare.

4. Ensure the Rent Stabilization Board includes at least two mobile-home-park residents, so lived experience has a seat at the table.

5. Revise Section 5.04 (Presumption of Reasonableness) to cap rent increases at no higher than the Consumer Price Index (CPI) or 5%, whichever is lower, removing the "plus 1%" language entirely. This ensures fairness and prevents excessive rent hikes that undermine stability.

6. Section 5.05 — Petition Requirements

Original text excerpt: "contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements…"

revision: "contain documentation that the increase is necessary to cover increases in operating expenses or the cost of eligible capital improvements…" ~~maintenance~~ **Add:** "Petitions may not include costs for routine maintenance, repairs, or code-required work."

I hope your meeting goes well and I hope that I covered some of the key issues and concerns that still need to be addressed and revisited. We look forward to collaborating with you as this process moves forward.

Sarah Giles-Gardner
BHRC
Secretary

ACTION ITEM F
Exhibit 3

Emily C. Prescott

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Tuesday, July 28, 2026 2:03 PM
To: Ryan Pelletier; Emily C. Prescott
Subject: Sarah concerns

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

Sarah is away and can't make tomorrow's meeting but she wanted me to share this.
Other additions worth considering putting into this rent stabilization ordinance:

1. No Requirement for rent history or utility history disclosure, which allows the Park Owners to hide:

- Past increases
- Past fees
- Past service reductions
- Past capital improvement surcharges

This makes it impossible for residents to challenge improper increases.

2. There is currently no requirement for plain-language notices. Notices can be written in legalese.

Residents may not understand:

- Their rights
- The reason for increases
- How to challenge increases
- How to participate in hearings

This is a barrier to enforcement. Even this ordinance is written in attorney jargon, which has been extremely complex and difficult to comprehend. Are you going to make a plain-language ordinance as well?

3. If the park is sold:

- The new owner can claim increased operating expenses
- The new owner can claim increased debt service
- The new owner can claim capital improvements
- The new owner can claim a need for “reasonable profit”

This is a structural vulnerability. There is no rule for preventing owners with multiple entities from raising the rent after selling the park.

--
Resident Cooperative interim Board of Directors
Kathy Dobbins, President

Sarah Giles-Gardiner, Secretary
Emily Landry, Treasurer
Gayle Janes, Community Outreach
Brian LaRoche, Vice President
Barb Thomas, Operation Director

ACTION ITEM F
Exhibit 3

Emily C. Prescott

From: Emily C. Prescott
Sent: Tuesday, July 28, 2026 4:18 PM
To: 'Blue Haven Committee'; Ryan Pelletier
Subject: RE: additional feedback-Brunswick

Received and thank you.

Kind regards,
Emily

Emily Cole-Prescott
Deputy City Administrator
300 Main Street | Saco, ME 04072
t 207-710-2666
eprescott@sacomaine.org

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Tuesday, July 28, 2026 2:58 PM
To: Ryan Pelletier <rpelletier@sacomaine.org>; Emily C. Prescott <EPrescott@sacomaine.org>
Subject: additional feedback-Brunswick

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

This is from a resident on the Mobile Home Association board and helped Brunswick residents write their ordinance she looked over what we have and here are her thoughts.

Kathy

--
Resident Cooperative interim Board of Directors
Kathy Dobbins, President
Sarah Giles-Gardiner, Secretary
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Gayle Janes, Community Outreach
Brian LaRoche, Vice President
Barb Thomas, Operation Director

ACTION ITEM F
Exhibit 3

Emily C. Prescott

From: Blue Haven Committee <bluehavencommittee@gmail.com>
Sent: Tuesday, July 28, 2026 2:58 PM
To: Ryan Pelletier; Emily C. Prescott
Subject: additional feedback-Brunswick
Attachments: Saco Ordinance with Notes from Brunswick.docx; Maine mobile home laws (info for Saco).docx

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION: THIS EMAIL ORIGINATED FROM OUTSIDE THE CITY OF SACO DOMAIN]

This is from a resident on the Mobile Home Association board and helped Brunswick residents write their ordinance she looked over what we have and here are her thoughts.

Kathy

--
Resident Cooperative interim Board of Directors
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Barb Thomas, Operation Director

ACTION ITEM F
Exhibit 3

NEW BUSINESS ITEM A

MEETING ITEM COMMENTARY

AGENDA ITEM:	**(New Business)** Mobile Home Park Lot Rent Stabilization Ordinance (Proposed to be Chapter 145 in City Code)
COUNCIL RESOURCE:	Councilor Bill Doyle, Ward 3
STAFF RESOURCES:	Emily Cole-Prescott, Deputy City Administrator Ryan Pelletier, City Administrator
BACKGROUND:	In Fall 2025, the City Council enacted a temporary emergency moratorium on mobile home park lot rental increases. On March 9, 2026, the City Council repealed that moratorium. During that process, City Staff was instructed to draft a Mobile Home Park Lot Rent Stabilization Ordinance. Over these past several meetings, the City Council has provided high-level policy direction for such an ordinance. However, City Staff anticipates that there will be revisions to this draft ordinance as it moves through the review and adoption process outlined in City Charter Section 2.09 (Ordinances in General). After this New Business review, the process is as follows: • First Reading • Public Hearing • Second/Final Reading
EXHIBITS:	1. Proposed Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance 2. June 1, 2026 City Council New Business Materials
RECOMMENDATION:	Staff recommend the City Council review the New Business materials.
MOTION:	As this is a New Business item, no motion is necessary this evening.

Chapter 145: Mobile Home Park Lot Rent Stabilization Ordinance

Article I. **Purpose.** The purpose of this ordinance is to protect the health, safety, and welfare of residents living in Mobile Home Parks by preventing unreasonable lot rent and fee increases. Because residents in Mobile Home Parks typically own their homes but not the land

underneath them, they face unique vulnerabilities to excessive rent and fee increases. While Mobile Home Park Owners should expect to receive a reasonable return on their investment, residents of those parks should expect to be protected from unnecessary, excessive cost increases because they may be put at risk of severe housing insecurity.

Article II. Applicability and Exemptions.

Section 2.01 Applicability: This ordinance applies to every Mobile Home Park within the City of Saco except those to which an exemption applies.

Section 2.02 Exemptions: This ordinance shall not apply to:

(a) Mobile Home Parks owned by a cooperative or other entity in which membership is limited to Mobile Home Residents;

(b) Mobile Home Lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this ordinance.

(c) **Mobile home lots where the park owns both the lot and the home.** (aka regular rentals. Those are governed by the same landlord-tenant laws as apartment rentals, not mobile home park landlord-tenant laws. It appears that the other Saco park is primarily, if not fully, homes being rented out, not owned by the occupants.)

(d)

Article III. Definitions.

Section 3.01 Interpretation. In the interpretation and enforcement of this chapter, undefined terms are given their common and generally accepted meanings unless the context requires otherwise. In the case of any difference of meaning or implication between the text of this Chapter and any map, illustration, or table, the text shall control.

(a) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual or any other legal entity.

(b) The present tense includes the future tense; the singular number includes the plural, and the plural number includes the singular.

(c) The words "shall" and "will" are mandatory; the word "may" is permissive.

(d) The word "lot" includes the words "plot" and "parcel."

Section 3.02 Definitions. The following words shall have the following meaning:

(a) Base Rent: “Base Rent” means the rent amount charged for any Mobile Home Park Lot which is in effect on any specific date.

(b) Consumer Price Index (CPI): “Consumer Price Index” or “CPI” means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, as published by the U.S. Department of Labor, Bureau of Labor Statistics.

(c) Mobile Home: “Mobile Home" means a structure, transportable in one or more sections, which is 8 body feet or more in width and 32 body feet or more in length, is built on a permanent chassis, is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained in the structure.

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(d) Mobile Home Park: "Mobile Home Park" means any parcel(s) of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate, two or more mobile homes. or as defined in Maine law. (this would allow the definition to change without amending the ordinance. The state definition should be changed to at least 4 or more because of the ADU laws (LD 2003 passed in 2022 and amended in 2025 as LD 1829), "2 or more" would classify a lot with a couple mobile homes owned by family members as a mobile home park. That's one of the issues on my list of things to bring up as I participate in MOCA's effort to recodify mobile home laws)

(e) Mobile Home Park Lot: "Mobile Home Park Lot" means the area of land on which an individual mobile home is situated within a mobile home park, and which is reserved for use by the occupants of that Mobile Home.

(f) Mobile Home Resident: "Mobile Home Resident" means an occupant of a Mobile Home who rents a parcel of land in a Mobile Home Park. . *might need some language adjustment to make it clear that it does not apply to homes that are owned by the park and simply rented out in addition to the piece of land it's on.

(g) Operating Expenses: "Operating Expenses" means annual expenses reasonably incurred by the Park Owners directly related to the operation of the Mobile Home Park, including but not limited to:

i. Real estate and personal property taxes
ii. Utilities (*include a statement like "utility payments not reimbursed" so they don't get to count the full cost of the water bill when the tenants actually pay for it)
iii. Maintenance and repair (under IRS rules, "repair" has a specific definition that is distinct from "capital improvement")
iv. Administrative and payroll costs
v. Insurance
vi. Capital Improvements (amortized) amortized" means spread out over the useful life of the improvement, typically 25-30 years or more depending on what the improvement is. If they spend $100k on something, they don't get to count the whole $100k in their annual expenses, just a tiny fraction of it).
vii. Reasonable reserve contributions (
i. Interest expenses related to acquisition or capital improvements Google: under general accounting principles, interest is NOT typically included in operating expenses).

~~viii.~~ (An additional section listing things that are NOT to be considered as an operating expense would be good, since we know darn well that the company will try to get away with

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whatever they can. Examples: "expenses that have been reimbursed" and "any costs arising from over-leveraged or imprudent financing".

~~ix.~~viii.

(h) Park Owner: "Park Owner" means a person, corporation or other entity that owns a Mobile Home Park.

(i) Reasonable Rate of Return: "Reasonable Rate of Return" means a rate of return on investment and operation that provides a Mobile Home Park Owner with a fair and reasonable opportunity to recover operating expenses, maintenance costs, capital improvements, debt service, taxes, insurance, utilities, and other legitimate costs of ownership and operation, together with a reasonable profit, while balancing the purpose of this Ordinance to protect residents from excessive, unreasonable, or destabilizing lot rent increases. once again, it should exclude loans they took out for anything more than what they needed to purchase and maintain THAT park. They should not be allowed to claim debt service on enormous loans taken out to pay off investors or buy other properties like the giant shell game the industry has become. If a property is worth $1 million and they somehow talk a bank into lending $10 million for it, they shouldn't be allowed to rake in enough to cover the loan payments on the entire $10 million loan. real estate investments typically target a ROI of 8-12%.

(j) Rent: "Rent" means the total consideration, including any bonus, benefit, or gratuity, demanded, or received by a Mobile Home Park Owner for or in connection with the use or occupancy of a Mobile Home dwelling unit.

(k) Rent Increase: "Rent Increase" means any additional lot rent or fees demanded of, or paid by, a mobile home resident, and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.

(l) Rent Stabilization Board: "Rent Stabilization Board" means the municipal body appointed to hear and decide petitions for rent increase(s) that require a hearing.

Article IV. Rent Stabilization Board.

Section 4.01 The Rent Stabilization Board ("Board") is created to hear requests by Park Owners for lot rental and fee increases that require a hearing as enumerated in Article 5. (a) Membership and Terms. The Board shall be comprised of five members with initial terms of one year for one; two years for two; and three years for two. Thereafter, terms will be for three years. ***grammar nerd alert*** it should either be "shall comprise" or "shall consist of/be composed of"

~~(b)~~ Appointments and Residency Requirement. Members will be appointed by the Mayor and confirmed by the City Council. Board members shall be residents of Saco. At its organizational meeting, the Board shall elect a Chair and a Vice Chair. Experience or background of the members? I'd suggest either "shall be" or "preference will be given to" people with relevant experience. Brunswick's ordinance gave a few examples, but I'll add

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'business accounting' to the mix. And do they need to be Saco residents? Or a certain % of the board be residents? Also needs to have language about who may NOT serve on the board, which should include ANY person directly affected or affiliated with an entity affected by the ordinance. Meaning, no park residents and no one who works for the company who owns the park (or a subsidiary). Since a board member who stands to benefit from a board decision would have to recuse themselves and Blue Haven seems like it might be the only park the ordinance applies to, that would effectively negate having residents/owner serve on the board at all.

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~~(c)~~(b)

~~(d)~~(c) Quorum. A Quorum is a minimum of three members, and decisions shall be made by a majority of Board members present and voting.

~~(e)~~(d) Annual Meetings. On an annual basis, the Board shall meet to complete Board training, and approve an informational fact sheet for mobile home park lot rent stabilization. Section 4.02 Board Authority. The Board shall have the authority, in connection with any written petition for hearing under Section 5.05, to:

(a) Review all non-lot rent fees;
(b) Determine whether such fees comply with this Ordinance and state law; and
(c) Disallow, reduce, or otherwise adjust any fee found to be excessive, non-compliant, or inconsistent with the purpose of this Ordinance.

Section 4.03 Processes and Decisions.

(a) Decisions. The Rent Stabilization Board shall approve, deny, or modify the requested increase in a manner that ensures the Park Owner is able to obtain a Reasonable Rate of Return based on the evidence presented.
(b) Hearings. The Board shall conduct a public hearing regarding a petition for a rent or fee increase within 30 days of receipt of such complete petition for a rent or fee increase unless an extension of time is agreed to by the petitioner. The Board shall issue a written decision that includes the Board's findings and conclusions within 30 days of the close of the public hearing, unless an extension of time is agreed to by the petitioner.
(c) Notice to Mobile Home Residents. The Park Owner shall provide a written notice of the petition to the Mobile Home Residents at least 14 days prior to the public hearing on the petition that includes a copy of the filing of the signed written petition and supporting documents to the Mobile Home Residents, and shall also include the hearing date, time, and location. Proof of said notice should be provided to the Board in advance of the public hearing and shall be considered part of a complete request for review. MAILED 14 days prior or RECEIVED 14 days prior. This is an important distinction when the owner

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is an out-of-state company with a vested interest in preventing tenants from effectively advocating for themselves.

(d) Evidence. The Board may receive any oral or documentary evidence but may exclude irrelevant, immaterial or unduly repetitive evidence. Any interested party to the proceeding, including the Park Owner, Mobile Home Residents, and/or any agent or representative association thereof has the right to present the party's case by oral or documentary evidence, to submit rebuttal evidence, and to conduct any cross-examination that is required for a full and true disclosure of the facts.

(e) Burden of Proof. Decisions will be made by a preponderance of the evidence, and the Park Owners will have the Burden of Proof to establish the amount of a rent or fee increase, that is a Reasonable Rate of Return.

(f) Standard for Approval. The Board shall approve an increase that requires a hearing only upon a finding that the increase is necessary to provide a Reasonable Rate of Return and:

1) Address health and safety conditions;
2) Fund capital improvements essential to the operation of the Mobile Home Park;
3) Cover increased Operating Expenses; or
4) Reflect enhanced services.
5) Park Owners that fail to maintain a Mobile Home Park in decent, safe, sanitary condition, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park.

**Missing: documentation requirements, statement allowing the Board to require additional documents if needed to make their decision, and a bunch more. If Council intends for the ordinance to have all those details, it needs *more details*. Example- Sanford's "Exhibit A: Rent Stabilization Board Evaluation Standards". If they plan to leave it up to the rent board to write those rules/standards, that should be clearly stated in this ordinance

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Article V. Lot Rent and Fee Increase Limitations.

Section 5.01 Limitation on number of rent increases: A park owner may not increase the lot rents or fees more than one (1) time in any twelve (12)-month period.

Section 5.02 Base Rent Calculation: Except as provided herein, a Park Owner shall not demand, accept or retain rent for a Mobile Home Park Lot that exceeds the rent in effect for that lot on *date to be indicated*. In the event the lot was not occupied on *date to be indicated*, the Base Rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Section 5.04.

Section 5.03 Notification Requirements: The Park Owner shall provide notice of any planned increase in lot rent or fees to the affected Mobile Home Residents, no less than 90 days before the effective date of the increase. The 90-day notice must include:

(a) The name, address, telephone number and e-mail address of the Park Owner; and

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(b) The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.

(c) And any other notification requirements required by 10 M.R.S. §9093-B. (This once again allows for changes to state law without the city having to make amendments AND makes it clear to all parties that the city's notification requirements do not *replace* the state requirements.

(d)

Section 5.04 Presumption of Reasonableness: A proposed Rent Increase shall be presumed to provide a Reasonable Rate of Return and shall not require a hearing by the Board if the proposed increase is less than:

(a) The most recently posted annual percentage change in the Consumer Price Index (CPI) plus 1% or

(b) Five percent of the current Base Rent.

Section 5.05 Written Petition for Hearing. A Park Owner seeking a Rent Increase which is not presumed to provide a Reasonable Rate of Return pursuant to Section 5.04 above must submit a signed, written petition to the City Clerk's Office. The City Clerk's Office shall forward the petition to the City Administrator's Office, which will then schedule it with the Rent Stabilization Board for a hearing. The petition must be filed in advance of the rent or fee increase notice described in Section 5.03 above and contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements, or unforeseeable expenses incurred at the Mobile Home Park.

Section 5.06 Vacancy Base Rent: A Park Owner shall be permitted to increase the lot rent by up to 15% whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot. "Lawful vacancy" needs to be defined. If it means "totally empty lot that someone plops a house on, sure. I still think 15% is way too high but I wouldn't die on that hill. If they mean "vacant because someone is in the process of selling their home", absolutely not. Jacking up the rent on an occupied lot takes money out of the hands of a resident (by making it hard to sell at an appropriate price) and puts it in the pocket of the landlord

Article VI. Violations and Enforcement.

Section 6.01 Violations and enforcement of this Ordinance shall be as provided in Section 1-18 of City Code. Each lot where a violation occurs shall be considered a separate violation.

Article VII. Appeals.

Section 7.01 An appeal of the Board's decision must be made to Superior Court within 30 days of the vote on the original decision. (A time limit on this seems like a good idea since it would prevent landlords from pulling out a surprise appeal at any time. However, it does put a squeeze on tenants who would then have to gather themselves and figure out how to make an appeal. If

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this ordinance is passed and you are not successful in your park purchase, I would recommend you get the appeal process figured out ahead of time so you can jump on it when/if you need to)

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Mobile home laws passed in 2026. They go into effect on July 29.

The state website lags FAR behind when updating the Maine Revised Statutes. (The website's disclaimer) Last year's bills went into effect in September but the website wasn't updated until *November*. How the heck are Mainers supposed to know their legal rights and responsibilities if they have to dig in 400 different places to figure it out??

This year's laws-

LD 2231- *An Act to Support Owners of Manufactured Housing, Mobile Homes and Tiny Homes*

- Limits rent increases to once per calendar year
- Removes a lot of confusing language regarding rent increase notice requirements
- Says that park owners may not require tenants to sign non-disclosure agreements as part of mediation negotiations
- There's also stuff about titles and deeds but I believe it mostly affects people who are trying to get mortgages on new or high-priced homes. I didn't pay attention to a lot of those details.

LD 364- *Resolve, Directing the Maine Office of Community Affairs to Submit Legislation and Take Other Actions to Effectuate the Transition of Responsibility for Regulating Manufactured Housing Communities and the Construction and Installation of Manufactured Homes from the Manufactured Housing Board to the Maine Office of Community Affairs*

- Moves licensing and oversight away from the Department of Professional & Occupational Regulation (OPOR) to the Maine Office of Community Affairs (MOCA)
    - Why this is good: under the current system, complaints must follow OPOR's Administrative Complaint Procedure which
        - Prevents real-time enforcement of licensing rules for mobile home parks. The only power is wagging a finger and reminding park owners that there are rules.
        - Makes all complaints confidential unless and until the Board determines that disciplinary action is warranted. The board only meets every 2 months, and they dismiss the majority of the complaints. Also, the average length of time between the deadline given for correcting a violation and the Board giving them a fine or other penalty: 17 months.
        - Limits the possible fines to $1500 per violation up to a maximum of $4500. For all but the smallest parks, that amount of money could be found in the couch cushions. Only ONE park has ever received the maximum fine of $4500. That's a park that didn't repair a broken pump which meant that the raw sewage from the whole park poured down a hill into a stream that flows into the Kennebec River 1/3 mile away. How long was the pump broken? SEVEN MONTHS.
        - It also makes it so that if a park doesn't renew their license by April 1 and it remains lapsed for 90 days, the Manufactured Housing Board no longer has ANY authority over that park. They can't even go in and perform an inspection. Nothing. All they can do is refer the situation to the Attorney

General's office, which may or may not do anything about it. There are likely *many* parks that are operating without a license, either because they let their license lapse or because they were never licensed in the first place. There's no way to know how many or where they are. I personally know of a fully occupied 85-lot park in York whose license lapsed in 2022 (with an owner who resisted every attempt at contact by the Board) and a 15-lot park in Norridgewock that operated for several decades (under at least 3 different owners) before it was ever licensed at all.

- Saco leaders are free to contact MOCA and let them know about any changes they think should be made to state mobile home laws.

Not a law, but was recommended by GOPIF and have been put in place:

- A new position in the Attorney General's office for an AAG specific to housing. Currently, all housing issues are handled by the Consumer Protection AAG. I called them a month ago and that position was not in place yet.
- A 2-year position at Pine Tree Legal for someone to work specifically on mobile home park issues. (Pine Tree Legal is not a state agency so this change was not directed by the government. I think Greg Payne was a big part of putting that in motion through his network of connections but I'm not sure)

ACTION ITEM F
Exhibit 3

Rent Stabilization Ordinance Notes and Concerns:

BHRC General Notes:

Will we, the Blue Haven Residents Committee (BHRC) have any input?... and if so when and how? What date is the public hearing going to be held on?

The entirety of the draft proposal says Mobile Home Park. It should be noted that in 1976 HUD (US Department of Housing and Urban Development) changed the term MHP to Manufactured Home per new and improved building codes to address safety and construction issues. The wording should be changed to reflect/include the name change.

Specific Comments to/on the Draft:

Meeting Item Commentary

1.) "In the Fall" should be replaced with actual dates and should include the dates of each moratorium and receding on indicated by March 9th, 2026, in the next sentence. Be consistent.
2.) .... council has provided HIGH LEVEL policy direction..."

> *Based on what?* Not following state policy by Greg Payne's office and draft ordinance LD 1765 that was sent out to municipalities. Why the change from the draft ordinance from the Governor's Policy Advisor on Housing

3.) First Reading, Public Hearing, Second/Final Reading

> *Dates?*

4.) Exhibits: Date of Exhibit, the First Draft is June 1, 2026. We received it at the last minute, on the morning of the July 6th Council meeting. We requested a copy of this after the city council meeting on June 1st. Why did nobody respond to this request and provide the committee with a copy?

> *If it was done/available 5 weeks ago, why wait so long to send it to us and bring it to the Council meeting? Why wait until the day of the meeting to let BHRC know about it as it delayed us informing the residents here.*
> *Were the park owners also notified?*
> *If so, when?*

Ordinance Draft:

Page 1.

Article 1 What is the definition of reasonable and unreasonable and for whom- clear definition of this. As definition later in the ordinance is contradicting

> Entire page only references Mobile Home
> Article 2 Section 2.02b: Too vague, needs more clarity.

Section 2.02(b) exempts: "Lots subject to any agreement that restricts lot rent…in a manner more restrictive than this ordinance." But it does **not** clarify:

- Whether long-term leases are exempt
- Whether leases with CPI clauses are exempt

- Whether leases with ambiguous language are exempt

This could allow owners to create lease structures that circumvent the ordinance. They currently have leases that are illegal according to Pine State Legal so we might want to take out part B entirely.

> Article 3 Section 3.02a: "*Base Rent"* needs clarification. Does it mean what the residents are currently paying for lot fees, the $660 "Base Rent" as established by the park owners during before and during mediation based on the CPI industry standard in the Northeast, or the current $750 rent for new residents? If this is based on a certain date it will still have to be determined which one is the base rent, even with the last increase we will all be paying $660 by 2027 but new residents are paying $750 so this needs clear parameters or be set based on the tier you are in
(On any specific date)- this allows room for manipulation

> How does Vacancy Base Rent apply, if any? See Article *5.06*

> Article 3 Section 3.01 C In the definition of Mobile Home include it to say Mobile Home and or Manufactured homes and defined by MRS Title 10 Chapter 953 section 9090.

Page 2:
> Entire page only references Mobile Home

> Article 3 Section 3.02g: *"Reasonably incurred operating expenses".* Despite the attempt to give examples, they could mean anything.

> Who confirms and justifies that the expenses are accurate and legitimate? We are still having issues with water fees.
Also need to define Capital Improvements and reasonable reserve contributions
Remove interest expenses related to acquisition or capital improvement, why would there be interest unless there is a loan on these and why should this be part of operating expenses since they took out a loan because they could not cover this in the first place.

Section 3.02 g vi "Capital Improvements (amortized)"
the ordinance **does not define**:

- What counts as a capital improvement
- Whether residents must approve it
- Whether it must improve resident living conditions
- Whether cosmetic upgrades qualify
- How long amortization lasts
- Whether capital improvement surcharges sunset

Owners can claim almost anything is a capital improvement and justify large increases. We would like to see some of these defined further.

In addition to this I also noticed that there is no language or requirement that capital improvements be completed before rent increases therefore Park Owners can propose improvements, raise rent, and then **never complete the work**.

There is no enforcement mechanism here for this.

Section 3.02 g viii "Interest expenses related to acquisition or capital improvements."
This means **park owners can raise rent to pay off their mortgage** or refinance debt. This is extremely owner-friendly. Most Maine ordinances **exclude acquisition debt** because it encourages owners to overpay for parks and pass the cost to residents. We recommend removing this from the draft ordinance.

Article 3 Section 3.02i: Reasonable Rate of Return is vague and needs clarification. Conflicting definitions remove or redefine in clear language.
I would recommend taking out (letter i) "debt service" and (letter g viii) "interest expenses related to acquisition" from the definitions of Operating Expenses and Reasonable Rate of Return. They should not be able to count this towards rent hikes. This allows these corporate investors to buy a park using massive, high interest loans, and then legally forcing us residents to pay off the landlord's mortgages via rent increases.

Article 3 Section 3.02j: why include bonuses, benefits, and gratuity in the definition of rent. Should say Rent is a regular fixed payment made by a tenant to the owner for mobile home lot rent as there are no mobile home dwellings units being rented as those units are owned by residents. So, this needs to revisit and change the definition of this.

Article 3 Section 3.02k: Clarify *"... and includes any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees." This should not be if there are any reduction in services that residents must have an avenue to file a complaint to remedy this.* defines rent increases to include: "any reduction in services without a corresponding reduction in the amount demanded"This ordinance **does not prohibit** owners from reducing services and then claiming they need a rent increase to "cover operating expenses." This is contradictory and exploitable.

Section 4.01: why is it only "Park Owners" what about residents and BHRC? Also should include Article 5 Lot Rent and Fee Limation and Article 6 Violations.

Section 4.02: "*Rent Stabilization Board is created to hear requests by Park Owners?*"
> What about the Residents Committee and Park Residents
This seems to be one sided: what if they violate or reduce services to residents what recourse does a resident have to bring a complaint to the board. allows the Board to review fees, but the ordinance does **not**:

- Cap fees
- Define allowable fees
- Prevent owners from replacing rent increases with new fees
- Prevent "service reductions" paired with fee increases

There is currently no protection against "fee inflation."

Page 3:
> Entire page only references Mobile Home

Article 4 Section 401A: should be a 7-person committee and after the discussion sounds like the city council may want to do this at a special meeting however, we strongly recommend many municipalities include residents directly, because residents are the ones who actually know what is happening within the parks. If the City Council intends to oversee the board, then oversight should come from former City Council members—not active ones. Active members already carry significant responsibilities, and the board needs individuals who can listen fully, understand the realities on the ground, and act accordingly. Without resident representation or independent oversight, the ordinance risks becoming one-sided, and portions of the current draft already reflect that concern.

Article 4 Section 4.01b "Membership will be appointed by the Mayor and confirmed by City Council."

> Nowhere does it say that park residents should not be a part of the committee. It has been mentioned that park residents cannot be on the Board. I believe that the Board should have at least one member from the park community, even if it is Non-voting or Ex-Officio, for nobody outside of the park will have the knowledge base of said park that a resident would. Could even be a Resident's Committee member.

I understand that the City Council would like to consider retaining and acting as the final authority, or act as the hearing body, but we believe that you should include a couple members of our community in Saco or BHRC Cooperative on this rent stabilization board as we retain inside first hand knowledge. "The board shall include at least 2 members who are current Mobile Home Park Residents living in Saco, and no more than 1 member who owns or operates rental property."

Section 4.03 should clearly identify who can petition the board and the process to go about doing that. Should have steps be laid out for the petition process, what needs to be included and the hearing process.

Section *4.03 B Hearings: "Petitioner" needs to be defined clearly in the definition section.*

> Who is the petitioner? Should include Persons, Park Owners', Residents/Homeowner, or Representatives

Section 4.03 Section c: "...Park Owner shall provide a written notice of the petition to the Mobile Home Residents... and proof of said notices shall be proved to the Board in advance..."

>It should be further noted that the notification MUST be done via certified mail. Our experience with all correspondence from the park owners these past 10 months has been through notices taped on people's doors. This was proved to be unreliable due to poor weather conditions and notices blowing off, notices taped at doors not used, people who do not live here full time, etc.
Proof of said notice shall be provided by Certified mail to the Board.

Section 4.03 Section D: "Evidence removes the sentence by excluding irrelevant, immaterial, or unduly repetitive evidence. They should be weighing in all evidence to come to a fair decision.

Page 4:

> Entire page only references Mobile Home

Section 4.02 Section f: Standard of Approval: *"...Board shall approve an increase that requires a hearing only upon finding that the increase is necessary to provide a Reasonable Rate of Return..."*

> Five examples are listed. Can BHRC have input?

> Article 4.02 Section f 5: *"...shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the Mobile Home Park..."*

> This could mean just about anything.

> Violations by whom?

> Who enforces and how?

Section 4.03c- Could we suggest changing the notice given to **45 days** instead of 14 so that elderly residents and the cooperative can have time to gather evidence, hire an attorney, gather financial experts, view the park's accounting spreadsheets, and prepare a defense.

Also could these notices be sent by **certified mail** so that all residents receive these notices

Section 4.03d-Could we add a "Tenant Legal Fund" fee or an "Expert Witness Clause" so that when the park owner files a petition to break the rent cap, they must pay an administrative fee to the city to fund an independent auditor or attorney to represent the residents' interests. These corporations have deep pockets and can afford corporate lawyers and it would cost the residents thousands of dollars just to prove the park owner is lying about their maintenance costs.

Section 4.03f 4- reflects enhanced services that need to be defined.
We currently don't have any enhanced services, we are trying to keep the costs lower as most residents in this park are on Social Security or fixed incomes.

There are currently no rules for preventing owners from charging for "enhanced services" that residents didn't request.

Section 4.03(f)(4) allows increases to:

"Reflect enhanced services."

But the ordinance does not require:

- Resident approval
- Resident benefit
- Resident need
- Resident consent

Owners can add unnecessary services and raise rent.

Section 4.03f 5- The way this section reads now actually rewards the park owners by letting them raise the rent to fix broken pipes that they should have maintained over the last five years in the first place. A total rent freeze is the only leverage that forces these corporate owners to fix the infrastructure and maintain it.

This section should state, "Any Park Owner with an active, uncorrected local or State health, safety, or housing code violation is completely barred from implementing ANY rent or fee increase, including the basic CPI or 3% whichever is lower increase."

There is currently no requirement for the Park Owners to maintain the park before raising the rent increase.

*Section 4.03(f)(5) s*ays owners who fail to maintain the park cannot exceed the basic increase **unless the increase is used to correct violations**. But it does **not**:

- Require proof
- Require completion
- Prevent owners from raising rent again after partial compliance
- Prevent owners from raising fees instead

This should be strengthened to be a stronger maintenance safeguard.

4.03 g -This is just a suggestion to add into the ordinance here.
There is currently no rule preventing owners from raising rent after a Board denial. If the Board denies an increase, the ordinance does **not**:

- Prevent owners from re-filing immediately
- Prevent owners from raising **fees** instead
- Prevent owners from raising rent the next year to "catch up"

Section 5.01 Limitation on number of rent increases should have a five-year cap.

There is currently no rule preventing the Park Owners from bundling multiple increases. The ordinance limits increases to once per year (Section 5.01), but does **not** prevent owners from:

- Raising rent AND fees at the same time
- Raising rent AND reducing services
- Raising rent AND adding new fees

We need better and stronger language here to prevent further manipulation.

Section 5:02 date to be indicated needs to be chosen. Then the Base Rent for that lot "PLUS" an amount up to that specified in Section 5.04. Can we take out the PLUS?

Section 5.03: Notification Requirements: *"...Park Owner shall provide a written notice of the petition to the Mobile Home Residents no less than 90 days before the effective date of the increase." As per state law* MRS Title 10 Section 9093- B

>It should be further noted that the notification MUST be done via certified mail. Our experience with all correspondence from the park owners these past 10 months has been through notices taped on people's doors. This was proved to be unreliable due to poor weather conditions and notices blowing off, notices taped at doors not used, people who do not live here full time, etc.

Section 5.03B: Notification Requirements: need to include any changes to pass through utilities as stated by MRS Title 10 Chapter 953 need to be properly noticed as well as the lot rent.
Distinguish all fees such as water fees clearly, rate, cost per gallon, and usage. Also give certified notice to all tenants when Maine Water increases the rate costs.

Section 5.04: Presumption of Reasonableness: *"...Reasonable Rate of Return and shall not require a hearing by the Board...."*

> CPI plus 1%:

> Why 1%? Why not just CPI

> Five Percent of current Base Rent:

> Why 5%?

> Why not skip CPI and just use a flat percentage?

> Either way it should be noted, not assumed to mean that it means the lesser of the two options. It should say "Whichever is Less."

because CPI can fluctuate from year to year. It was around 8% in 2022. Having a fixed ceiling gives residents more predictability about future rent increases. That said, would prefer to see the cap set at **CPI or 3%, whichever is lower,** as in Sanford's ordinance.

Section 5.04 b: "5% of the current Base Rent"

> Base Rent needs clarification. Does it mean what the residents are currently paying for lot fees, the $660 "Base Rent" as established by the park owners during before and during mediation based on the CPI industry standard in the Northeast, or the current $750 rent for new residents?

> How does Vacancy Base Rent apply, if any?

> Vacancy base Rent is permitted up to 15% whenever a lawful vacancy occurs and this amount shall be considered the New Base Rent for that Mobile Home lot.

Could you remove + 1 % after the CPI as this could lead to massive unsustainable rent hikes for seniors and families on fixed incomes

Could you lower the flat cap from 5% to 3%

This draft allows landlords to raise the rent based on their costs, but doesn't punish them if the park falls into disrepair. Could we insert a "Maintenance and Habitation Condition" clause. This should say something like, "any rent increase–even one below the automatic threshold–is completely barred if the park has outstanding code enforcement violations, neglected infrastructure, or deferred maintenance."

Section 5.05 remove "unforeseeable expenses incurred".

*The park submitted over a year ago plans to have **capital improvements** done, but they have been placed on administrative hold at the Planning Department. Just because they can show you plans of future projects, doesn't mean they will do the capital improvements and then turn around and still charged the residents a larger rent increase without violations. They also never continued their plans with the city of Saco Planning Board.*

The park also failed to do daily maintenance for the last 5 years and there are no violations for this either listed under Article VI.

*They should have to sign something in writing on their **capital improvement plans** that they will be acquiring these fees and that's why the rents will require a higher amount and will need to be inspected by the City of Saco once the job has been completed.*

*If the park owners petition for a **capital improvement**, can we suggest putting a maximum cap of no more than 2% a year can be passed down to residents. Otherwise they can buy another major piece of infrastructure and force us to pay for it all at once.*

Section 5.06 Vacancy Base Rent 15% is too high it should be capped at no more than 5% and which

base rent is this on because the park has 2 if a resident paying $660 leaves and someone new comes in paying $750, they can assess 15% on either of these or then if they decide to increase the lot rent another 5% on top ex. $660+15% would put that person at $759 +5% increase$796.95.
$750+15% would put them at $862.50+5% increase $905.63. Many residents are on social security or disability and they do not get a 15% increase each year.
Any alleged violation of this section shall be subject to a violation or some sort of penalty.
Keep in mind that the higher these percentage rates are, this will drive the overall price of the park up, but this will decrease the equity and value in the mobile homes, which force people to sell lower just to exit. This Vacancy rate is too high and will force people out faster or be targeted to be forced out faster so the park can profit more and have the overall value increase quicker. It's all about how much they can profit, without reinvesting a dime back into our park. Over time, this destroys the affordable housing stock that's left in Saco. The vacancy rate should also be lowered to a maximum of 3%.

There are no anti-harassment or anti-retaliation protections here. They seem to be omitted. Without anti-harassment protections, owners can:

- *Pressure residents to leave*
- *Refuse to renew leases*
- *Create "lawful vacancies"*
- *Target outspoken residents*
- *Retaliate against cooperative members*

Page 5:
>Article 6.
> Who enforces and how?
> Review City Code Section 1-18
> Include it in the explanation or as an exhibit for reference.
> ?? $1,000 per day??

Is the penalty per lot, per day and how much. This section is extremely vague.
What are the recourses for residents if something in these ordinances is violated by the Park Owners' how do residents request a review at the rent stabilization board? According to this it only allows Park Owners to petition for a hearing. Why can't the residents? There needs to be a process set up for residents to seek recourse?

>Article 7.
> Superior Court?
> Define process or provide reference info?

Who can appeal Park owners, Residents, or both?

Other additions worth considering putting into this rent stabilization ordinance:

1. No Requirement for rent history or utility history disclosure, which allows the Park Owners to hide:

- Past increases
- Past fees
- Past service reductions
- Past capital improvement surcharges

This makes it impossible for residents to challenge improper increases.

2. There is currently no requirement for plain-language notices. Notices can be written in legalese.

Residents may not understand:

- Their rights
- The reason for increases
- How to challenge increases
- How to participate in hearings

This is a barrier to enforcement. Even this ordinance is written in attorney jargon, which has been extremely complex and difficult to comprehend. Are you going to make plain-language ordinance as well?

3. If the park is sold:

- The new owner can claim increased operating expenses
- The new owner can claim increased debt service
- The new owner can claim capital improvements
- The new owner can claim a need for “reasonable profit”

This is a structural vulnerability. There is no rule for preventing owners with multiple entities from raising the rent after selling the park.

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ACTION ITEM F
Exhibit 4

City Administration
Saco City Hall
300 Main Street
Saco, Maine 04072-1538
Phone: (207) 282-4191

Ryan Pelletier
City Administrator
RPelletier@sacomaine.org

Emily Cole-Prescott
Deputy City Administrator
Eprescott@sacomaine.org

TO: Mayor MacPhail & Saco City Council

FROM: Emily Cole-Prescott, Deputy City Administrator

DATE: July 29, 2026 (August 3, 2026 City Council Meeting)

RE: Previous Moratorium Actions (List)

The purpose of this memo is to address a concern that the full history of the repealed moratorium was not provided in the previous meeting packet. To assist with information for the record, staff has compiled the following meeting dates. Please refer to the meeting packets for full information:

- October 6, 2025 (link): Mobile Home Park Lot Rental Increases
- October 27, 2025 (link): Emergency Moratorium on Mobile Home Park Lot Rental Increases
- December 15, 2025 (link): Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- February 9, 2026 (link): Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- February 23, 2026 (link): Repeal of Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- March 2, 2026 (link): Repeal of Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- March 9, 2026 (link): Repeal of Emergency Ordinance for Temporary Moratorium on Mobile Home Park Lot Rental Increases
- June 1, 2026 (link): Mobile Home Park Lot Rent Stabilization Ordinance Options
- July 6, 2026 (link): Mobile Home Park Lot Rent Stabilization Ordinance (Proposed to be Chapter 145 in City Code)

NEW BUSINESS ITEM A
August 3, 2026

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MEETING ITEM COMMENTARY

AGENDA ITEM:	**(New Business)** Petition for a Contract Zone filed by TowerCo, LLC for a portion of Ricker Road (Map 101, Lot 25) currently zoned Rural Conservation (RC).
COUNCIL RESOURCE:	Councilor Joshua Parks, Ward 2
STAFF RESOURCE:	Charles Tetelman, City Planner
BACKGROUND:	TowerCo, LLC has submitted a contract zone petition for the future development of a wireless telecommunications facility at 0 Ricker Road, identified as Tax Map 101, Lot 25. The approximately 61.43-acre property is located in the Rural Conservation (RC) zoning district.
EXHIBIT:	1. Memo from Planning Department 7.27.26 2. 0 Ricker Road Application Material 6.25.26 3. Federal Regulation 47 CFR 1.6003
RECOMMENDATION:	Staff recommend the City Council review the new business materials. The application will be considered by the Planning Board at their August 18, 2026, meeting.
MOTION:	As this is a New Business item, no motions are necessary this evening.

NEW BUSINESS ITEM A
Exhibit 1

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

Charles Tetelman
City Planner
ctetelman@sacomaine.org
planning@sacomaine.org
(207) 282-3487

SACO PLANNING | STAFF MEMORANDUM
0 Ricker Road | Permit #19768
July 27, 2026

PROJECT INFORMATION:

Address:	0 Ricker Road	**Map and Lot:**	101-25
Applicant:	TowerCo, LLC	**Property Owner:**	Edna M. Leary
Applicant Agent:	Gordon R. Smith, Verill	**Property Size:**	61.43 acres
Zoning:	Rural Conservation (RC)	**Overlay Zoning:**	None
Existing Use:	Agriculture	**Proposed Use:**	Wireless Telecommunications Facility
Application Type:	Contract Zone Petition	**Other Permits:**	Site Plan Review

OVERVIEW:

TowerCo, LLC has submitted a contract zone petition for the future development of a wireless telecommunications facility at 0 Ricker Road, identified as Tax Map 101, Lot 25. The approximately 61.43-acre property is located in the Rural Conservation (RC) zoning district, and is used for agriculture, and is enrolled in Maine's Farmland Program. The property includes agricultural fields, wooded areas, wetlands, streams, an irrigation pond, existing structures, and portions of an aquifer area. The surrounding area is rural, with agricultural land, woods, and low-density residential development.



Parcel Boundary, 0 Ricker Road

The contract zone petition was submitted on June 25, 2026. Following staff review, the petition will be presented to the City Council and referred to the Planning Board for an application completeness determination, public hearing, and recommendation. The City Council will ultimately consider whether to approve the contract zone.

Wireless telecommunications facilities are permitted only in the Industrial and Business-Industrial zoning districts. The requested contract zone would enable development of a 130-foot monopole, a 50-foot by 50-foot fenced equipment compound, supporting equipment and utilities, and an approximately 1,250-foot gravel access drive from Ricker Road. The petition materials include a plan set depicting the development proposed if the contract zone is approved. Approval of the contract zone would not authorize construction, and the proposed development would remain subject to Site Plan review and approval by the Planning Board under Chapter 179. The facility would require no permanent staffing and is expected to generate approximately one maintenance visit every four to six weeks.

FEDERAL REVIEW PERIOD:

Under 47 C.F.R. §1.6003, included as attachment "A. Federal Regulation 47 CFR 1.6003," the City has a presumptively reasonable 150-day period to act on the proposed construction of a wireless facility using a new structure. The contract zone petition was submitted on June 25, 2026. Absent an applicable tolling period or written agreement with the applicant, the presumptive deadline for final City action is November 23, 2026**.** If the contract zone is approved, the applicant must submit a separate Site Plan application, which will be subject to its own review period under 47 C.F.R. §1.6003 beginning upon submission of that site plan application. The City will coordinate the remaining Planning Board and City Council proceedings, together with any other required local approvals, within the federal review period.

APPLICATION NEXT STEPS:

The contract zone petition will be presented to the City Council as new business on August 3, 2026. The City Council will then refer the petition to the Planning Board for application completeness review on August 18, 2026. If the Planning Board determines the application complete, it is required to hold a public hearing and may schedule a site walk if deemed necessary. Following the public hearing, the Planning Board will make a recommendation to the City Council, which will take final action on the contract zone petition.

A notice acknowledging receipt of the petition has been mailed to property owners within 400 feet of the subject property, and the petition materials have been posted on the City's website. The applicant shall obtain a Notice of Application sign from the Planning Department and install it on the subject property in a location readily visible from nearby properties and public areas and easily accessible to City staff and the public. Documentation of the installation shall be provided to the Planning Department, and the sign shall be installed at least 14 days before a public hearing.

DEPARTMENT REVIEWS:

The petition materials will be distributed to applicable City departments for review and comment. Once received, department comments will be forwarded to the applicant and applicant's representative for review and response. Detailed technical review of the proposed development will also occur during Site Plan review if the contract zone is approved.

PEER REVIEWS:

The petition materials may be distributed to applicable third-party peer reviewers, as determined by City staff, the Planning Board, and/or the City Council over the course of the review. Peer reviewers provide independent technical expertise in relevant licensed or certified disciplines. Once received, peer review comments will be forwarded to the applicant and applicant's representative for review and response. Peer review invoices will be processed by the Planning Department, with the associated costs billed to the applicant.

NEW BUSINESS ITEM A
Exhibit 2

Verrill

ME | MA | CT | NY | DC | verrill-law.com

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COUNSEL
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Direct 207-253-4926

Verrill Dana, LLP
One Portland Square
Portland, ME 04101-4054
Main 207-774-4000

June 25, 2026

VIA E-MAIL
City of Saco Planning Board
300 Main Street
Saco, Maine, 04072

Re: Request for Contract Zone
Proposed TowerCo Wireless Telecommunications Facility
0 Ricker Road, Saco, ME
Tax Map 101 Lot 025

Dear Members of the Board,

On behalf of TowerCo, LLC ("TowerCo"), please accept this application for a contract zone pursuant to Section 230-1705 of the Saco Zoning Ordinance. TowerCo builds, owns, and operates telecommunications towers throughout the country. The contract zone is requested to allow the construction of a new wireless telecommunications facility ("Facility") on the above referenced property on Ricker Road in Saco (the "Property"). The current use of the 60-acre Property is for agriculture.

The proposed Facility consists of a new 130-foot-tall tower with associated antennas, telecommunications equipment, and other infrastructure as shown on the Site Plan attached as Exhibit 1. Verizon Wireless has requested that TowerCo construct the Facility to fill in gaps in cellular service to parts of Saco that are currently without reliable Verizon service. The need for the Facility and the improved wireless service it will provide are addressed in the Radio Frequency (RF) Report attached as Exhibit 2.

The RF Report shows existing wireless service without the Facility and projected wireless service with the Facility. Specifically, the RF Report indicates that significant portions of Lincoln Road, Flag Pond Road, Watson Mills Road, Boothby Park, and surrounding roads, residences and businesses in Saco do not have adequate wireless service. The Report shows that the proposed Facility would close that gap in service, especially by providing enhanced data capacity to meet the demands of modern wireless device usage.

Under the Saco Zoning Ordinance, wireless telecommunication facilities are prohibited except within the City's Industrial (I) and Business-Industrial (BI) zoning districts. The proposed Facility is in the City's Rural Conservation (RC) zoning district.

In the past, the City has entered into contract zone agreements on at least four occasions to allow telecommunications towers to be permitted in zoning districts where such facilities are otherwise prohibited. Three of those facilities were in the RC district. Saco's prior wireless telecommunication tower contract zone approvals are attached as Exhibit 3.

Accordingly, TowerCo seeks a contract zone for the Property to allow the Facility as a permitted use. In support of this request, TowerCo submits the following information.

(1) Evidence of right, title, or interest in the property. TowerCo's Memorandum of Ground Lease and the landowner's deed are attached as Exhibit 4.

(2) A plot plan showing the boundaries of the parcel and its dimensions, as well as the existing and proposed buildings and structures. Tax Map 101 Lot 025 existing conditions are shown on Sheet Z-2 of the Site Plan. Boundary dimensions are shown on Sheet Z-9 of the Site Plan. Proposed structures and development are shown on Sheets Z-5, Z-6, and Z-8 of the Site Plan. *See* Exhibit 1.

(3) A plan showing the location of existing streets and driveways within 200 feet of the property. Sheet Z-10 of the Site Plan identifies the location of existing streets and driveways within 200 feet of the property. The proposed access drive would enter Ricker Road near the existing driveways numbered 3,4, and 5 on Sheet Z-10. *See* Exhibit 1.

(4) A detailed statement of the proposed use of the property and the precise zoning change requested. The proposed use of the property is a "wireless telecommunications facility" as defined by Saco Code section 230-2103. The proposed Facility as depicted on the Site Plan includes a 130-foot telecommunications tower with antennas, a 50' x 50' fenced and graveled compound, cabinets containing wireless telecommunications equipment, a back-up generator, and an approximately 1,250-foot gravel access drive. *See* Exhibit 1. Consistent with the previous contract zones that Saco has enacted for wireless telecommunications facilities, TowerCo requests that a contract zone be enacted such that the proposed Facility will be a permitted use on the Property.

(5) A statement explaining how it is consistent with the Comprehensive Plan, and permitted and existing uses within the original zone. The proposed contract zone allowing development of the Facility is not just consistent with but will further goals in the Saco Comprehensive Plan, including improvement of internet access and public safety. The Comp Plan states, "Expanding access to reliable, low-cost high-speed internet for Saco residents and businesses is important for economic development and education goals." Comp Plan at 98. The Comp Plan further states, "The 2019 5-Year American Communities Survey estimates that 700 households in Saco (8.8%) do not have internet service." Comp Plan at 104. The Facility will provide new wireless internet connectivity where there is currently a gap in service and will improve the speed and reliability of existing wireless internet connectivity available to Saco residents. *See* Exhibit 2.

The Comprehensive Plan also identifies the goal of improving public safety communications for residents: "Public safety has not kept up with the growing population and locations for recent development. Public safety has seen a 20% increase in call volume over the past decade and staff levels have not increased accordingly. Response times are longer, especially for new subdivisions in West Saco." Comp Plan at 95. Approximately 80 percent of 911 calls nationwide are now made from wireless phones. (Source: National Emergency Number Association (NENA), 2024). The Facility will improve the ability of Saco residents, including those in West Saco, to contact public safety services through wireless devices in areas where service is currently not reliable.

The proposed Facility is consistent with permitted uses in the RC district, which include hospitals; commercial processing of wood, including cutting sawing, splitting, chipping; waste composting centers; schools – commercial; commercial solar energy systems; and high-voltage transmission lines. *See* Saco Code § 230-307, Table 3-3. In particular, high-voltage transmission lines include multiple towers that can range from 115 to 175 feet in height. The proposed tower at the Facility will be 130 feet tall.

The proposed Facility is consistent with existing uses in the RC district, which include at least four telecommunications towers. The existing towers in the RC district are at 202 McKenney Road (190 feet tall), 67 Simpson Road (196 feet tall), Flag Pond Road (250 feet tall), and Boom Road (423 feet tall).

In addition, two other towers are located 3.2 miles away at 955 Portland Road (400 and 500 feet tall). These towers were located in the former C-1 district (*see* Exhibit 3), which was the predecessor to the current RC district. Saco Code § 230-303, Table 3-1. They are now in the Portland Road (PR) district, in which wireless telecommunications towers are also prohibited.

(6) A description of the property's unusual nature or unique location. The Property is ideally located near the center of a demonstrated gap in wireless coverage and capacity. Verizon Wireless established the need for the Facility based on data showing where existing service is insufficient in Saco. Verizon Wireless provided TowerCo with a "search ring" depicting the area in which a new tower could be located to address the service gap. TowerCo's contractors then sought to identify properties that are within and preferably close to the center of the search ring, that are of the size and nature suitable for hosting a wireless telecommunications facility, and that are held by a landowner who is willing to lease space for the facility to be located. The Property meets all these requirements. It is centrally located within the search ring. It is a 60-acre agricultural parcel. And the Property owner, Edna Leary, has entered into a lease with TowerCo to host the Facility. Accordingly, the Property is especially suited for the requested contract zone.

(7) A statement setting forth the conditions or restrictions that the applicant proposes. Consistent with prior contract zones approved for wireless telecommunications facilities in the RC district, the following conditions are proposed.

1. TowerCo and/or its affiliates will construct one 130-foot wireless telecommunications tower and associated infrastructure on the Property.

2. The Facility is subject to Site Plan Review pursuant to Chapter 179 of Saco Code, including wireless telecommunications facility standards at § 230-725.

3. The Facility is subject to all applicable provisions of the Saco Zoning Ordinance except as expressly addressed in the contract zone agreement.

4. TowerCo and any successor shall provide at no cost a suitable co-location position for the City to install public safety and other municipal wireless telecommunications antennas and other equipment.

5. The Facility shall be the only wireless telecommunications tower on the Property and shall provide co-location space on reasonable terms to other authorized carriers as follows. It is the intent of the City that towers, structures or similar installations erected as part of a Wireless Telecommunication Facility shall be available to multiple tenants, carriers, and/or providers of wireless telecommunication service. The Applicant shall provide a signed statement obligating the owner of the Facility and its successors and assigns to:

    a. Respond in a timely, comprehensive manner to any request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of what is commonly charged within the telecommunications industry;

    b. Negotiate in good faith based on commonly accepted practices within the telecommunications industry for shared use of the facility by third parties, thereby agreeing to not limit the number of carriers utilizing the Facility to less than the carrying capacity of the Facility;

    c. Allow shared use of the facility on a first come, first served basis if any applicant agrees in writing to pay charges for co-location that are commonly accepted within the telecommunications industry;

    d. Require no more than a reasonable charge for shared use, based on commonly accepted practices within the telecommunications industry. This charge may include, but is not limited to, a pro-rata share of the cost of planning, project administration, site design, construction, financing, return on equity, depreciation, and all of the costs of adapting the Facility or equipment to accommodate a shared user without causing electromagnetic interference.

    e. The City of Saco is specifically recognized as not being a potential co-location applicant, and is not bound by the terms herein.

6. The contract zone is not transferrable prior to construction unless authorized in writing by the City.

7. This contract zone affects only the Property. This contract and its provisions shall apply exclusively to the contract zone request submitted by the Applicant and/or its agents.

8. Failure of the Applicant to secure site plan approval from the Planning Board, and any and all other permits or approvals that may be required by the City or other regulatory agencies including but not limited to the Maine Department of Environmental Protection and/or Federal Communications Commission within two years of the approval of this Contract by the Saco City Council shall render this Contract null and void. In the event that permits or approvals are delayed due to circumstances beyond the control of the Applicant, this two-year deadline may be extended by one year upon written request submitted by the Applicant, subject to approval by the City Council.

9. Breach of these conditions and restrictions by the developer shall constitute a breach of the contract. Said breach of contract shall constitute a zoning violation, subject to enforcement action by the City of Saco.

As context for TowerCo's request for a contract zone, the federal Telecommunications Act ("TCA") prevents municipalities from imposing zoning restrictions that "result in significant gaps in the availability of wireless services." *Omnipoint Communications MB Operations, LLC v. Town of Lincoln*, 107 F. Supp. 2d 108, 117 (D. Mass. 2000). In *Omnipoint Communications*, a town's zoning ordinance allowed wireless telecommunications facilities on six parcels in the town, however none of the parcels were sufficient to provide cell service to an area of town where service was inadequate. The court held that the town's ordinance had "the effect of prohibiting the provision of wireless services within the Town" in violation of the TCA and ordered the town to permit construction of a telecommunications tower in the location necessary to close a significant gap in service. *Id*. at 121, citing 47 U.S.C. § 332(c)(7)(B)(i)(II).

Furthermore, gaps in wireless service in Maine must be assessed on a carrier-by-carrier basis, such that a gap is present for a given carrier even where another carrier's network may be providing service. *Omnipoint Holdings, Inc. v. City of Cranston*, 586 F.3d 38, 49 (1st Cir. 2009) ("In this circuit we consider whether a significant gap in coverage exists within the individual carrier's network. We have rejected the Third Circuit's rule that considers not the individual carrier's network but whether any carrier provides service to an area.") (internal citations omitted).

Thank you very much for your attention. I look forward to appearing before the Board at its next available meeting to further discuss this contract zone request.

Sincerely,

Gordon R. Smith

Enclosures

29322983_1

NEW BUSINESS ITEM A
Exhibit 2

Application #_____

Zone Ordinance Amendment Application

Saco Planning Board Review

Street Address of Proposed Project: 0 Ricker Road Tax Map & Lot: M 101 L 025

Registry of Deeds Book & Page Number: 18695/198 Zoning District: RC

Applicant: TowerCo, LLC

Applicant's Address: c/o Gordon Smith, Verrill, One Portland Square, Portland, ME 04101

Applicant's Email & Phone #: gsmith@verrill-law.com; 207-253-4926

Architect/Engineer's Name: Colliers Engineering & Design, Peter Michael Albano

Architect/Engineer's Email & Phone #: _____

Architect/Engineer's Address: 10000 Midlantic Drive, Ste. 300E, Mt. Laurel, NJ 08054

Property Owner: Edna M. Leary, c/o Timothy Leary

Property Owner's Email & Phone #: tim@learyfarm.com; 207-807-2839

Property Owner's Address: 269 Flag Pond Road, Saco, ME 04072

Area of Parcel: 60.7 acres Proposed Developed Area: 10,000 S.F. Proposed Height: 130'

Sq. Ft. of Each Proposed Structure: _____ Proposed # of Parking Spaces: 0

Amendment to Previously Approved Plan: ☐ Yes ☐ No

Description of Proposal: Contract zone requested to allow the construction of a new wireless telecommunications facility.

Signature & Application Requirements: Applications are due at least three weeks in advance of Planning Board meetings, but the Department encourages applicants to plan for five weeks before a Planning Board meeting. Staff will schedule your application for a Planning Board meeting once all reviews are complete and comments have been sufficiently addressed.

_____ 6/25/26

Signature of Owner/Applicant Date

Zoning Amendment Petition Requirements		
Attention: ***Only fill out the section for the change that you are requesting. The three options are a text change, a map change, or a contract rezoning.***		
Proposed Text Change		
Submission Fulfilled or Waiver Requested	**For Follow Up**	**Requirement**
		Submit a written petition to the City Clerk that includes the proposed change and the reason for the change.
		Clearly identify and describe the section of text you want to change and then describe the change you are requesting.
		Pay the cost of advertising and postage to notify the general public, abutters, and neighborhood property owners of the proposed change.
		Include any additional information you feel will help the Planning Board evaluate your petition. Please include how the change relates to Saco's Comprehensive Plan.
Proposed Map Change		
		Submit a written petition to the City Clerk that includes the proposed change and the reason for the change.
		Include a description of the parcels of land involved.
		Include a scaled drawing of the parcel of land showing all boundary dimensions and the total area.
		Include the proposed zoning classification(s) you want applied to the parcel(s) of land.
		Pay the cost of advertising and postage to notify the general public, abutters, and neighborhood property owners of the proposed change.
		Include any additional information you feel will help the Planning Board evaluate your petition. Please include how the change relates to Saco's Comprehensive Plan.
		Pay the project fee to the City of Saco.
Contract Rezoning		

		A request for a contract rezoning shall include a written petition to the Planning Board requesting a rezoning, including the following:
		Evidence of right, title, or interest in the property
		A plot plan showing the boundaries of the parcel and its dimensions, as well as the existing and proposed buildings and structures.
		A plan showing the location of existing streets and driveways within two hundred (200) feet of the property.
		A detailed statement of the proposed use of the property and the precise zoning change requested
		A statement explaining how it is consistent with the Comprehensive Plan, and permitted and existing uses within the original zone.
		A description of the property's unusual nature or unique location.
		A statement setting forth the conditions or restrictions that the applicant proposes.
The Planning Board may propose additional conditions or restrictions for Contract Rezoning.		

NEW BUSINESS ITEM A
Exhibit 2

PROJECT NOTES

1. SITE INFORMATION OBTAINED FROM THE FOLLOWING:
   A. LIMITED FIELD OBSERVATION BY COLLIERS ENGINEERING & DESIGN ON 06/27/24.
   B. PARTIAL BOUNDARY AND TOPOGRAPHIC SURVEY ENTITLED "SACO N ME (ME0042)" PREPARED BY COLLIERS ENGINEERING & DESIGN LAST REVISED 06/06/25.
2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITY COMPANIES OR OTHER PUBLIC/GOVERNING AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
4. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE AS A RESULT OF CONSTRUCTION OF THIS FACILITY AT THE CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
6. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
7. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING THE BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND CONSTRUCTION DRAWINGS.
8. THE CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK. ALL DIMENSIONS OF EXISTING CONSTRUCTION SHOWN ON THESE DRAWINGS MUST BE VERIFIED. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
9. THE PROPOSED FACILITY WILL COMPLY WITH ALL STATE AND LOCAL STORMWATER ORDINANCES.
10. NO NOISE, SMOKE, DUST OR ODOR WILL RESULT FROM THIS FACILITY AS TO CAUSE A NUISANCE.
11. THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION (NO HANDICAP ACCESS IS REQUIRED).
12. THE FACILITY DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
13. PORTABLE TOILETS WILL BE ON-SITE DURING CONSTRUCTION IN ORDER TO HANDLE ALL SOLID WASTE WHILE THE SITE IS BEING BUILT. UPON COMPLETION OF CONSTRUCTION, THE PORTABLE TOILET WILL BE REMOVED FROM THE SITE AND NO FURTHER SOLID WASTE WILL BE RESULT FROM THE PROPOSED FACILITY.
14. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTHS WITH RF ENGINEERING PRIOR TO INSTALLATION.
15. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
16. CONTRACTOR MUST FIELD LOCATE ALL EXISTING UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.
17. CONSTRUCTION SHALL NOT COMMENCE UNTIL COMPLETION OF A PASSING STRUCTURAL ANALYSIS CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER. THE STRUCTURAL ANALYSIS IS TO BE PERFORMED BY OTHERS.
18. CONTRACTOR SHALL CONTACT STATE SPECIFIC ONE CALL SYSTEM THREE WORKING DAYS PRIOR TO ANY EARTH MOVING ACTIVITIES.

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0 RICKER ROAD
SACO, ME 04072
YORK COUNTY

VICINITY MAP



CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

1. MAINE UNIFORM BUILDING CODE INCORPORATING THE 2021 INTERNATIONAL BUILDING CODE
2. 2020 NATIONAL ELECTRICAL CODE - NFPA 70
3. 2018 NFPA 1
4. AMERICAN INSTITUTE OF STEEL CONSTRUCTION 360-16
5. AMERICAN CONCRETE INSTITUTE
6. TIA-222-H
7. TIA 607 FOR GROUNDING
8. INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS 81 IEEE C2 LATEST EDITION
9. TELCORDIA GR-1275
10. ANSI T1.311
11. PROPOSED USE: UNMANNED TELECOM FACILITY
12. HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED
13. CONSTRUCTION TYPE: IIB
14. USE GROUP: U

PROJECT INFORMATION

SITE INFORMATION

LATITUDE:	N 43° 34' 21.32" (NAD 83)
LONGITUDE:	W 70° 27' 14.16" (NAD 83)
GROUND ELEVATION:	150.3± AMSL (NAVD 88)
JURISDICTION:	SACO CITY
PARCEL:	101025000000
ZONE:	RC - RURAL CONSERVATION

APPLICANT

COMPANY:	TOWERCO
ADDRESS:	5000 VALLEYSTONE DR #200
CITY, STATE, ZIP:	CARY, NC 27519

PROPERTY OWNER

NAME:	EDNA M LEARY
ADDRESS:	269 FLAG POND ROAD
CITY, STATE, ZIP:	SACO, ME 04072

CONSTRUCTION MANAGER

COMPANY:	TOWERCO
ADDRESS:	5000 VALLEYSTONE DR #200
CITY, STATE, ZIP:	CARY, NC 27519
CONTACT:	BOB EVANS
COUNTY:	(412) 215-3125

SITE ACQUISITION

COMPANY:	STRUCTURE CONSULTING GROUP
CONTACT:	EGOR EVSUK
PHONE:	(617) 470-9397

ENGINEERING COMPANY

COMPANY:	COLLIERS ENGINEERING & DESIGN, INC
ADDRESS:	10000 MIDLANTIC DRIVE, SUITE 300E
CITY, STATE, ZIP:	MT. LAUREL, NJ 08054
CONTACT:	MATTHEW GRAUBART, P.E.
PHONE:	(856) 797-0412
E-MAIL:	MATTHEW.GRAUBART@COLLIERSENG.COM

LOCATION INFORMATION

POWER PROVIDER

COMPANY:	CENTRAL MAINE POWER COMPANY
PHONE:	(800) 750-4000

POLICE

NAME:	SACO POLICE DEPARTMENT
ADDRESS:	20 STORER STREET
CITY, STATE, ZIP:	SACO, ME 04072
PHONE:	(207) 284-4535

FIRE

NAME:	SACO FIRE DEPARTMENT
ADDRESS:	271 NORTH STREET
CITY, STATE, ZIP:	SACO, ME 04072
PHONE:	(207) 282-3244

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SHEET INDEX

SHEET	DESCRIPTION
T-1	TITLE SHEET
Z-1	ABUTTERS PLAN
Z-2	EXISTING CONDITIONS PLAN
Z-3	ZONING INFORMATION
Z-4	LOCUS MAP
Z-5	SITE PLAN AND SITE NOTES
Z-6	PARTIAL SITE PLAN
Z-7	SOILS MAP
Z-8	COMPOUND PLAN AND ELEVATION VIEW
Z-9	PLOT PLAN
Z-10	EXISTING ADJACENT STREETS AND DRIVEWAYS PLAN
A-1	CONSTRUCTION DETAILS
A-2	CONSTRUCTION DETAILS
A-3	CONSTRUCTION DETAILS
A-4	CONSTRUCTION DETAILS
A-5	CONSTRUCTION DETAILS
A-6	CONSTRUCTION DETAILS
-	SURVEY

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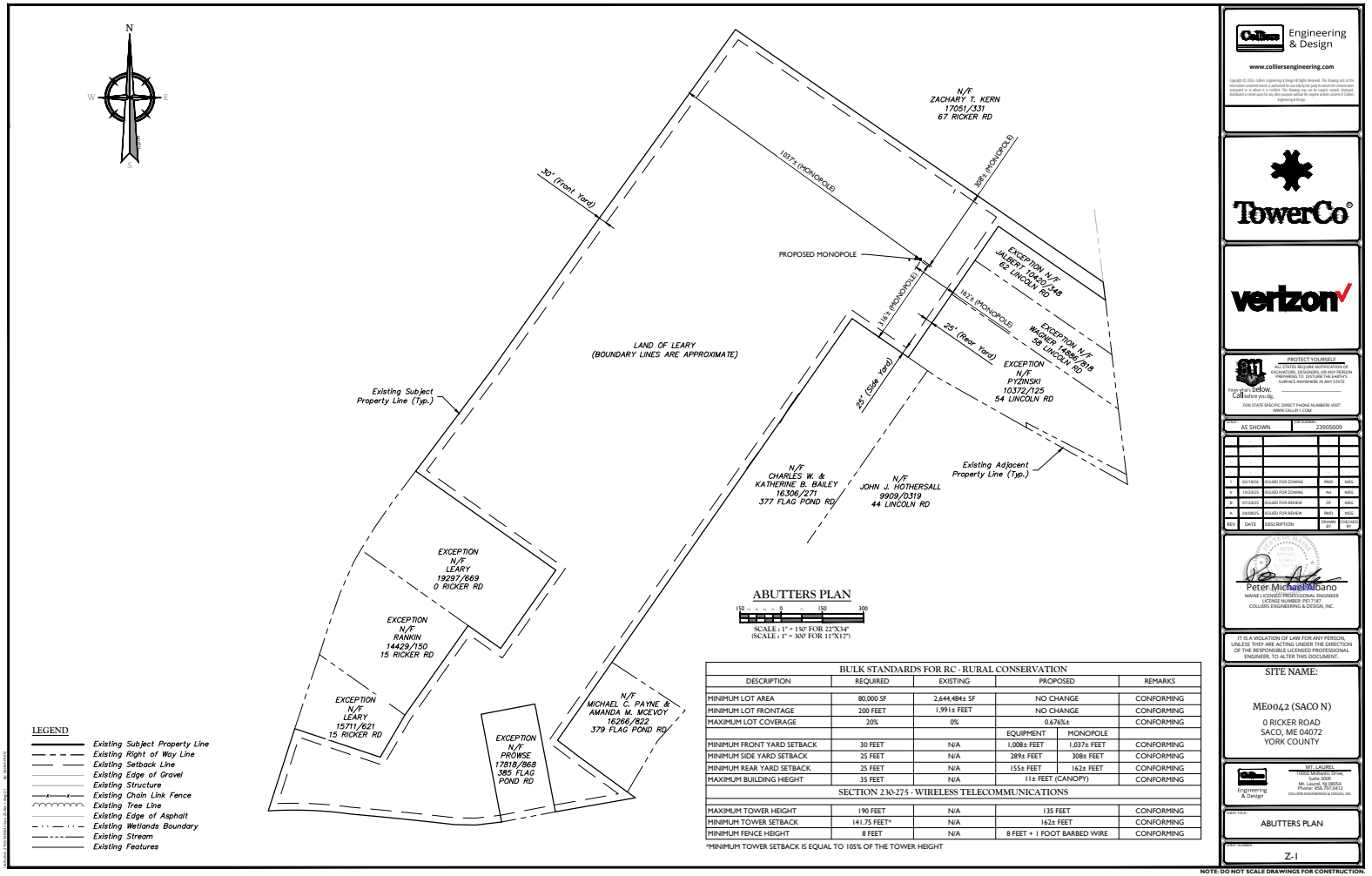
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NEW BUSINESS ITEM A
Exhibit 2



ABUTTERS PLAN

150 0 150 300
SCALE: 1" = 150' FOR 22"X34"
(SCALE: 1" = 300' FOR 11"X17")

BULK STANDARDS FOR RC - RURAL CONSERVATION

DESCRIPTION	REQUIRED	EXISTING	PROPOSED		REMARKS
MINIMUM LOT AREA	80,000 SF	2,644,484± SF	NO CHANGE		CONFORMING
MINIMUM LOT FRONTAGE	200 FEET	1,991± FEET	NO CHANGE		CONFORMING
MAXIMUM LOT COVERAGE	20%	0%	0.676%±		CONFORMING
			EQUIPMENT	MONOPOLE	
MINIMUM FRONT YARD SETBACK	30 FEET	N/A	1,008± FEET	1,037± FEET	CONFORMING
MINIMUM SIDE YARD SETBACK	25 FEET	N/A	289± FEET	308± FEET	CONFORMING
MINIMUM REAR YARD SETBACK	25 FEET	N/A	155± FEET	162± FEET	CONFORMING
MAXIMUM BUILDING HIEGHT	35 FEET	N/A	11± FEET (CANOPY)		CONFORMING
SECTION 230-275 - WIRELESS TELECOMMUNICATIONS					
MAXIMUM TOWER HEIGHT	190 FEET	N/A	135 FEET		CONFORMING
MINIMUM TOWER SETBACK	141.75 FEET*	N/A	162± FEET		CONFORMING
MINIMUM FENCE HEIGHT	8 FEET	N/A	8 FEET + 1 FOOT BARBED WIRE		CONFORMING

*MINIMUM TOWER SETBACK IS EQUAL TO 105% OF THE TOWER HEIGHT

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1	07/24/24	ISSUED FOR REVIEW	DF	MBK
A	04/08/24	ISSUED FOR REVIEW	MWD	MBK

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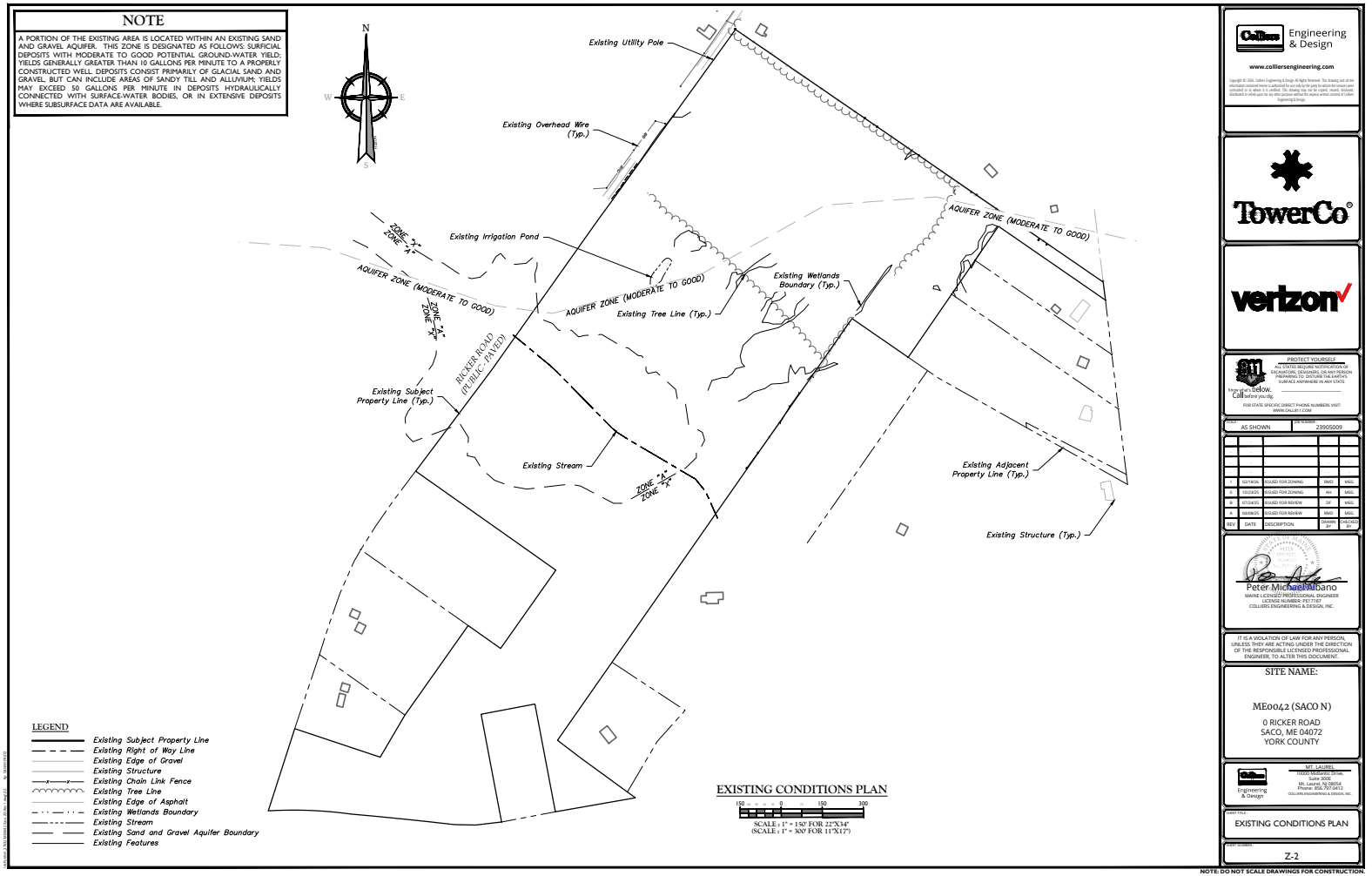
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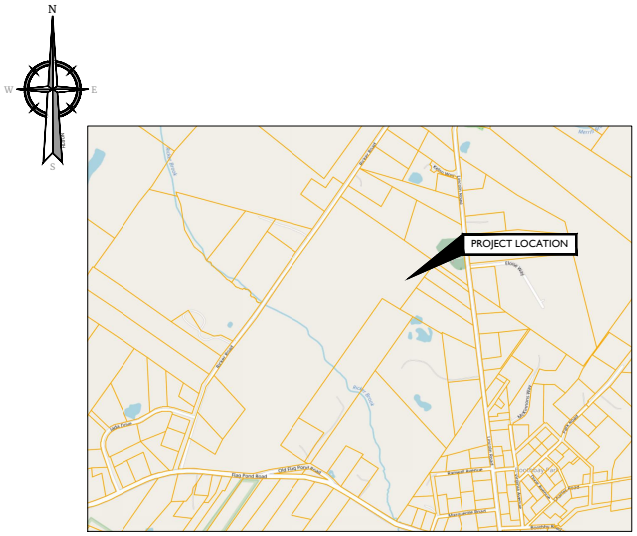
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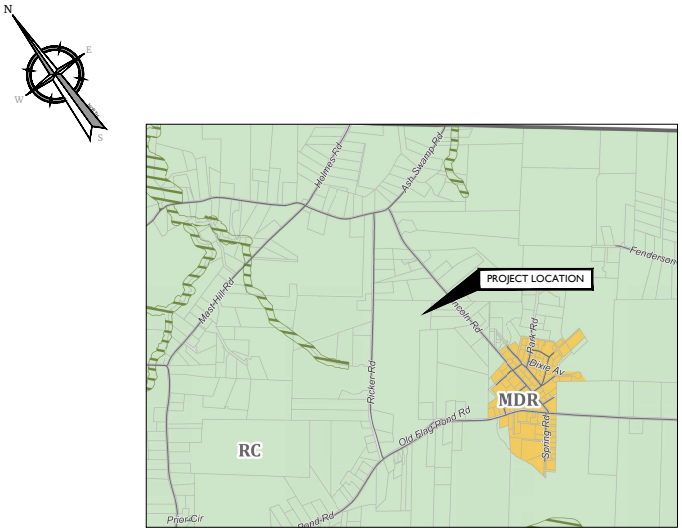


NEW BUSINESS ITEM A
Exhibit 2



TAX MAP

SCALE : 1" = 500' FOR 22"X34"
(SCALE : 1" = 1000' FOR 11"X17")



ZONING MAP

SCALE : 1" = 1000' FOR 22"X34"
(SCALE : 1" = 2000' FOR 11"X17")

Zoning Districts

- Rural Conservation (RC)
- Low Density Residential (LDR)
- Seaside Residential (SR)
- West Residential (WR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Main and Beach (MB)
- Downtown (D)
- General Business (GB)
- Highway Business (HB)
- Saco Island (SI)
- Camp Ellis (CE)
- Portland Road (PR)
- Business-Industrial (BI)
- Industrial (I)

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B	07/24/25	ISSUED FOR REVIEW	DP	MSS
A	06/06/25	ISSUED FOR REVIEW	RWD	MSS

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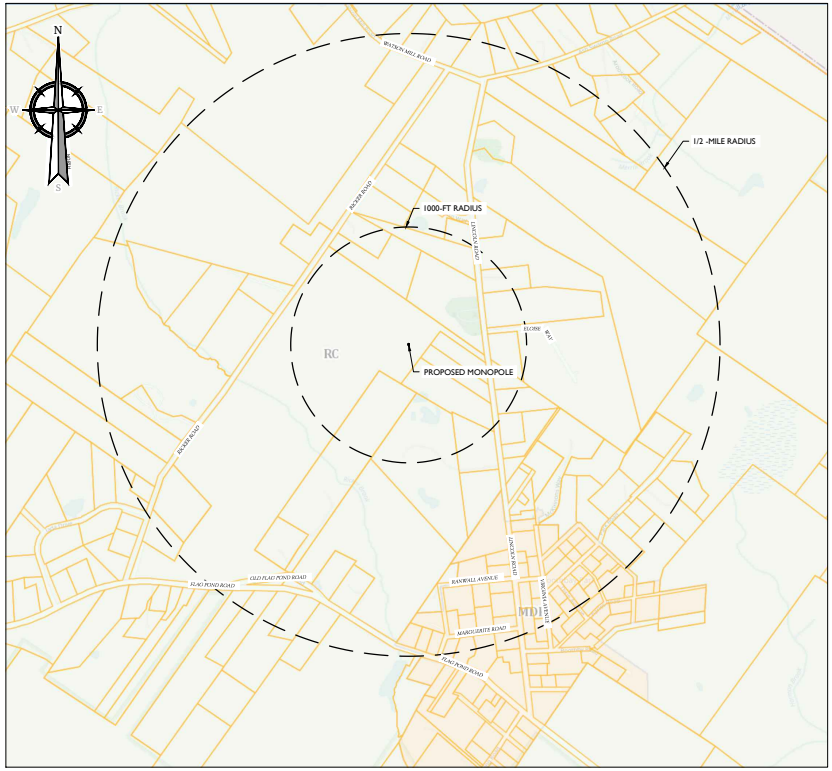
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LOCUS MAP

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B	10/23/25	ISSUED FOR ZONING	AH	MSL
A	07/24/25	ISSUED FOR REVIEW	GP	MSL
-	06/09/25	ISSUED FOR REVIEW	RWD	MSL

PETER MICHAEL SALVATORE ALBANO
DATE OF BIRTH
LICENSED PROFESSIONAL ENGINEER
STATE OF MAINE
Peter Michael Albano
MAINE LICENSED PROFESSIONAL ENGINEER
LICENSE NUMBER: PET7187
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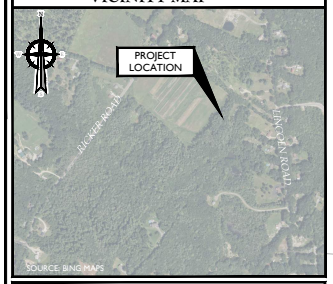
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LOCUS MAP

SHEET NUMBER:
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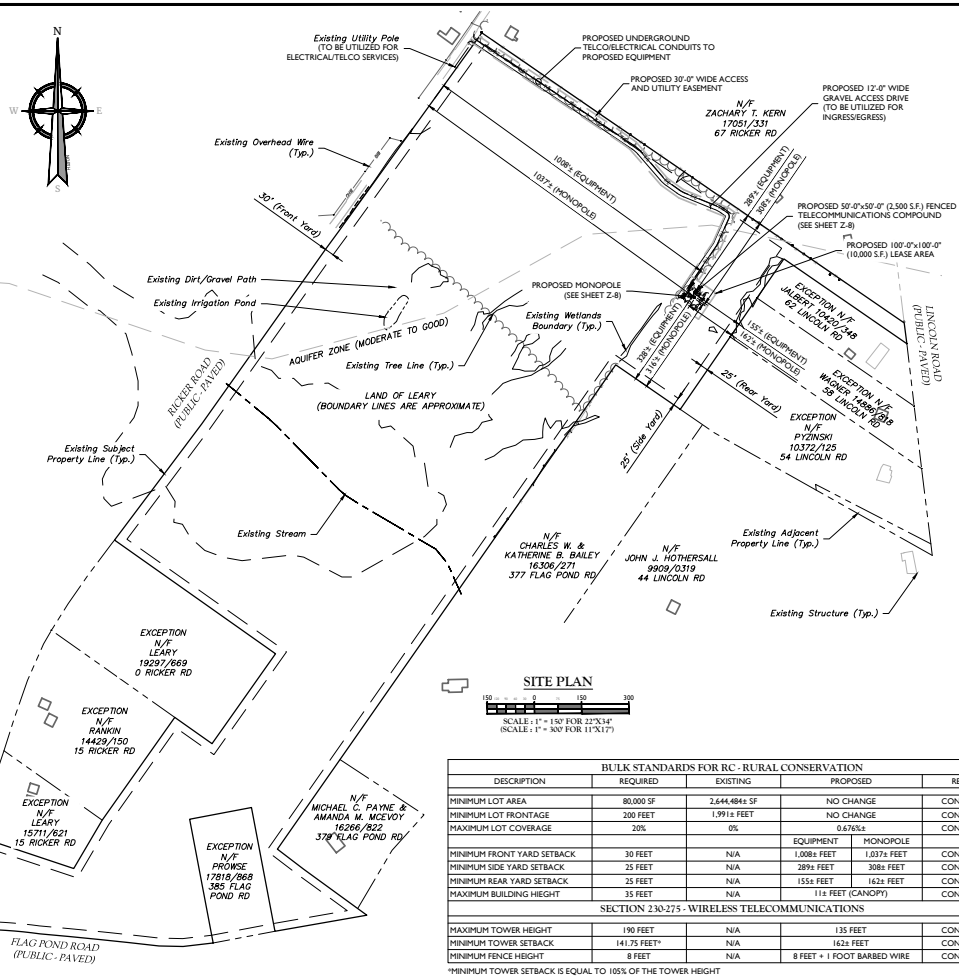
NEW BUSINESS ITEM A
Exhibit 2

VICINITY MAP



SITE NOTES

1. THIS PROPOSAL IS FOR AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF THE PLACEMENT OF PANEL ANTENNAS ON A PROPOSED MONOPOLE AND EQUIPMENT CABINETS ON A PROPOSED CONCRETE PAD, AN OUTDOOR STANDBY GENERATOR AND ASSOCIATED APPURTENANCES WITHIN A PROPOSED FENCED COMPOUND.
2. EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC.
3. DISTURBANCE UNDER THIS PROPOSAL:
   TOTAL AREA OF DISTURBANCE - 23,650± S.F.
4. RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
5. CONTRACTOR SHALL CONTACT STATE SPECIFIC ONE CALL SYSTEM THREE WORKING DAYS PRIOR TO ANY EARTH MOVING ACTIVITIES.
6. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.
7. SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS & INSPECTIONS REQUIRED FOR CONSTRUCTION.
8. SUBCONTRACTOR SHALL DETERMINE EXACT ROUTE OF ANY UNDERGROUND CONDUIT, IF REQUIRED.
9. THIS PROJECT WILL NOT REQUIRE STREETS OR PROPERTY TO BE DEDICATED FOR PUBLIC USE.
10. THIS PROJECT WILL NOT REQUIRE PERMANENT MONUMENTS.
11. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAPS OF YORK COUNTY, ME (ALL JURISDICTIONS), FLOOD ZONE PANEL 305 OF 800, MAP NUMBER 23031C0305G, DATED 07/17/24, ALL PROPOSED IMPROVEMENTS ARE LOCATED WITHIN ZONE X - AREA OF MINIMAL FLOOD HAZARD.
12. THE PROPOSED INSTALLATION WILL GENERATE ONE (1) VEHICLE TRIP FOR ROUTINE MAINTENANCE EVERY FOUR (4) TO SIX (6) WEEKS. ROUTINE MAINTENANCE WILL HAVE NO IMPACT ON TRAFFIC, SAFETY, OR NOISE OF THE SURROUNDING AREA.



SITE PLAN

SCALE: 1" = 150' FOR 22"X34"
(SCALE: 1" = 300' FOR 11"X17")

BULK STANDARDS FOR RC - RURAL CONSERVATION

DESCRIPTION	REQUIRED	EXISTING	PROPOSED		REMARKS
MINIMUM LOT AREA	80,000 SF	2,644,484± SF	NO CHANGE		CONFORMING
MINIMUM LOT FRONTAGE	200 FEET	1,991± FEET	NO CHANGE		CONFORMING
MAXIMUM LOT COVERAGE	20%	0%	0.676%±		CONFORMING
			EQUIPMENT	MONOPOLE	
MINIMUM FRONT YARD SETBACK	30 FEET	N/A	1,008± FEET	1,037± FEET	CONFORMING
MINIMUM SIDE YARD SETBACK	25 FEET	N/A	289± FEET	308± FEET	CONFORMING
MINIMUM REAR YARD SETBACK	25 FEET	N/A	155± FEET	162± FEET	CONFORMING
MAXIMUM BUILDING HIEGHT	35 FEET	N/A	11± FEET (CANOPY)		CONFORMING
SECTION 230-275 - WIRELESS TELECOMMUNICATIONS					
MAXIMUM TOWER HEIGHT	190 FEET	N/A	135 FEET		CONFORMING
MINIMUM TOWER SETBACK	141.75 FEET*	N/A	162± FEET		CONFORMING
MINIMUM FENCE HEIGHT	8 FEET	N/A	8 FEET + 1 FOOT BARBED WIRE		CONFORMING

*MINIMUM TOWER SETBACK IS EQUAL TO 105% OF THE TOWER HEIGHT

LEGEND

- Existing Subject Property Line
- Existing Right of Way Line
- Existing Setback Line
- Existing Edge of Gravel
- Existing Structure
- Existing Chain Link Fence
- Existing Tree Line
- Existing Edge of Asphalt
- Existing Wetlands Boundary
- Existing Stream
- Existing Features
- PROPOSED GRAVEL ROAD
- PROPOSED EASEMENT
- PROPOSED LIMIT OF CLEARING
- PROPOSED CHAIN LINK FENCE
- PROPOSED FEATURES
- PROPOSED UNDERGROUND ELECTRIC/TELCO UTILITY LINES

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2	10/2/24	ISSUED FOR ZONING	AT	MSG
1	07/24/24	ISSUED FOR REVIEW	DF	MSG
A	04/08/24	ISSUED FOR REVIEW	RWD	MSG

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LICENSE NUMBER: PE17187
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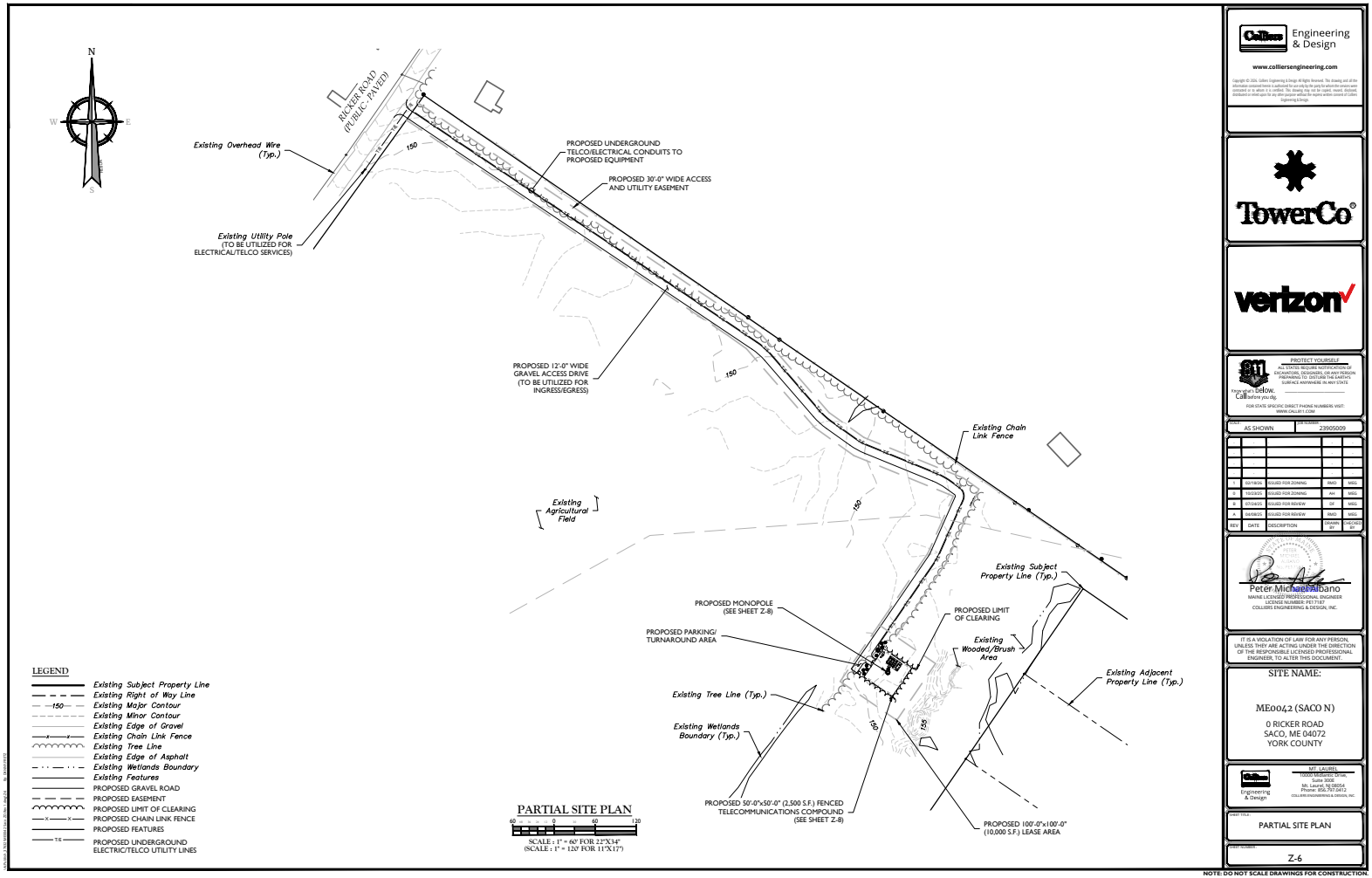
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SHEET TITLE
SITE PLAN AND SITE NOTES

SHEET NUMBER
Z-5

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NEW BUSINESS ITEM A
Exhibit 2



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1	07/24/24	ISSUED FOR REVIEW	DF	MBG
A	04/08/24	ISSUED FOR REVIEW	MWD	MBG

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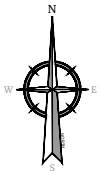
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SHEET TITLE:
PARTIAL SITE PLAN

SHEET NUMBER:
Z-6

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NEW BUSINESS ITEM A
Exhibit 2





SOILS MAP

SCALE : 1" = 200' FOR 22"X34"
(SCALE : 1" = 400' FOR 11"X17")

SOILS MAP LEGEND

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AdB	Adams loamy sand, 0 to 8 percent slopes	3.6	1.9%
CoB	Colton gravelly sandy loam, 0 to 8 percent slopes	3.0	1.5%
CrB	Croghan loamy fine sand, 0 to 8 percent slopes, wooded	36.5	19.0%
LnB	Lyman loam, 3 to 8 percent slopes, rocky	1.9	1.0%
MaB	Madawaska fine sandy loam, 0 to 8 percent slopes	10.2	5.3%
Na	Naumburg sand	8.6	4.5%
Pg	Pits, gravel	19.7	10.3%
Ra	Raynham silt loam	62.4	32.4%
Sc	Scantic silt loam, 0 to 3 percent slopes	39.6	20.6%
SeB	Scio silt loam, 3 to 8 percent slopes	6.8	3.5%
Totals for Area of Interest		**192.4**	**100.0%**

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D	10/03/24	ISSUED FOR ZONING	AT	MSC
C	07/24/24	ISSUED FOR REVIEW	DF	MSC
A	04/08/24	ISSUED FOR REVIEW	MWD	MSC

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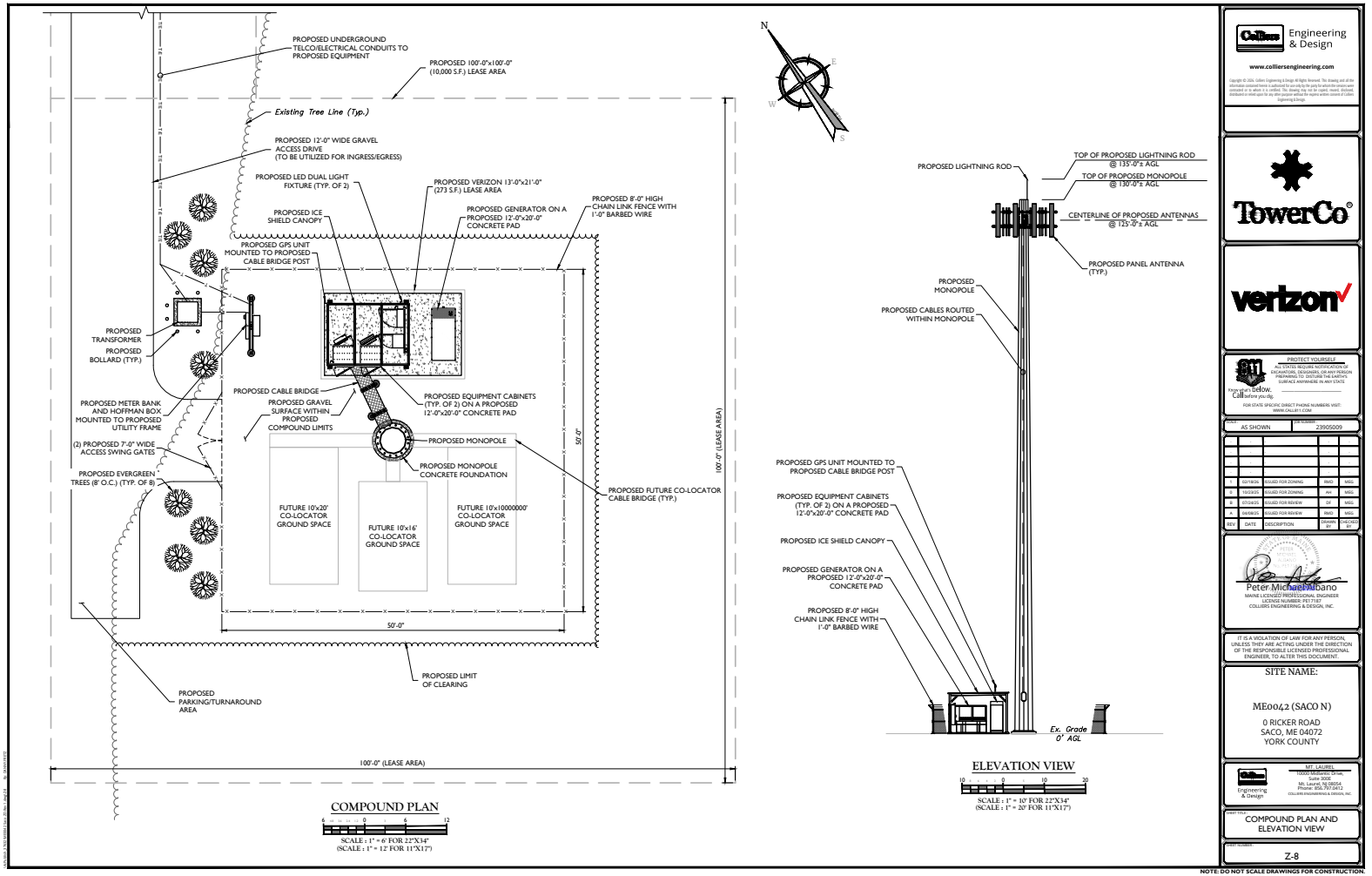
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SHEET TITLE:
SOILS MAP

SHEET NUMBER
Z-7

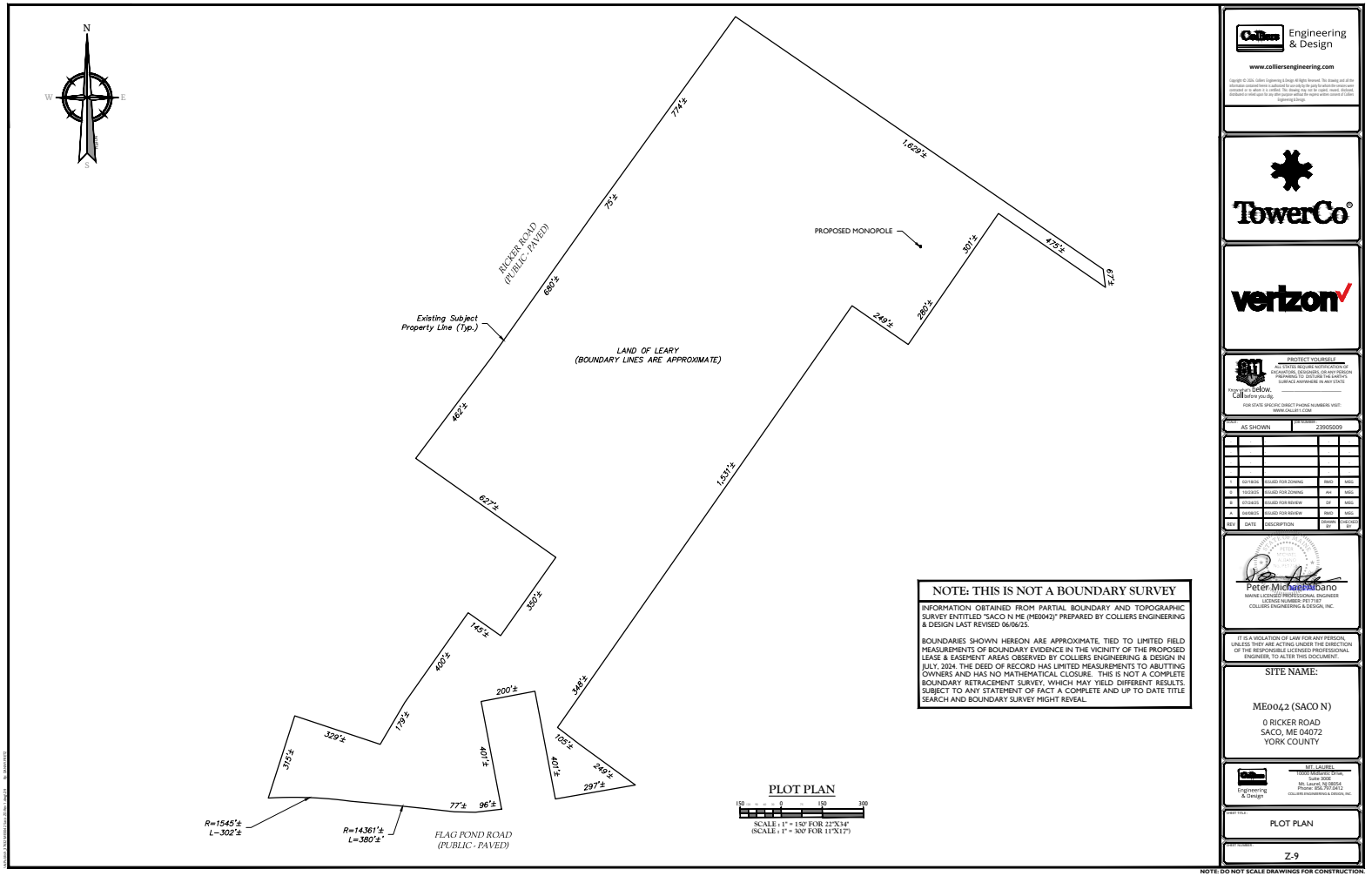
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NEW BUSINESS ITEM A
Exhibit 2



NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

NEW BUSINESS ITEM A
Exhibit 2



PLOT PLAN

SCALE: 1" = 150' FOR 22"X34"
(SCALE : 1" = 300' FOR 11"X17")

NOTE: THIS IS NOT A BOUNDARY SURVEY

INFORMATION OBTAINED FROM PARTIAL BOUNDARY AND TOPOGRAPHIC SURVEY ENTITLED "SACO N ME (ME0042)" PREPARED BY COLLIERS ENGINEERING & DESIGN LAST REVISED 06/06/25.

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A	04/08/25	ISSUED FOR REVIEW	MWD	MGL

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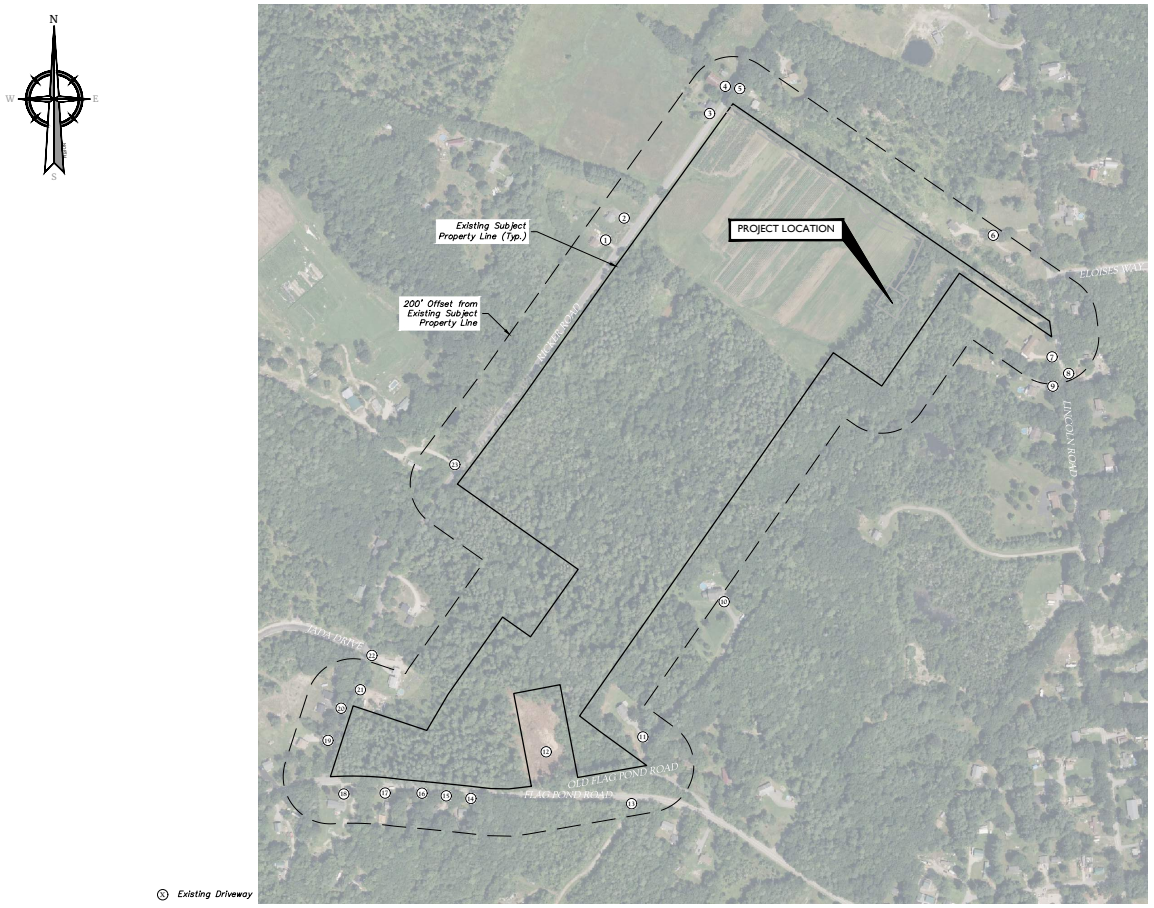
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SHEET TITLE:
PLOT PLAN

SHEET NUMBER:
Z-9

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NEW BUSINESS ITEM A
Exhibit 2



EXISTING ADJACENT STREETS AND DRIVEWAYS PLAN

200 0 200 400
SCALE : 1" = 200' FOR 22"X34"
(SCALE : 1" = 400' FOR 11"X17")

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3	07/24/24	ISSUED FOR REVIEW	DF	MBS
2	04/08/24	ISSUED FOR REVIEW	MWD	MBS

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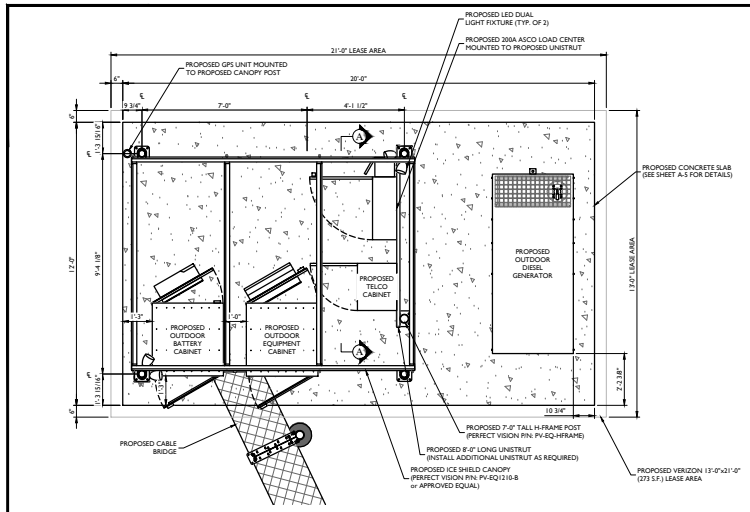
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SHEET TITLE
EXISTING ADJACENT STREETS AND DRIVEWAYS PLAN

SHEET NUMBER
Z-10

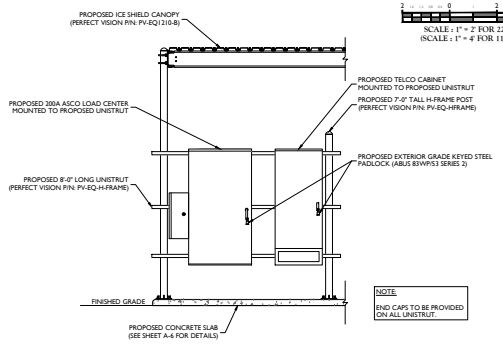
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NEW BUSINESS ITEM A
Exhibit 2



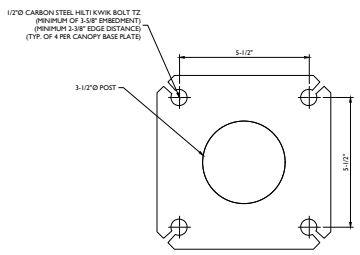
EQUIPMENT LAYOUT

SCALE : 1" = 2' FOR 22"X34"
(SCALE : 1" = 4' FOR 11"X17")



EQUIPMENT SECTION VIEW - A-A

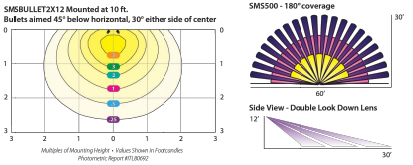
SCALE : 1" = 2' FOR 22"X34"
(SCALE : 1" = 4' FOR 11"X17")



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SITE NUMBER: ME0042
FCC TOWER ID: XXXXXXXX
OWNED BY: TOWERCO
TELEPHONE: 919-623-4700
WWW.TOWERCO.COM
NO TRESPASSING

TOWERCO - SITE ID SIGN
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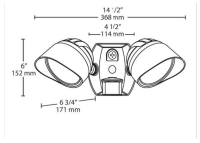


Technical Specifications

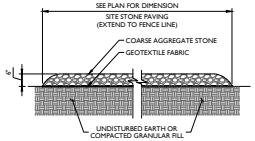
Listings
UL Listing:
Suitable for wet locations
IESNA LM-79 & LM-80 Testing:
RAB LED luminaries have been teste; by an independent laboratory in accordanceith IESNA LM-79 and LM-80, and have been received the Department of Energy "Lighting Facts' label.
LED Characteristics
LEDs:
Multi-chip, high-output, long-life LEDs
Lifespan:
100,000-Hour LED lifespan based on ES LM-80 results and TM-21 calculation
Color Stability:
LED color temperature is warranted to shift no more than 200K in CCT over a 5 year perior.
Color Uniformity:
RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2015.

Electrical
Driver:
Innovative integrated driver technology with 120V TRIAC and ELV dimming
Construction
Thermal Management:
Superior heat sinking with external Air-Flow fins
Housing:
Die-cast aluminum housing, lens frame and mounting plate
Reflector:
Semi-specular, vacuum-metalized polycarbonate
Lens:
Microprismatic diffusion lens for smooth and even light distribution
Mounting:
Heavy-duty mounting arm with "O" ring seal and stainless steel screws

Gaskets:
High-temperature silicone gaskets
Finish:
Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contain no VOC or toxic heavy metals.
Green Technology:
Mercury and UV free RoHS compliant components. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.



RAB LIGHTING BULLET2X12NA LIGHT
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GRAVEL SURFACING
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AS SHOWN	23905009

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A	07/24/25	ISSUED FOR REVIEW	DF	MBK
-	04/08/25	ISSUED FOR REVIEW	MWD	MBK

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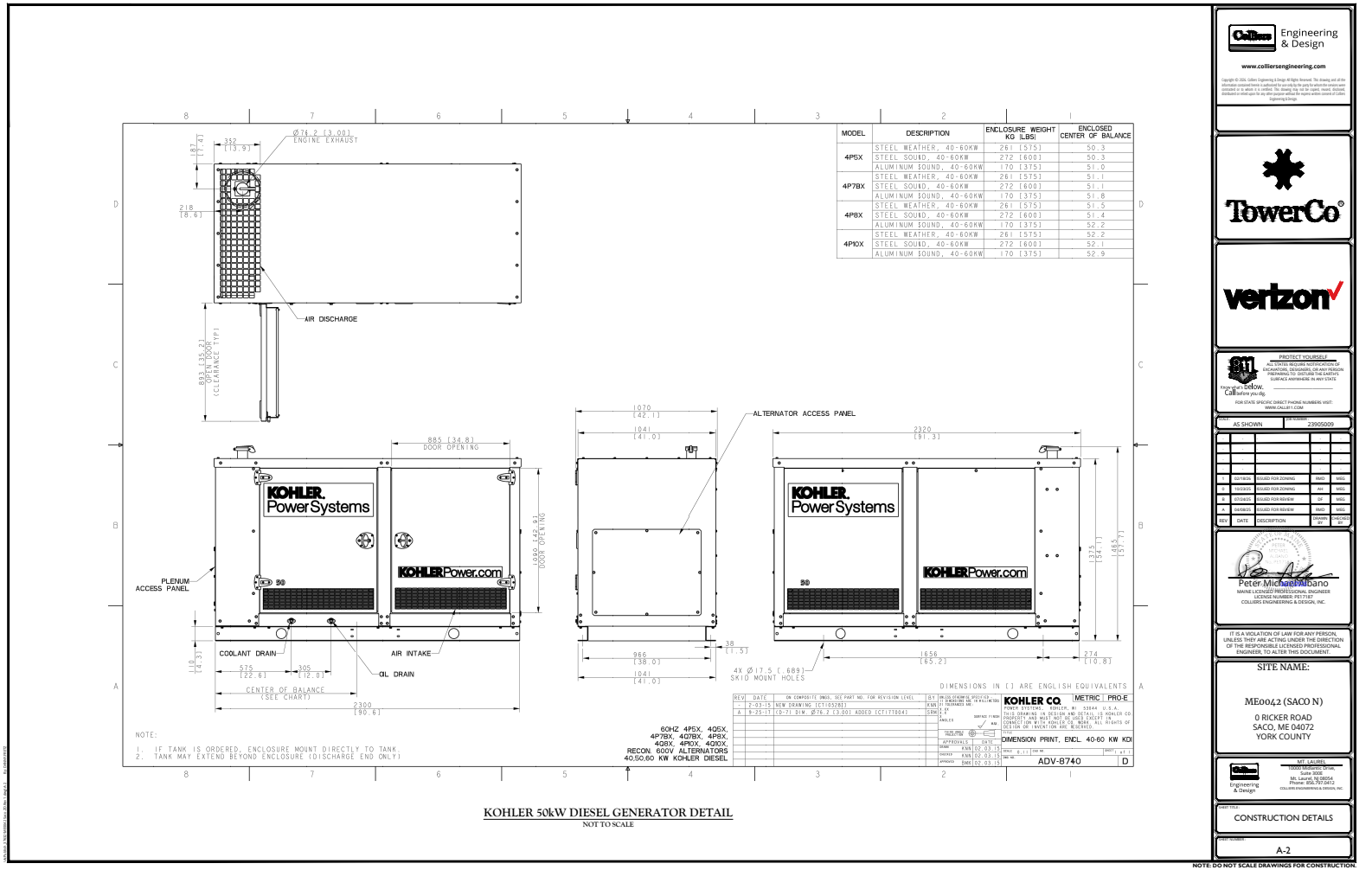
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SHEET TITLE
CONSTRUCTION DETAILS

SHEET NUMBER
A-1

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NEW BUSINESS ITEM A
Exhibit 2



MODEL	DESCRIPTION	ENCLOSURE WEIGHT KG [LBS]	ENCLOSED CENTER OF BALANCE
4P5X	STEEL WEATHER, 40-60KW	261 [575]	50.3
	STEEL SOUND, 40-60KW	272 [600]	50.3
	ALUMINUM SOUND, 40-60KW	170 [375]	51.0
4P7BX	STEEL WEATHER, 40-60KW	261 [575]	51.1
	STEEL SOUND, 40-60KW	272 [600]	51.1
	ALUMINUM SOUND, 40-60KW	170 [375]	51.8
4P8X	STEEL WEATHER, 40-60KW	261 [575]	51.5
	STEEL SOUND, 40-60KW	272 [600]	51.4
	ALUMINUM SOUND, 40-60KW	170 [375]	52.2
4P10X	STEEL WEATHER, 40-60KW	261 [575]	52.2
	STEEL SOUND, 40-60KW	272 [600]	52.1
	ALUMINUM SOUND, 40-60KW	170 [375]	52.9

KOHLER 50kW DIESEL GENERATOR DETAIL
NOT TO SCALE

REV	DATE	ON COMPOSITE DWGS, SEE PART NO. FOR REVISION LEVEL	BY
-	2-03-15	NEW DRAWING [CT-105282]	KWN
A	9-25-17	CD-71 DIM. Ø76.2 [3.00] ADDED [CT-177804]	SRW

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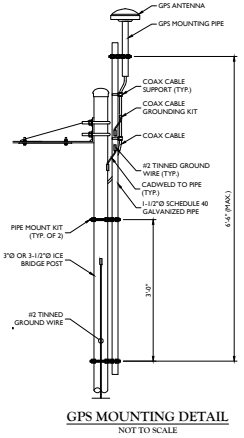
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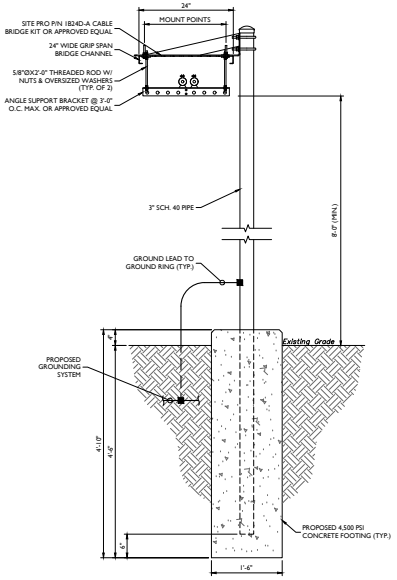
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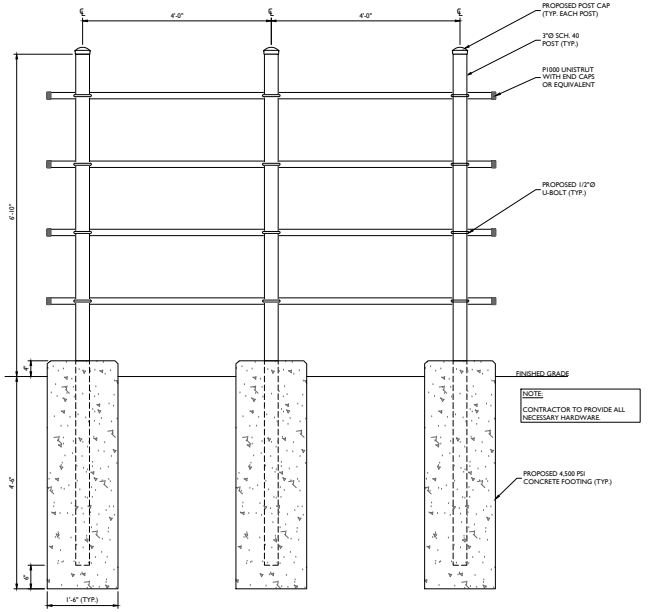
NEW BUSINESS ITEM A
Exhibit 2



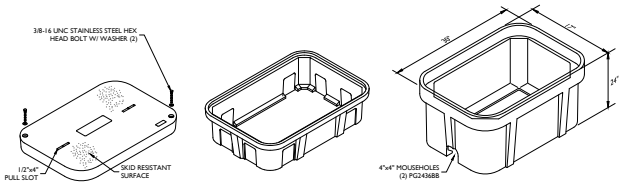
GPS MOUNTING DETAIL
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CABLE BRIDGE DETAIL
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BACKBOARD DETAIL
NOT TO SCALE



COVER EXTENSION BOX

PULL BOX DETAIL
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NOTE:
TO BE SIZED PER NEC.

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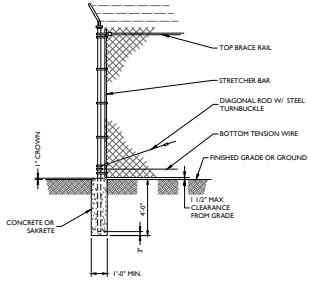
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SHEET NUMBER
A-3

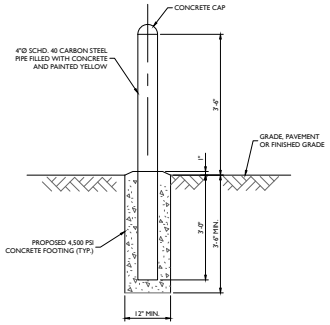
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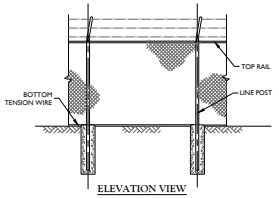
WOVEN WIRE CORNER, GATE, END, OR PULL POST
NOT TO SCALE

FENCE NOTES:

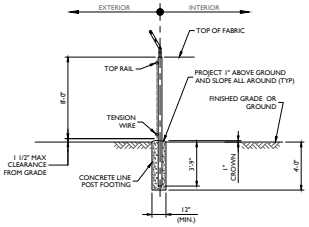
1. GATE POST, CORNER, TERMINAL OR PULL POST SHALL BE 3"Ø SCHEDULE 40 FOR GATE WIDTHS UP THROUGH 7 FEET OR 14 FEET FOR DOUBLE SWING GATE PER ASTM-F1083.
2. LINE POST: 2-3/8"Ø SCHEDULE 40 PIPE PER ASTM-F1083.
3. GATE FRAME: 1 1/2"Ø SCHEDULE 40 PIPE PER ASTM-F1083.
4. TOP RAIL & BRACE RAIL: 1 1/4"Ø SCHEDULE 40 PIPE PER ASTM-F1083.
5. FABRIC: 9 GA. CORE WIRE SIZE 2" MESH, CONFORMING TO ASTM-A392 CLASS 1.
6. TIE WIRE: MINIMUM 11 GA GALVANIZED STEEL INSTALL A SINGLE WRAP TIE WIRE AT POSTS AND RAILS AT MAX. 24" INTERVALS. INSTALL HOG RINGS ON TENSION WIRE AT 24" INTERVALS.
7. TENSION WIRE: 7 GA. GALVANIZED STEEL.
8. BARBED WIRE: 3 STRANDS OF DOUBLE STRANDED 12-1/2 GAUGE TWISTED WIRE, 4 PT. BARBS SPACED ON APPROXIMATELY 5" CENTERS.
9. GATE LATCH: 1-3/8" O.D. PLUNGER ROD W/ MUSHROOM TYPE CATCH AND LOCK.
10. LOCAL ORDINANCE FOR BARBED WIRE PERMIT SHALL GOVERN INSTALLATION.
11. HEIGHT = 8'-0" VERTICAL DIMENSION WITH 1'-0" BARBED WIRE.
12. ALL WORK SHALL CONFORM WITH THE PROJECT SPECIFICATIONS.



BOLLARD DETAIL
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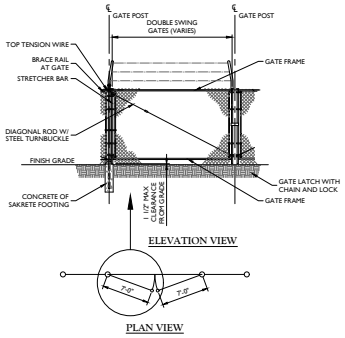


ELEVATION VIEW



SECTION VIEW

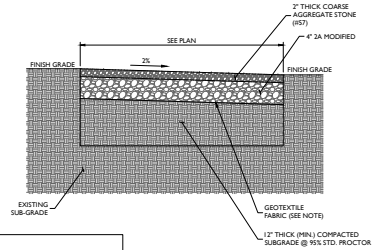
WOVEN WIRE FENCE DETAIL
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ELEVATION VIEW

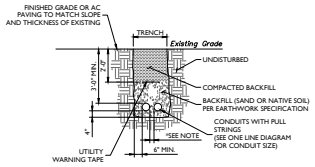
PLAN VIEW

WOVEN WIRE SWING GATE, DOUBLE
NOT TO SCALE



NOTE:
GEOTEXTILE FABRIC IS TO BE MIRAFI 500X WOVEN WIRE FABRIC OR APPROVED EQUAL

GRAVEL DRIVEWAY SURFACING
NOT TO SCALE



* SEPARATION DIMENSION TO BE VERIFIED WITH LOCAL UTILITY COMPANY REQUIREMENTS.

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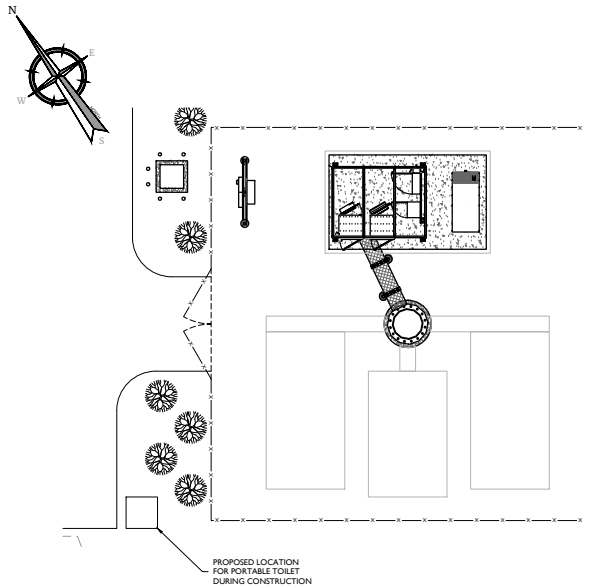
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SHEET NUMBER:
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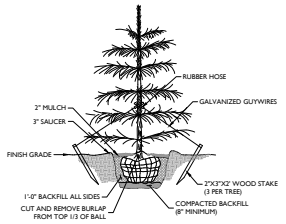
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WASTE DISPOSAL NOTES:

1. PORTABLE TOILETS WILL BE ON-SITE DURING CONSTRUCTION IN ORDER TO HANDLE ALL SOLID WASTE WHILE THE SITE IS BEING BUILT. UPON COMPLETION OF CONSTRUCTION, THE PORTABLE TOILET WILL BE REMOVED FROM THE SITE AND NO FURTHER SOLID WASTE WILL BE RESULT FROM THE PROPOSED FACILITY.
2. RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.

WASTE DISPOSAL PLAN
NOT TO SCALE



SCIENTIFIC NAME	COMMON NAME	PLANTING HEIGHT	SPACING	CALIPER	TYPE	TOTAL NUMBER
JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	6'	8' O.C.	N/A	B&B	8

LANDSCAPE MAINTENANCE NOTES:

1. REFER TO THE ENGINEERING PLANS FOR ADDITIONAL INFORMATION REGARDING THE SITE DEVELOPMENT.
2. CONTRACTOR TO REMOVE ANY EXISTING TREE OR SHRUB FROM THE PROPOSED COMPOUND.
3. ALL PLANT MATERIAL SHALL CONFORM TO ALL LOCAL LAND DEVELOPMENT REGULATIONS AND ORDINANCES.
4. ALL LANDSCAPE PLANTING AREAS SHALL BE MULCHED WITH 4" MINIMUM DEPTH OF SHREDDED HARDWOOD MULCH, EXCEPT TURF AREAS.
5. ALL TREES AND SHRUBS SHALL BE GUARANTEED FOR A PERIOD OF 18 MONTHS FROM THE DATE OF PLANTING.
6. ALL PLANTING OPERATIONS SHALL BE DONE IN THE APPROPRIATE WEATHER AFTER FINAL GRADING HAS OCCURRED. B&B MATERIAL MAY BE PLANTED AT ANY TIME WHEN THE SOIL AND BACKFILL ARE NOT FROZEN OR IN AN UNSUITABLE CONDITION. OTHER KINDS OF PLANTS SHALL BE PLANTED AT TIMES OF THE YEAR DICTATED BY GOOD HORTICULTURAL PRACTICES AND AVAILABILITY OF PLANT MATERIAL.
7. NEWLY INSTALLED TREES AND SHRUBS SHALL BE IRRIGATED WEEKLY FOR THE FIRST GROWING SEASON.
8. IN THE EVENT OF ANY DISCREPANCIES WITH THIS PLAN, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY FOR REVIEW AND RESOLUTION.
9. BACKFILL MATERIAL FOR PLANTING AREAS SHALL BE COMPOSED OF 80% TOPSOIL AMENDED WITH 10% PEAT MOSS AND 10% FULLY COMPOSTED HORSE OR COW MANURE.
10. THE QUALITY AND SIZE OF PLANT MATERIAL, SPREAD OF THE ROOTS AND THE SIZE OF THE ROOT BALL SHALL BE IN ACCORDANCE WITH "AMERICAN STANDARDS FOR NURSERY STOCK" AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
11. ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY. THEY SHALL HAVE NORMAL, WELL-DEVELOPED BRANCHES AND VIGOROUS FIBROUS ROOT SYSTEMS. ALL PLANTS SHALL BE NURSERY-GROWN, UNLESS OTHERWISE STATED. ALL PLANTS WHICH ARE FOUND UNSUITABLE IN GROWTH OR CONDITION, OR WHICH ARE NOT TRUE TO NAME, SHALL BE REMOVED AND REPLACED WITH ACCEPTABLE PLANTS.
12. PLANTS SHALL BE MEASURED AS THEY STAND IN THEIR NATURAL POSITION. STOCK FURNISHED SHALL BE A FAIR AVERAGE OF THE MINIMUM SIZES SPECIFIED OR OF THE RANGE GIVEN IN THE U.S.D.A STANDARDS FOR NURSERY STOCK. LARGER PLANTS CUT BACK TO SIZES SPECIFIED SHALL NOT BE ACCEPTED.
13. ALL PRECAUTIONS CUSTOMARY IN GOOD TRADE PRACTICES SHALL BE TAKEN IN PREPARING PLANTS FOR MOVING. ALL BALLED AND BURLAPPED PLANTS SHALL BE DUG TO MEET OR EXCEED U.S.D.A. STANDARDS FOR NURSERY STOCK.
14. PLANTS SHALL BE PACKED, TRANSPORTED AND HANDLED WITH UTMOST CARE TO ENSURE ADEQUATE PROTECTION AGAINST INJURY. EACH SHIPMENT SHALL BE CERTIFIED BY STATE AND FEDERAL AUTHORITIES TO BE FREE FROM DISEASES AND INFESTATION.
15. IN ORDER TO ACHIEVE THE EFFECT ESTABLISHED IN THE PLANTING PLAN, UNIFORMITY OF PLANT MATERIAL IS DESIRED. THE PLANT MATERIAL SHALL BE OF THE SAME SIZE, AGE AND CULTIVAR, AND SHALL HAVE BEEN OBTAINED FROM THE SAME NURSERY.
16. PLANTS THAT DIE SHALL BE REPLACED WITHIN ONE GROWING SEASON.

STRUCTURE COLOR NOTE:

1. ALL STRUCTURAL ELEMENTS SHALL HAVE A HOT DIPPED GALVANIZED FINISH.

EVERGREEN TREE PLANTING DETAIL
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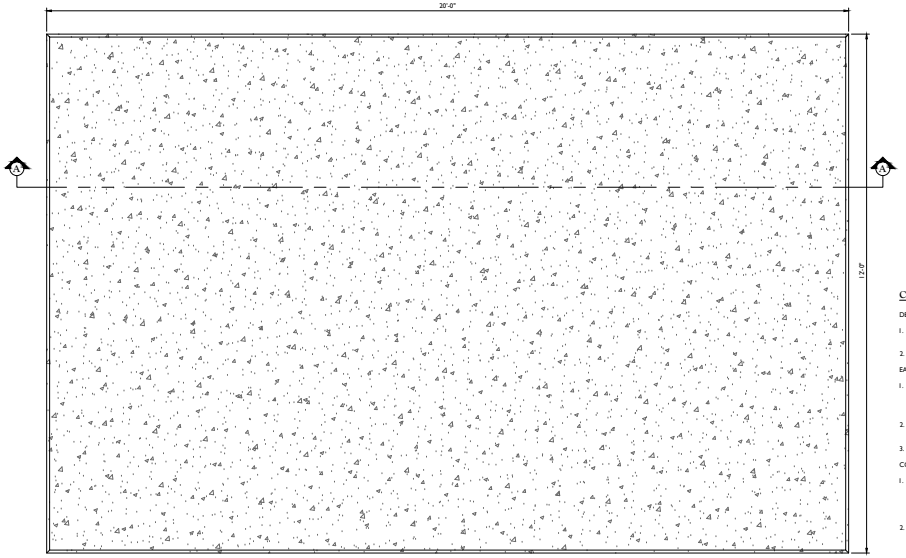
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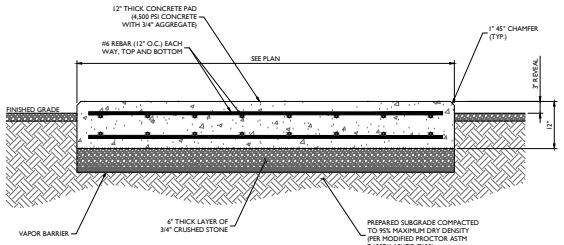
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SHEET NUMBER
A-5

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EQUIPMENT



SECTION "A-A"

CONCRETE EQUIPMENT PAD DETAILS

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CONCRETE NOTES:

DESIGN INFORMATION:

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301, ACI 318, ACI 336A, ASTM A184, ASTM A185 AND THE DESIGN & CONSTRUCTION SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. THE DESIGN SHALL CONFORM TO THE INTERNATIONAL BUILDING CODE AS SHOWN ON SHEET T-1.

EARTHWORK:

1. FOUNDATIONS HAVE BEEN DESIGNED TO BEAR ON (UNDISTURBED RESIDUAL SOILS/COMPACTED STRUCTURAL FILL), CAPABLE OF SAFELY SUPPORTING AN ALLOWABLE BEARING PRESSURE OF 1,500 PSF. IF FOUNDATION CONDITIONS PROVE UNACCEPTABLE AT ELEVATIONS SHOWN, EXCAVATION SHALL BE CARRIED DEEPER AND SHALL BE BACKFILLED WITH LEAN CONCRETE TO PLAN FOOTING BOTTOM, OR REDESIGN OF FOUNDATIONS WILL BE REQUIRED AT THE DIRECTION OF THE ENGINEER.
2. DESIGN FURNISH AND INSTALL TEMPORARY SHEETING, SHORING, AND DRAINAGE TO MAINTAIN THE EXCAVATION AND PROTECT SURROUNDING STRUCTURES AND UTILITIES.
3. THOROUGHLY COMPACT ALL BOTTOM OF FOOTINGS PRIOR TO PLACING ANY CONCRETE.

CONCRETE:

1. FORMWORK
   - 1.a. CONCRETE CONSTRUCTION SHALL CONFORM TO "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS." (ACI 301 - LATEST AS REQUIRED BY (J)RISDICTION).
   - 1.b. FORMWORK SHALL CONFORM TO ACI 301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS"
2. REINFORCEMENT
   - 2.a. REINFORCING STEEL ASTM A615, GRADE 60. WELDED WIRE ASTM A185 (FLAT SHEET). LAPS 40 BAR DIAMETERS UNLESS NOTED. BARS SHALL BE SECURELY HELD IN ACCURATE POSITION BY SUITABLE ACCESSORIES, TIE BARS, SUPPORT BARS, ETC. HOOK LENGTHS SHALL BE 12 BAR DIAMETERS.
   - 2.b. CONCRETE COVER FOR REINFORCING BARS SHALL BE AS FOLLOWS, UNLESS OTHERWISE NOTED.

2.b.1.	FOOTINGS AND SLABS CAST AGAINST GROUND:	3"
2.b.2.	CONCRETE TO BE IN CONTACT WITH GROUND OR WEATHER AT BARS GREATER THAN 5":	2"
2.b.3.	AT BARS #5 OR LESS:	1 1/2"
2.b.4.	CONCRETE NOT TO BE EXPOSED TO GROUND OR WEATHER BEAMS, GIRDERS, AND COLUMNS:	1 1/2"
2.b.5.	SLABS AND WALLS:	3/4"

   - 2.c. CAST IN PLACE CONCRETE

2.c.1.	MINIMUM 28 DAY CYLINDER STRENGTH AND MAXIMUM SLUMP, PRIOR TO ADDITION OF SUPER PLASTICIZERS, AS FOLLOWS:		
2.c.1.1.	CLASS I FOOTINGS:	4500 PSI	3"
2.c.1.2.	CLASS III INTERIOR ELEVATED SLABS AND WALLS:	4000 PSI	4"
2.c.1.3.	CLASS V OTHER WORK:	4000 PSI	4"
2.c.1.4.	CLASS VI LEAN CONCRETE FOR OVEREXCAVATION OF FOUNDATIONS:	2000 PSI	N/A

   - 2.c.2. MIX DESIGN TO BE IN ACCORDANCE WITH ACI 318, CHAPTER 5. NO CALCIUM CHLORIDE ADMIXTURE CONTAINING CHLORIDES SHALL BE USED IN ANY CONCRETE
   - 2.c.3. COARSE AGGREGATE FOR NORMAL WEIGHT CONCRETE SHALL CONFORM TO ASTM C33 SIZE #57. COARSE AGGREGATE FOR LIGHTWEIGHT CONCRETE SHALL CONFORM TO ASTM C330 GRADED 3/4" TO 1/4".
   - 2.c.4. COLD WEATHER PLACEMENT SHALL COMPLY WITH ACI 306.1
   - 2.c.5. HOT WEATHER PLACEMENT SHALL COMPLY WITH ACI 305 R.
   - 2.c.6. CHAMFER ALL EXPOSED EDGES 3/4"
   - 2.c.7. THE MAXIMUM TEMPERATURE OF ALL CONCRETE AT DELIVERY TO THE SITE SHALL BE 85°F
   - 2.c.8. TOTAL DELIVERY TIME SHALL BE LESS THAN 75 MINUTES.

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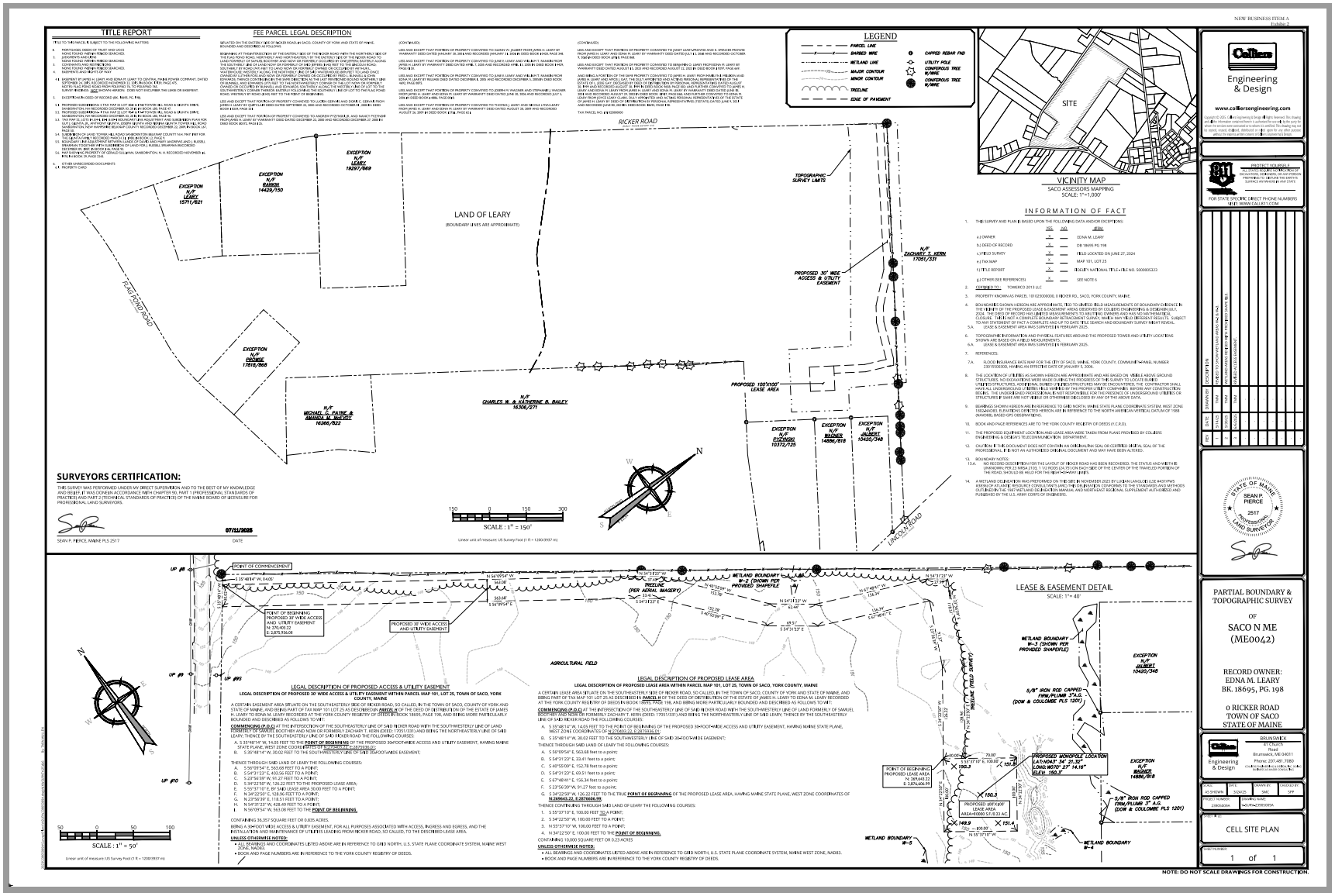
0 RICKER ROAD
SACO, ME 04072
YORK COUNTY

Collins Engineering & Design
MT. LAUREL
10000 Midlantic Drive,
Suite 300E
Mt. Laurel, NJ 08054
PHONE: 856.797.0412
COLLINS ENGINEERING & DESIGN, INC

SHEET TITLE:
CONSTRUCTION DETAILS

SHEET NUMBER:
A-6

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.


TITLE REPORT
FEE PARCEL LEGAL DESCRIPTION
LEGEND
PARCEL LINE
BARBED WIRE
WETLAND LINE
MAJOR CONTOUR
MINOR CONTOUR
TREELINE
EDGE OF PAVEMENT
CAPPED REBAR FND
UTILITY POLE
CONIFEROUS TREE W/ NAME
CONIFEROUS TREE W/ NAME
RICKER ROAD
FLAG POND ROAD
LINCOLN ROAD
LAND OF LEARY
(BOUNDARY LINES ARE APPROXIMATE)
EXCEPTION N/F LEARY 10711/621
EXCEPTION N/F LEARY 10297/669
EXCEPTION N/F BARON 14429/150
EXCEPTION N/F BRONCE 17818/868
N/F MICHAEL C. PAYNE & AMANDA M. McCOY 16286/822
N/F CHARLES W. & KATHERINE B. BAILEY 16306/271
N/F ZACHARY T. KERN 17091/331
EXCEPTION N/F EVERGREEN 10372/725
EXCEPTION N/F WAGNER 14686/818
EXCEPTION N/F JALBERT 10420/348
TOPOGRAPHIC SURVEY LIMITS
PROPOSED 30' WIDE ACCESS & UTILITY EASEMENT
PROPOSED 100'X100' LEASE AREA
SITE
VICINITY MAP
SACO ASSESSORS MAPPING
SCALE: 1"=1,000'
INFORMATION OF FACT
SURVEYORS CERTIFICATION:
SEAN P. PIERCE, MAINE PLS 2517
07/11/2025
DATE
SCALE : 1" = 150'
Linear unit of measure: US Survey Foot (1 ft = 1200/3937 m)
POINT OF COMMENCEMENT
POINT OF BEGINNING PROPOSED 30' WIDE ACCESS AND UTILITY EASEMENT N: 270,410.22 E: 2,875,536.01
PROPOSED 30' WIDE ACCESS AND UTILITY EASEMENT
WETLAND BOUNDARY W-2 (SHOWN PER PROVIDED SHAPEFILE)
TREELINE (PER AERIAL IMAGERY)
AGRICULTURAL FIELD
WETLAND FIELD SURVEY
LEGAL DESCRIPTION OF PROPOSED ACCESS & UTILITY EASEMENT
LEGAL DESCRIPTION OF PROPOSED LEASE AREA
LEASE & EASEMENT DETAIL
SCALE: 1"= 40'
WETLAND BOUNDARY W-3 (SHOWN PER PROVIDED SHAPEFILE)
EXCEPTION N/F JALBERT 10420/348
5/8" IRON ROD CAPPED FINN/PLUMB 37.6.G (DOW & COLOMBE PLS 1201)
PROPOSED MONOPOLE LOCATION LAT:N43°41' 34" .21.32" LONG:W70° 27' 14.16" ELEV: 150.3'
EXCEPTION N/F BRONCE 14686/818
PROPOSED ENTRYWAY LEASE AREA AREA=10000 S.F./0.23 AC.
POINT OF BEGINNING PROPOSED LEASE AREA N: 269,643.31 E: 2,876,466.99
WETLAND BOUNDARY W-5
WETLAND BOUNDARY W-4
SCALE : 1" = 50'
Linear unit of measure: US Survey Foot (1 ft = 1200/3937 m)
NEW BUSINESS ITEM A
Exhibit 2
Engineering & Design
www.colliersengineering.com
PROJECT LOCATION
FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM
PARTIAL BOUNDARY & TOPOGRAPHIC SURVEY
OF
SACO N ME (ME0042)
RECORD OWNER: EDNA M. LEARY BK. 18695, PG. 198
0 RICKER ROAD TOWN OF SACO STATE OF MAINE
STATE OF MAINE
SEAN P. PIERCE
2517
PROFESSIONAL LAND SURVEYOR
BRUNSWICK
81 Church Road
Brunswick, ME 04011
Phone: 207.481.7080
CELL SITE PLAN
1 of 1
NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

NEW BUSINESS ITEM A
Exhibit 2
C Squared Systems, LLC
65 Dartmouth Drive
Auburn, NH 03032
Phone: (603) 644 2800
support@csquaredsystems.com

RF Report

Proposed Wireless Facility
0 Ricker Road
Saco, ME 04072

December 9, 2025

TABLE OF CONTENTS

1. Overview 1
2. Introduction 1
3. The Proposed Facility 3
4. Coverage and Capacity Objectives 4
5. Site Search and Selection Process 5
6. Pertinent Site Data 6
7. Coverage Analysis and Propagation Plots 7
8. Coverage Analysis of Alternative Towers 10
9. Certification of Non-Interference 12
10. Summary 12
11. Statement of Certification 12
12. Attachments 13

LIST OF TABLES

Table 1: Alternate Candidates 5
Table 2: Verizon Site Information Used in Coverage Analysis 6
Table 3: Incremental Coverage (700 MHz) 7
Table 4: Incremental Coverage (2100 MHz) 8
Table 5: Capacity Offload Summary 9

ATTACHMENTS

Attachment A: Saco N ME – Existing 700 MHz LTE Coverage
Attachment B: Saco N ME – 700 MHz LTE Coverage with Proposed Site
Attachment C: Saco N ME – Existing 2100 MHz LTE Coverage
Attachment D: Saco N ME – 2100 MHz LTE Coverage with Proposed Site
Attachment E: Saco N ME – Existing 700 MHz LTE Sector Footprints
Attachment F: Saco N ME – 700 MHz LTE Sector Footprints with Proposed Site
Attachment G: Saco N ME – Area Topography Map
Attachment H: Saco N ME – 700 MHz LTE Coverage with Crown Alternate (90' AGL)
Attachment I: Saco N ME – 2100 MHz LTE Coverage with Crown Alternate (90' AGL)
Attachment J: Saco N ME - 700 MHz LTE Sector Footprints with Crown Alternate (90' AGL)
Attachment K: Saco N ME - 700 MHz LTE Coverage with USCC Alternate (160' AGL)
Attachment L: Saco N ME – 2100 MHz LTE Coverage with USCC Alternate (160' AGL)
Attachment M: Saco N ME - 700 MHz LTE Sector Footprints with USCC Alternate (160' AGL)
Attachment N: Saco N ME - 700 MHz LTE Coverage with Crown & USCC Alternates
Attachment O: Saco N ME – 2100 MHz LTE Coverage with Crown & USCC Alternates
Attachment P: Saco N ME - 700 MHz LTE Sector Footprints with Crown & USCC Alternates

1. Overview

This RF Report has been prepared on behalf of Verizon in support of TowerCo.'s application to the City of Saco for the installation and operation of a wireless facility located at 0 Ricker Road. Verizon's component of the proposed facility would consist of ground-based equipment cabinets along with antennas and associated equipment mounted on the proposed 130' monopole.

This report concludes that the proposed site will provide improved coverage and additional capacity to Saco to improve deficient service areas along Lincoln Road, Flag Pond Road, Boothby Park, Watson Mill Road, and the surrounding roads, residences, and businesses in northern Saco.

Included in this report is: a summary of the site's objectives, maps showing Verizon's current network plan, and modeled Radio Frequency coverage of the subject site and the surrounding sites in Verizon's network.

2. Introduction

Verizon provides digital voice and data communications services using 4th Generation (4G) voice and data services over LTE technology in the 700 MHz, Cellular (800 MHz), PCS (1900 MHz), and AWS (2100 MHz) frequency bands as allocated by the FCC, along with the CBRS band (3.5-3.7 GHz). It is also deploying advanced 5th generation (5G) NR services in its cellular, C-band (3.7-3.98 GHz) and 28 GHz licensed frequency bands. These 4G and 5G networks are used to provide high-speed wireless connections used by mobile devices for fast web browsing, media streaming, video conferencing, and other applications that require broadband connections. The mobile devices that benefit from these advanced networks include typical smartphones, tablets, laptops, and Wi-Fi hot spots. With the continual advancement of its networks, Verizon customers will enjoy even faster connections to people, information, and entertainment in a day and age when reliable wireless connectivity is an indispensable part of daily personal and business life.

As explained within this report, Verizon has identified the need to add a new facility to its existing network of sites to improve coverage and capacity to a significant gap in service that exists in Saco, in order to support reliable communications and meet the growing demand in the area.

To maintain a reliable and robust communications system for the individuals, businesses, public safety workers and others who use its network, Verizon deploys a network of cell sites (also called wireless communications facilities) throughout the areas in which it is licensed to provide service. These cell sites consist of antennas mounted on structures, such as buildings and towers, supported by radio and power equipment. The receivers and transmitters at each of these sites process signals within a limited geographic area known as a "cell."

Mobile subscriber handsets and wireless devices operate by transmitting and receiving low power radio frequency signals to and from these cell sites. Handset signals that reach the cell site are transferred through fiber optic cables (or other means of high-speed data transport) and routed to their destinations by sophisticated electronic equipment. In order for Verizon's network to function effectively, there must be adequate overlapping coverage between the "serving cell" and adjoining cells. This not only allows a user to access the network initially but also allows for the transfer or "hand-off" of calls and data transmissions from one cell to another and prevents unintended disconnections or "dropped calls."

Verizon's antennas also must be located high enough above ground level to allow transmission (a.k.a. propagation) of the radio frequency signals above trees, buildings, and other natural or man-made structures that may obstruct or diminish the signals. Areas without adequate radio frequency coverage have substandard service, characterized by dropped and blocked calls, slow data connections, or no wireless service at all, and are commonly referred to as coverage gaps.

The size of the area potentially served by each cell site depends on several factors including the number of antennas used, the height at which the antennas are deployed, the topography of the surrounding land, vegetative cover, and natural or man-made obstructions in the area. The actual service area at any given time also depends on the number of customers who are on the network in range of that cell site. As customers move throughout the service area, the transmission from the phone or other device is automatically transferred to the Verizon facility with the best reception, without interruption in service, provided that there is overlapping coverage between the cells.

Each cell site must be primarily designed to strike a balance between the overall geographic coverage area it will serve, and the site's capacity to support the usage within the coverage footprint. In rural areas, cell sites are generally designed to have broader coverage footprints because the potential traffic is sparser and distributed over a larger area. In more densely populated suburban and urban environments, the capacity to handle calls and data transmissions is of increasing concern, and cell sites must limit their coverage footprint to an area where the offered network traffic can be supported by the radio equipment and resources. Due to the aggressive historical and projected growth of wireless data consumption (nearly doubled from 2021-2023 for mobile wireless data traffic in the U.S.[1]), instances arise where the usage demand can no longer be supported by the site(s) serving an area, and new facilities must be integrated to provide capacity relief to the overloaded sites.

We have concluded that by utilizing the proposed wireless communications facility located at 0 Ricker Road at an antenna centerline height of 125' AGL (above ground level), Verizon will be able to provide substantially improved coverage and additional capacity to areas of northern Saco that are currently located within a gap in service of Verizon's network.

[1] "2024 Annual Survey Highlights", September 10, 2024, CTIA. https://www.ctia.org/news/2024-annual-survey-highlights

3. The Proposed Facility

Verizon's components of this proposed facility consist principally of the following elements:

1) Telecommunications equipment cabinets, telco/power/fiber connections, a diesel generator mounted on an 11' x 17' concrete pad with overhead ice-canopy, all within TowerCo.'s proposed 50' x 50' fenced compound.
2) Initially, up to nine (9) panel antennas (3 sectors, 3 antennas per sector) mounted on TowerCo.'s proposed 130'± monopole, at a centerline elevation of 125' AGL.
3) Remote Radio Heads (RRHs) with accessory junction boxes and surge suppressors, mounted near the antennas.
4) An ice bridge from its equipment area to the proposed monopole to protect cabling between Verizon's equipment and the cable entry port near the bottom of the proposed monopole.

4. Coverage and Capacity Objectives

As mentioned above, Verizon is in the process of advancing its 4G LTE high-speed wireless broadband system in the 700 MHz, Cellular, PCS, AWS and CBRS frequency bands, in accordance with its applicable licenses from the FCC. Verizon is also deploying a 5G NR system in its licensed cellular, C-Band, and 28 GHz frequency bands. In order to expand and enhance its wireless services throughout New England, Verizon must fill in existing coverage gaps and address capacity, interference, and high-speed broadband issues. As part of this effort, Verizon has determined that significant gaps in service exist in and around sections of Saco as described further below.

Verizon currently operates wireless facilities similar to the proposed facility within Saco and the surrounding cities/towns. Due in large part to the distances between the existing sites, the intervening topography, and volume of user traffic in the area, these existing facilities do not provide sufficient coverage and capacity to portions of Saco. Specifically, Verizon determined that much of northern Saco and the surrounding towns are without reliable service in the following areas and roads[2], including but not limited to:

- Lincoln Road
  - Serves ~ 870 vehicles per day as measured north of Flag Pond Road (2022)
- Flag Pond Road
  - Serves ~ 860 vehicles per day as measured southeast of Heath Road (2022)
- Watson Mill Road
  - Serves ~ 930 vehicles per day as measured northwest of Holmes Road (2022)
- Boothby Park
- The surrounding roads, residences, and businesses in the Saco, ME area.

The proposed site located at 0 Ricker Road ("Saco N ME") is needed to fill in these targeted gaps in service, in order to improve network quality and reliability for Verizon subscribers traveling along these roads, as well as to the numerous residents, businesses, and visitors in this area.

[2] Traffic counts are sourced from Maine Department of Transportation - Official Traffic Data https://mainedottrafficdata.drakewell.com/publicmultinodemap.asp

5. Site Search and Selection Process

To find a site that provides acceptable coverage, adequate capacity, and fills the gaps in service, computer modeling software is used to define a search area. The search ring identifies the area within which a site could be located (assuming sufficient height is considered) that would have a high probability of addressing the significant coverage gap and/or meeting the capacity objectives established by the Verizon RF (Radio Frequency) engineers.

Once a search ring is determined, Verizon's real estate specialists search within the proximity of the defined area for existing buildings, towers, and other structures of sufficient height that would meet the defined objectives. If none are found, then the focus shifts to "raw land" sites. A suitable site must satisfy the technical requirements identified by the RF engineers, must be available for lease, and must have access to a road and be otherwise suitable for constructing a cell site of the required size and height. Every effort is made to use existing structures before pursuing a "raw land" build to minimize the number of new towers throughout the cities and towns being served.

As part of this search effort, TowerCo and Verizon identified and evaluated two existing towers to determine suitability in terms of the coverage and capacity objectives. The analysis covers each existing tower as a single alternative to the proposed site, as well as the viability of both existing sites in tandem. Details of each tower and the RF evaluations are listed in the table below, with coverage maps for each discussed further in Section 8.

Site Name	Latitude	Longitude	Available Height (ft AGL)	Distance from Proposed Site	Distance from Nearest Exisitng Verizon Site	Evaluation
Crown - 175 Flag Pond Road	43.5557	-70.4249	~ 90'	1.8 mi SE	1.3 mi	Coverage from this tower would be limited to the E/SE of the proposed site leaving unreliable areas of coverage along Lincoln Road, Flag Pond Road, Watson Mill Road, and to the more poplated area by the Flag Pond Road and Lincoln Road intersection.
US Cellular - 202 Mckenney Road	43.5928	-70.5024	~ 160'	2.8 mi NW	1.5 mi	Coverage from this tower would be limited to the W/NW of the proposed site leaving unreliable areas of coverage along Flag Pond Road and to the more populated area by the Flag Pond Road and Lincoln Road intersection.
Crown & US Cellular	See Above	See Above	See Above	See Above	See Above	The combined coverage from both of these towers would provide coverage improvement to some of Verizon's gaps. However, these sites would not address Verizon's immediate network needs in this area for the following reasons: • coverage from these two towers is focused further to the east and west of the proposed site, leaving gaps in the Boothby Park area while providing redundant coverage to Verizon's existing sites. • the areas in close proximity to the proposed site are a source of significant capacity burden on the sectors presently providing coverage, albeit unreliable, and would continue to be served by a single sector from a distant location.

Table 1: Alternate Candidates

Since no suitable existing structures in the area have been identified, Verizon concluded that the proposed wireless communications facility at 0 Ricker Road is necessary to address its targeted coverage and capacity objectives.

6. Pertinent Site Data

Table 1 below details the site-specific information for the on-air, and proposed Verizon macro-sites used to perform the coverage analysis and generate the coverage plots provided herein.

Site Name	Address	City/Town	Location		Structure Type	Antenna Height (ft AGL)	Status
			Latitude	Longitude			
Biddeford	60 Andrews Road	Biddeford	43.4825	-70.5238	Self-Support	200	On-Air
Biddeford DT	39 Alfred Street	Biddeford	43.4917	-70.4540	Rooftop	80	On-Air
Buxton S	185 Portland Road	Buxton	43.6138	-70.5084	Monopole	189	On-Air
Buxton SE	62 Deering Dr	Buxton	43.6304	-70.4784	Monopole	161	On-Air
Dayton	734 Goodwins Mills Road	Dayton	43.5218	-70.5894	Self-Support	170	On-Air
Gorham 4	71 Finn Parker Road	Gorham	43.6861	-70.5078	Guyed	275	On-Air
Gorham S	4 Burnham Road	Gorham	43.6391	-70.4154	Monopole	138	On-Air
Hollis S	80 Amandas Way	Hollis Center	43.6055	-70.5723	Monopole	176	On-Air
Old Orchard Beach	133 Saco Ave	Old Orchard Beach	43.5135	-70.3894	Water Tank	95	On-Air
S Portland	75 Commercial Street	South Portland	43.6118	-70.3077	Self-Support	105	On-Air
Saco 2	67 Simpson Road	Saco	43.5569	-70.5071	Monopole	155	On-Air
Saco E	15 Waterfall Drive	Saco	43.5439	-70.4040	Guyed	300	On-Air
Scarborough	10 Two Rod Road	Scarborough	43.5896	-70.3721	Monopole	176	On-Air
Scarborough 2	415 Black Point Road	Scarborough	43.5485	-70.3150	Monopole	105	On-Air
Scarborough 3	169 Black Point Road	Scarborough	43.5754	-70.3202	Steeple	61.5	On-Air
Scarborough 4	251 Broadturn Road	Scarborough	43.5982	-70.4357	Monopole	116	On-Air
Scarborough 6	79 Holmes Road	Scarborough	43.6169	-70.3797	Monopole	136	On-Air
Scarborough CTR	275 Route 1	Scarborough	43.5898	-70.3400	Self-Support	154	On-Air
Saco N	**0 Ricker Road**	**Saco**	**43.5726**	**-70.4539**	**Monopole**	**125**	**Proposed**

Table 2: Verizon Site Information Used in Coverage Analysis [3]

[3] Some sites listed in this table are outside the plot view but are included for completeness of information.

7. Coverage Analysis and Propagation Plots

The signal propagation plots provided in this report were produced using deciBel Planner™, a Windows-based RF propagation computer modeling program and network planning tool. The software considers the topographical features of an area, land cover, antenna models, antenna heights, RF transmitting power and receiver thresholds to model coverage and other related RF parameters used in site design and network expansion.

The coverage plots included as attachments show coverage based on RSRP signal strengths of -105 dBm and above. All other areas (depicted in white) fall within coverage areas characterized by poor service quality, low data throughput, and the substantial likelihood of unreliable service. The shaded areas are categorized by the following thresholds: green indicates coverage greater than -85 dBm, yellow represents coverage between -85 dBm and -95 dBm, gray indicates coverage from -95 dBm to -105 dBm, and areas with coverage less than -105 dBm are shown in white.

Attachments A – G related to the proposed facility are discussed below:

Attachment A titled "*Saco N ME – Existing 700 MHz LTE Coverage (Macro-Sites)*" illustrates the current 700 MHz LTE coverage provided by the existing "On-Air" macro-sites listed in Table 1. As depicted in this plot and described in the Coverage and Capacity Objectives section of this report, much of northern Saco is in an area of deficient coverage. These deficient areas, particularly in the gray and white areas, highlight the areas in need of improved coverage to ensure reliable service.

Attachment B titled "*Saco N ME - 700 MHz LTE Coverage with Proposed Site (Macro-Sites)*" shows the composite 700 MHz LTE coverage with the proposed "Saco N ME" facility. As shown by the additional areas of coverage, the proposed facility will provide coverage to:

Incremental Coverage from Proposed Site (700 MHz)		
Category	**(≥ -85 dBm)**	**(≥ -95 dBm)**
Population:	~590	~1120
Business Pops:	~25	~50
Area (mi²):	~2.15	~4.4
Roadways (mi):		
Lincoln Road	1.0	0.7
Flag Pond Road	0.8	1.1
Watson Mill Road	1.0	1.4

Table 3: Incremental Coverage [4] [5] (700 MHz)

[4] Residential population counts referenced here and elsewhere within this report are based upon the 2020 U.S. Census data.

[5] Employee population counts referenced here and elsewhere within this report are based upon the 2020 U.S. Census Bureau LEHD database.

Attachment C titled "*Saco N ME – Existing 2100 MHz LTE Coverage (Macro-Sites)*" illustrates the 2100 MHz coverage provided by the existing "On-Air" macro-sites listed in Table 1. Because of the inferior propagation characteristics of 2100 MHz relative to 700 MHz, the extent of the coverage gaps shown here impact a much larger area than depicted in Attachment A. This 2100 MHz coverage layer (along with the other frequency bands in use by Verizon for its LTE network) is critical to managing network capacity demands and for providing a hardened, robust overall network to its customers.

Attachment D titled "*Saco N ME - 2100 MHz LTE Coverage with Proposed Site (Macro-Sites)*" shows the composite 2100 MHz coverage with the proposed "Saco N ME" facility. As shown by the additional areas of coverage in this map, the proposed facility will provide coverage to:

Incremental Coverage from Proposed Site (2100 MHz)		
Category	**(≥ -85 dBm)**	**(≥ -95 dBm)**
Population:	~265	~710
Business Pops:	~10	~40
Area (mi^2):	~1.1	~2.7
Roadways (mi):		
Lincoln Road	0.5	0.8
Flag Pond Road	0.1	0.7
Watson Mill Road	0.5	0.9

Table 4: Incremental Coverage (2100 MHz)

Attachment E titled "*Saco N ME – Existing 700 MHz LTE Sector Footprints (Macro-Sites)"* depicts the areas primarily served by the sectors (a.k.a. signal "footprints") of the surrounding Verizon macro sites in the area, which are shown by the unique color for each particular sector of interest. For clarity, all other sectors of less interest with respect to the proposed site are shown in grey. As demand for wireless voice and data services continues to grow, Verizon manages the footprint of each sector so that it can support the demand within the area it is primarily serving. In addition to improving coverage to the area, the proposed site will also serve existing and anticipated demand in the vicinity and thereby offload some of the burden experienced by the surrounding sites. In that way, those sites will be able to more adequately serve the demand for service in the areas nearer to those surrounding sites. At present, there are sectors of Verizon's surrounding sites that are exceeding capacity exhaustion triggers, which Verizon's network performance team monitors across all their sites to proactively resolve network performance issues. During the summer months, the capacity demand on the network increases and the surrounding sites are strained even further to meet the network demands. Specifically, Verizon has identified the area near Boothby Park around the proposed site as a main source of the increased network demand.

Please note that the outer parts of each sector footprint may include areas that presently have signal strength below the targeted value required for reliable service to Verizon's customers. The fact that low-level signal may reach these areas does not mean that these areas experience adequate coverage. These unreliable areas of low signal level can impose a significant capacity burden on the sites primarily serving the area.

Attachment F titled "*Saco N ME - 700 MHz LTE Sector Footprints with Proposed Site (Macro-Sites)*" shows the composite coverage with the overall footprint of the proposed facility in dark green. As shown in this map, the proposed "Saco N ME" facility is an effective solution to provide capacity relief to the area, particularly to the "Saco 2" alpha (red), the "Buxton S" beta sector (purple), and the "Saco E" alpha sector (yellow). The proposed facility is centrally located in the area of deficient coverage, making it particularly suited to distribute the traffic load across multiple sectors and providing a dominant server to this section of the town. Table 4 below details the capacity relief based on the sector footprints shown in Attachments E and F. Because the proposed site location is near the edge of coverage for each of these sectors, it is uniquely suited to offload traffic from these surrounding sectors thus performing overall network performance all around.

Sector	Current			With "Saco N ME"			Offload Summary		
	Residental Pops	Employee Pops	Area (mi^2)	Residental Pops	Employee Pops	Area (mi^2)	Total Residential Pops Offloaded	Total Employee Pops Offloaded	Area Offloaded (mi^2/%)
Saco 2 Alpha	1292	69	6.68	733	47	4.14	559 (43.3%)	22 (31.9%)	2.54 (38%)
Buxton S Beta	1284	203	5.31	817	187	3.48	467 (36.4%)	16 (7.9%)	1.83 (34.5%)
Saco E Alpha	1304	373	4.52	1041	348	3.45	263 (20.2%)	25 (6.7%)	1.07 (23.7%)

Table 5: Capacity Offload Summary

Attachment G titled "*Saco N ME – Area Topography Map*" details the topographical features around the proposed "Saco N ME" site. These terrain features play a key role in dictating both the unique coverage areas served from a given location, and the coverage gaps within the network. This map is included to provide a visual representation of the terrain variations that must be considered when determining the appropriate location and design of a proposed wireless facility. The blue and green shades correspond to lower elevations, whereas the red, grey, and white shades indicate higher elevations.

8. Coverage Analysis of Alternative Towers

Attachments H – P are related to the two alternate tower locations described in Section 5 and are discussed below:

Attachment H titled "*Saco N ME - 700 MHz LTE Coverage with Crown Alternate (90' AGL)*" shows the composite 700 MHz LTE coverage if Verizon were to install antennas on the existing Crown tower at the highest known available antenna height. As noted in Table 1, this tower is located approximately 1.8 mi southeast of the proposed tower and within approximately 1.3 mi of Verizon's existing "Saco E" facility. Due to the location and intervening topography between this tower and the coverage and capacity objectives, it would be unable to provide reliable service to the interior sections of town along Lincoln Road, Flag Pond Road, and Watson Mill Road.

Attachment I titled "*Saco N ME - 2100 MHz LTE Coverage with Crown Alternate (90' AGL)*" shows the composite 2100 MHz LTE coverage if Verizon were to install antennas on the existing Crown tower. As described earlier, the inferior propagation characteristics of 2100 MHz relative to 700 MHz are such that the range of reliable coverage is reduced at these higher frequency bands. As such, the deficiencies noted above at 700 MHz in Attachment H for this tower are more pronounced and leave larger areas of unreliable service at 2100 MHz.

Attachment J titled "*Saco N ME - 700 MHz LTE Footprints with Crown Alternate (90' AGL)*" shows the composite coverage with the overall footprint of the Crown tower in dark green. As shown in this map, the Crown tower could effectively offload the "Saco E" alpha sector (yellow) but offer negligible benefit to the interior sections of town, which are currently and unreliably served primarily by "Buxton S" beta (purple) and "Saco 2" alpha (red).

Attachment K titled "*Saco N ME - 700 MHz LTE Coverage with USCC Alternate (160' AGL)*" shows the composite 700 MHz LTE coverage if Verizon were to install antennas on the existing USCC (U.S. Cellular, n.k.a. T-Mobile) tower at the highest known available antenna height. As noted in Table 1, this tower is located approximately 2.8 mi northeast of the proposed tower and within approximately 1.5 mi of Verizon's existing "Buxton S" facility. Due to the location and intervening topography between this tower and the coverage and capacity objectives, it would be unable to provide reliable service to the interior sections of town along Flag Pond Road and to the more populated area by the intersection of Lincoln Road and Flag Pond Road.

Attachment L titled "*Saco N ME - 2100 MHz LTE Coverage with USCC Alternate (160' AGL)*" shows the composite 2100 MHz LTE coverage if Verizon were to install antennas on the existing USCC tower. Due to the more limited propagation range at 2100 MHz discussed previously, the deficiencies noted at 700 MHz in Attachment K for this tower are more pronounced and leave larger areas of unreliable service at 2100 MHz.

Attachment M titled "*Saco N ME - 700 MHz LTE Footprints with USCC Alternate (160' AGL)*" shows the composite coverage with the overall footprint of the USCC tower in dark green. As shown in this map, the USCC tower would provide some offload to the "Buxton S" beta (purple) and "Saco 2" alpha (red) sectors but offer negligible benefit to the "Saco E" alpha (yellow) sector. Additionally, the extent to which this tower could serve the interior portions of town and support the capacity and offload needs would be predominantly handled by a single sector on this tower whereas the proposed site can support and balance the area usage across all three of its sectors.

Attachment N titled "*Saco N ME - 700 MHz LTE Coverage with Crown & USCC Alternates*" shows the composite 700 MHz LTE coverage if Verizon were to install antennas on both the USCC and Crown towers discussed above. While these two towers would provide improvement to some of Verizon's gaps in town, the additional coverage would be focused further to the east and west of the proposed site, leaving gaps in the Boothby Park area. Additionally, much of the coverage provided by these two alternate towers would be redundant to that already provided by Verizon's existing facilities.

Attachment O titled "*Saco N ME - 2100 MHz LTE Coverage with Crown & USCC Alternates*" shows the composite 2100 MHz LTE coverage with both alternate towers discussed above. The coverage deficiencies noted in Attachment N at 700 MHz are more pronounced at 2100 MHz and consist of larger areas of unreliable service due to the more limited propagation range at 2100 MHz discussed previously.

Attachment P titled "*Saco N ME - 700 MHz LTE Footprints with Crown & USCC Alternates*" shows the composite coverage based on the overall footprints with both the USCC and Crown tower alternates. Due to the site locations and topography, the USCC tower would primarily serve the areas up to and beyond the proposed site, including most of Boothby Park, from a single sector approximately 3 mi away. This same area is also approximately 3 mi away from Verizon's existing "Saco 2" and Saco E" sites and has already been identified as a source of increased network demand. Therefore, this alternative solution would shift this current problem to the USCC site, rather than resolve it by locating a facility closer to Boothby Park. The proposed site is necessary to provide stronger coverage and more balanced capacity in the area across multiple sectors.

9. Certification of Non-Interference

Verizon certifies that the proposed facility will not cause interference to any lawfully operating emergency communication system, television, telephone, or radio, in the surrounding area. The FCC has licensed Verizon to transmit and receive in specific frequency blocks of the 700 MHz band, the Cellular band, the PCS band, the AWS band, the CBRS band, the C-band, and 28 GHz band of the RF spectrum. As a condition of the FCC licenses, Verizon is prohibited from interfering with other licensed devices that are being operated in a lawful manner. Furthermore, no emergency communication system, television, telephone, or radio is licensed to operate on these frequencies, and therefore interference is highly unlikely.

10. Summary

In undertaking its build-out of 4G LTE and 5G NR service in York County, Verizon has determined that an additional facility is needed to provide reliable service and additional capacity throughout areas of northern Saco. The proposed wireless communications facility located at 0 Ricker Road in Saco will provide additional coverage and capacity needed in the targeted coverage areas including key roadways such as Lincoln Road, Flag Pond Road, Boothby Park, Watson Mill Road, and the surrounding roads, residences, and businesses in the area. Without the installation of the proposed site, Verizon will be unable to improve and expand its wireless communication services in this area of the city; therefore, Verizon respectfully requests that the City of Saco act favorably upon the proposed facility.

11. Statement of Certification

I certify to the best of my knowledge that the statements in this report are true and accurate.

Keith Vellante
RF Engineer
C Squared Systems, LLC

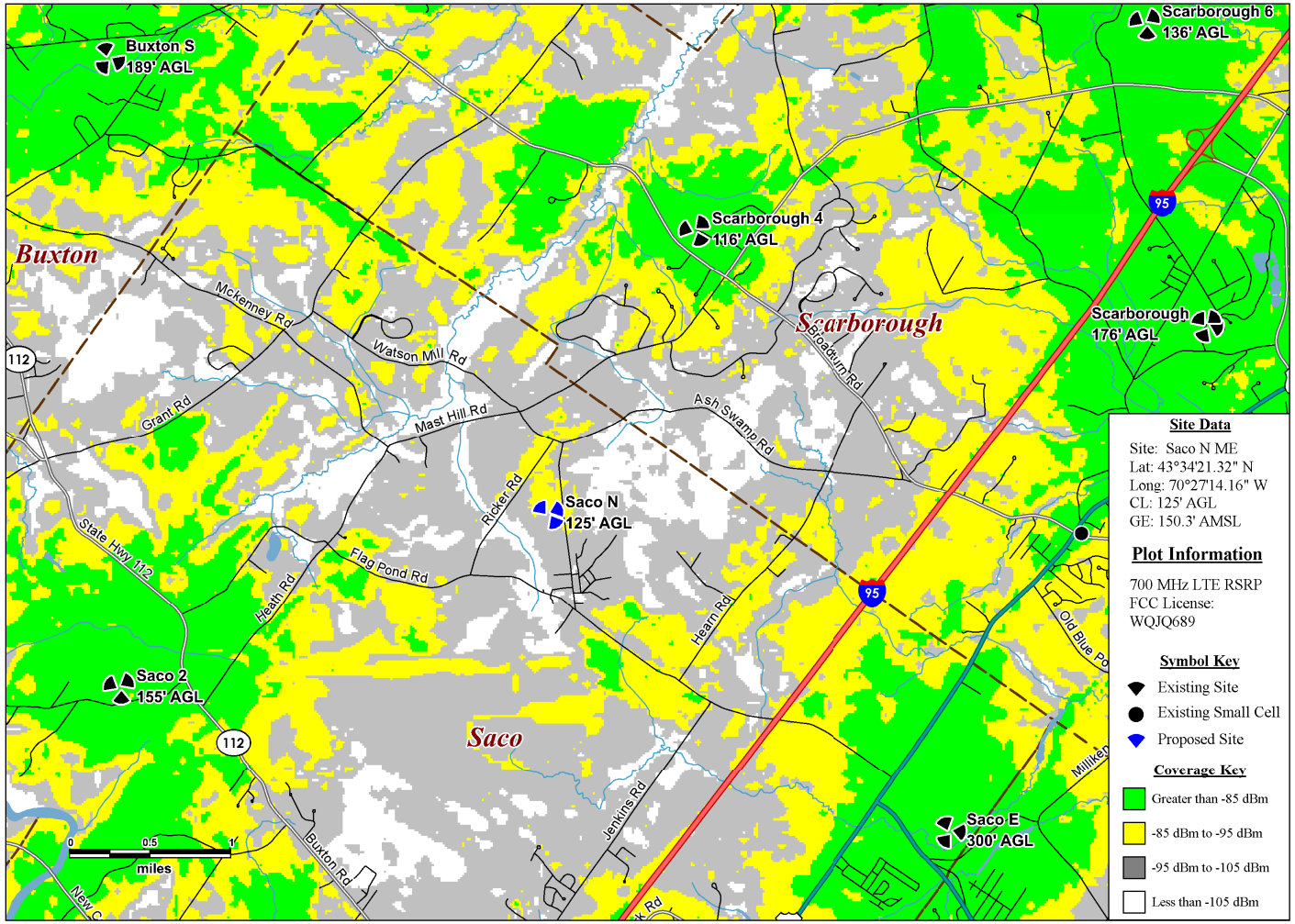
December 9, 2025
Date

12. Attachments

Attachment A:
Saco N ME - Existing 700 MHz LTE Coverage (Macro-Sites)

NEW BUSINESS ITEM A
Exhibit 2

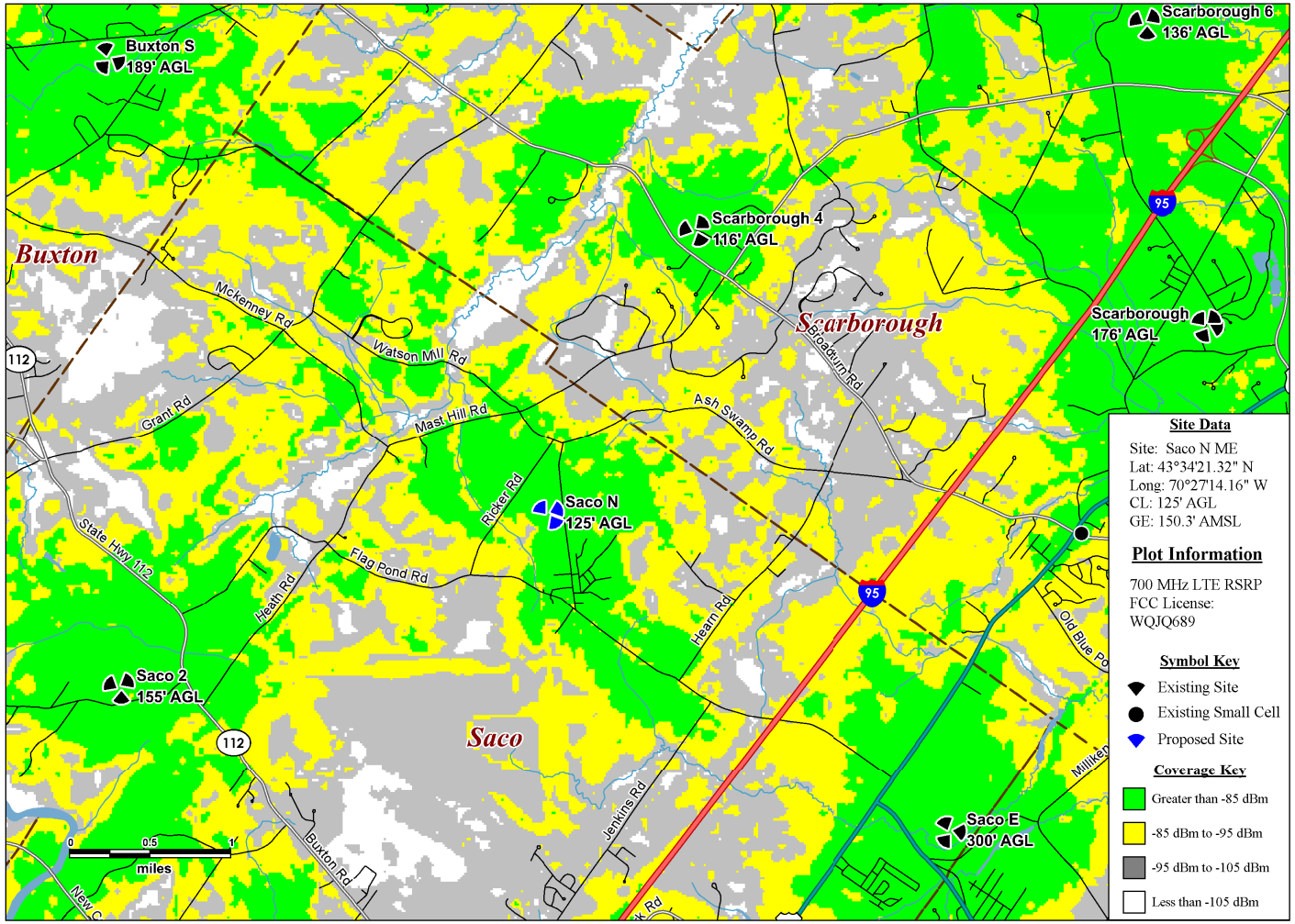
verizon



Attachment B:
Saco N ME - 700 MHz LTE Coverage with Proposed Site (Macro-Sites)

NEW BUSINESS ITEM A
Exhibit 2

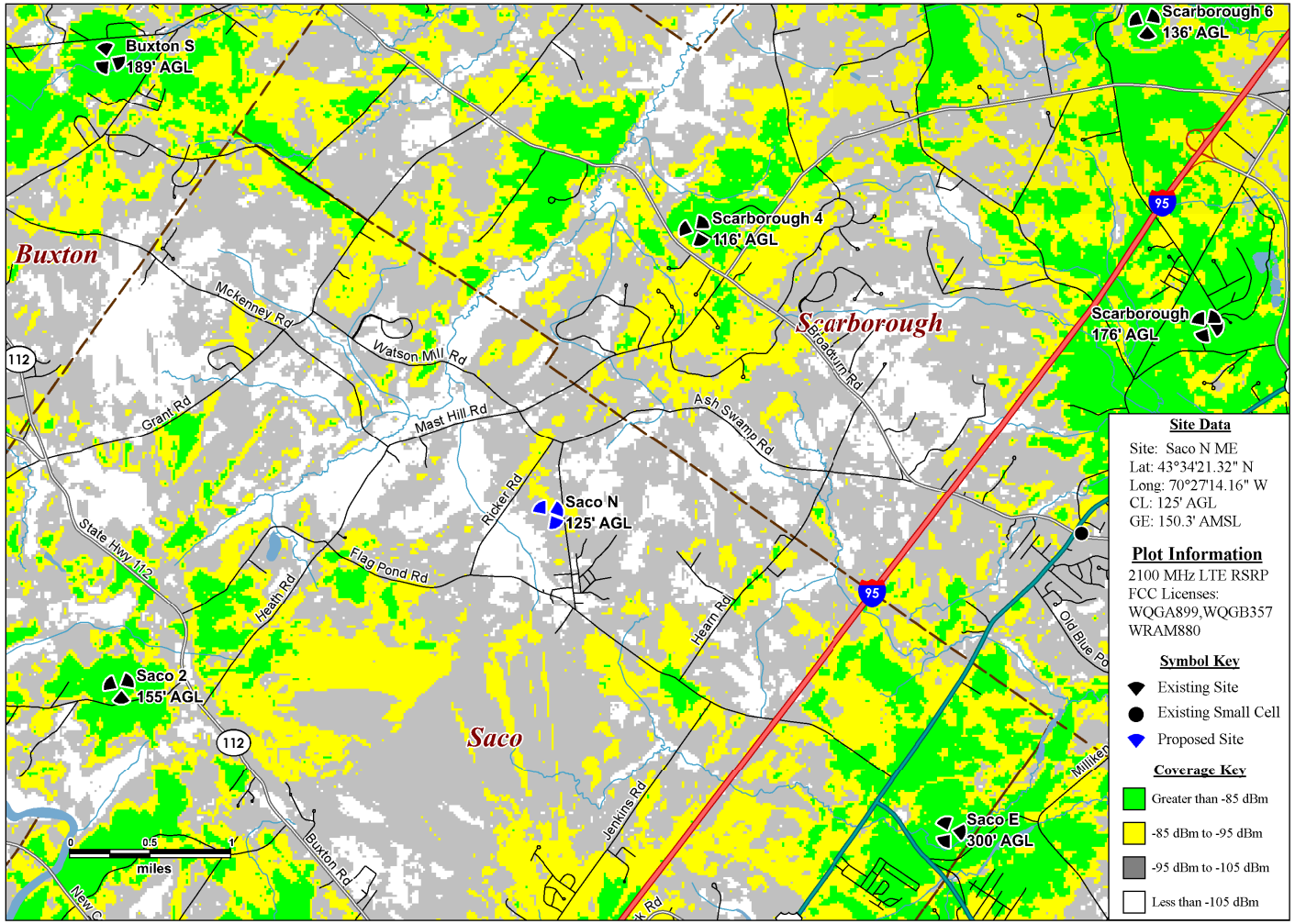
verizon



Attachment C:
Saco N ME - Existing 2100 MHz LTE Coverage with Proposed Site (Macro-Sites)

NEW BUSINESS ITEM A
Exhibit 2

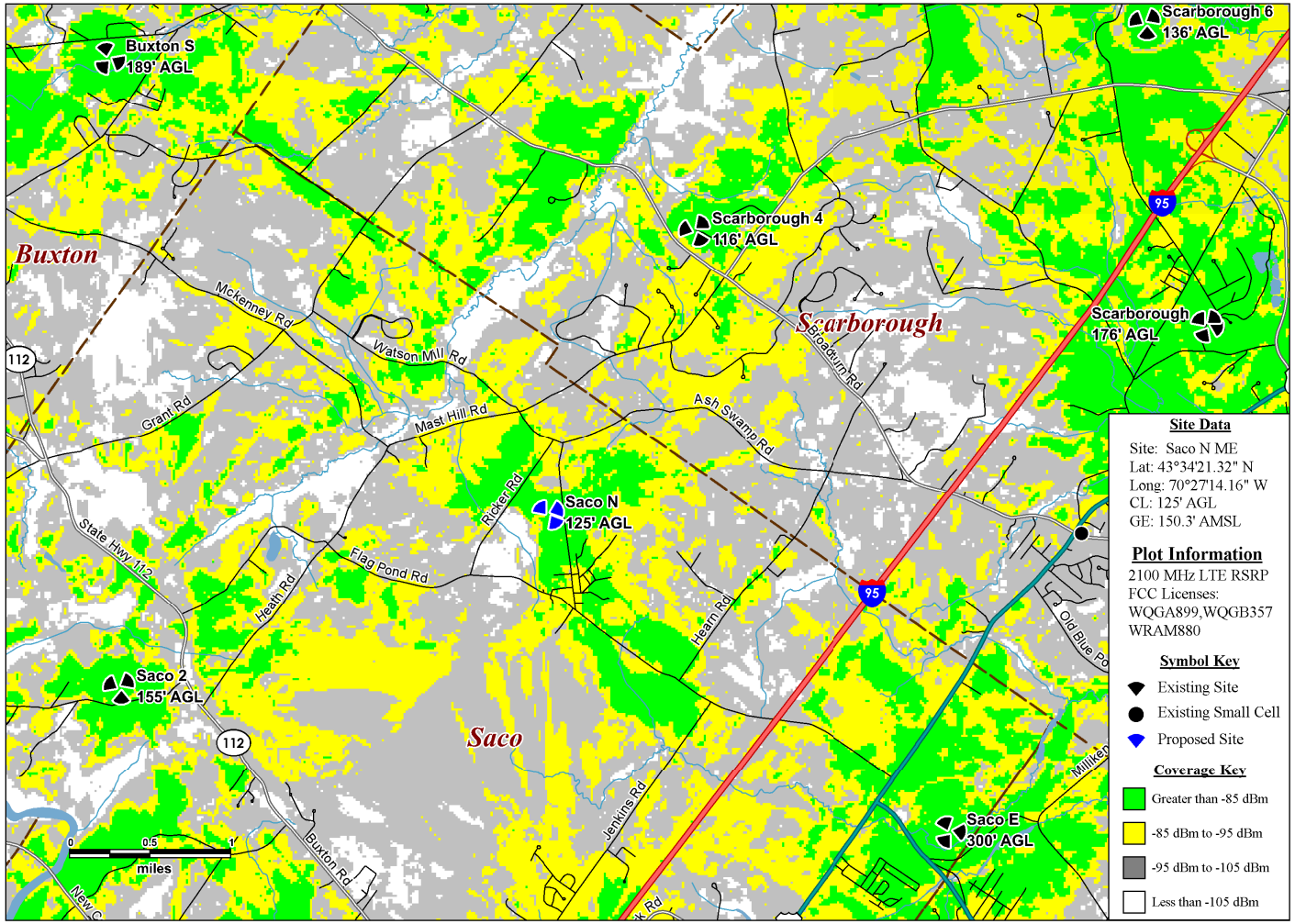
verizon



Attachment D:
Saco N ME - 2100 MHz LTE Coverage with Proposed Site (Macro-Sites)

NEW BUSINESS ITEM A
Exhibit 2

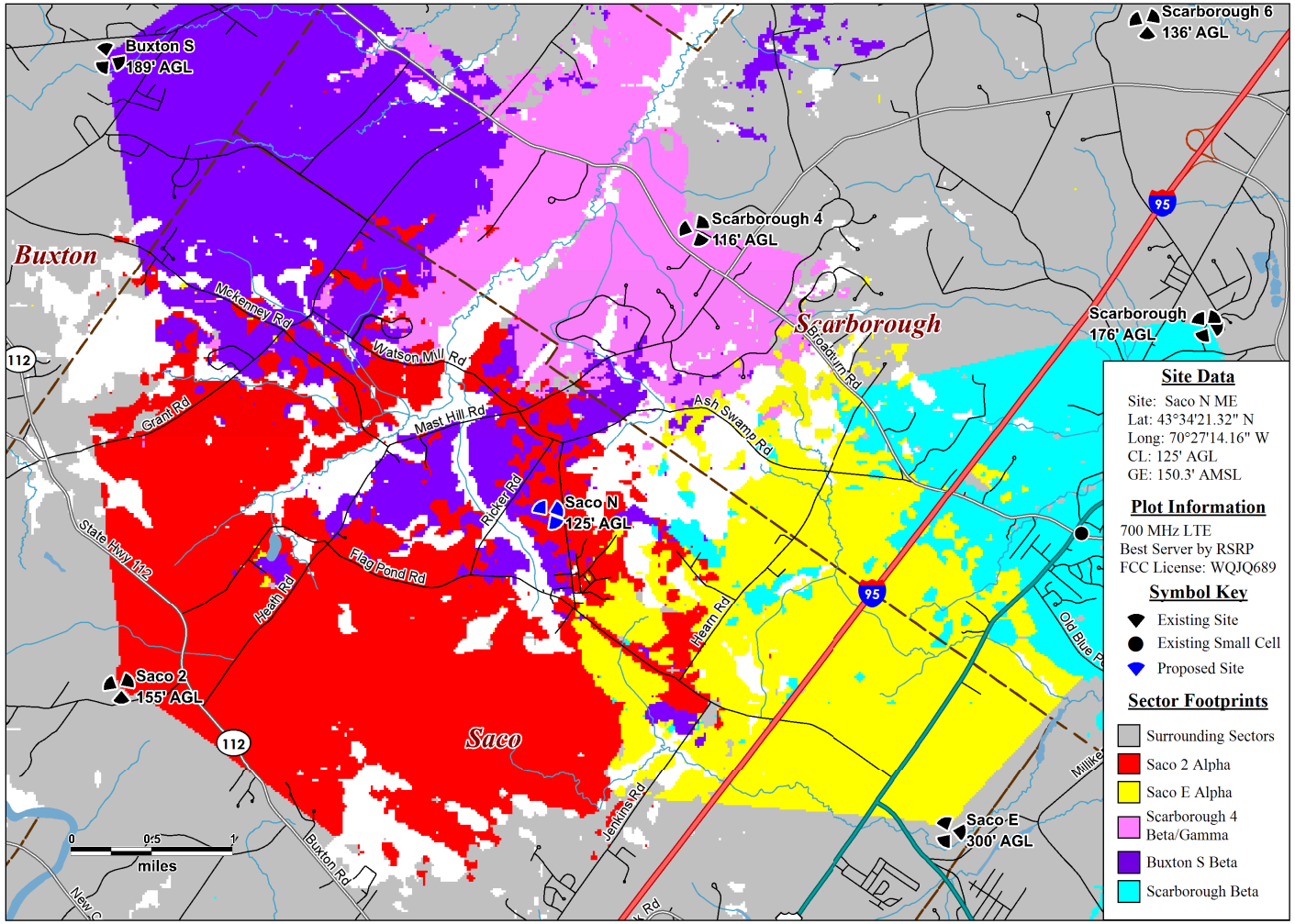
verizon



Attachment E:
Saco N ME - Existing 700 MHz LTE Sector Footprints (Macro-Sites)

NEW BUSINESS ITEM A
Exhibit 2

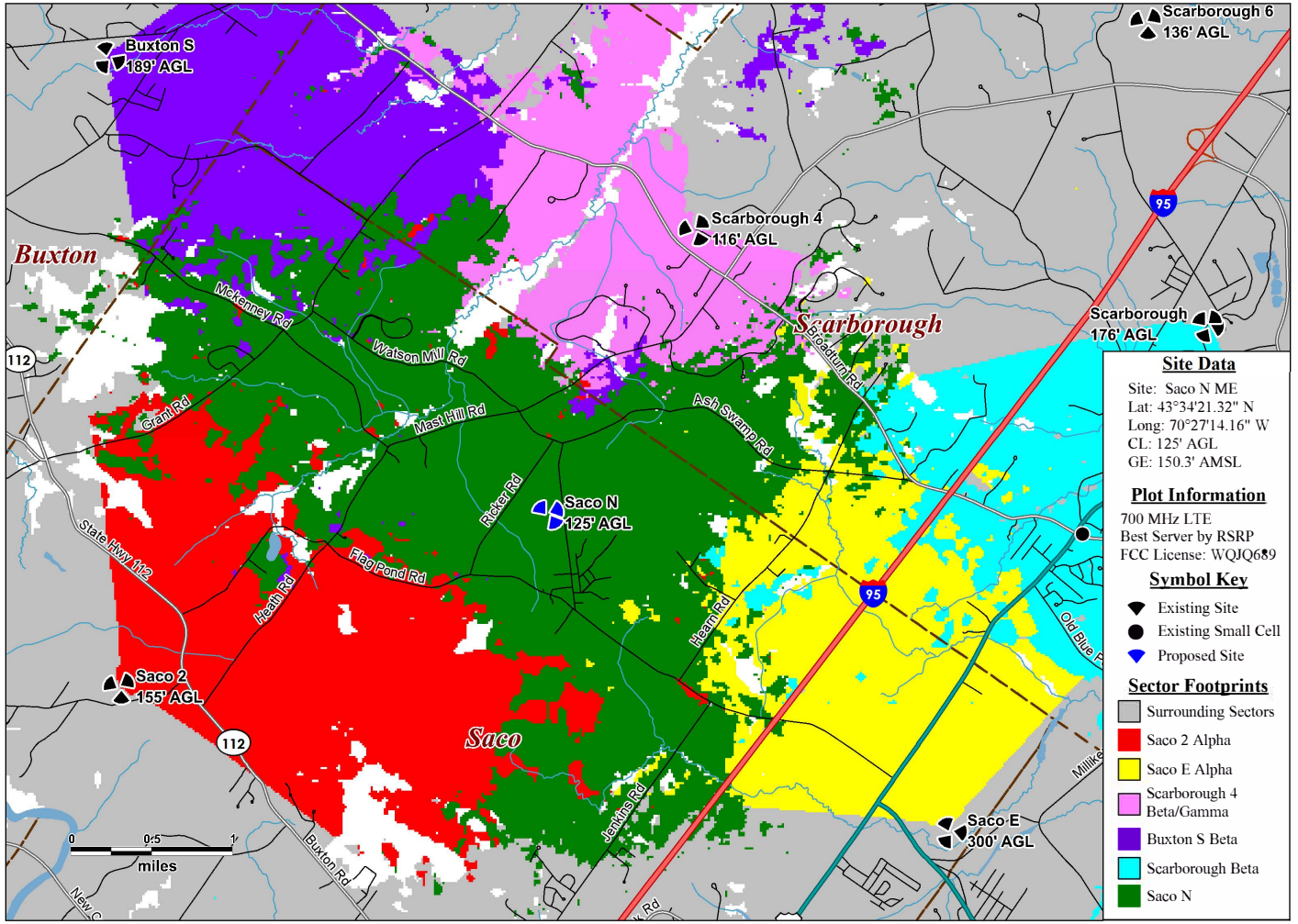
verizon



Attachment F:
Saco N ME - 700 MHz LTE Sector Footprints with Proposed Site (Macro-Sites)

NEW BUSINESS ITEM A
Exhibit 2

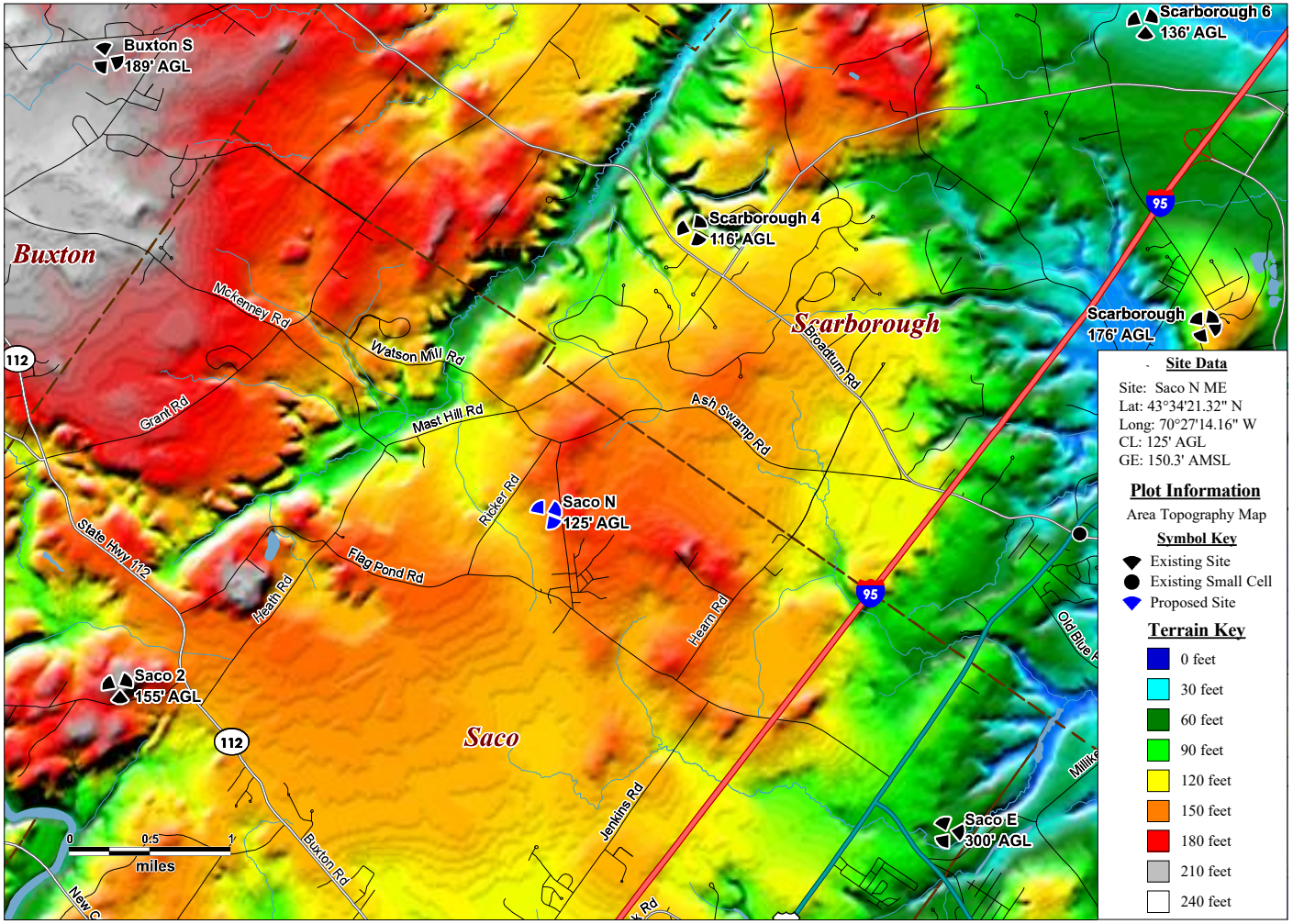
verizon



Attachment G:
Saco N ME - Area Topography Map

NEW BUSINESS ITEM A
Exhibit 2

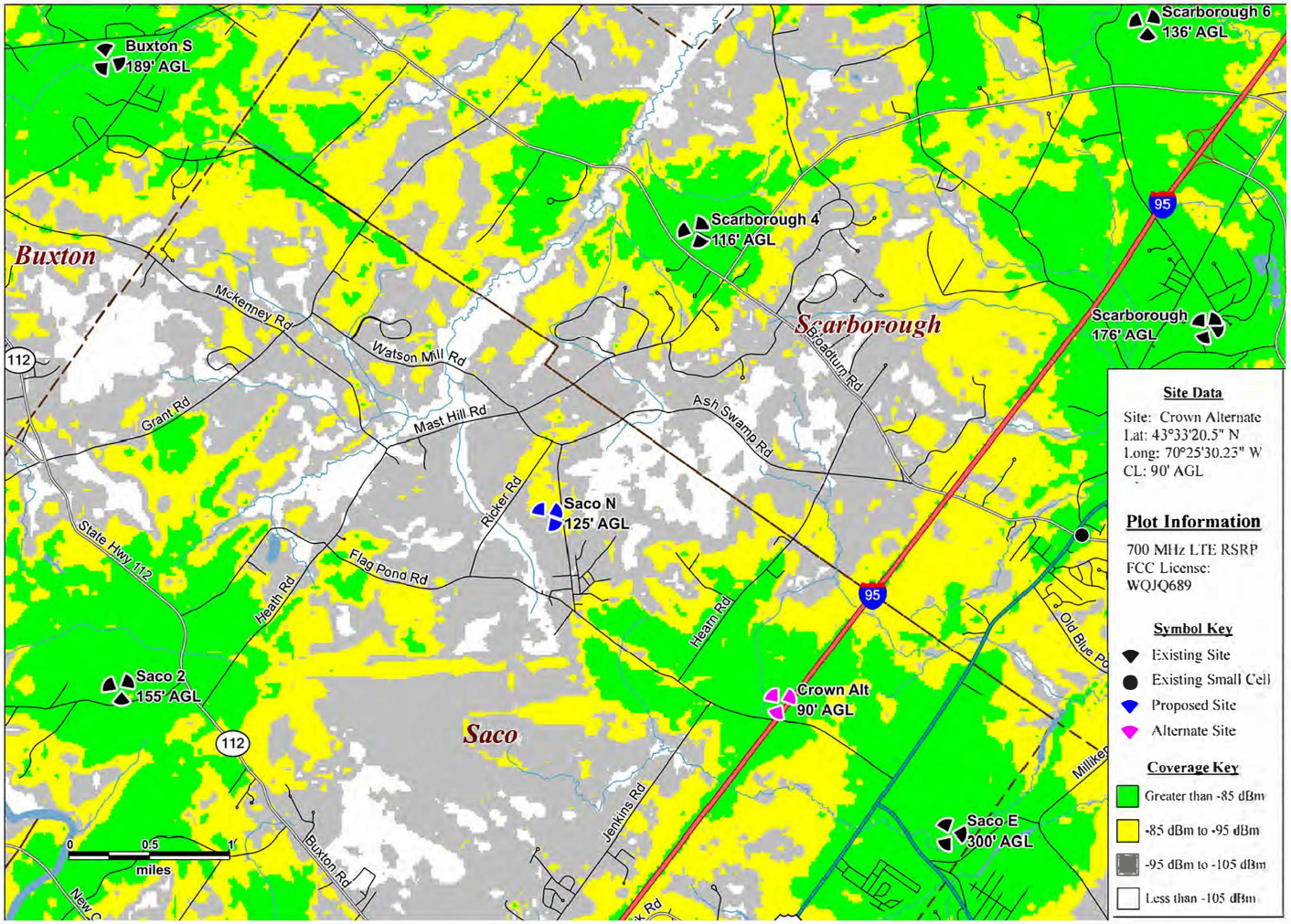
verizon



Attachment H:
Saco N ME - 700 MHz LTE Coverage with Crown Alternate (90' AGL)

NEW BUSINESS ITEM A
Exhibit 2

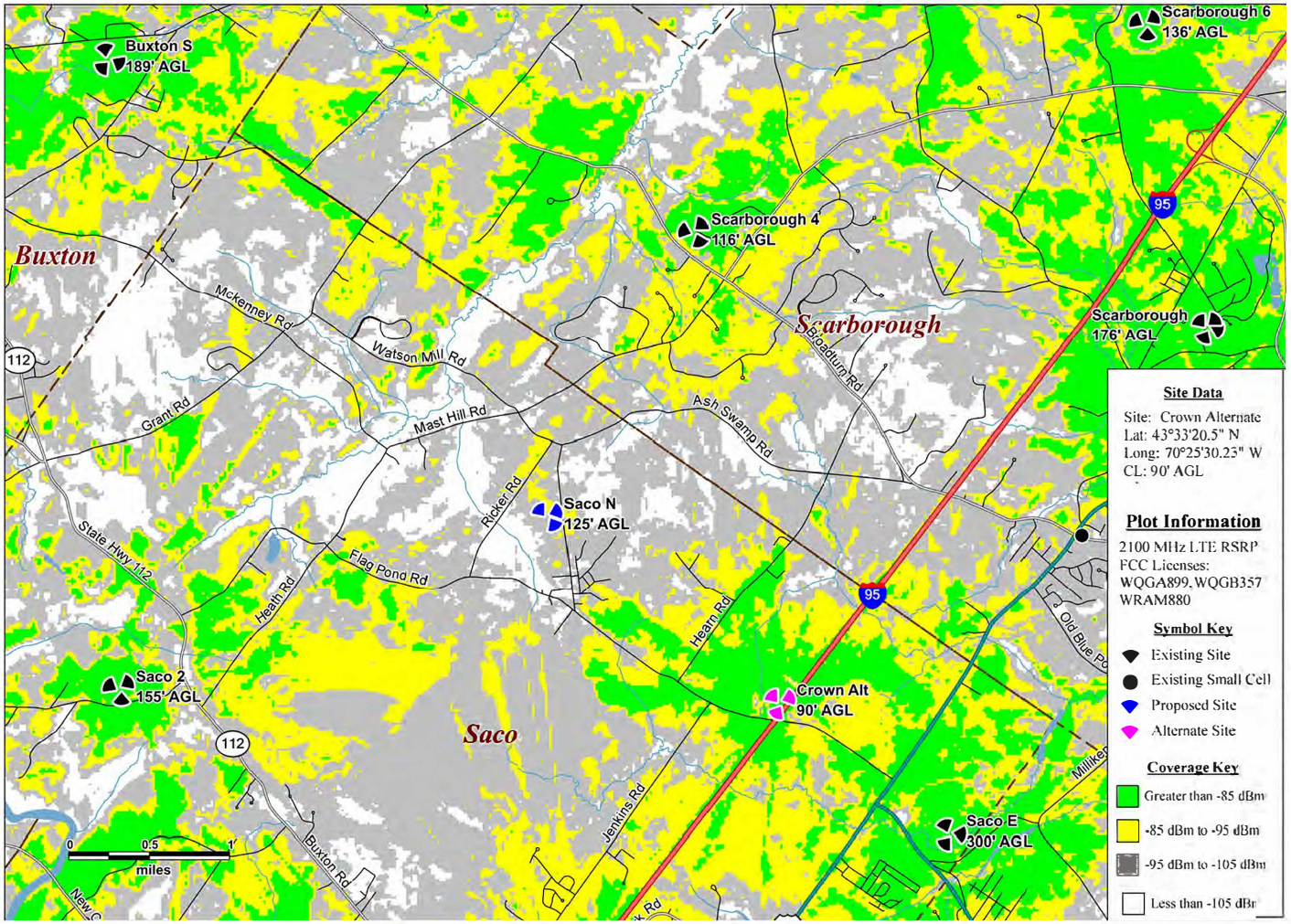
verizon



Attachment I:
Saco N ME - 2100 MHz LTE Coverage with Crown Alternate (90' AGL)

NEW BUSINESS ITEM A
Exhibit 2

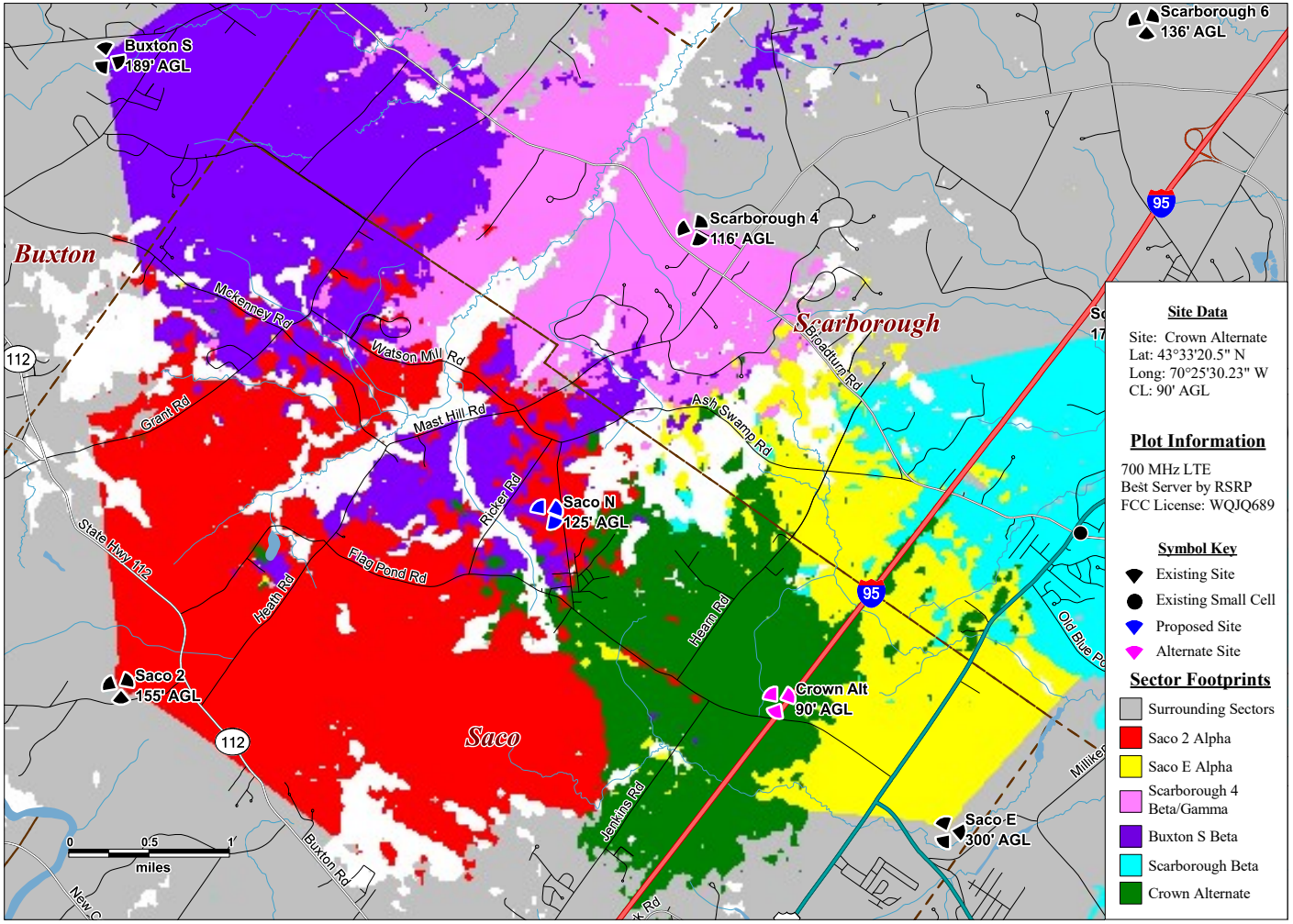
verizon



Attachment J:
Saco N ME - 700 MHz LTE Sector Footprints with Crown Alternate (90' AGL)

NEW BUSINESS ITEM A
Exhibit 2

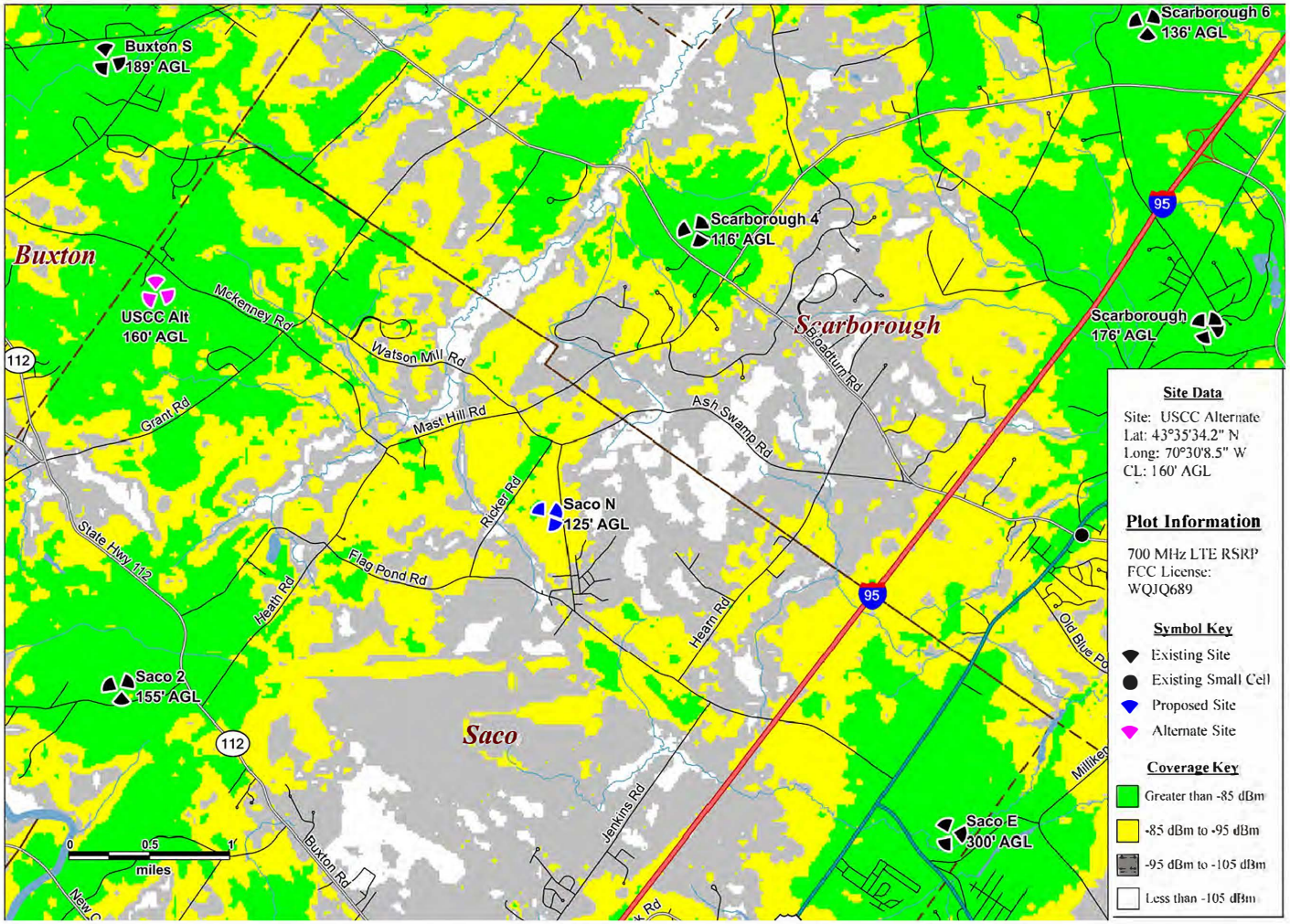
verizon



Attachment K:
Saco N ME - 700 MHz LTE Coverage with USCC Alternate (160' AGL)

NEW BUSINESS ITEM A
Exhibit 2

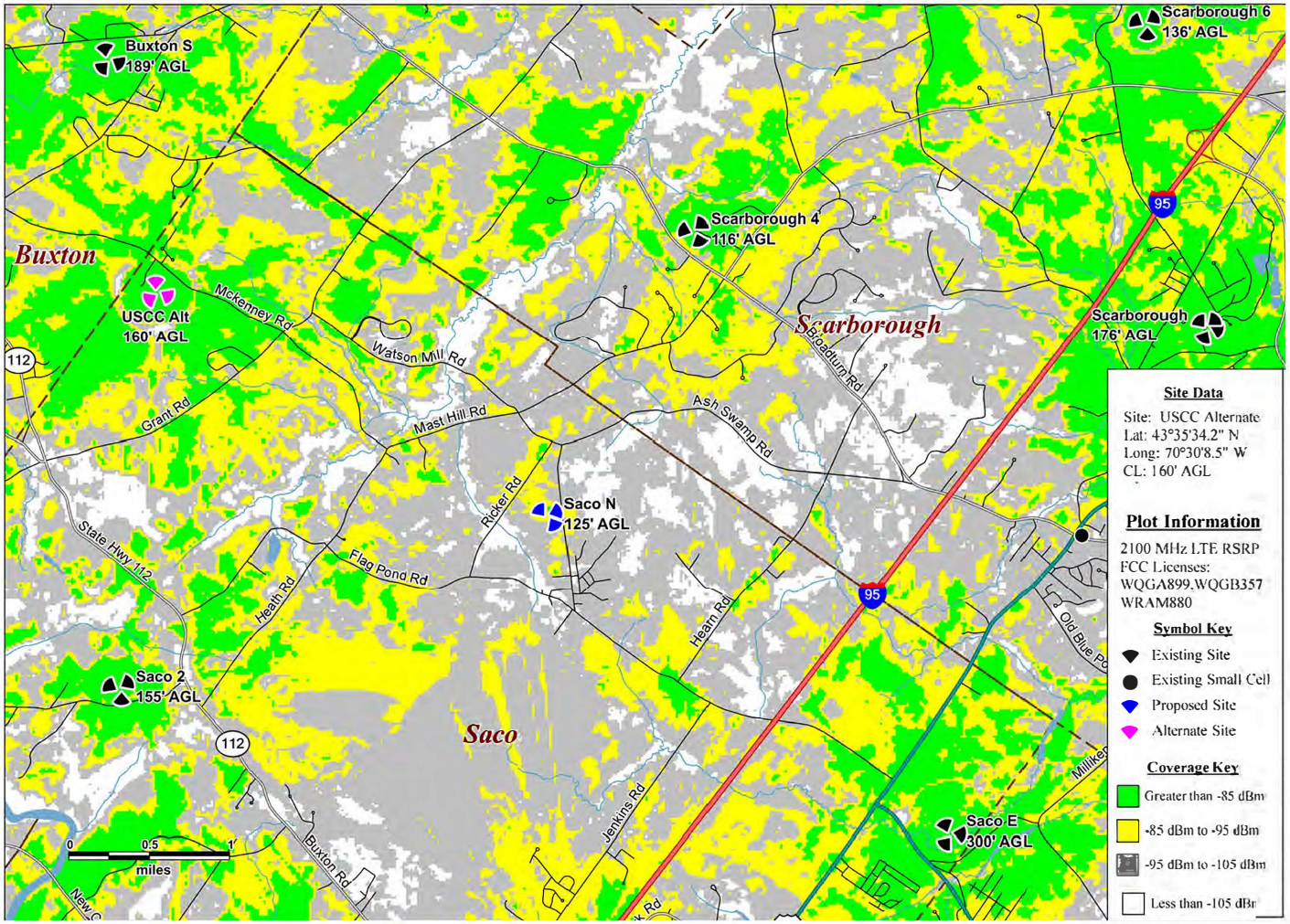
verizon



Attachment L:
Saco N ME - 2100 MHz LTE Coverage with USCC Alternate (160' AGL)

NEW BUSINESS ITEM A
Exhibit 2

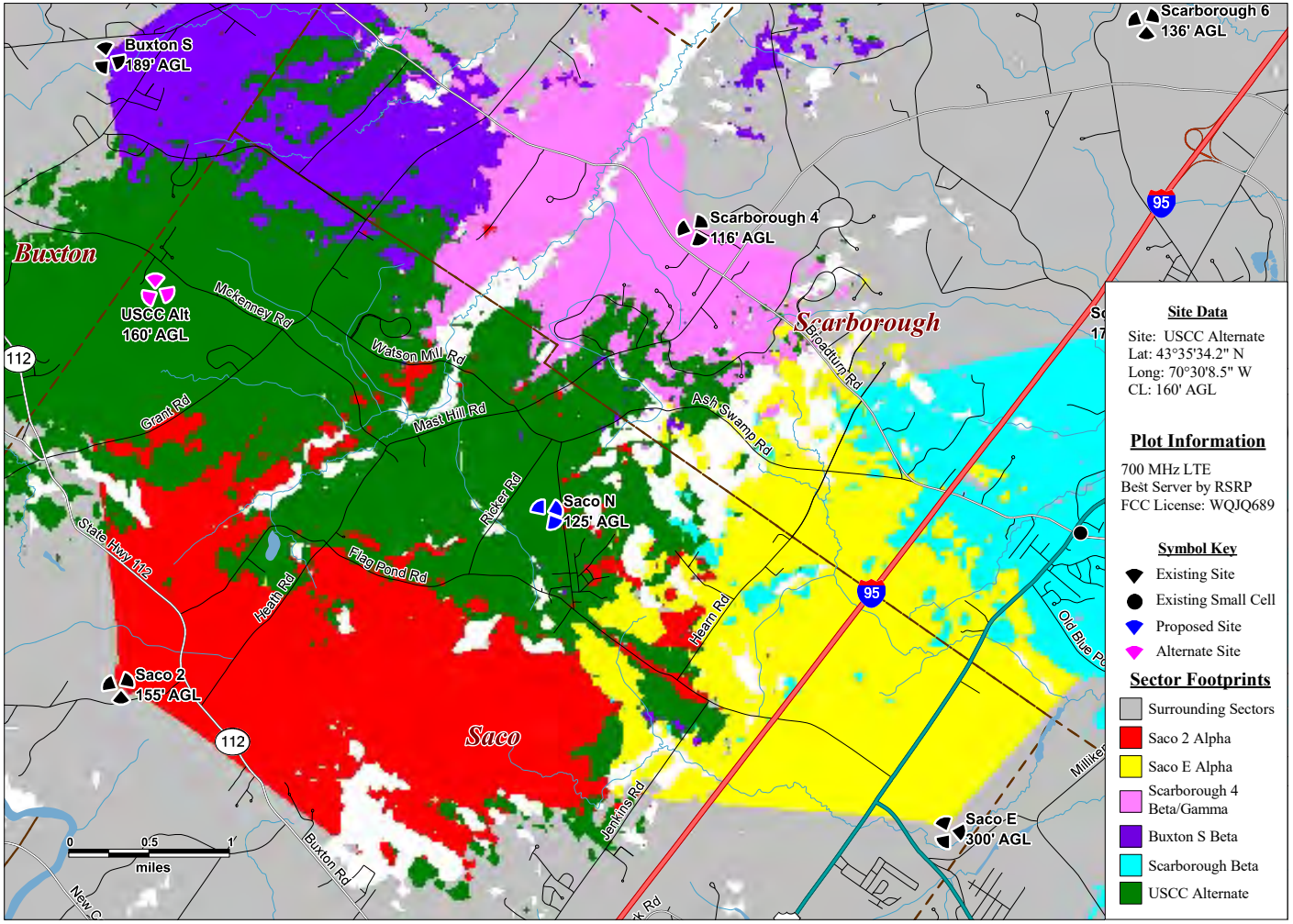
verizon



Attachment M:
Saco N ME - 700 MHz LTE Sector Footprints with USCC Alternate (160' AGL)

NEW BUSINESS ITEM A
Exhibit 2

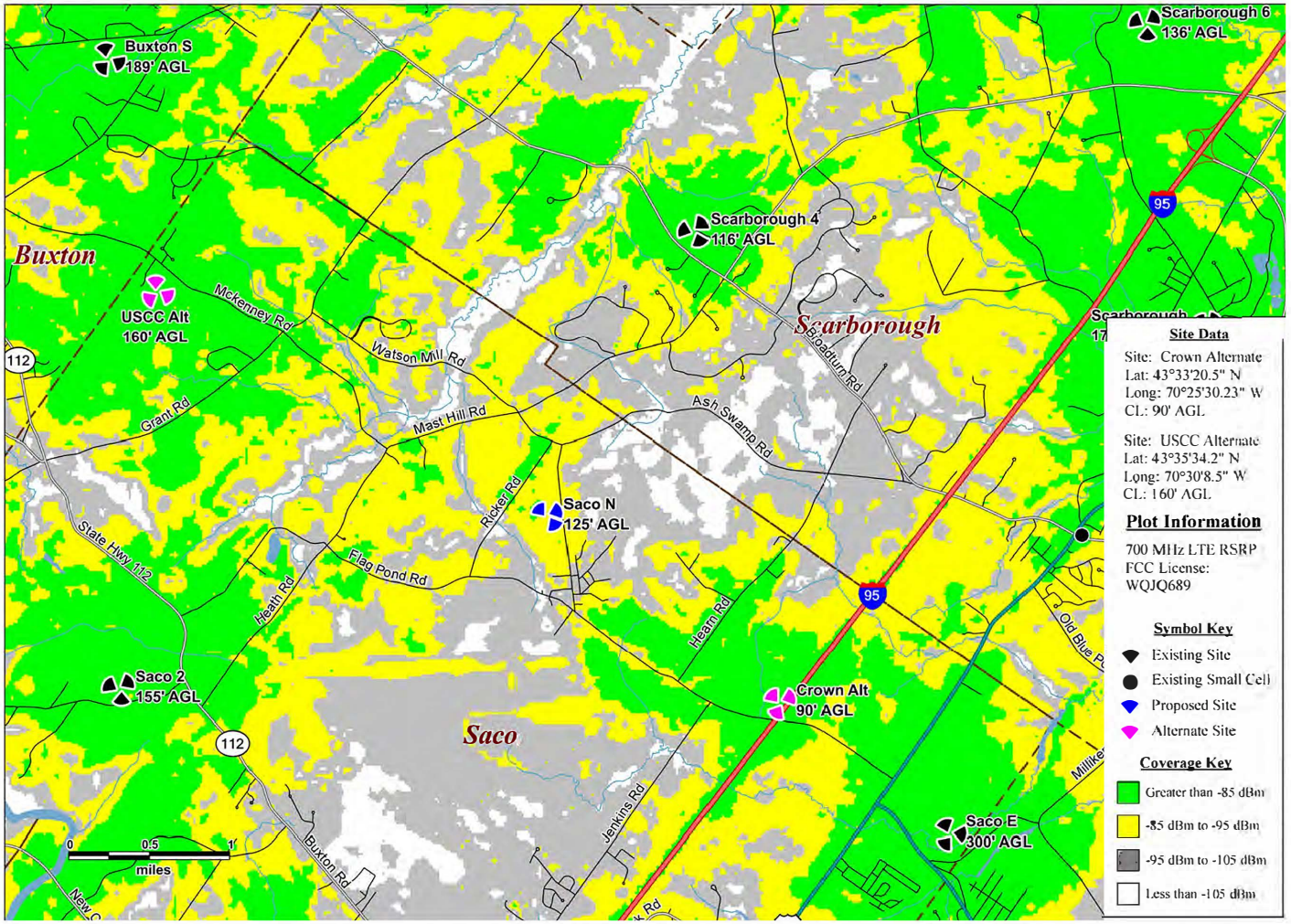
verizon



Attachment N:
Saco N ME - 700 MHz LTE Coverage with Crown Alternate (90' AGL) and USCC Alternate (160' AGL)

NEW BUSINESS ITEM A
Exhibit 2

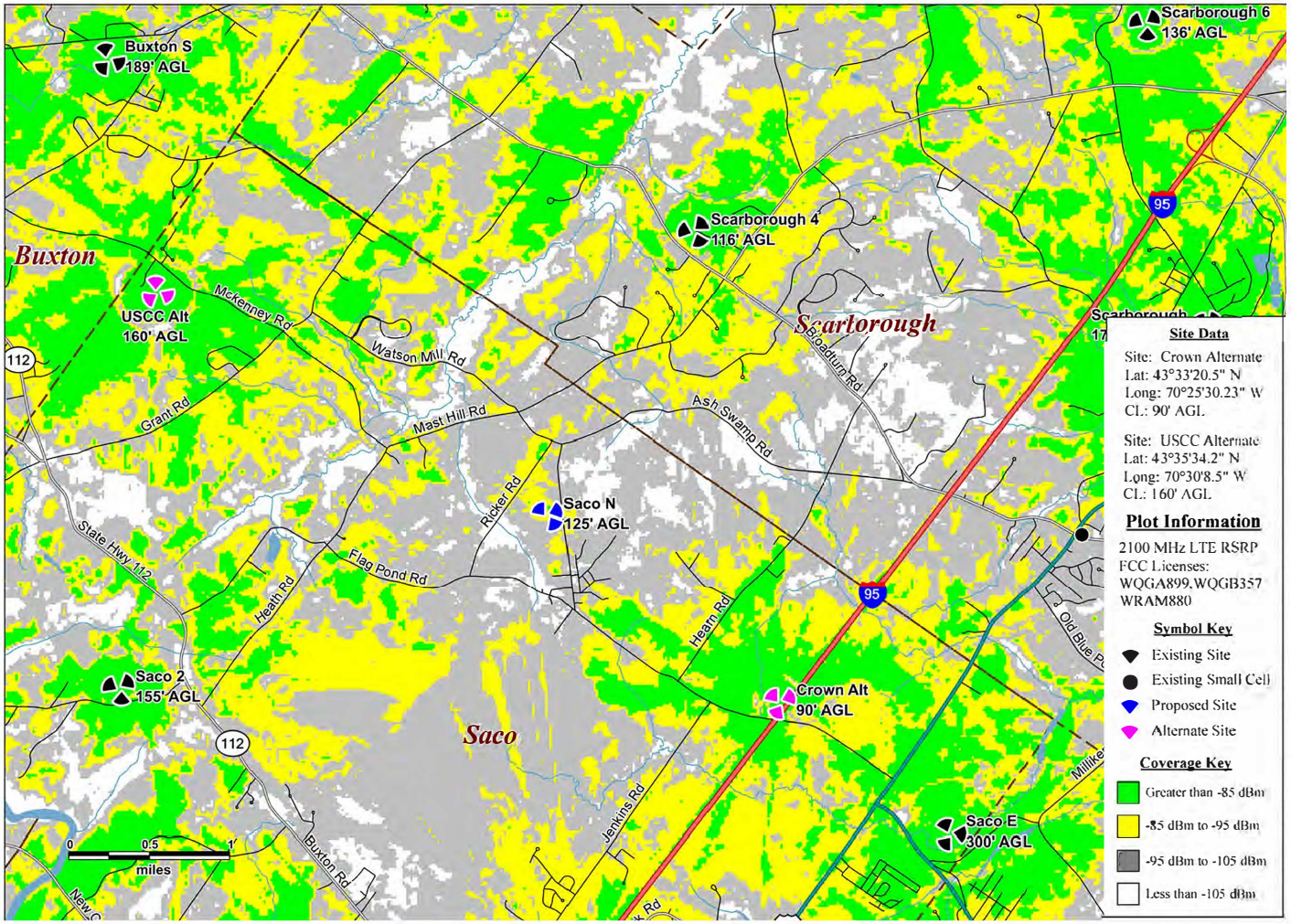
verizon



Attachment O:
Saco N ME - 2100 MHz LTE Coverage with Crown Alternate (90' AGL) and USCC Alternate (160' AGL)

NEW BUSINESS ITEM A
Exhibit 2

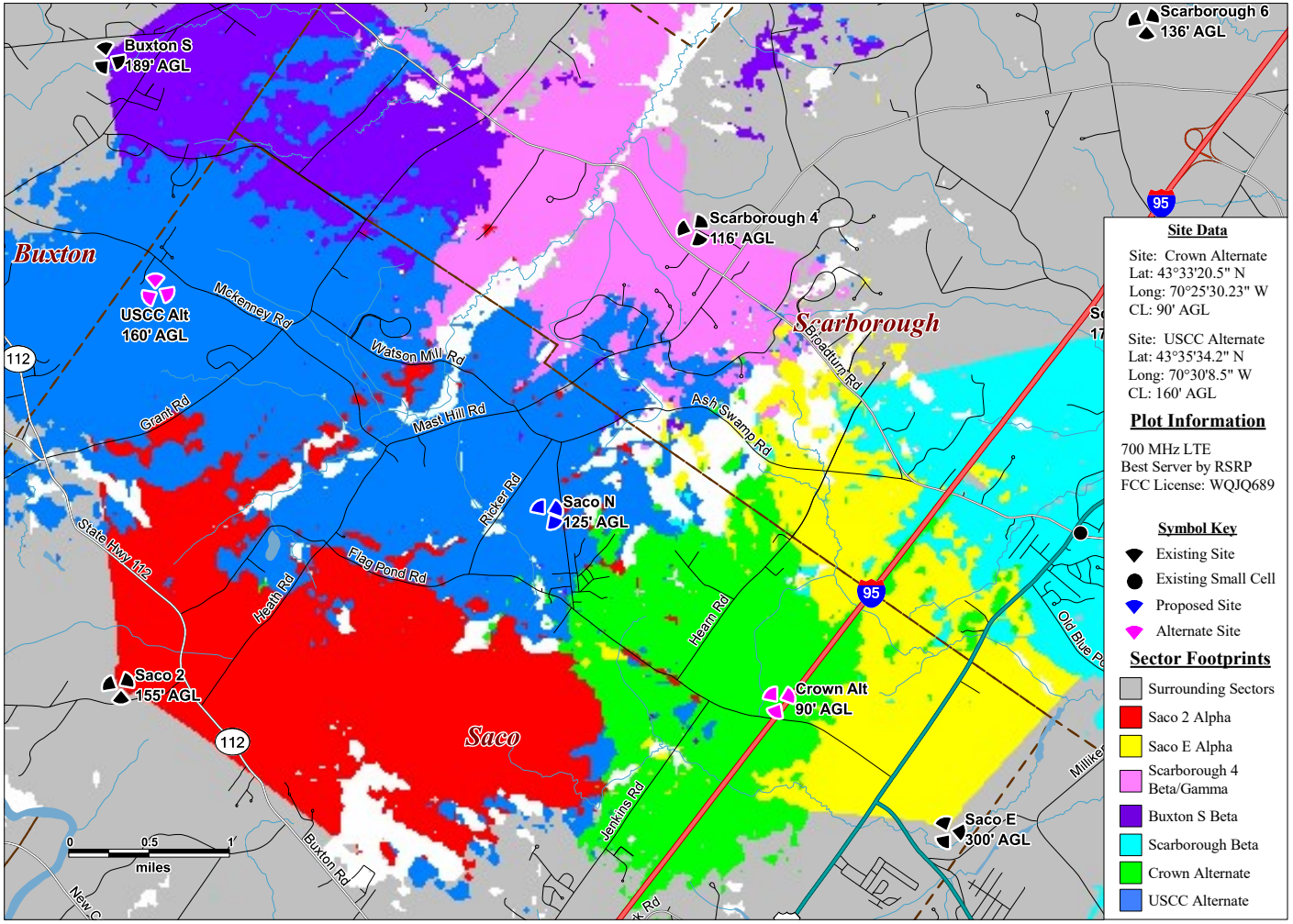
verizon



Attachment P:
Saco N ME - 700 MHz LTE Sector Footprints with Crown Alternate (90' AGL) and USCC Alternate (160' AGL)

NEW BUSINESS ITEM A
Exhibit 2

verizon



Contract Zone Agreement
By and between
Maine RSA #1, Inc. and the City of Saco

April 7, 2009

THE CITY OF SACO HEREBY ORDAINS:

I. That the zoning ordinance of the City of Saco, dated January 2, 1985 as amended through December 5, 2008 is hereby amended by adopting the proposed change in use as further described in the following contract by and between the City of Saco and Maine RSA #1, Inc., (the Applicant).

This contract amends the Saco Zoning Ordinance in order to permit the construction of a Wireless Telecommunication Facility at 202 McKenney Road, identified as Tax Map 125, Lot 10, subject to the following conditions and restrictions, as provided for in Section 1403 of the Saco Zoning Ordinance:

1. The Applicant, and/or its affiliates, proposes to construct a single Wireless Telecommunication Facility in the form of a monopole tower one hundred ninety (190) feet in height at 202 McKenney Road (Subject Property).

2. The record owner of the Subject Property is Linda L. Fenderson. Right, title and interest for the application is demonstrated via an Option to Lease by and between Linda Louise Fenderson, 1018 South Street, Dayton, Maine and Maine RSA #1, Inc., with an address of Attention: Real Estate, 8410 West Bryn Mawr Avenue, Suite 700, Chicago, Illinois 60631, a Maine corporation.

3. Said Option to Lease would grant the right to construct, operate and maintain a Wireless Telecommunications Facility, as defined by the City of Saco Zoning Ordinance, on a 100 foot by 100 foot portion (0.23 acre) of the Subject Property.

4. The Subject Property has an area of 8.25 acres, and is a legally nonconforming lot due to having only sixty (60) feet frontage on McKenney Road; two hundred (200) feet of frontage is required in the C-1 zone. A single family dwelling exists on the property.

5. The Subject Property is located in the C-1 zoning district.

6. Wireless Telecommunication Facilities are not an allowed use in the C-1 district.

7. As stated in a letter dated March 5, 2009 from Robert Gashlin, KJK Wireless, 8 Providence Avenue, Falmouth, Maine, agent for Applicant, "U.S. Cellular is licensed by the Federal Communications Commission to provide

telecommunications service to northwest Saco and the surrounding areas where it lacks adequate coverage and capacity."

8. The Applicant requests that the City of Saco establish a Contract Zone specifically and exclusively for the portion of the Subject Property subject to said Option to Lease in order to allow the construction, operation and maintenance of a Wireless Telecommunication Facility.

II. This contract amends the Saco Zoning Ordinance as follows:

A. Notwithstanding Section 410-14, a single Wireless Telecommunication Facility, as described in the application materials submitted by KJK Wireless on behalf of Applicant, to include a one hundred ninety (190) foot monopole tower and supporting infrastructure, antennas, utilities, equipment shelter, back-up power generator, propane tank, associated equipment and an access road from McKenney Road, sited within a fenced enclosure as shown on a site plan submitted by the Applicant, entitled "U.S. Cellular, Site Name: Salmon Falls, Site No.: 853399," shall be regarded as a permitted use on the Subject Property.

III. This Contract Zone is subject to the following conditions and restrictions, as provided for in Section 1403 of the Saco Zoning Ordinance:

1. The Wireless Telecommunication Facility is subject to review under the provisions of Section 728, and Article 11, Site Plan Review of the Saco Zoning Ordinance.

2. Except as addressed in this Contract Zone document, the project shall adhere to all other applicable provisions of the City of Saco Zoning Ordinance.

3. All details as shown on the final plan approved by the Planning Board are hereby incorporated into this contract by reference. The site shall be developed in conformance with those plans. Minor changes may be approved by the staff of the City of Saco. Any changes determined by the staff to be "major" shall be submitted to the Planning Board for review. If it is determined that the changes constitute a change in the contract, then the developer shall also be required to obtain City Council approval of the changes.

4. This Document and Contract Zone affect only the Subject Property.

5. This contract and its provisions shall apply exclusively to the contract zone request submitted by the Applicant and/or its agents.

6. This Document and the Contract Zone it creates shall not be transferable prior to development as proposed by the Applicant, unless permission for said transfer or conveyance is approved by the City Council.

7. Failure of the Applicant to secure site plan approval from the Planning Board, and any and all other permits or approvals that may be required by the City or other regulatory agencies including but not limited to the Maine Department of Environmental Protection and/or Federal Communications Commission within one year of the approval of this Contract by the Saco City Council shall render this Contract null and void. In the event that permits or approvals are delayed due to circumstances beyond the control of the Applicant, this one year deadline may be extended by one year upon written request submitted by the Applicant, subject to approval by the City Council.

8. Breach of these conditions and restrictions by the developer shall constitute a breach of the contract. Said breach of contract shall constitute a zoning violation, subject to enforcement action by the City of Saco.

9. The Applicant shall provide the City of Saco with a co-location position on the proposed tower at an elevation between ninety (90) and one hundred ten (110) feet above the base of the tower, and with other considerations as specified in the "Agreement to Provide Space at US Cellular Telecommunications Facility to be Located at 202 McKenney Road, Saco, ME 04072" at no cost to the City, in order that the City may install or have installed an antenna for wireless telecommunication purposes.

10. It is the intent of the City that towers, structures or similar installations erected as part of a Wireless Telecommunication Facility shall be available to multiple tenants, carriers, and/or providers of wireless telecommunication service. The Applicant shall provide a signed statement obligating the owner of the Facility and its successors and assigns to:

    a. Respond in a timely, comprehensive manner to any request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of what is commonly charged within the telecommunications industry;

    b. Negotiate in good faith based on commonly accepted practices within the telecommunications industry for shared use of the facility by third parties, thereby agreeing to not limit the number of carriers utilizing the Facility to less than the carrying capacity of the Facility;

    c. Allow shared use of the facility on a first come, first served basis if any applicant agrees in writing to pay charges for co-location that are commonly accepted within the telecommunications industry;

    d. Require no more than a reasonable charge for shared use, based on based on commonly accepted practices within the telecommunications industry. This charge may include , but is not limited to a pro-rata share of the cost of planning project administration, site design, construction, financing, return on

equity, depreciation, and all of the costs of adapting the Facility or equipment to accommodate a shared user without causing electromagnetic interference.

e. The City of Saco is specifically recognized as not being a potential co-location applicant, and is not bound by terms herein.

IV. By vote of the Saco Planning Board on April 7, 2009, and the Saco City Council on June 1, 2009, the following findings are hereby adopted:

A. The portion of Map 125, Lot 10 proposed as a site for a Wireless Telecommunication Facility by the Applicant and/or its agents is of an unusual nature and location, for the following reasons:

1. The property is unique because it is located in an area that has substandard or no wireless telecommunications service. Also, Applicant has determined that this specific location is required to effectively implement its Federal Communications Commission license.
2. Applicant's intended service area is in northwest Saco where the overwhelming majority of land is zoned Conservation District (C-1). The Ordinance provides that telecommunications facilities are permitted only in the Light Industrial / Business Park District, Highway Business District, Business Park District, and Industrial District. No such districts are located in close enough proximity to U.S. Cellular's intended coverage area to provide adequate service. Accordingly, U.S. Cellular proposes to construct its Facility in the Conservation District pursuant to contract zoning.

B. The proposed rezoning is consistent with the Saco Comprehensive Plan, based on the following goals:

Part One and Part Two of the *Saco Comprehensive Plan* discusses the origins, trends, and existing socio-economic conditions in Saco. Like many northern New England manufacturing based communities, Saco has recognized the need to transition to a more diverse, dynamic, and contemporary orientation which is a basis for a viable community. Saco has successfully made this transition and the catalyst has been innovation and forward thinking community planning. Wireless telecommunication facilities do provide a stimulus for a diverse, dynamic and contemporary community. For example, currently 85% of all citizens own cell phones and 22% have replaced traditional land based telephones with cell phones as their only means of communications. Many people work from their homes and require adequate cell phone service and broadband (which wireless telecommunications facilities provide). Many people also require cell phone service while they commute to work, while they conduct routine errands, and during emergency situations. Last year up to 30% of all calls for emergency services in Maine came from cell phones. Wireless telecommunications have become a fundamental need in many people's lives and this trend is still evolving.

Applicant's proposed Facility is also consistent with Part Four of the *Saco Comprehensive Plan* that encourages compatibility with regional plans. Specifically, Applicant's intent to provide cellular service to northwest Saco that currently has inadequate or no such service is directly compatible with Governor Baldacci's Wireless Telecommunications Initiative and the Federal Government's Telecommunications Act of 1996.

The *Saco Comprehensive Plan*, Section 17B, states a goal is "To assure that new commercial and industrial development occurs in a way that is visually and environmentally sound and that protects established residential neighborhoods." The location of the Facility will have a minimal impact on the area because it is located in a relatively remote and forested area on an 8.25-acre parcel that is 200' back from the closest property line and approximately 750' back from McKenney Road. The Facility will produce minimal or no noise, dirt, dust, glare, odor, fumes, smoke, gas, sewerage, refuse, vibration, or danger of explosion or fire.

The *Saco Comprehensive Plan*, Section 17F, states a goal is "To accommodate the growth of commercial and industrial activities in designated growth areas where public services and facilities are or can be provided." The *Saco Comprehensive Plan* has identified northwest Saco as one of the fastest growing areas in Saco. This area currently has substandard or no telecommunications service and the Facility will provide such service that will accommodate the growth of commercial and residential activities.

The *Saco Comprehensive Plan*, Section 17M, states a policy that "The City should continue to pursue economic growth that expands the City's tax base." It is anticipated that the Facility will produce a revenue stream for the City in the form of personal property taxes.

C. The proposed use is consistent with, but not limited to, existing uses and allowed uses within the C-1 zone. Similar existing uses in the C-1 zone include a Wireless Telecommunication Facility off Flag Pond Road, a cable television tower off Boom Road, and a radio broadcast tower off Simpson Road. Allowed uses include agriculture, single and two-family dwellings, essential services, kennels, timber harvesting, golf courses, hospitals and clinics, extractive industry, etc.

D. The conditions and restrictions noted above are adequate to meet the intent of the Saco Zoning Ordinance.

Based on the above findings, and the conditions and restrictions listed above, the City Council hereby incorporates this Contract Zone agreement into the Saco Zoning Ordinance by reference.
By signing this contract, both parties agree to abide by all the conditions and restrictions as contained herein.

Adopted by the Saco City Council on June 1, 2009.

City of Saco

Richard Michaud,
City Administrator

Maine RSA #1, Inc.

Kenneth J. Krzyzaniak
Authorized Agent

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**Contract Zone Agreement by and between the
Duane Thomas Corporation and the City of Saco
Wireless Telecommunication Tower
February 17, 2004**

THE CITY OF SACO HEREBY ORDAINS:

I. That the zoning ordinance of the City of Saco, dated January 2, 1985 as amended through August 4, 2003, is hereby amended by adopting the proposed change in use as further described in the following contract by and between the City of Saco and Duane Thomas Corporation.

This contract amends the Saco Zoning Ordinance to permit the construction of a 190' Wireless Telecommunication Facility at 28 Industrial Park Road, identified as Tax Map 70, Lot 6, subject to the following conditions and restrictions, as provided for in Section 1403 of the Saco Zoning Ordinance:

1. Duane Thomas Corporation (the Applicant), and/or its affiliates, proposes to construct a single Wireless Telecommunication Facility in the form of a tower one hundred ninety (190) feet in height at 28 Industrial Park Road (Subject Property).

2. The Subject Property has an area of 5.79 acres, and is regarded by the City as a Lot of Record, having existed in its current configuration since September 25, 1967.

3. The Subject Property is located in the I-2 zoning district.

4. The Subject Property is the site of a self storage facility, owned by the Applicant. Said facility was granted site plan and conditional use approval by the Planning Board on June 27, 2000.

5. The City of Saco does not prohibit more than one principal commercial or industrial use from co-existing on a single, conforming parcel or Lot of Record.

6. Wireless Telecommunication Facilities are defined by the Saco Zoning Ordinance, and recognized as a conditional use in certain zoning districts. Said Facilities are not an allowed use in the I-2 district.

7. Due to his ownership of the parcel, and its location along the Maine Turnpike corridor, the Applicant believes that the proposed site is an ideal location for a Wireless Telecommunication Facility.

8. The Applicant thereby requests that the City of Saco establish a Contract Zone specifically and exclusively for the Subject Property in order to allow the installation and operation of a Wireless Telecommunication Facility.

II. This contract amends the Saco Zoning Ordinance as follows:

A single Wireless Telecommunication Facility, specifically a one hundred ninety (190) foot tower and supporting infrastructure, including a pre-fabricated support structure for housing electronic and/or mechanical instrumentation, and back-up generator at the tower's base, sited within a fenced enclosure as shown on a site plan submitted by the Applicant, shall be regarded as an allowed use on the Subject Property.

III. This Contract Zone is subject to the following conditions and restrictions, as provided for in Section 1403 of the Saco Zoning Ordinance:

1. The Wireless Telecommunication Facility is subject to review under the provisions of Section 728, and Article 11, Site Plan Review of the Saco Zoning Ordinance.

2. Except as addressed in this Contract Zone document, the project shall adhere to all other applicable provisions of the City of Saco Zoning Ordinance.

3. All details as shown on the final plan approved by the Planning Board are hereby incorporated into this contract by reference. The site shall be developed in conformance with those plans. Minor changes may be approved by the staff of the City of Saco. Any changes determined by the staff to be "major" shall be submitted to the Planning Board for review. If it is determined that the changes constitute a change in the contract, then the developer shall also be required to obtain City Council approval of the changes.

4. This Document and Contract Zone affects only the parcel of land identified as Tax Map 70, Lot 6 on the City of Saco tax maps.

5. This contract and its provisions shall apply exclusively to the contract zone request submitted by Duane Thomas Corp.

6. This Document and the Contract Zone it creates shall not be transferable prior to development as proposed by the Applicant.

7. Failure of the Applicant to secure site plan approval from the Planning Board, and any and all other permits or approvals that may be required by the City or other regulatory agencies including but not limited to the Maine Department of Environmental Protection and/or Federal Communications Commission within one year of the approval of this Contract by the Saco City Council shall render this Contract null and void. In the event that permits or approvals are delayed due to circumstances beyond the control of the Applicant, this one year deadline may be extended by one year upon written request submitted by the Applicant.

8. Breach of these conditions and restrictions by the developer shall constitute a breach of the contract. Said breach of contract shall constitute a zoning violation, subject to enforcement action by the City of Saco.

9. The Applicant shall provide the City of Saco with a co-location position on the proposed tower, at no charge, along with space in the support structure, also at no charge.

10. The Applicant shall provide a signed statement obligating the owner of the Facility and its successors and assigns to:

    a. Respond in a timely, comprehensive manner to any request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;

    b. Negotiate in good faith for shared use of the facility by third parties, thereby agreeing to not limit the number of carriers utilizing the Facility to less than the carrying capacity of the Facility;

    c. Allow shared use of the facility if any applicant agrees in writing to pay reasonable charges for co-location;

    d. Require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include , but is not limited to a pro-rata share of the cost of planning project administration, site design, construction, financing, return on equity, depreciation, and all of the costs of adapting the Facility or equipment to accommodate a shared user without causing electromagnetic interference.

IV. By vote of the Saco Planning Board on December 2, 2003, and the Saco City Council on February 17, 2004, the following findings are hereby adopted:

A. Map 70, Lot 6, possesses an unusual nature and location, for the following reasons:

1. The property in question is owned by the Applicant, and is adjacent to the I-195 corridor. The telecommunications industry typically seeks to site Wireless Telecommunication Facilities along transportation corridors such as the Maine Turnpike or U.S. Route One. As such, the Subject Parcel is well situated for the proposed use.
2. The Subject Property is unique in its remote location from its abutters. Abutters include a CMP power line and transformer facility, City of Saco railroad tracks, City of Saco sewage pump station, and the Maine Turnpike.
3. The parcel has no frontage on Industrial Park Road, and for that reason is limited in possible uses.

B. The proposed rezoning is consistent with the Saco Comprehensive Plan, based on the following goals:

Page 17.13 "To accommodate the growth of commercial and industrial activities in designated growth areas where public services and facilities are or can be provided."

The installation of a Wireless Telecommunication Facility at the Subject Property adjacent to I-195 will serve the telecommunication needs of the citizens of Saco. The location and proposed use of this site is consistent with existing zoning for commercial purposes. The location of the proposed Facility will reduce the immediate need to locate other Wireless Telecommunication Facilities in the Exit Five area.

Page 17.2 "To assure that new commercial and industrial development occurs in a way that is visually and environmentally sound and that it protects established residential neighborhoods."

The proposed Facility will produce no or minimal noise, dirt, dust, glare, odor, fumes, smoke, gas, sewerage, refuse, vibration or danger of explosive or fire, and will therefore be minimally detrimental or offensive to the neighborhood; nor will the Facility pose unreasonable hazards to health or safety.

The proposed Facility location would result in minimal or no visual impact to established residential neighborhoods, and would in fact be visible primarily to Turnpike users, vehicles traveling to and from the Industrial Park, and commercial or industrial uses in the immediate area.

Page 17.13 "To foster a pattern of land use that respects and builds upon the established settlement pattern of an urban areas surrounded by an outlying rural area."

Establishment of I-1 and I-2 zoning districts in the immediate vicinity of the Subject Parcel is recognition by the City that areas adjacent to the Turnpike and other arterial corridors, and that are served by public sewer and water, are appropriate for intensive uses that contribute to and are characteristic of the densely developed urban area. The demand for cellular telephone service in such an area is consistent with heavily trafficked and commercially active areas.

C. The proposed use is consistent with, but not limited to, existing uses and permitted uses within the I-2 zone. Existing uses include the self storage facility on the Subject Property, a frozen food wholesaler, retail businesses, the City's public works department, etc. Permitted uses include light industry, business services, essential services, recycling centers, municipal uses, etc.

D. The conditions and restrictions noted above are adequate to the meet intent of the Saco Zoning Ordinance.

Based on the above findings, and the conditions and restrictions listed above, the City Council hereby incorporates this Contract Zone agreement into the Saco Zoning Ordinance by reference.

By signing this contract, both parties agree to abide by all the conditions and restrictions as contained herein.

Adopted by the Saco City Council on February 17, 2004.

City of Saco

Richard Michaud, City Administrator

Duane Thomas Corporation

Duane Thomas L.T.
Leslie

H:\MyFiles\A Planning Files\Contract Zones 2003\Thomas Corp. Cell Tower M70 L6\Council Review\Approved 021704 Thomas Tower Contract Zone Agreement.doc

NEW BUSINESS ITEM A
Exhibit 2
38
8/00/00
8

CONTRACT ZONE
FLAG POND ROAD, MAP 92, LOT 21

Be it Ordained by the Saco City Council:

That the Zoning Ordinance of the City of Saco, dated January 2, 1985, as thereafter amended, is hereby amended by the addition of the contract set forth below, which is a contract between the City of Saco ("City") and Tower Ventures, Inc. ("TVI"). The contract contemplates allowing the subject property to be used for the construction, maintenance, and operation of a telecommunications facility, including a communications tower of approximately 250 feet and related lights and guidelines, together with related improvements, as more particularly described in that Standard Communication Site Lease Agreement between the City and Omnipoint Communications MB Operations, LLC ("Omnipoint") dated May 7, 1999 (the "Lease Agreement"), a copy of which Lease Agreement (including Addendum 1, relating to periodic rental increases) is attached hereto and incorporated herein as **Exhibit A,** which Lease Agreement was assigned on October 13, 1999 by Omnipoint to TVI, with the City's consent. The contract will include the findings and conditions as enumerated herein. This contract shall become part of the Saco Zoning Ordinance.

Proposed Use of Site

The proposed use of the site is described in the Lease Agreement attached hereto and incorporated herein as **Exhibit A.**

In summary, Omnipoint assigned to TVI its lease from the City of a 100' x 100' portion of the City's 26-acre Flag Pond Road property (the "Property"), identified as Map 92, Lot 21 on the City Assessor's Maps, to be used for construction and operation of a 250-foot tall self-supporting wireless communications tower. Specifically, TVI proposes to build a multi-user communications facility, and to lease out tower and ground space for wireless communications users. The City will be granted space on the tower, at least at 150 feet or above, at no charge to the City. TVI will install on the tower, free of charge, a combiner antenna to serve the communications needs of the City. TVI also will supply the necessary cable, provide space in the shelter for the City's transmitter boxes, and provide electricity to operate the City's equipment. TVI will bear the cost of the purchase and installation of the necessary equipment (other than the transmitter boxes). The Property and the location of the proposed communication facility are depicted on **Exhibit B** attached hereto and incorporated herein.

The Property is located in the C-1 Conservation District. Permitted uses in the C-1 District include "essential services," which are defined to include "communication facilities." The Code Enforcement Officer and Zoning Board of Appeals determined that cellular communications towers are not "communications facilities" because the Ordinance refers in another location to "radio or TV transmission towers." *See* Ordinance 410-6A (B-2a and B-2b Highway Business District). Thus, TVI is requesting a zoning change to clarify that the Property may be used for its proposed communications tower.

Findings

The Planning Board voted on February 8, 2000 to recommend against adoption of TVI's contract zoning proposal. The City Council, however, has reviewed the petition and accompanying materials filed by TVI together with the Lease Agreement, and finds that the contract zoning

proposal is appropriate. Specifically, the City Council makes the following findings as required in Sections 1403-6 and 1403-7 of the Saco Zoning Ordinance:

A. TVI's proposal is for land with an unusual nature or location.

The nature of the Property is unusual because the portion of the Property fronting on Flag Pond Road is very steep, and access to the Property is therefore required to be over the abutting property to the west. Further, the Property contains many wetland areas, so it would be difficult to develop with anything other than something with a relatively small footprint (like a tower). In order to access the Property, it is necessary to cross the Saco Tannery Waste Pits Superfund site; as described in the Easement Deed from the Finance Authority of Maine to the City, dated April 23, 1999, the easement deed for the Saco Tannery Waste Pits Superfund site between the City and the Finance Authority of Maine (which owns the Saco Tannery Waste Pits Superfund site) is limited to allowing access to the City's property for purposes of accessing a communications facility to be located on the Property.

The location of the Property is unique because it is wedged between the Maine Turnpike, Flag Pond Road, and a contaminated property (the Saco Tannery Waste Pits Superfund site) to the west; the adjacent contamination limits the marketability and desirability of the property for other uses. The Property is a wedge-shaped strip of land, approximately 500 feet wide at the tower site, situated between the southbound travel lanes of the Maine Turnpike and Stewart Lane, a gravel road.

B. TVI's proposal is consistent with the Comprehensive Plan.

The proposed tower is consistent with the Saco Comprehensive Plan, as demonstrated by the following goals contained in the Plan:

- Page 17.1: "To accommodate growth in a manner that maintains the character of the City." The proposed tower location maintains the character of the City because it is near the Turnpike in a rural area of the City. Towers are commonly located in rural areas, and they are consistent with rural characteristics. There are only two other commercially viable towers in the entire City, so the addition of TVI's proposed tower will not contribute to a perception that the City is over-developed with towers. The tower in no way changes the fundamental character of the City.

- Page 17.2: "To assure that new commercial and industrial development occurs in a way that is visually and environmentally sound and that protects established residential neighborhoods." The proposed tower is visually and environmentally sound because it is located in the middle of a large parcel, with a large surrounding natural buffer. The City Council has reviewed photographs submitted by TVI, which photographs demonstrate that the tower will not be unduly obtrusive. It is the most appropriate use for the Property, given that the Property contains many wetland areas; the Property would be difficult to develop with anything other than something with a relatively small footprint (like a tower). Given the adjacent Saco Tannery Waste Pits Superfund site, this type of use may be the only use that could be made of the Property. Further, it is not near an established residential neighborhood, and it is well screened from any residences.

- Page 17.13: "To foster a pattern of land use that respects and builds upon the established settlement pattern of an urban area surrounded by an outlying rural area." The proposed tower would maintain the open character of the rural area of the City, by preserving the

remainder of the 26-acre parcel.

- Page 17.13: "To discourage suburban sprawl." The tower would discourage sprawl by using the 26-acre parcel for a purpose that does not impact on City services.

- Page 17.13: "To encourage a pattern of land use that can be served efficiently and that does not impose an undue burden on the Town's financial resources." The tower would not utilize City services, so it could be served efficiently and not impose any burden on the Town's financial resources. TVI will make monthly rent payments to the City pursuant to the Lease Agreement.

- Page 17.36: "To assure that growth and development occurs in a manner that does not impose a financial burden on other property owners." Similarly, the tower will not impose any financial burden on other property owners.

C. TVI's proposal is consistent with, but not limited to, the existing uses and permitted uses within the original zone.

The proposed tower is consistent with permitted and existing uses within the C-1 District because it is similar to a communication facility, which is a permitted use in the zone. Other permitted uses in the C-1 District include kennels and commercial greenhouses and nurseries, and uses permitted as conditional uses include water recreation, extractive industry, and golf courses. A tower is consistent with those uses.

Further, the tower is consistent with permitted and existing uses in the original district because it will be adjacent to the Maine Turnpike and several commercial properties. The Property is well screened from any residential neighborhoods, which makes it ideal for a communications tower. Finally, tower uses are consistent with permitted and existing uses within the original zone because there is an existing tower in the C-1 District, off Boom Road.

D. TVI's proposed conditions are sufficient to meet the intent of Section 1403-6 of the Saco Zoning Ordinance.

TVI has proposed, and the City Council concurs with, the following conditions and restrictions, which will ensure that the allowed tower use meets the intent of the Zoning Ordinance, avoid incompatible land uses as much as possible while permitting differing land uses in this area of the City, and at the same time recognize the effects of change:

1. Structures shall be limited to one 250-foot tall communications tower and any accessory structures within the 100' x 100' leased area, which may include antennae, receptors, radio equipment, responders, a back-up power source, a base building, and related equipment, facilities, and structures.
2. Any uses on the undeveloped portion of the Property shall not interfere with the construction, maintenance, or operation of the telecommunications facility.
3. The City shall be granted space on the tower, at least at 150 feet or above, at no charge to the City. TVI shall install on the tower, free of charge, a combiner antenna to serve the communications needs of the City and schools. TVI also will supply the necessary cable, provide space in the shelter for the City's transmitter boxes, and provide electricity to operate the City's equipment. TVI will bear the cost of the purchase and installation of the necessary equipment (other than the transmitter boxes).

4. TVI will provide the City with notice of any subleases of the Tower and a statement as to whether such sublessee is an Affiliated Party, as that term is defined in the Lease Agreement.
5. TVI will be responsible for any real estate or personal property taxes assessed against the Communications Facility. TVI or others will pay real estate taxes to the City of Saco for the tower, the building, and TVI's leasehold interest in the land. TVI or others will pay taxes to the State of Maine for the equipment on the tower.
6. This Contract shall be assignable only as provided for in the Lease Agreement.
7. To the extent the conditions and restrictions differ from prior agreements of the parties, the conditions and restrictions in this contract are the applicable conditions and restrictions.

Decision

By vote of the City Council on August 7, 2000, the preceding findings, conditions and restrictions are hereby adopted.

Based on the findings, conditions and restrictions listed above, the City Council hereby incorporates this contract zoning agreement into the Saco Zoning Ordinance by reference.

CITY OF SACO

By: Richard Michaud

Name: Richard Michaud

Its: City Administrator

TOWER VENTURES, INC.

By: _____

Name: Robert G. Maccini

Its: COO

THE CITY OF SACO HEREBY ORDAINS:

That the zoning ordinance of the City of Saco, dated January 2, 1985, is hereby amended by adopting the proposed change in use as further described in the following contract by and between the City of Saco and Saco Tower Operators.

This contract amends the Saco Zoning Ordinance to permit the construction of a 400' Radio/TV Transmission Tower at 955 Portland Road, Map 62, Lot 21-0-1, subject to the following conditions and restrictions, as provided for in Section 1403 of the Saco Zoning Ordinance:

1. Saco Tower Operators, and/or its affiliates, will construct one 400' Radio/TV Transmission Tower at 955 Portland Road, Map 62, Lot, adjacent to a pre-existing 500' Radio/TV Transmission Tower.

2. Saco Tower Operators shall provide the City of Saco with a co-location position on the proposed tower, at no charge, along with space in the mechanical building, also at no charge.

3. Saco Tower Operators shall provide an access license to Saco Trails and/or Saco Bay Trails, along the easterly most line of the leased parcel, for the purposes of public, non-motorized passage.

4. Saco Tower Operators shall arrange for, and coordinate, educational tours of the facility to any interested classes

5. Saco Tower Operators, Inc., will also provide a signed statement obligating the owner of the tower and its successors and assigns to:

    a. Respond in a timely, comprehensive manner to any request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;

    a. Negotiate in good faith for shared use of the facility by third parties;

    a. Allow shared use of the facility if any applicant agrees in writing to pay reasonable charges for co-location;

    a. Require no more than a reasonable charge for shared use, based on community rates and generally accepted accounting principles. This charge may include , but is not limited to a pro-rata share of the cost of site selection, planning project administration, land costs, site design, construction, financing, return on equity, depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference. The amortization of the above costs by the facility owner shall be accomplished at a reasonable rate, over the useful life span of the tower.

5. All details as shown on the approved plans are hereby incorporated into this contract by reference, and the site shall be developed substantially in conformance with those plans.

Minor changes may be approved by the staff of the City of Saco. Any changes determined by the staff to be "major" shall be submitted to the Planning Board for review. If it is determined that the changes constitute a change in the contract, then the developer shall also be required to obtain City Council approval of the changes.

5. These amendments affect only the following parcels of land, as shown in the City of Saco's tax map records:

Map 62, Lot 21-0-1

5. Breach of these conditions and restrictions by the developer shall constitute a breach of the contract, and the developer shall be required to apply for a contract modification. Failure to apply for, or to obtain a modification and shall constitute a zoning violation, subject to enforcement action.

5. The applicant shall provide a portable rest room for all employees of Saco Tower Operators, and any co-locators.

5. Anti-climbing fencing shall be installed around the site containing the existing tower and the proposed tower.

5. Security lights shall be installed on the proposed control buildings, complete with downward shield and motion sensitive fixtures.

5. Access to the site driveway shall be controlled via the installation of a security gate, and through the use of the current curb cut on Rt. One serving the frontage uses.

5. No site work may commence until the applicant provides the Planning Office with approved FCC and FAA licenses.

By vote of the Saco Planning Board on May 9, 2000, and the Saco City Council on July 24,2000 , the following findings are hereby adopted:

A. Map 62, Lot 21-0-1, possesses an unusual nature and location, for the following reasons:

1. The property in question exists as a leasehold arrangement, with permitted uses limited to the development of towers and associated infrastructure. No other structural uses are permitted on this parcel;

1. Access to the leasehold parcel is via a 50' right of way over the front piece of property, retained by the Desjardins. The subject parcel has no fee ownership in any road frontage, limiting its desirability for any type of development necessitating customer access;

1. The subject parcel is approximately 2400' off of U. S. Route One, limiting its visibility for development of any commercial nature;

1. The existing development pattern of the parcel, which was previously a

permitted use, negates the development of the parcel for any other purposes;

1. The lack of public sewer servicing this parcel, and the proximity of the parcel to Cascade Brook, make the development of the parcel very difficult for any use that requires sanitary waste disposal. The proposed use includes a portable toilet facility as an amenity, not as a requirement of the use;

1. The inaccessibility of the site makes the provision of emergency services very difficult. The proposed use requires no services, and therefore would pose no burden on the emergency services of the City, based on the location of the parcel.

B. The proposed rezoning is consistent with the Saco Comprehensive Plan, based on the following goals:

Page 17.1 "To accommodate growth in a manner that maintains the character of the City."

The addition of a second Radio/TV Transmission Tower at the existing site adjacent to Rt. One will continue to serve the telecommunication needs of the citizens of Saco. The present tower co-locates such services as wireless communications, paying services and FM radio stations. The location of this site with easement and right of way access to Rt. One has been zoned for business purposes and future orderly development is being promoted with the expansion of the municipal sewerage system to the Scarborough line. The addition of the shorter second tower will be positioned in a manner which minimized the visual impact. The cluster of these two towers will reduce the immediate need to locate other radio/tv transmission towers in the Rt. One area which is zoned for such uses.

Page 17.2 "To assure that new commercial and industrial development occurs in a way that is visually and environmentally sound and that it protects established residential neighborhoods."

The proposed expansion will produce minimal noise from air conditioning equipment in the equipment shelter similar to the sounds made by a small residential air conditioner. The facility will not produce any other noise, or any dirt, dust , glare, odor, fumes, smoke, gas, sewerage, refuse, vibration or danger of explosive or fire and will therefore not be detrimental or offensive to the neighborhood; nor will the facilities and use pose any hazard to health or safety.

It is the most appropriate use of the subject property, given that there is a already a 500' radio/tv transmission tower and accessory structures located on the property. An adjoining tower would reduce the need for additional towers in the vicinity thus, minimizing visual impact in other areas where towers are permitted as a matter of right.

Page 17.3 "To foster a pattern of land use that respects and builds upon the established settlement pattern of an urban areas surrounded by an outlying rural area"

The extension of the municipal sewerage system to the outer Rt. One area is a public policy decision by the City to plan for gradual orderly growth by expanding the urban area. the

proposed zoning promotes this use.

C. The site has an existing radio/tv transmission tower which includes the tower as an essential component, provides essential services to the City of Saco and the neighboring communities.

The proposed addition of a second tower is consistent with existing uses in the C-1 district. Presently there are three radio/tv transmission towers located within the C-1 zone. Their uses are permitted as non-conforming uses. These three towers are the only commercially eligible towers in Saco. The existing towers do not meet the needs of the community.

In addition, one of the proposed tenants of the proposed tower, WRED-FM, presently uses the Simpson Road tower for its transmission and broadcast requirements pursuant to its FCC license. In order to improve the quality and coverage, the relocation of heir radio transmitting apparatus to the proposed site is imperative.

D. The conditions and restrictions noted above are adequate to the meet intent of the Saco Zoning Ordinance.

Based on the above findings, and the conditions and restrictions listed above, the City Council hereby incorporates this contract zoning agreement into the Saco Zoning Ordinance by reference.
By signing this contract, both parties agree to abide by all the conditions and restrictions as contained herein.

Adopted by the Saco City Council on

City of Saco

by _____
its

Saco Tower Operators, Inc.

by _____
its

NEW BUSINESS ITEM A
Exhibit 2

NANCY E HAMMOND, REGISTER OF DEEDS
E-RECORDED **Bk 19718 PG 132**
Instr # 2025027481
08/13/2025 11:13:52 AM
Pages 9 YORK CO

Prepared by Jason Catalini
And after recording return to:
TowerCo 2013 LLC
5000 Valleystone Drive, Suite 200
Cary, NC 27519
919-653-5700

(Recorder's Use Above this Line)

STATE OF MAINE)
)
COUNTY OF YORK)

Parcel No.: 101025000000

MEMORANDUM OF GROUND LEASE AGREEMENT

This Memorandum of Ground Lease Agreement is entered into on this 2nd day of April, 2024, by and between **EDNA LEARY,** unmarried, by and through her attorney-in-fact, Timothy Leary, having a mailing address of 269 Flag Pond Rd, Saco, ME 04072 (hereinafter referred to as "**Lessor**") and **TOWERCO 2013 LLC**, a Delaware limited liability company having a mailing address of 5000 Valleystone Drive, Suite 200, Cary, North Carolina 27519 (hereinafter referred to as "**Lessee**").

1. Lessor and Lessee entered into that certain Ground Lease Agreement dated the 2nd day of April, 2024 (the "Lease") for certain real property and easements as described in **Exhibit B** attached hereto (collectively, the "Premises"), which are a portion of that certain parcel of real property located in Saco, County of York, State of Maine, described in **Exhibit A** attached hereto (the "Land").

2. The Lease shall have an initial term of five (5) years, with seven (7) additional five (5) year renewal terms.

3. The purpose of this Memorandum is to give record notice of the Lease and of the rights created thereby all of which are hereby confirmed. In the event of a conflict between the terms of this Memorandum or the addition of any terms in this Memorandum which are not contained in the Lease, the Lease shall control. The terms of the Lease are hereby incorporated by reference.

4. Upon written notice to Lessee, Lessor is permitted to transfer the Lease only in connection with the sale of the Land and only on the following conditions: (a) the acquiring party must and will assume in writing all of the rights and obligations of Lessor under this Lease on and after the date of purchase of the Land and (b) Lessor must retain no rights or obligations under the Lease after the date of sale of the Land (a "Lessor Permitted Assignment"). Other than a Lessor Permitted Assignment, Lessor is prohibited from assigning, selling or otherwise transferring the Lease in whole or in part and Lessor is prohibited from granting any third party an easement or other real property interest in the Premises.

5. Pursuant to the Lease, Lessee has a right of first refusal to meet any bona fide offers for (i) any sale or transfers of the Land, and any (ii) grant from Lessor to a third party by easement or other legal instrument of an interest in and to any portion of the Land, the Premises or the Lease for any purpose relating to

operating and maintaining communications facilities or the management thereof, with or without an assignment of the Lease to such third party, including but not limited to assignments of any right to the rent or rental stream associated with the Lease.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have executed this Memorandum under seal as of the dates set forth in the respective acknowledgements.

LESSOR:

EDNA LEARY, unmarried, by and through her attorney-in-fact, Timothy Leary

By: _____
Name: Timothy J Leary
Title: Power of Attorney
Date: 03-27-24

LESSOR ACKNOWLEDGEMENT:

STATE OF MAINE)
)
COUNTY OF YORK)

The foregoing instrument was acknowledged before me this 27th day of March, 2024 by Timothy Leary, the attorney-in-fact for Edna Leary, his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the office of the Register of Deeds of York County, Maine, on in Book , Page .

_____
Notary Public
Print Name Jessica Goodsell
My commission expires: December 09, 2027 (seal)

JESSICA SHANNON GOODSELL
Notary Public-Maine
My Commission Expires
December 09, 2027

LESSEE:

TOWERCO 2013 LLC, a Delaware limited liability company

By: _____
Name: Mike Smith
Title: CFO
Date: 4/2/24

LESSEE ACKNOWLEDGEMENT:

STATE OF NORTH CAROLINA)
)
COUNTY OF WAKE)

The foregoing instrument was acknowledged before me this 2nd day of April, 2024 by Mike Smith, CFO of TowerCo 2103 LLC, a Delaware limited liability company, on behalf of the limited liability company.

_____
Notary Public
Print Name Jill E. Harvey
My commission expires: 7/26/2025 (seal)

JILL E HARVEY
NOTARY PUBLIC
WAKE COUNTY, NC
My Commission Expires 7/26/2025

EXHIBIT A
DESCRIPTION OF LAND

The Land is described and/or depicted as follows:

Certain lot or parcel of land on the Easterly side of Ricker Road, in Saco, County of York and State of Maine, bounded and described as follows:

Beginning at the intersection of the Easterly side of the Ricker Road with the Northerly side of the Flag Pond Road, Northerly and Northeasterly by the Easterly side of the Ricker Road to land formerly of Samuel Boothby and now or formerly occupied by one Jeffers; Easterly along the Southerly line of land now or formerly of said Jeffers (1642) feet to the Lincoln Road; Southerly by road (747) feet to land now or formerly owned or occupied by Arthur L. Waterhouse; Westerly along the Northerly line of said Waterhouse (809) feet to land once owned by Luther Foss and now or formerly owned or occupied by Fred L. Bunnell & John Edwards; thence continuing in the same direction as the last mentioned bound Northerly line of Bunnell and Edwards (377) feet to the Northwesterly corner of the lot now or formerly owned or occupied by Bunnell and Edwards; Southerly along the Westerly line of lot to the Southwesterly corner thereof; Easterly following the Southerly line of lot to the Flag Pond Road, Westerly by road (1342) feet to the point of beginning.

LESS AND EXCEPT that portion of property conveyed to Lucien Gervais and Doris C. Gervais from James H. Leary by Quitclaim Deed dated September 22, 2000 and recorded October 11, 2000 in Deed Book 10259, Page 231.

LESS AND EXCEPT that portion of property conveyed to Andrew Pyzynski, Jr. and Nancy Pyzynski from James H. Leary by Warranty Deed dated December 22, 2000 and recorded December 27, 2000 in Deed Book 10372, Page 125.

LESS AND EXCEPT that portion of property conveyed to Glenn W. Jalbert from James H. Leary by Warranty Deed dated January 30, 2001 and recorded January 31, 2001 in Deed Book 10420, Page 348.

LESS AND EXCEPT that portion of property conveyed to June E. Leary and William T. Rankin from James H. Leary by Warranty Deed dated April 7, 2005 and recorded April 13, 2005 in Deed book 14429, Page 0150.

LESS AND EXCEPT that portion of property conveyed to June E. Leary and William T. Rankin from Edna M. Leary by Release Deed dated December 1, 2005 and recorded December 5, 2005 in Deed Book 4692, Page 0875.

LESS AND EXCEPT that portion of property conveyed to Joseph M. Wagner and Stephanie J. Wagner from James H. Leary and Edna M. Leary by Warranty Deed dated June 30, 2006 and recorded July 5, 2006 in Deed Book 14886, Page 0818.

LESS AND EXCEPT that portion of property conveyed to Thomas J. Leary and Nicole Lynn Leary from James H. Leary and Edna M. Leary by Warranty Deed dated August 20, 2009 and recorded August 26, 2009 in Deed Book 15711, Page 621.

LESS AND EXCEPT that portion of property conveyed to Janet Leary-Prowse and K. Spencer Prowse from James H. Leary and Edna M. Leary by Warranty Deed dated July 12, 2018 and recorded October 9, 2018 in Deed Book 17818, Page 868.

LESS AND EXCEPT that portion of property conveyed to Benjamin O. Leary from Edna M. Leary by Warranty Deed dated August 15, 2023 and recorded August 22, 2023 in Deed Book 19297, Page 669.

AND BEING a portion of the same property conveyed to James H. Leary from Marilyn I. Milliken and James H. Leary and Amos J. Gay, the duly appointed and acting Personal Representatives of the Estate of L. Jesse Gay, deceased by Deed of Distribution by Personal Representatives dated August 20, 1999 and recorded August 30, 1999 in Deed Book 9658, Page 002; AND FURTHER CONVEYED to James H. Leary and Edna M. Leary from James H. Leary and Edna M. Leary by Warranty Deed dated June 13, 2001 and recorded August 29, 2002 in Deed Book 11917, Page 161; AND FURTHER CONVEYED to Edna M. Leary from Joyce Leary Clark, duly appointed and acting personal representatives of the Estate of James H. Leary by Deed of Distribution by Personal Representatives (Testate) dated June 9, 2021 and recorded June 10, 2021 in Deed Book 18695, Page 198.

Tax Parcel No. 101025000000

EXHIBIT B
DESCRIPTION OR DEPICTION OF PREMISES

An approximately 100' x 100' (10,000) square foot tract of land, together with easements for ingress, egress and utilities described or depicted as follows. Exact legal description to be determined by survey.

Lease Area:
A certain lease area situate on the southeasterly side of Ricker Road, so called, in the Town of Saco, County of York and State of Maine, and being part of Tax Map 101 Lot 25 as described in Parcel H of the Deed of Distribution of the Estate of James H. Leary to Edna M. Leary recorded at the York County Registry of Deeds in Book 18695, Page 198, and being more particularly bounded and described as follows to wit:
Commencing (P.O.C) at the intersection of the southeasterly line of said Ricker Road with the southwesterly line of land formerly of Samuel Boothby and now or formerly Zachary T. Kern (Deed: 17051/331) and being the northeasterly line of said Leary; thence by the southeasterly line of said Ricker Road the following courses:
A. S 35°48'14" W, 14.05 feet to the point of beginning of the proposed 30-foot-wide access and utility easement, having Maine State Plane, West Zone coordinates of N:270403.22, E:2875936.01;
B. S 35°48'14" W, 30.02 feet to the southwesterly line of said 30-foot-wide easement;

Thence through said land of Leary the following courses:

A. S 56°09'54" E, 563.68 feet to a point;
B. S 54°31'23" E, 33.41 feet to a point;
C. S 40°55'09" E, 152.78 feet to a point;
D. S 54°31'23" E, 69.51 feet to a point;
E. S 67°48'41" E, 156.34 feet to a point;
F. S 23°56'39" W, 91.27 feet to a point;
G. S 34°22'50" W, 126.22 feet to the true Point of Beginning of the Proposed Lease Area, having Maine State Plane, West Zone coordinates of N:269643.22, E:2876606.99;

Thence continuing through said land of Leary the following courses:
1. S 55°37'10" E, 100.00 feet to a point;
2. S 34°22'50" W, 100.00 feet to a point;
3. N 55°37'10" W, 100.00 feet to a point;
4. N 34°22'50" E, 100.00 feet to the Point of Beginning.

Containing 10,000 square feet or 0.23 acres

Unless otherwise noted:
- All bearings and coordinates listed above are in reference to Grid North, U.S. State Plane Coordinate System, Maine West Zone, NAD83.
- Book and Page Numbers are in reference to the York County Registry of Deeds.

30' Wide Access & Utility Easement:
A certain easement area situate on the southeasterly side of Ricker Road, so called, in the Town of Saco, County of York and State of Maine, and being part of Tax Map 101 Lot 25 as described in Parcel H of the Deed of Distribution of the Estate of James H. Leary to Edna M. Leary recorded at the York County Registry of Deeds in Book 18695, Page 198, and being more particularly bounded and described as follows to wit:

Commencing (P.O.C) at the intersection of the southeasterly line of said Ricker Road with the southwesterly line of land formerly of Samuel Boothby and now or formerly Zachary T. Kern (Deed: 17051/331) and being the northeasterly line of said Leary; thence by the southeasterly line of said Ricker Road the following courses:
A. S 35°48'14" W, 14.05 feet to the Point of Beginning of the proposed 30-foot-wide access and utility easement, having Maine State Plane, West Zone coordinates of N:270403.22, E:2875936.01;

1. S 35°48'14" W, 30.02 feet to the southwesterly line of said 30-foot-wide easement;

Thence through said land of Leary the following courses:

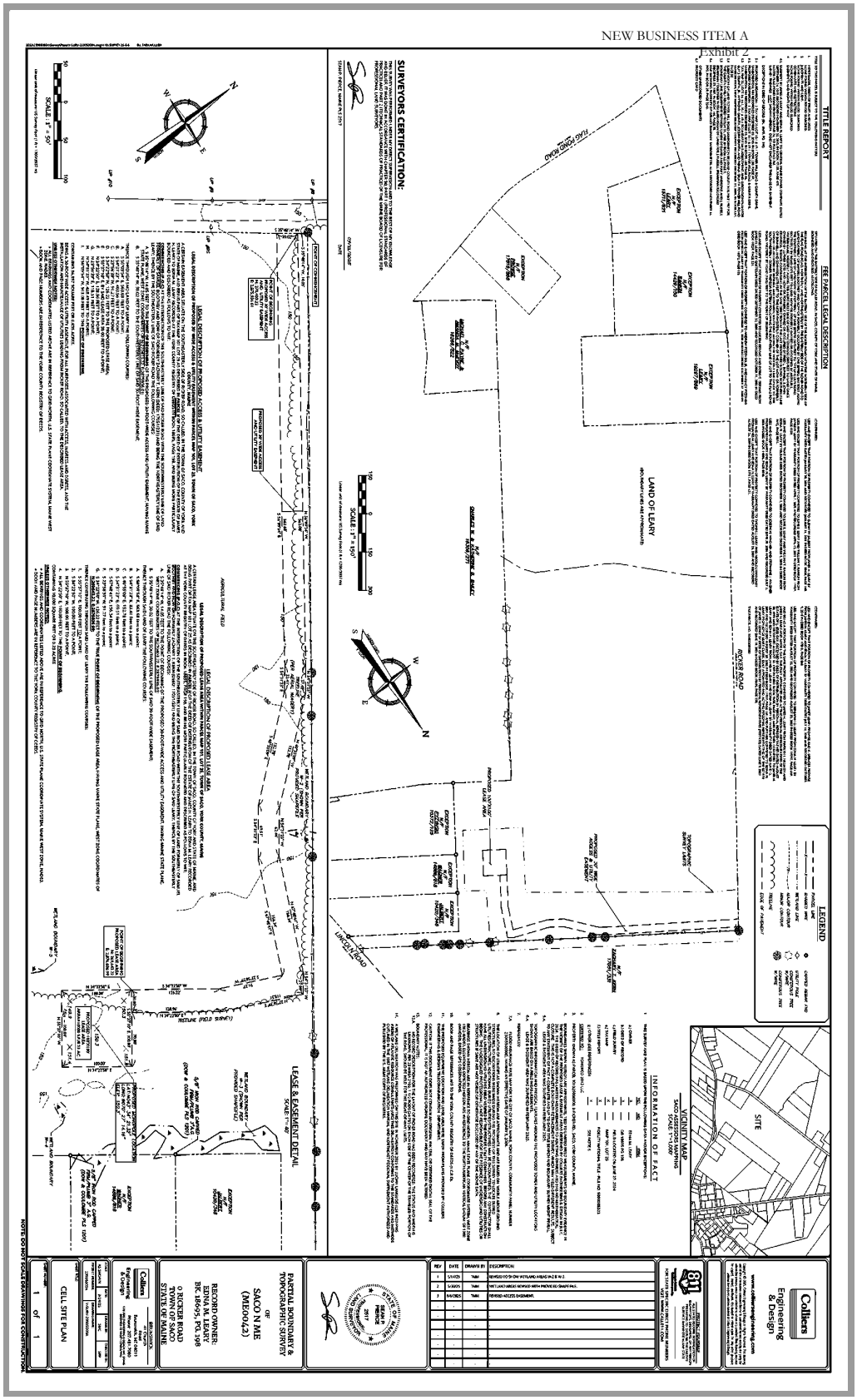
2. S 56°09'54" E, 563.68 feet to a point;
3. S 54°31'23" E, 33.41 feet to a point;
4. S 40°55'09" E, 152.78 feet to a point;
5. S 54°31'23" E, 69.51 feet to a point;
6. S 67°48'41" E, 156.34 feet to a point;
7. S 23°56'39" W, 91.27 feet to a point;
8. S 34°22'50" W, 126.22 feet to the proposed lease area;
9. S 55°37'10" E, by said lease area 30.00 feet to a point;
10. N 34°22'50" E, 128.96 feet to a point;
11. N 23°56'39" E, 118.51 feet to a point;
12. N 54°31'23" W, 27.99 feet to a point;
13. N 67°48'41" W, 156.34 feet to a point;
14. N 54°31'23" W, 62.44 feet to a point;
15. N 40°55'09" W, 152.78 feet to a point;
16. N 54°31'23" W, 37.42 feet to a point;
17. N 56°09'54" W, 563.08 feet to the Point of Beginning.

Containing 36,611 square feet or 0.840 acres.

Being a 30-foot wide access & utility easement, for all purposes associated with access, ingress and egress, and the installation and maintenance of utilities leading from Ricker Road, so called, to the described lease area.

Unless otherwise noted:
- All bearings and coordinates listed above are in reference to Grid North, U.S. State Plane Coordinate System, Maine West Zone, NAD83.
- Book and Page Numbers are in reference to the York County Registry of Deeds.

(see attached survey)


NEW BUSINESS ITEM A
Exhibit 2
TITLE REPORT
FEE PARCEL LEGAL DESCRIPTION
SURVEYORS CERTIFICATION:
LEGEND
VICINITY MAP
SACO ASSESSORS MAPPING
INFORMATION OF FACT
LEASE & EASEMENT DETAIL
LAND OF LEARY
ROGERS ROAD
LINCOLN ROAD
PARTIAL BOUNDARY & TOPOGRAPHIC SURVEY OF SACO N ME (ME0042)
RECORD OWNER: EDNA M. LEARY BK. 18605, PG. 198
0 ROGERS ROAD TOWN OF SACO STATE OF MAINE
CELL SITE PLAN
Colliers Engineering & Design
NOTE: DO NOT SCALE DRAWING FOR CONSTRUCTION

NEW BUSINESS ITEM A
Exhibit 2

NANCY E HAMMOND, REGISTER OF DEEDS
Bk 18695 PG 198
Instr # 2021033150
06/10/2021 12:15:43 PM
Pages 10 YORK CO

DEED OF DISTRIBUTION
BY
PERSONAL REPRESENTATIVES (TESTATE)

TIMOTHY J. LEARY, now of 269 Flag Pond Road, Saco, Maine 04072, and JOYCE LEARY CLARK, now of 9 Chases Lane, Saco, Maine 04072, duly appointed and acting personal representatives of the Estate of JAMES H. LEARY, whose will was duly admitted to probate in the Probate Court for York County, Maine, Docket No. 2021-0506, by the power conferred by law, and every other power, in distribution of the estate grant to EDNA M. LEARY, now of 269 Flag Pond Road, Saco, Maine 04072, being the person entitled to distribution, the real property in Saco, York County, Maine, described in Exhibit A, attached hereto.

Being the same premises conveyed to the decedent by Warranty Deed from James H. Leary and Edna M. Leary to James H. Leary and Edna M. Leary, as tenants in common, dated June 13, 2001 and recorded in the York County Registry of Deeds in Book 11917, Page 161.

Excepting and excluding, however, Parcels A, B, and G as described in said Exhibit A, which were previously conveyed to Timothy J. Leary by Quitclaim Deed of James H. Leary and Edna M. Leary dated January 5, 2021 and recorded in the York County Registry of Deeds in Book 18517, Page 76.

Witness our hands and seals on June 9, 2021.

Witness:

Estate of James H. Leary

By: TIMOTHY J. LEARY
Personal Representative

NO R.E. TRANSFER TAX PAID

@ 10p → Joyce Leary Clark

NEW BUSINESS ITEM A
Exhibit 2

Estate of James H. Leary

By: JOYCE LEARY CLARK
Personal Representative

STATE OF MAINE
York, ss.

June 9, 2021

Then personally appeared the above-named TIMOTHY J. LEARY and JOYCE LEARY CLARK and acknowledged the foregoing instrument to be their free act and deed, individually and in their said capacity as Personal Representatives.

Before me,

Notary Public/Attorney at Law

Please type or print name of Notary: Dori Schulberger

DORI SCHULBERGER
Notary Public, State of Maine
My Commission Expires 4/30/2026

SEAL

EXHIBIT A –

Parcel A

A certain lot or parcel of land situated in said Saco, and being bounded and described as follows, viz: Beginning at the Flag Pond Road, at corner of "Nickerson Lot", so called, formerly owned by Lemuel Boothby; thence running southwesterly by said Lemuel's land and land formerly of John Ricker to Foxwell's Brook; thence by said Brook southeasterly to stake and stone; thence northeasterly on a line that will touch a point that would be reached by running a line from the corner where the above described line by the Ricker Lot touches the Brook and at right angles with said Ricker line, this line to be twenty-three (23) rods and twenty-one (21) links long; thence northeasterly to a point on the Flag Pond Road that would be reached by measuring southeasterly twelve and one-half (12-1/2) rods from the "Nickerson Corner", at right angels to said Nickerson line; thence northwesterly by said road to the place of beginning.

ALSO another certain lot or parcel of land situated in said Saco and bounded and described as follows: Beginning at the Flag Pond Road, so-called, at land now or formerly of Sarah A. Boothby and running in a southwesterly direction by Sarah A. Boothby's land to land now or formerly of Lemuel Boothby; thence southeast by said Lemuel Boothby's land about twenty-six (26) rods and eight (8) links to said Lemuel Boothby's land; thence northwest by said Lemuel Boothby's land to the road aforesaid; thence northwest to the place of beginning, containing six and one-half (6-1/2) acres, more or less.

ALSO another certain lot or parcel of land situated in said Saco and bounded northeasterly by the road called the "Flag Pond Road"; northwesterly by land formerly of the heirs of Pelatiah Harmon and Charles W. Sawyer; southwesterly by land formerly of Ephraim Harmon; and northeasterly by land now or formerly of Walter F. Haines; containing sixty (60) acres, more or less.

ALSO another certain lot or parcel of land, together with the buildings thereon, situated in said Saco, containing about sixteen (16) acres and bounded southwesterly by the said "Flag Pond Road"; southeasterly by land now or formerly of Walter F. Haines; northwesterly by land formerly of the heirs of Pelatiah Harmon and northeasterly by a line running from the east corner of said heirs' land by land of Joshua Boothby, to the north corner of said Haine's land.

EXCEPTING AND RESERVING, however, from the last parcel hereinabove described that certain lot or parcel of land upon which stands the residence of Millard S. Leary, said excepted parcel being bounded and described as follows: Commencing on the northeasterly side of said Flag Pond Road at a point which is located southwesterly approximately one hundred thirty-five (135) feet on a line perpendicular to said road from a point which is located eighteen (18) feet southeasterly from the southerly corner of the three car garage building situated on the portion of said premises hereinabove conveyed; thence northeasterly approximately one hundred thirty-five (135) feet to said last mentioned point; thence southeasterly parallel with said road and by said conveyed land one hundred twenty-five (125) feet to a point; thence southwesterly

parallel with the first line described herein one hundred thirty-five (135) feet more or less to said Flag Pond Road; thence northwesterly by said Flag Pond Road one hundred twenty-five (125) feet to the point of beginning.

There is situated upon the hereinabove excepted parcel of land a well from which water is piped northwesterly over said excepted land to lands of prior Grantees, the maintenance of which well and pipe line is to be done at the expense of said prior Grantees who shall have the privilege of taking water there from together with a like privilege in said Millard S. Leary.

Being the same premises by deed of Millard S. Leary, et al to James H. Leary and Edna M. Leary, as joint tenants, dated March 11, 1974, recorded in the York County Registry of Deeds in Book 2028, Page 442. Further being the same premises conveyed to James H. Leary and Edna M. Leary, as tenants in common, by Warranty Deed dated November 18, 1980 and recorded in Book 2741, Page 29, York Registry.

ALSO another certain lot or parcel of land on the northeasterly side of said Flag Pond Road bounded and described as follows:

Beginning on said northeasterly side of said road three hundred (300) feet southeasterly from the westerly corner of said road of land now or formerly of Marland G. Milliken et al; thence running southeasterly by said road five hundred eighty-three (583) feet, more or less, to the westerly corner of land now or formerly of Millard Leary, et al; thence northeasterly by said Leary land seven hundred fifty-one (751) feet, more or less, to land now or formerly of one Walter G. Martin; thence northwesterly by said Martin land five hundred eighty four (584) feet, more or less, to land now or formerly of Marland G. Milliken et al to a point located three hundred (300) feet, measured along said Martin's southwesterly line from land formerly of one Palmer, now or formerly of Burrows; thence southwesterly by remaining land of Marland G. Milliken et al and by a line three hundred (300) feet distant from and parallel with their northwesterly line seven hundred fifty-one (751) feet, more or less, to the point of beginning. Being the same premises conveyed by said Marland G. Milliken et al to Paul S. Milliken by deed dated November 13, 1980, recorded in York County Registry of Deeds in Book 2729, Page 68 and further conveyed by Paul Milliken to James Leary and Edna Leary by deed dated June 13, 1983 and recorded in Book 3104, Page 154.

Further being the same premises conveyed to James Leary and Edna Leary, as tenants in common, by James Leary and Edna Leary by Quitclaim Deed dated March 25, 1988 and recorded in Book 4648, Page 196, York Registry.

Parcel B

Commencing on the northeasterly side of Flag Pond Road at a point which is located southwesterly approximately one hundred thirty-five (135) feet on a line perpendicular to said road from a point which is located eighteen (18) feet southeasterly from the southerly corner of the three car garage building situated on land now or formerly of James H. Leary and Edna M. Leary (reference deed from Millard S. Leary and Mabelle L. Leary to James H. Leary and Edna M. Leary recorded at Book 1009, Page 107); thence northeasterly approximately one hundred

thirty-five (135) feet to said last mentioned point; thence northeasterly by said land of Leary approximately one hundred thirty-five (135) feet to said last mentioned point; thence southeasterly parallel with said road and by said Leary land one hundred twenty-five (125) feet to a point; thence southwesterly parallel with the first line described herein one hundred thirty-five (135) feet more or less to said Flag Pond Road; thence northwesterly by said Flag Pond Road; thence northwesterly by said Flag Pond Road one hundred twenty-five (125) feet to the point of beginning.

Being the same premises conveyed to James H. Leary and Edna M. Leary, as joint tenants, by James H. Leary, Personal Representative of the Estate of Mabelle L. Leary by Deed of Distribution by Personal Representative dated September 14, 1995 and recorded in Book 7557, Page 342, York Registry.

Parcel C

A certain lot or parcel of land, situated in Saco, York County, Maine, bounded and described as follows:

Beginning on the southeasterly side of land of Maine Turnpike Authority at the Northwesterly corner of a parcel of land labeled "Marion H. Dow, parcel No. 19-A" as shown on a plan entitled "Maine Turnpike Authority, Maine Turnpike, Section 1- Kittery to Portland, Property Plan" supplemental sheet No. 3, Saco, dated September, 1946 and recorded at the York County Registry of Deeds in Plan Book 13, Page 50;

THENCE North 37° 31' East by the southeasterly right of way line of said Turnpike Authority land as shown on a plan entitled "Maine Turnpike Authority, Maine Turnpike, Section 1 – Kittery to Portland, Property Plan" Saco sheet No. 5 of 6 sheets dated May, 1946 and recorded in York County Registry of Deeds, Plan Book 13, Page 33, a distance of 1,627.36 feet more or less to land shown as "Ernest A. and Emma M. Huot, Parcel No. 20" on the last named plan;

THENCE South 54° 12' East by said Parcel No. 20, a distance of 171.4 feet more or less to land described as Parcel 2 in the deed from Emma M. Noyes to Mabel L. Dow dated December 5, 1906, and recorded in said Registry, Book 554, Page 496;

THENCE Southwesterly partly by said Mabel L. Dow land and partly by land described in the deed from Lillian B. Macomber to Pauline Rumery and Marilyn Ives dated May, 1988 and recorded in said Registry, Book 4692, Page 243 and partly by land described in the deed from Lillian B. Macomber to Arthur and Pauline Rumery dated May 19, 1987 and recorded in said Registry, Book 4294, Page 338 and generally by an old fence and the remains thereof, a distance of 1,459.1 feet more or less to a stone monument marked with a "T" on the top and set in the ground;

THENCE North 79° 47' West by said Maine Turnpike Authority Parcel No. 19-A, a distance of 241.24 feet to the point of beginning. Containing about 6.5 acres more or less.

The above bearings were copied from the above named Maine Turnpike Authority plans.

Together with whatever rights these grantors may have in common with others to use the land or roadway which lies southwesterly of, and very close to, the southeasterly side of the above described land and extends from said Flag Pond Road northeasterly to said Mabel L. Dow land.

Also together with all grantor's right, title and interest to a right of way for ingress and egress to and from the above described premises, and for the introduction, use, maintenance, repair and replacement of utility poles, wires, pipes, mains and appurtenances over said Parcel 19-A, it being a strip of land lying between the above described premises and said Flag Pond Road, which strip was conveyed by Marion H. Dow to Maine Turnpike Authority by deed dated January 18, 1947 and recorded in York Registry of Deeds in Book 1085, Page 7.

Being a portion of the premises conveyed to James H. Leary and Edna M. Leary, as joint tenants, by James H. Leary and Edna M. Leary by deed dated August 14, 1995 and recorded in the York County Registry of Deeds in Book 7557, Page 344.

Parcel D

A right of way over the land in Saco, York County, Maine, bounded and described as follows:

Beginning on the northeasterly side of Flag Pond Road at the westerly corner of land described in the deed of Charles E. Merrill to Ralph E. Macomber dated September 13, 1939 and recorded in the York County Registry of Deeds, Book 932, Page 136; said point of beginning also being the southerly corner of Parcel No. 19-A as shown on a plan entitled "Maine Turnpike Authority, Maine Turnpike, Section 1 – Kittery to Portland, Property plan, Supplemental Sheet No. 3 – Saco" dated September 1946.

Thence from said point of beginning, northeasterly partly by said Maine Turnpike Authority land and partly by land described in the deed from George C. Seavey, 465 feet, more or less; thence by land now or formerly of Lillian B. Macomber by the following two (2) lines; southeasterly by a line at right angles to the first parallel to the first line described above 300.00 feet to said Flag Pond Road; thence westerly by said Flag Pond Road to the point of beginning. Containing about 2.6 acres, more or less.

Meaning to describe the land described in the deed from Lillian B. Macomber to Arthur and Pauline Rumery recorded in said Registry in Book 4294, Page 338.

Said right of way to be 33.0 feet wide, to lie southeasterly of, and adjoining, the southeasterly side of land now or formerly of Marion Dow which is the northwesterly side of the above described land, and said right-of-way to extend from said Flag Pond Road northeasterly to the northeasterly side of the above described land.

Being the same right of way conveyed by deed of Mabel M. Thibault, personal representative of the Estate of Marion H. Dow, to James H. Leary and Edna M. Leary dated May 3, 1995 and recorded in the York County Registry of Deeds in Book 7413, Page 285.

Parcel E

A certain lot or parcel of land situated in Saco, County of York and State of Maine, bounded and described as follows:

Beginning by land of the Stuart heirs; thence running northeast by land of James Boothby Heirs and land of George Stuart forty four rods more or less to land of I.P. Milliken; thence southeast by said Milliken land twenty three rods more or less to land of Eugene Mills; thence by said Mills land forty four rods more or less to land of Stuart heirs; thence by said Stuart land to the point of beginning, containing six acres more or less.

Being the same premises conveyed by deed of Grace Dow to James H. Leary and Edna M. Leary dated October 31, 1994 and recorded in Book 7247, Page 254, York Registry.

Being a portion of the same premises conveyed to James H. Leary and Edna M. Leary, as joint tenants, by James H. Leary and Edna M. Leary by Quitclaim Deed dated August 14, 1995 and recorded in Book 7557, Page 344, York Registry.

Parcel F

A certain lot or parcel of land situated in the Town of Saco, County of York, State of Maine, as further described in a Warranty Deed from Laurence B. Mills to Merritt J. Gay, dated December 1, 1962, and recorded in the York County Registry of Deeds in Book 1525, Page 436.

And a certain lot or parcel of land together with the buildings or improvements thereon situated in the City of Saco, County of York, State of Maine, as further described in a Warranty Deed from John P. Milliken to Irving J. Gay and Fred D.C. Gay dated May 9, 1909 and recorded in the York County Registry of Deeds in Book 578, Page 300.

Fred D.C. Gay conveyed his interest in the former Milliken parcel to Irving J. Gay by deed dated October 31, 1922, and recorded in Book 710, Page 89. Irving J. Gay died intestate on August 7, 1954, York County Probate Court Docket No. 76118, and was survived by his son, Merritt J. Gay, as his sole heir-at-law.

For further reference see also survey plan of Merritt J. Gay property recorded in York County Registry of Deeds in Plan Book 97, Page 35.

Being the same property conveyed to James H. Leary and Edna M. Leary, as tenants in common, by James H. Leary and Edna M. Leary, as joint tenants by Quitclaim Deed dated January 27, 1993 and recorded in Book 6425, Page 213, York Registry.

Parcel G

A certain parcel of land found in the City of Saco, County of York and State of Maine, said land more particularly described as follows:

Land described on Saco Assessor's Records Map 90, Lot 8, being the same premises conveyed to Arthur Nemon from Arthur and Madeline Milliken by Deed dated April 23, 1986 and recorded in York County Registry of Deeds in Book 3826, Page 152, formerly the property of William Champlin as recorded in Book 1259, Page 446 of the same registry.

Being the same premises conveyed to Edna and James Leary, as joint tenants, by the City of Saco by Municipal Quitclaim Deed dated March 25, 1997 and recorded in Book 8209, Page 034, York Registry.

Parcel H

A certain lot or parcel of land on the Northerly side of Ricker Road in Saco, County of York and State of Maine, bounded and described as follows:

Beginning at the point where the southerly line of the Ashswamp Road, intersects the westerly line of Ricker Road; Southwesterly by the Westerly line of the Ricker Road to the Northeasterly corner of land now or formerly of Victor Knox; Westerly by the Northerly line of Knox's land (1780) feet to the northwest corner of land now or formerly of said Knox and to land now or formerly owned or occupied by one Milliken; Northeasterly by the Southeasterly line of Milliken, and land now or formerly owned or occupied by one Moulton, and land owned or occupied now or formerly of one Grant (1133) feet to a pipe; Southeasterly (1446) feet to the corner in a fence; Northeasterly along fence and hedges (1739) feet to the Ashswamp Road; Easterly by the South line of Ashswamp Road (182) feet to the point of beginning.

Also another certain lot or parcel of land on the Easterly side of Ricker Road, in Saco, County of York and State of Maine, bounded and described as follows:

Beginning at the intersection of the Easterly side of the Ricker Road with the Northerly side of the Flag Pond Road, Northerly and Northeasterly by the Easterly side of the Ricker Road to land formerly of Samuel Boothby and now or formerly occupied by one Jeffers; Easterly along the Southerly line of land now or formerly of said Jeffers (1642) feet to the Lincoln Road; Southerly by road (747) feet to land now or formerly owned or occupied by Arthur L. Waterhouse; Westerly along the Northerly line of said Waterhouse (809) feet to land once owned by Luther Foss and now or formerly owned or occupied by Fred L. Bunnell & John Edwards; thence continuing in the same direction as the last mentioned bound Northerly line of Bunnell and Edwards (377) feet to the Northwesterly corner of the lot now or formerly owned or occupied by Bunnell and Edwards; Southerly along the Westerly line of lot to the Southwesterly corner thereof; Easterly following the Southerly line of lot to the Flag Pond Road, Westerly by road (1342) feet to the point of beginning.

Also another certain lot or parcel of land, located on the northwesterly side of the "Rocky Hill Road", so-called, in Saco, County of York and State of Maine, and bounded and described as follows:

Beginning on said Rocky Hill Road at the Horace Gay boundary fence, thence westerly by said land now or formerly of Gay and said fence in an irregular line for about two hundred (200) feet; thence continuing Westerly by said Gay boundary fence to a corner and other land now or formerly of Gay; thence northeasterly by said Gay boundary and land now or formerly of Harry Berry to land now or formerly of Herman Grant; thence Easterly by land now or formerly of Herman Grant and land now or formerly of Fred McKenney to said "Rocky Hill Road"; thence by said Rocky Hill Road to point of beginning, containing sixty-eight acres, more or less, and being the same premises which were conveyed to Reuben H. Meserve by Nathaniel A. Haines et al, by deed dated September 12, 1936, and recorded in York Registry of Deeds, Book 876, Page 310; said parcel being subject, however, to any right of way, which said Horace H. Gay may have acquired for himself, his heirs and assigns across said land.

Excepting from the above described premises land conveyed to Central Maine Power Company by L. Jesse Gay by deed dated May 7, 1948 and recorded in the York County Registry of Deeds in Book 1119, Page 288.

Also another certain lot of land in Saco, York County, State of Maine, near the Heath Meeting House, bounded and described as follows, viz:

Beginning at the Southwesterly corner of said lot, adjoining land now or formerly of Nathaniel and Daniel Milliken on the top of the bank of the Heath Brook on the Southwest shore, thence Southeasterly by land now or formerly for W.D. Libby sixty rods, more or less, thence Southwesterly about twenty-three and one-half rods to a stake, thence Northeasterly by land now or formerly of Phinehas Libby thirty-four rods to the Milliken road, thence East and Northeast by and across said road and by the Heath Meeting House lot to land now or formerly of Amos Libby, thence Northwesterly by land now or formerly of said Libby one hundred twenty-one rods to land now or formerly of said Millikens, thence Southwesterly by the brook on said land now or formerly of Milliken to point first mentioned. Excepting from the operation of this conveyance the family burial lot on the premises first herein described.

EXCEPTING from the above described premises land conveyed to the City of Saco by L. Jesse Gay by deed dated December 11, 1974 and recorded in the York County Registry of Deeds in Book 2062, Page 263, and also SUBJECT TO the agreement between L. Jesse Gay and the City of Saco dated December 10, 1974 and recorded in the York County Registry of Deeds in Book 2062, Page 636.

ALSO EXCEPTING from the above described premises land conveyed to Paul S. Milliken and Paula R. Milliken by deed dated June 8, 1983 and recorded in the York County Registry of Deeds in Book 3101, Page 84.

Also any interest of the Grantors herein in the property described in the deed from Mayville Berry to Jesse Gay, dated October 2, 1959, and recorded in the York County Registry of Deeds in Book 1408, Page 114.

User Name: Benjamin Plante
Date and Time: Thursday, July 2, 2026 3:23 PM EDT
Job Number: 288955778

Document (1)

1. *47 CFR 1.6003*
   Client/Matter: -None-
   Search Terms:
   Search Type: Natural Language
   Narrowed by:

Content Type	Narrowed by
	-None-

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47 CFR 1.6003

This document is current through the June 26, 2026 issue of the Federal Register, with the exception of the amendments appearing at 91 FR 37274, 91 FR 38246 and 91 FR 38493.

LEXISNEXIS' CODE OF FEDERAL REGULATIONS > Title 47 Telecommunication > Chapter I — Federal Communications Commission > Subchapter A — General > Part 1 — Practice and Procedure > Subpart U — State and Local Government Regulation of the Placement, Construction, and Modification of Personal Wireless Service Facilities

§ 1.6003 Reasonable periods of time to act on siting applications.

(a) Timely action required. A siting authority that fails to act on a siting application on or before the shot clock date for the application, as defined in paragraph (e) of this section, is presumed not to have acted within a reasonable period of time.

(b) Shot clock period. The shot clock period for a siting application is the sum of—

(1) The number of days of the presumptively reasonable period of time for the pertinent type of application, pursuant to paragraph (c) of this section; plus

(2) The number of days of the tolling period, if any, pursuant to paragraph (d) of this section.

(c) Presumptively reasonable periods of time—

(1) Review periods for individual applications. The following are the presumptively reasonable periods of time for action on applications seeking authorization for deployments in the categories set forth in paragraphs (c)(1)(i) through (iv) of this section:

(i) Review of an application to collocate a Small Wireless Facility using an existing structure: 60 days.

(ii) Review of an application to collocate a facility other than a Small Wireless Facility using an existing structure: 90 days.

(iii) Review of an application to deploy a Small Wireless Facility using a new structure: 90 days.

(iv) Review of an application to deploy a facility other than a Small Wireless Facility using a new structure: 150 days.

(2) Batching.

(i) If a single application seeks authorization for multiple deployments, all of which fall within a category set forth in either paragraph (c)(1)(i) or (iii) of this section, then the presumptively reasonable period of time for the application as a whole is equal to that for a single deployment within that category.

(ii) If a single application seeks authorization for multiple deployments, the components of which are a mix of deployments that fall within paragraph (c)(1)(i) of this section and deployments that fall within paragraph (c)(1)(iii) of this section, then the presumptively reasonable period of time for the application as a whole is 90 days.

(iii) Siting authorities may not refuse to accept applications under paragraphs (c)(2)(i) and (ii) of this section.

(d) Tolling period. Unless a written agreement between the applicant and the siting authority provides otherwise, the tolling period for an application (if any) is as set forth in paragraphs (d)(1) through (3) of this section.

Benjamin Plante

47 CFR 1.6003

(1) For an initial application to deploy Small Wireless Facilities, if the siting authority notifies the applicant on or before the 10th day after submission that the application is materially incomplete, and clearly and specifically identifies the missing documents or information and the specific rule or regulation creating the obligation to submit such documents or information, the shot clock date calculation shall restart at zero on the date on which the applicant submits all the documents and information identified by the siting authority to render the application complete.

(2) For all other initial applications, the tolling period shall be the number of days from—

(i) The day after the date when the siting authority notifies the applicant in writing that the application is materially incomplete and clearly and specifically identifies the missing documents or information that the applicant must submit to render the application complete and the specific rule or regulation creating this obligation; until

(ii) The date when the applicant submits all the documents and information identified by the siting authority to render the application complete;

(iii) But only if the notice pursuant to paragraph (d)(2)(i) of this section is effectuated on or before the 30th day after the date when the application was submitted; or

(3) For resubmitted applications following a notice of deficiency, the tolling period shall be the number of days from—

(i) The day after the date when the siting authority notifies the applicant in writing that the applicant's supplemental submission was not sufficient to render the application complete and clearly and specifically identifies the missing documents or information that need to be submitted based on the siting authority's original request under paragraph (d)(1) or (2) of this section; until

(ii) The date when the applicant submits all the documents and information identified by the siting authority to render the application complete;

(iii) But only if the notice pursuant to paragraph (d)(3)(i) of this section is effectuated on or before the 10th day after the date when the applicant makes a supplemental submission in response to the siting authority's request under paragraph (d)(1) or (2) of this section.

(e) Shot clock date. The shot clock date for a siting application is determined by counting forward, beginning on the day after the date when the application was submitted, by the number of calendar days of the shot clock period identified pursuant to paragraph (b) of this section and including any pre-application period asserted by the siting authority; provided, that if the date calculated in this manner is a "holiday" as defined in § 1.4(e)(1) or a legal holiday within the relevant State or local jurisdiction, the shot clock date is the next business day after such date. The term "business day" means any day as defined in § 1.4(e)(2) and any day that is not a legal holiday as defined by the State or local jurisdiction.

Statutory Authority

Authority Note Applicable to 47 CFR Ch. I, Subch. A, Pt. 1

History

[*83 FR 51867*, 51884, Oct. 15, 2018]

Annotations

Notes

47 CFR 1.6003

[EFFECTIVE DATE NOTE:

83 FR 51867, 51884, Oct. 15, 2018, added Subpart U, effective Jan. 14, 2019.]

Research References & Practice Aids

Hierarchy Notes:

47 CFR Ch. I

47 CFR Ch. I, Subch. A, Pt. 1

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