



STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



JANET T. MILLS
GOVERNOR

HEATHER JOHNSON
COMMISSIONER

December 10, 2019

Dana K. Lee
Town Manager
TOWN OF ELIOT
1333 State Road
Eliot, Maine 03903

RE: Town of Eliot Municipal *Tax Increment Financing* (TIF) District and Development Program *Second Amendment* (AMD-2)

A P P R O V E D

Dear Mr. Lee,

The Maine Department of Economic and Community Development (DECD) reviewed and EFFECTIVE TODAY APPROVED the application to amend the above referenced Municipal TIF District and Development Program (Program). Based on the application, DECD notes/approves:

- a. District taxable Original Assessed Value (OAV) of \$15,340,500, totaling 214.16 acres comprised of 189.15 acres with an OAV of \$13,855,300, as of March 31, 2008 (April 1, 2007) and 25.01 acres with an OAV of \$1,485,200, as of March 31, 2019 (April 1, 2018);

Per February 11, 2009 original designation and previous amendments approvals, DECD restates:

- b. District term of 30 years ending June 30, 2039;
- c. Real and personal property Increased Assessed Value (IAV) capture of up to 100% of March 31, 2008 OAV for Map 45, Lot 5, and for all other properties located in District, real and personal property IAV capture of 100% of March 31, 2009 OAV;
- d. District revenues deposited/held in dedicated accounts and applied ONLY toward approved activities/projects due completion BEFORE/BY JUNE 30, 2039,
 - i) Project Cost accounts to fund public activities/projects,
 - ii) Sinking Fund Account to retire associated public debt, if any;
- e. Eliot may NOT negotiate/execute any agreements with reimbursement components without due public process and future amendment;
- f. Any non-captured incremental property values resulting in General Fund revenue/deposits MUST be included/reported with Town equalized assessed value;
- g. Any future amendment MUST comply with 30-A M.R.S.A. §§ 5221-5235 and DECD rules;
- h. When District expires, or is terminated, ELIOT MUST NOTIFY DECD IN WRITING.

As further described in the Program, Town revenue allocation projected at \$16,473,012 may facilitate funding for an estimated \$19,250,000 in public costs and associated debt—if any. This funding MUST comply with already established Eliot appropriation process—with activities/projects due completion BEFORE/BY JUNE 30, 2039. DECD restates/approves public activities/projects costs listed below, with AMD-2 changes/additions underlined:



STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



JANET T. MILLS
GOVERNOR

HEATHER JOHNSON
COMMISSIONER

WITHIN DISTRICT

- i. Land Acquisition ~~\$450,000~~ \$500,000;
 - j. Building Acquisition ~~\$850,000~~ \$750,000;
 - k. Clearance & Demolition ~~\$250,000~~ \$300,000;
 - l. Building Construction ~~\$2,000,000~~ \$600,000;
 - m. ~~Village Center Sewer & Water Extension Infrastructure \$3,000,000; Ψ~~
 - n. Route 236 Infrastructure Improvements ~~\$3,500,000~~ \$11,750,000; Ψ
 - o. Revenue-Generating Multi-Use Outdoor Tourism Facility ~~\$1,500,000~~ \$600,000;
 - p. Professional Fees \$400,000;
 - q. Planning and Engineering/Design \$250,000;
- WITHIN/OUTSIDE DISTRICT ◊**
- r. Street, Site & Streetscape Improvements ~~\$600,000~~ \$500,000;
 - s. Sidewalks and Crosswalks improvements \$250,000;

WITHIN DISTRICT/MUNICIPALITY

- t. Transit and Parking Facilities ~~\$550,000~~ \$375,000; ×‡
- u. Prorated Municipal Administrative Activities related to Economic Development ~~\$2,000,000~~ \$650,000;

WITHIN MUNICIPALITY

- v. Quality Child Care Services ~~\$750,000~~ \$375,000;
- w. Environmental Improvements ~~\$350,000~~ \$400,000; Ψ
- x. Eco-Tourism Development Activities ~~\$375,000~~ \$600,000; ◊
- y. Economic Development \$400,000;

WITHIN/OUTSIDE DISTRICT ◊ / WITHIN MUNICIPALITY

- z. Related Public Costs of Development ~~\$350,000~~ \$300,000; ‡
- aa. Pedestrian Improvements \$250,000. ◊

DECD notes while the Program may list multiple statutory citations with the public project costs in the application, not all citations apply to all activities/projects described within each cost description. Eliot is obligated to verify proper authorization for each project cost to be undertaken. DECD advises Town to plan for debt retirement to coincide with District term end of June 30, 2039.

Please contact Development Program Officer Tina Mullins with questions about this certification. With this approval, the Department extends best wishes for the success of the District.

Sincerely,



Heather Johnson
Commissioner

- cc: via e-mail only
 Senator Mark Lawrence (SD-35)—129th Legislature
 Representative Michele Meyer (HD-2)—129th Legislature
 Justin Poirier, MRS Director Property Tax Division
 Shana Cook Mueller, Bernstein, Shur, Sawyer & Nelson, P.A.

◊ To extent a project is outside the District, Eliot must prorate/allocate costs not directly related to or made necessary by establishment/operation of this District to other funding sources.

EXCLUDING FOLLOWING COSTS/FUNDING:

- ◊ Public park(s) as it relates to MRS 30-A, § 5225(2)
- Ψ Private residential distribution line(s)
- × §5225(1)(A)(1)(a)(i), (8) and (C)(7)(b) Transit-Oriented Development projects.
- ‡ Unauthorized project costs as defined under 30-A M.R.S.A 5225 (2)

MTIF: Application Synopsis for Commissioner Consideration

■ DISTRICT DATA: PREVIOUS DATA GRAY

MUNICIPALITY	Eliot	COUNTY	York	TERM	30
DISTRICT NAME	Town of Eliot				
ORIGINAL DISTRICT (OD): Y/N	N	AMENDED: Y/N	Y	# AMD	2
DOWNTOWN EXEMPT: Y/N	N	PAPER MILL EXEMPT: Y/N	N	RP/PP CAPTURE	OD (page 6): For Maritimes & Northeast gas compressor station property only (Map 45, Lot 5) 100% as of 3/31/08 OAV. For all other properties located in District, 100% as of 3/31/2009 OAV.
APPLICATION BASIS	To remove Village Center tract footprint from TIF District, adjust other geography (Route 236 tract) footprint, revise/remove projects. AMD-2 Town approved 11/5/2019				
HISTORY	[1/7/19] AMD-1: Rename TIF from "Route 236" to "Town of Eliot," adjusted District footprint from 192.32 acres to 243.23 acres (encompassing two tracts: Route 236 tract of 189.9 acres and Village Center tract of 53.33 acres) and to amend & restate the original development program with the goal to provide resources and tools necessary for development of land and buildings to foster small business development and to the working families who will own, operate and/or frequent these small businesses. Primary project vision to create a multi-use facility ("Eliot Development Center") to provide affordable child and elder care to support working-class families, to attract visitors to this facility also serving as a base for tourist outdoor activities and to provide technical business advice, marketing and events for micro-businesses, agricultural businesses and small business. AMD-1 approved by town: 6/12/18				
	[3/31/09] To fund several municipal projects with a municipal sewer and water line extension along Route 236 being the major project funded by TIF revenues.				
TERM DATES	START: July 1, 2009- June 30, 2010 (FY 2010)		END: July 1, 2038- June 30, 2039 (FY 2039)		
DESIGNATION DATE OF ORIGINAL DISTRICT AND DEVELOPMENT PLAN:				2/11/2009	

Increased Assessed Value (IAV); Real/Personal Property (RP/PP)

■ COMPANY OR DEVELOPER DATA

ENTITY/ ADDRESS	N/A
------------------------	-----

■ STATUTORY REQUIREMENTS

WITHIN ACREAGE CAP?		OD	192.32 (Route 236 Tract)	Y	MUNICIPAL BONDS ISSUED? Y/N/MAY	TBD (must be approved by Eliot Town Voters)
		+AMD-1	53.33 (Village Tract)			
		-AMD-1	2.42 (Route 236 Tract)			
		+AMD-2	25.01 (Route 236 Tract)			
		-AMD-2	53.33 Village Tract)			
		-AMD-2	0.75 (Route 236 Tract)			
		Total	214.16			
ON SUITABLE PROPERTY?				Y	TAX SHIFTS CALCULATED? Y	

MTIF: Application Synopsis for Commissioner Consideration

OAV CERTIFIED?	OD +AMD-1 -AMD-1 - AMD-2 OD -AMD-2 of AMD-1 +AMD-2 Total	\$15,100,100 (3/31/2008) \$793,100 (3/31/2018) \$566,100 (3/31/2008) \$678,700 (3/31/2008) \$793,100 (3/31/2018) <u>\$1,485,200 (3/31/2019)</u> \$15,327,100 \$15,340,500	Y	PUBLIC NOTICE AND HEARING?	Y
WITHIN VALUE CAP?			Y	PASSED BY MAJORITY VOTE? YES: 1069/NO: 580/BLANK: 63	Y

Downtown; Transit-Oriented Development; Community Wind Power; Single Taxpayer/High Valuation exemptions may apply (EX).

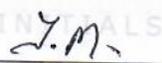
■ PLANNED REVENUE DISTRIBUTION

TO GENERAL FUND (NON-TIF)?	\$0		
FOR MUNICIPAL DEBT?	TBD	IF AMD, ANY BONDS TO DATE?	No
FOR CREDIT ENHANCEMENT AGREEMENT?	\$0		
REIMBURSEMENT SCHEDULE	N/A, would need to amend		
FOR BONA-FIDE ECONOMIC DEVELOPMENT?	\$5,290,681 <u>\$11,182,331</u> \$16,473,012	Actual TIF years 1-10 Projected TIF years 11 -30 Total	

PUBLIC PROJECTS/COSTS	<p>[\$18,075,000 \$19,250,000] AMD-2 changes <u>underlined</u>.</p> <p>(T1) Land Acquisition \$450,000 <u>\$500,000</u>; Building Acquisition \$850,000 <u>\$750,000</u>; Clearance & Demolition \$250,000 <u>\$300,000</u>; Building Construction \$2,000,000 <u>\$600,000</u>; <u>Village Center Sewer & Water Extension Infrastructure \$3,000,000 Ψ</u>; Route 236 Infrastructure Improvements \$3,500,000 <u>\$11,750,000 Ψ</u>; Revenue-Generating Multi-Use Outdoor Tourism Facility \$1,500,000 <u>\$600,000</u>; Professional Fees \$400,000; Planning & Engineering/Design \$250,000;</p> <p>(T1/T2) Street, Site & Streetscape Improvements \$600,000 <u>\$500,000</u>; Sidewalks and Crosswalks improvements \$250,000;</p> <p>(T1/T3) Transit and Parking Facilities \$550,000 <u>\$375,000</u>-x†; Prorated Municipal Administrative Activities related to Economic Development \$2,000,000 <u>\$650,000</u>;</p> <p>(T3) Quality Child Care Services \$750,000 <u>\$375,000</u>; Environmental Improvements \$350,000 <u>\$400,000 Ψ</u>; Eco-Tourism Development Activities \$375,000 <u>\$600,000 Φ</u>; Economic Development \$400,000;</p> <p>(T1/T2/T3) Related Public Costs of Development \$350,000 <u>\$300,000 †</u>; Pedestrian Improvements \$250,000 Φ.</p> <p><u>EXCLUDING ANY COSTS/FUNDING FOR:</u></p> <p>Φ Public park(s) Ψ Private residential distribution line(s) x § 5225(1)(A)(1)(a)(i) and (A)(8) and (C)(7)(b) Transit-Oriented Development costs † Unauthorized project costs as defined under 30-A M.R.S.A 5225 (2)</p> <p>Projects unique to this District/Program? [X] YES [4] NO</p>
------------------------------	---

Over TIF Term (OTT); §5225(1) (A-C) = Tier (T) 1-3

■ STAFF RECOMMENDATION

DEVELOPMENT PROGRAM OFFICER (DPO) REVIEWED APPLICATION AND OFFERS THIS OPINION:	Recommend approval to the best of my knowledge; no concerns.		
DPO RECOMMENDS COMMISSIONER APPROVAL? Y/N/OTHER	Y	INITIALS 	12/10/2019
APPLICATION RECEIPT DATE	11/21/2019	CHECK AFTER DATA ENTRY <input type="checkbox"/>	

Form revised 6/4/19.



**Bernstein, Shur,
Sawyer & Nelson, P.A.**
100 Middle Street
PO Box 9729
Portland, ME 04104-5029

T (207) 774-1200

F (207) 774-1127

Shana Cook Mueller
(207) 228-7134 direct
smueller@bernsteinshur.com

November 21, 2019

Tina M. Mullins
Department of Economic and Community Development
111 Sewall Street
Burton Cross Building, 3rd Floor
Augusta, ME 04330

Re: The Town of Eliot Municipal Development and TIF District

Dear Tina:

Enclosed please find the application for the Second Amended and Restated *Town of Eliot Municipal Development and Tax Increment Financing District* as approved by the Town of Eliot on November 5, 2019. Included in this application is a redline of the development program, showing the changes made from the First Amended and Restated *Town of Eliot Municipal Development and Tax Increment Financing District*.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Shana Cook Mueller".

Shana Cook Mueller

Encls.

cc: Dana K. Lee, Town Manager

TOWN OF ELIOT

INCORPORATED 1810

1333 STATE ROAD
ELIOT, MAINE 03903
439-1813

November 15, 2019

Heather Johnson, Commissioner
Maine Department of Economic
and Community Development
State House Station 59
Burton Cross Building, 3rd Floor
Augusta ME 04333

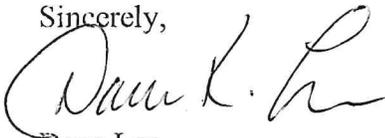
Re: *The Town of Eliot Municipal Development and TIF District
Eliot, Maine*

Dear Commissioner Johnson,

On behalf of the Town of Eliot, I am submitting the Application for the Second Amended and Restated *Town of Eliot Municipal Development and Tax Increment Financing District* (formally known as the Route 236 Municipal Development and Tax Increment Financing Development Program).

With this letter, I certify that all information contained in this application is true and correct to the best of my knowledge.

Sincerely,



Dana Lee
Town Manager

ECONOMIC DEVELOPMENT PROJECT

TOWN OF ELIOT, MAINE

*An Application for an Amended Municipal Development and Tax Increment Financing
District*

Second Amended and Restated

TOWN OF ELIOT

MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT

DEVELOPMENT PROGRAM

(Formerly known as the Route 236 Municipal Development and
Tax Increment Financing Development Program)

Proposed to:

Town of Eliot Voters

November 5, 2019

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING
--

A. General Information

1. Municipality Name: Town of Eliot		
2. Address: 1333 State Road, Eliot, Maine 03903		
3. Telephone: 207-439-1813	4. Fax: 207-439-1415	5. Email: townmanager@eliotme.org
6. Municipal Contact Person: Dana K. Lee		
7. Business Name: n/a		
8. Address:		
9. Telephone:	10. Fax:	11. Email:
12. Business Contact Person:		
13. Principal Place of Business:		
14. Company Structure (e.g. corporation, sub-chapter S, etc.):		
15. Place of Incorporation:		
16. Names of Officers:		
17. Principal Owner(s) Name:		
18. Address:		

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
job creation	job retention	capital investment
training investment	tax base improvement	public facilities improvement
other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
real estate purchase	machinery & equipment purchase	training costs
debt reduction	<input checked="" type="checkbox"/> other (list): Please reference project list in development program	

C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (<i>please use next page</i>).
--

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction.....	1
A. The Original District and Development Program	1
B. Second Amended District and Amended and Restated Development Program .	1
II. Development Program Narrative	2
A. The Amended District.....	2
B. Municipal TIF Projects.....	3
C. Strategic Growth and Development	5
D. Operational Components.....	6
III. Physical Description.....	7
IV. Financial Plan.....	7
A. Anticipated Sources of TIF Revenues and Captured Value	7
B. Costs Estimates for Development Program	8
C. Public Indebtedness.....	8
V. Statutory Requirements and Thresholds.....	8
VI. Tax Shifts	8
VII. Municipal Approvals	9
A. Warrant for Annual Town Meeting	9
B. Notice of Public Hearing.....	9
C. Minutes of Public Hearing	9

Exhibits:

A	Maps of Amended District
B	Assessor Certificate
C-1 & C-2	TIF Projections
D	Warrant Article and Vote Results
E	Notice of Public Hearing
F	Minutes of Public Hearing
G	Statutory Requirements and Thresholds Form

I. Introduction

A. The Original District & Development Program

In 2009, the Town of Eliot (the “Town”) designated and created the “Route 236 Municipal Development and Tax Increment Financing District” (the “District”). The District encompasses the site of the then-recently constructed Maritimes & Northeast Pipeline, LLC natural gas compressor station as well as a lot developed in 2008 by John Lang for commercial office space. The District also includes parcels all along Route 236 where future development and improvement was considered likely to occur in the coming years, portions of the Route 236 right-of-way where sewer and water improvements were to be located, and small portions of both Bolt Hill Road and Beech Road.

As set forth in the Development Program for the District, the major project the Town planned to fund through the original District was a municipal sewer and water line extension along Route 236 in Eliot. Other municipal projects included an engineering study related to the water and sewer improvements and other costs related to the implementation of the water and sewer extension project and implementation of the TIF. The Development Program provided that the voters would need to approve the water and sewer line extension before the project would be commenced.

Between 2009 and 2014, on four occasions Eliot voters defeated proposals relating to the use of the District TIF funds for sewer expansion in the Route 236 commercial-industrial zone. Following the last defeat in 2014, the Town officials formed a citizen committee, called the TIF Alternatives Committee, which was charged with leading a public process to develop an alternative list of municipal TIF projects that would (1) meet a regional economic need, (2) serve the fiscal and community needs of the Town, and (3) have enough voter support to pass in a town meeting vote. Among other things, the TIF Alternatives Committee hired Planning Decisions, Inc. to help lead a community planning process designed to combine research on the regional economic opportunities, an understanding of the fiscal condition of the Town and the expressed desires of the residents of the Town to come up with a list of recommendations for how the Town could attempt to move forward with the District and Development Program. In 2017, a very different, amended Development Program was presented to the voters that focused on the Village Center, rather than Route 236, but it also was rejected by the voters. The following year, in 2018, an amendment was passed by the voters (the “First Amendment”), flowing from the work performed by Planning Decisions, the TIF Alternatives Committee and the ongoing work of the Town’s Select Board. The First Amendment added acreage to the district and adjusted the project list. Many of the changes related to the creation of a Village Center Tract of the district and projects focused there.

B. The Second Amended District and Second Amended and Restated Development Program

The purpose of these proposed amendments to the District and its development program is to remove the Village Center Tract from the District boundaries, adjust other geography based on anticipated development, revise or remove projects related to that tract of the District and include sewer infrastructure along Route 236 as a potential project cost. The Town’s new goals and projects

require an amendment of the District geographic boundaries and alterations to the project list—removing some projects, adding sewer costs along Route 236, and adjusting project cost estimates. The Town is proposing to amend the District (the “**Second Amended District**”), and amend and restate the original development program in this new “**Second Amended and Restated Development Program.**” Importantly, the Second Amended and Restated Development Program remains consistent with the Town’s 2009 Comprehensive Plan and its strategies and goals.

The goals of this Development Program include:

- Maintaining the existing tax revenues;
- Enjoying enhanced future tax revenues generated by property located in the TIF district through infrastructure extensions;
- Creating long-term, stable employment opportunities for area residents; and
- Improving the general economy of the Town, the Southern Maine Region and the State of Maine.

Additionally, by creating the District, the Town of Eliot has been able to “shelter” the increase in municipal valuation within the District, and the Town will continue to “shelter” the increased valuation in the Second Amended District throughout the life of the Second Amended District. The tax shelter provided by this TIF will mitigate the adverse effect the Second Amended District’s increased assessed value would have on the Town’s share of state aid for education, municipal revenue sharing, its local school district contribution and its county tax assessment. An estimate of the tax shelter benefit is shown as part of Exhibit C.

II. Development Program Narrative

A. The Second Amended District

The Second Amended District is comprised of a total of approximately 214.16 acres of real estate located in Eliot, Maine, with an original assessed value of \$15,340,500. This includes \$13,855,300 as of April 1, 2007 and \$1,485,200 as of April 1, 2018. The Second Amended District removed 54.08 acres of District property, retains 189.15 acres of property from the original District acreage, and adds a total of 25.01 acres in this Second Amendment.

The District is shown in Exhibit A.

B. Municipal TIF Projects

TABLE 1

PROJECTED MUNICIPAL PROJECTS TO BE PAID FOR WITH TIF REVENUES

Note: This is an amended and restated list and therefore any originally approved projects from the original development program are either no longer needed or have been restated in this comprehensive list for the District. All of these projects have yet to be undertaken.

Project	Cost Estimate	TIF Statute Reference
Land Acquisition – to acquire, finance, and aggregate parcels of land for future small business and small agriculture support center, as well as for public acquisition and development that will support business development, including but not limited to parking areas, sidewalks, right of ways for new roads, public utilities, storm water control.	\$500,000	30-A M.R.S.A. § 5225(1)(A)(1)
Building Acquisition – to acquire, demolish, and construct buildings for use for future small business and small agriculture support center, and/or for public use that will support other business development.	\$750,000	30-A M.R.S.A. § 5225(1)(A)(1)
Clearance and Demolition —for site improvements and demolition to provide sites ready for use for business development as well as public use that support business development, including but not limited to, parking, sidewalks, common areas, road and street development, and the like.	\$300,000	30-A M.R.S.A. § 5225(1)(A)(1) & (1)(A)(3) & (1)(A)(4)
Building Construction – construction of commercial buildings ready for occupancy through purchase or lease by businesses or to be owned or operated by the Town as a future small business and small agriculture support center.	\$600,000	30-A M.R.S.A. § 5225(1)(A)(1) & (1)(A)(3) & (1)(A)(4)
Child Care Services – needed to finance, construct, staff, train, certify and gain accreditation for a facility to provide before/after school care for child care, which will provide support for the Town’s working residents who care for young children.	\$375,000	30-A M.R.S.A. § 5225(1)(C)(5)
Street, Site & Streetscape Improvements – for the construction and improvement of streets and roads to better serve business development and for making site improvements to make lots ready for business development.	\$500,000	30-A M.R.S.A. § 5225(1)(A)(2); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1); If outside District 30-A M.R.S.A. § 5225(1)(B)(1)

Route 236 Infrastructure Improvements – provide for the extension of sewer, water lines, and three-phase power to support increased development along Route 236, to improve water quality and for fire protection.	\$11,750,000	30-A M.R.S.A. § 5225(1)(A)(2); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1);
Related Public Costs of Development – Providing proper equipment, facilities and vehicles in support of new development, provision of additional staffing, and public safety expenditures. Such projects to be prorated as necessary to relate to the development in the District.	\$300,000	30-A M.R.S.A. § 5225(1)(A)(1), (B)(1),(B)(2) & (C)(6)
Environmental Improvements – provide for surface and subsurface storm water management systems and other environmental improvement projects related to the commercial use of town-owned properties or to facilitate commercial development within the district.	\$400,000	30-A M.R.S.A. § 5225(1)(C)(2)
Revenue-Generating Multi-Use Outdoor Tourism Facility – funds used to acquire, finance and construct a facility such as a professional velodrome or “Outdoor School” to be modeled after the “Outdoor School” created by LL Bean. This will be a tourist attraction and is affirmatively NOT a municipal recreation center and cannot be used in such a way unless TIF revenues are not used to pay for it, or for a prorated portion of its cost. This center would be the anchor attraction for tourist outdoor activity and nature-based tourism in Eliot.	\$600,000	30-A M.R.S.A. § 5225(1)(A)(1) & 30-A M.R.S.A. § 5225(1)(A)(2)
Sidewalks and Crosswalks – provide for the installation and repair of sidewalks and crosswalks to provide for pedestrian use and safety.	\$250,000	30-A M.R.S.A. § 5225(1)(A)(2); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1); If outside District 30-A M.R.S.A. § 5225(1)(B)(1)
Pedestrian Improvements –In addition to the sidewalks, crosswalks and street improvements above improvements include but are not limited to pedestrian scale lighting, bicycle lanes and pathways, bicycle racks, traffic calming measures, trees, shrubs and plantings, signage and public amenities like benches and waste disposal containers.	\$250,000	30-A M.R.S.A. § 5225(1)(A)(2) & (C)(6); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1); If outside District 30-A M.R.S.A. § 5225(1)(B)(1)
Transit and Parking Facilities – provide public parking facilities to assist business development, to facilitate denser development and to improve public safety, and provide for transit development costs of new or expanded transit services.	\$375,000	30-A M.R.S.A. § 5225(1)(A)(1), (A)(2), & (C)(7)(a)
Eco-Tourism Development Activities – design, build, maintain and conduct GPS mapping of new and existing trail systems through the Town for biking, hiking, skiing and other eco-tourism related activities.	\$600,000	30-A M.R.S.A. § 5225(1)(C)(6)

Professional Fees – fees for professional services including, but not limited to legal services, TIF consultants, landscape design consultants, land use and regulation consulting, feasibility studies, and real estate fees related to the sale, acquisition, leasing, marketing, as well as real estate option fees and the like.	\$400,000	30-A M.R.S.A. § 5225(1)(A)(4) & (A)(5)
Economic Development – provide for economic development activities including, but not limited to contract economic development consulting services, marketing and promotion, website development and maintenance, project management, services from regional economic development agencies, and the preparation of grant applications related to economic and community development.	\$400,000	30-A M.R.S.A. § 5225(1)(C)(1)
Municipal Administrative Activities related to Economic Development – provide for the proportional share of the Town’s administrative activities – all related to economic development activities, including but not limited to clerical services, accounting and bookkeeping services, computer services and equipment, membership fees and dues, legal advertising and notices, printing and copying, postage, communication costs, application fees related to economic and community development activities, financial services costs, bonding costs, materials and supplies, and administrative services to support groups or organizations that relate to community and economic development activities in Eliot like Farmer’s Markets and similar organizations.	\$650,000	30-A M.R.S.A. § 5225(1)(A)(5) & (1)(C)(1)
Planning and Engineering/Design -- provide for planning and engineering consulting fees including, but not limited to the costs associated with master planning, strategic economic planning, mapping and graphic services, required zoning amendments in support of new economic activity, planning and design for public improvements and facilities, public infrastructure, public amenities, environmental improvements, façade improvements, and site and building construction. Any fees paid from TIF Revenues will cover only the proportional share of such activities that are related to or designed to promote economic development within the Town.	\$250,000	30-A M.R.S.A. § 5225(1)(A)(4)
TOTAL:	\$19,250,000	

C. Strategic Growth and Development

The Town of Eliot’s designation of the District, as now amended, and adoption of the Development Program, as now amended, creates a single municipal TIF District in order to capture the value of improvements made within the Second Amended District and to permit tax increment financing to fund a variety of economic development programs and projects throughout the Town of Eliot.

This Second Amended and Restated Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the “TIF statute”). Subsequent to a Town Meeting vote designating the Second Amended District and adopting this Second Amended and Restated Development Program, the designation of the Second Amended District and adoption of this Second Amended and Restated Development Program are effective upon approval by the Maine Department of Economic and Community Development.

Further, the Town's designation of the Second Amended District and pursuit of the Second Amended and Restated Development Program constitute a good and valid public purpose described in the TIF statute in Chapter 206 of Title 30-A because it represents a substantial contribution to the economic wellbeing of both the Town and the Southern Maine Region, by fostering conditions that lead to job creation, contributing to property taxes and diversifying the region's economic base.

D. Operational Components

1. Public Facilities, Improvements or Programs

Apart from the public facilities, programs, and infrastructure improvements described above in Table 1, no other additional public facilities, programs or improvements will be constructed as part of the Town’s implementation of this Second Amended and Restated Development Program.

2. Commercial Improvements Financed Through Development Program

None. The Town will not provide any TIF reimbursements to property owners or developers.

3. Relocation of Displaced Persons

Not applicable.

4. Transportation Improvements

Apart from the transportation improvements described above in Table 1, no other additional transportation improvements will be constructed as part of the Town’s implementation of this Second Amended and Restated Development Program.

5. Environmental Controls

The improvements made under the Second Amended and Restated Development Program will meet or exceed all federal and state environmental regulations and will comply with all applicable land use requirements for the Town of Eliot.

6. Plan of Operation

During the term of the Second Amended District, the Select Board of Eliot or its designee will be responsible for all administrative matters within the purview of the Town concerning the implementation and operation of the Second Amended District.

7. Duration of the District

The Development Program began with the Town's July 1, 2009 - June 30, 2010 fiscal year, and will continue for a total of thirty (30) years until June 30, 2039.

III. Physical Description

The proposed District will encompass 214.16+/- acres of the Town of Eliot. Maps of the Second Amended District are presented in Exhibit A-1 and a complete listing of included properties is included with the Assessor's Certificate attached as Exhibit B. Data related to acreage limitations are set forth in Exhibit C, Statutory Requirements and Thresholds.

IV. Financial Plan

A. Anticipated Sources of TIF Revenues & Captured Value

The development within the Second Amended District that will provide the bulk of the funding for the Town's TIF projects is the Maritimes & Northeast natural gas compressor station at 413 Harold L. Dow Highway, as identified on Town tax maps as Map 45, Lot 5. Maritimes & Northeast installed this compressor station in 2008 in order to handle anticipated increased natural gas flowage along its pipeline through Eliot. This project has already been completed and has an estimated increased assessed value of \$34.7 million (undepreciated). Maritimes & Northeast and the Town are hopeful that natural gas flowage through Eliot will continue to increase in the future requiring the addition of another compressor station at the same site.

Another project that will provide an ongoing funding source for the Town's projects includes the construction of an office building by John Lang at 384 Harold L. Dow Highway, as identified on Town tax maps as Map 45, Lot 18. This project has already been completed and has an estimated increased assessed value of \$2.3 million.

Under this Second Amended and Restated Development Program, the Town will capture one hundred percent (100%) of the increased assessed value (for both real and personal property) over the original assessed value of all of the property located within the Second Amended District, and retain within the Second Amended District all of the tax revenues generated by the captured assessed value.¹ The taxes paid on this "captured value" constitute the TIF Revenues discussed in this Financial Plan section of the Second Amended and Restated Development Program. All increased assessed value captured in the Second Amended District will be added to the general tax rolls at the end of the 30-year TIF term, June 30, 2039 (the start date of the District was July 1, 2009).

¹ Please note that for purposes of measuring the captured assessed value for the district, the Town will begin with values as of April 1, 2008 for parcels identified in the Supplement to Exhibit B.

The Town has already created and established a segregated development program fund in the name of the Town for the District (the “Development Program Fund”). The Development Program Fund is pledged to and charged with the payment of the project costs in the manner provided in 30-A M.R.S.A. § 5227(3)(A). The Development Program Fund consists of a Sinking Fund Account and a Project Cost Account. Each year, upon each payment of property taxes by property owners inside the Second Amended District, the Town will deposit into the Development Program Fund the entirety of the property tax payments constituting TIF Revenues. As provided by statute, and only if applicable, the Town will first deposit TIF Revenues into the Sinking Fund Account to the extent and in such amounts necessary to finance the costs for improvements undertaken by the Town and financed with bonded indebtedness, if any, and otherwise the Town will deposit the TIF Revenues (or if applicable, the remaining TIF Revenues) to the Project Cost Account.

Estimates of the increased and captured assessed values of the Second Amended District, the anticipated TIF revenues generated by the Second Amended District, and the estimated tax shifts are shown in Exhibit C-1 and Exhibit C-2. This Second Amendment does not change prior projections undertaken.

B. Costs Estimates for Development Program

The developers owning properties located within the Second Amended District will pay for and/or finance all private improvements located in the Second Amended District through private sources. This Second Amended and Restated Development Program does not contemplate or allow for TIF reimbursements to private developers.

C. Public Indebtedness

The Town may in the future fund some of its municipal TIF projects with bonded indebtedness, though the Town has not incurred any public indebtedness related to the Second Amended District to date. Any decision to incur bonded indebtedness to fund the Town’s TIF projects would need to be approved in advance by the Eliot voters.

V. Statutory Requirements and Thresholds

The statutory requirements and threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A. § 5223(3) are set forth in Exhibit G.

VI. Tax Shifts

In accordance with Maine statutes governing the establishment of a tax increment financing district, the table set forth in Exhibit C-2 identifies the tax shifts that are expected to result during the term of this District from the establishment of the District and this amendment.

VII. Municipal Approvals

A. Warrant for Town Meeting

Attached as Exhibit D, is a copy of the Warrant Article for the Town Meeting adopted by the Eliot Select Board at a Select Board meeting duly called and held on August 22, 2019, submitting to the voters of Eliot the question of whether to designate the Second Amended District and adopt the Second Amended and Restated Development Program as well as the findings attached to the Warrant.

B. Notice of Public Hearing

Attached as Exhibit E, is a certified copy of the Notice of Public Hearing held on October 22, 2019, in accordance with the requirements of 30-A M.R.S.A. § 5226(1). The notice was published in the *Seacoast Portsmouth Herald*, a newspaper of general circulation in Eliot on or before October 11, 2019, a date at least ten (10) days prior to the public hearing.

C. Minutes of Public Hearing

Attached as Exhibit F, is a certified copy of the minutes of the public hearing held on October 22, 2019 and Town Meeting vote held by secret ballot vote on November 5, 2019, at which times the Second Amended District was discussed and approved.

I. Introduction

A. The Original District & Development Program

In 2009, the Town of Eliot (the “Town”) designated and created the “Route 236 Municipal Development and Tax Increment Financing District” (the “District”). The District encompasses the site of the then-recently constructed Maritimes & Northeast Pipeline, LLC natural gas compressor station as well as a lot developed in 2008 by John Lang for commercial office space. The District also includes parcels all along Route 236 where future development and improvement was considered likely to occur in the coming years, portions of the Route 236 right-of-way where sewer and water improvements were to be located, and small portions of both Bolt Hill Road and Beech Road.

As set forth in the Development Program for the District, the major project the Town planned to fund through the original District was a municipal sewer and water line extension along Route 236 in Eliot. Other municipal projects included an engineering study related to the water and sewer improvements and other costs related to the implementation of the water and sewer extension project and implementation of the TIF. The Development Program provided that the voters would need to approve the water and sewer line extension before the project would be commenced.

Between 2009 and 2014, on four occasions Eliot voters defeated proposals relating to the use of the District TIF funds for sewer expansion in the Route 236 commercial-industrial zone. Following the last defeat in 2014, the Town officials formed a citizen committee, called the TIF Alternatives Committee, which was charged with leading a public process to develop an alternative list of municipal TIF projects that would (1) meet a regional economic need, (2) serve the fiscal and community needs of the Town, and (3) have enough voter support to pass in a town meeting vote. Among other things, the TIF Alternatives Committee hired Planning Decisions, Inc. to help lead a community planning process designed to combine research on the regional economic opportunities, an understanding of the fiscal condition of the Town and the expressed desires of the residents of the Town to come up with a list of recommendations for how the Town could attempt to move forward with the District and Development Program. In 2017, a very different, amended Development Program was presented to the voters that focused on the Village Center, rather than Route 236, but it also was rejected by the voters. ~~This latest proposed~~The following year, in 2018, an amendment flows was passed by the voters (the “First Amendment”), flowing from the work performed by Planning Decisions, the TIF Alternatives Committee and the ongoing work of the Town’s ~~Board~~Select Board. The First Amendment added acreage to the district and adjusted the project list. Many of ~~Selectmen~~the changes related to the creation of a Village Center Tract of the district and projects focused there.

B. The Second Amended District and Second Amended and Restated Development Program

~~As the TIF Alternatives Committee and the Board of Selectmen have worked to develop revisions to the District and the original Development Program, it has become clear that some qualities of the~~

~~Town of Eliot will continue to have an important influence on any implementation of a TIF program in Eliot. Eliot is a bedroom community with an aging population, and the Town's tax base is heavily dependent on residential property. A survey conducted by the TIF Alternatives Committee shows that there is very strong support for modest business growth in Eliot and for infrastructure growth, but it is also clear that residents of Eliot want this growth in a manner that preserves the rural character of the town and the high quality of life for its residents. Eliot residents more heavily favor small business growth in a village area over the large industrial growth or booming commercial districts that may be favored in other Maine communities.~~

~~Thus, the~~The purpose of these proposed amendments to the District and its development program is to ~~provide the resources and tools necessary for the development of land and buildings that would be used to foster small business development and the working families who will own, operate and/or frequent these small businesses. Additionally, the Town would like to foster economic initiatives that will facilitate the desire of many Eliot residents to "age in place."~~remove the Village Center Tract from the District boundaries, adjust other geography based on anticipated development, revise or remove projects related to that tract of the District and include sewer infrastructure along Route 236 as a potential project cost. The Town's new goals and projects require an amendment of the ~~original~~ District boundaries. ~~Since the proposed changes to the District and its development program are extensive, and for the sake of clarity, the~~geographic boundaries and alterations to the project list— removing some projects, adding sewer costs along Route 236, and adjusting project cost estimates. The Town is proposing to amend the District ~~and rename it as the~~ **Town of Eliot Municipal Development and Tax Increment Financing District (the "Second Amended District")**, and amend and restate the original development program in this new **"Second Amended and Restated Development Program."** Importantly, the Second Amended and Restated Development Program remains consistent with the Town's 2009 Comprehensive Plan and its strategies and goals.

~~The primary project vision is to create a multi-use facility ("Eliot Development Center") to provide affordable child and elder care to support working class families,[†] to attract visitors by virtue of this facility also serving as a base for tourist outdoor activities, including trails and hiking, and to provide technical business advice, marketing and events for our micro businesses, agricultural businesses and small businesses. TIF revenues will not support any municipal recreation center activities or capital improvements. This facility may also be designed to house one or more incubator spaces. It is likely that the Town will seek land in the Village District and have the Development Center serve as a space where townspeople could meet. This Amended and Restated Development Program for the Town of Eliot consists of three general categories of municipal TIF projects to be funded through the Amended and Restated Development Program: (1) economic development and assistance; (2) public infrastructure and environmental improvements; and (3) administrative, planning/design and professional services.~~

The goals of this Development Program include:

- Maintaining the existing tax revenues;
- Enjoying enhanced future tax revenues generated by property located in the TIF district through infrastructure extensions;

[†] To the extent elder care facilities are not authorized under the TIF statute, no TIF revenues will be used for such facilities or for a prorated portion of such facilities related thereto.

- ~~Increasing the labor market participation rate for women currently limited by caregiver responsibilities for children and elderly;~~
- Creating long-term, stable employment opportunities for area residents; and
- Improving the general economy of the Town, the Southern Maine Region and the State of Maine.

Additionally, by creating the District, the Town of Eliot has been able to “shelter” the increase in municipal valuation within the District, and the Town will continue to “shelter” the increased valuation in the Second Amended District throughout the life of the Second Amended District. The tax shelter provided by this TIF will mitigate the adverse effect the Second Amended District’s increased assessed value would have on the Town’s share of state aid for education, municipal revenue sharing, its local school district contribution and its county tax assessment. An estimate of the tax shelter benefit is shown as part of Exhibit C.

II. Development Program Narrative

A. The Second Amended District

The Second Amended District is comprised of a total of approximately 243.23214.16 acres of real estate located in Eliot, Maine, with an original assessed value of \$15,327,100. ~~Since the original District was created in 2009 and is now being amended with different purposes in mind, the Town has divided the District into two separate tracts (or components),~~ 340,500. This includes \$13,855,300 as described below:

~~**The Route 236 Tract:** The Route 236 Tract is comprised of approximately 189.9 acres, which is most of the original 192.32-acre District created in 2009. The Route 236 Tract, April 1, 2007 and \$1,485,200 as amended, consists of approximately 2 acres of the 99-acre Maritimes & Northeast site, approximately 16 acres of of April 1, 2018. The Second Amended District removed 54.08 acres of District property belonging to John Lang on which a new office building is located, approximately 127 acres of 29 other parcels along the Route 236 business corridor, 24 acres consisting of a 100-foot wide swath of public right-of-way along a portion of Route 236, .5 acres consisting of a 35-foot swath of public right-of-way along a portion of Bolt Hill Road and .64 acres consisting of a 33-foot swath of public right-of-way along a portion of Beech Road. The original assessed value of the Route 236 Tract of the District as originally approved was \$14,534,000. Following the removal of two (2) parcels, the original assessed value of this tract of the District is \$566,100.~~

~~**The Village Center Tract:** The approximately 53.33, retains 189.15 acres of property added to the District as part of these 2018 amendments make up the Village Center Tract of the District. The Village Center Tract is made up of property in several separate parcels: (1) 40 acres of property located off Route 103 in Eliot, which is a portion of a larger parcel known as the Libbey Farm Property, identified on Town of Eliot Tax Map 20, Lot 54; (2) a 7.5-acre parcel known as the Frosts Tufts recreation park, and identified on Tax Map 19, Lot 29; and (3) three additional privately owned lots identified on Tax Map 15, Lot 12, Map 15, 40, and Map 21, Lot 17. The original assessed value~~

of the Village Center Tract of the District is \$793,100 from the original District acreage, and adds a total of 25.01 acres in this Second Amendment.

The District is shown ~~on~~in Exhibit A-1.

B. Municipal TIF Projects

TABLE 1

PROJECTED MUNICIPAL PROJECTS TO BE PAID FOR WITH TIF REVENUES

Note: This is an amended and restated list and therefore any originally approved projects from the original development program are either no longer needed or have been restated in this comprehensive list for the District. All of these projects have yet to be undertaken.

Project	Cost Estimate	TIF Statute Reference
Land Acquisition – to acquire, finance, and aggregate parcels of land for future small business and small agriculture support center, as well as for public acquisition and development that will support business development, including but not limited to parking areas, sidewalks, right of ways for new roads, public utilities, storm water control.	\$ 450 <u>500</u> ,000	30-A M.R.S.A. § 5225(1)(A)(1)
Building Acquisition – to acquire, demolish, and construct buildings for use for future small business and small agriculture support center, and/or for public use that will support other business and village development.	\$ 850 <u>750</u> ,000	30-A M.R.S.A. § 5225(1)(A)(1)
Clearance and Demolition —for site improvements and demolition to provide sites ready for use for business development as well as public use that support business development, including but not limited to, parking, sidewalks, common areas, road and street development, and the like.	\$ 250 <u>300</u> ,000	30-A M.R.S.A. § 5225(1)(A)(1) & (1)(A)(3) & (1)(A)(4)
Building Construction – construction of commercial buildings ready for occupancy through purchase or lease by businesses in the Village Center or to be owned or operated by the Town as a future small business and small agriculture support center.	\$ 2,000 <u>600</u> ,000	30-A M.R.S.A. § 5225(1)(A)(1) & (1)(A)(3) & (1)(A)(4)
Child-& Elder Care Services – needed to finance, construct, staff, train, certify and gain accreditation for a facility to provide before/after school care for children and senior/elderchild care ² , which will provide support for the Town’s working residents who care for young children and older adults .	\$ 750 <u>375</u> ,000	30-A M.R.S.A. § 5225(1)(C)(5)

²To the extent elder care facilities are not authorized under the TIF statute, no TIF revenues will be used for such facilities or for a prorated portion of such facilities related thereto. The Town is electing to leave it in the project list in case the statute is amended to include such a project in the future as authorized, but as of the time of the approval of this First Amended and Restated Development Program, elder care facilities and services are not an approved project cost.

<p>Street, Site & Streetscape Improvements – for the construction and improvement of streets and roads to better serve business development and for making site improvements to make lots ready for business development.</p>	<p>\$600<u>500</u>,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(2); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1); If outside District 30-A M.R.S.A. § 5225(1)(B)(1)</p>
<p>Village Center Infrastructure—extend sewer and water lines to the Village Center in order to facilitate denser and compact small business development in the Village Center.</p>	<p>\$3,000,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(2); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1);</p>
<p>Route 236 Infrastructure Improvements – provide for the extension of <u>sewer</u>, water lines, and three-phase power to support increased development along Route 236, to improve water quality and for fire protection.</p>	<p>\$3,500<u>11,750</u>,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(2); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1);</p>
<p>Related Public Costs of Development – Providing proper equipment, facilities and vehicles in support of new development, provision of additional staffing, and public safety expenditures. Such projects to be prorated as necessary to relate to the development in the District.</p>	<p>\$350<u>300</u>,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(1), (B)(1),(B)(2) & (C)(6)</p>
<p>Environmental Improvements – provide for surface and subsurface storm water management systems and other environmental improvement projects related to the commercial use of town-owned properties or to facilitate commercial development within the district.</p>	<p>\$350<u>400</u>,000</p>	<p>30-A M.R.S.A. § 5225(1)(C)(2)</p>
<p>Revenue-Generating Multi-Use Outdoor Tourism Facility – funds used to acquire, finance and construct a facility such as a professional velodrome or “Outdoor School” to be modeled after the “Outdoor School” created by LL Bean. This will be a tourist attraction and is affirmatively NOT a municipal recreation center and cannot be used in such a way unless TIF revenues are not used to pay for it, or for a prorated portion of its cost. This center would be the anchor attraction for tourist outdoor activity and nature-based tourism in Eliot.</p>	<p>\$1,500<u>600</u>,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(1) & 30-A M.R.S.A. § 5225(1)(A)(2)</p>
<p>Sidewalks and Crosswalks – provide for the installation and repair of sidewalks and crosswalks throughout the Village Center to provide for pedestrian use and safety.</p>	<p>\$250,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(2); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1); If outside District 30-A M.R.S.A. § 5225(1)(B)(1)</p>

<p>Pedestrian Improvements –make the village center more pedestrian friendly and safe. In addition to the sidewalks, crosswalks and street improvements above improvements include but are not limited to pedestrian scale lighting, bicycle lanes and pathways, bicycle racks, traffic calming measures, trees, shrubs and plantings, signage and public amenities like benches and waste disposal containers.</p>	<p>\$250,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(2) & (C)(6); If inside District: 30-A M.R.S.A. § 5225(1)(A)(1); If outside District 30-A M.R.S.A. § 5225(1)(B)(1)</p>
<p>Transit and Parking Facilities – provide public parking facilities to assist business development, to facilitate denser development and to improve public safety, and provide for transit development costs of new or expanded transit services.</p>	<p>\$550375,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(1), (A)(2), & (C)(7)(a)</p>
<p>Eco-Tourism Development Activities – design, build, maintain and conduct GPS mapping of new and existing trail systems through the Town for biking, hiking, skiing and other eco-tourism related activities.</p>	<p>\$375600,000</p>	<p>30-A M.R.S.A. § 5225(1)(C)(6)</p>
<p>Professional Fees – fees for professional services including, but not limited to legal services, TIF consultants, landscape design consultants, land use and regulation consulting, feasibility studies, and real estate fees related to the sale, acquisition, leasing, marketing, as well as real estate option fees and the like.</p>	<p>\$400,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(4) & (A)(5)</p>
<p>Economic Development – provide for economic development activities including, but not limited to contract economic development consulting services, marketing and promotion, website development and maintenance, project management, services from regional economic development agencies, and the preparation of grant applications related to economic and community development.</p>	<p>\$400,000</p>	<p>30-A M.R.S.A. § 5225(1)(C)(1)</p>
<p>Municipal Administrative Activities related to Economic Development – provide for the proportional share of the Town’s administrative activities – all related to economic development activities, including but not limited to clerical services, accounting and bookkeeping services, computer services and equipment, membership fees and dues, legal advertising and notices, printing and copying, postage, communication costs, application fees related to economic and community development activities, financial services costs, bonding costs, materials and supplies, and administrative services to support groups or organizations that relate to community and economic development activities in Eliot like Farmer’s Markets and similar organizations.</p>	<p>\$2,000650,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(5) & (1)(C)(1)</p>

Planning and Engineering/Design -- provide for planning and engineering consulting fees including, but not limited to the costs associated with village -master planning, strategic economic planning, mapping and graphic services, required zoning amendments in support of new economic activity, planning and design for public improvements and facilities, public infrastructure, public amenities, environmental improvements, façade improvements, and site and building construction. Any fees paid from TIF Revenues will cover only the proportional share of such activities that are related to or designed to promote economic development within the Town.	\$250,000	30-A M.R.S.A. § 5225(1)(A)(4)
TOTAL:	\$18,07519,250,000	

C. Strategic Growth and Development

The Town of Eliot’s designation of the District, as now amended, and adoption of the Development Program, as now amended, creates a single municipal TIF District in order to capture the value of improvements made within the Second Amended District and to permit tax increment financing to fund a variety of economic development programs and projects throughout the Town of Eliot.

This Second Amended and Restated Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the “TIF statute”). Subsequent to a Town Meeting vote designating the Second Amended District and adopting this Second Amended and Restated Development Program, the designation of the Second Amended District and adoption of this Second Amended and Restated Development Program are effective upon approval by the Maine Department of Economic and Community Development.

Further, the Town's designation of the Second Amended District and pursuit of the Second Amended and Restated Development Program constitute a good and valid public purpose described in the TIF statute in Chapter 206 of Title 30-A because it represents a substantial contribution to the economic wellbeing of both the Town and the Southern Maine Region, by fostering conditions that lead to job creation, contributing to property taxes and diversifying the region's economic base.

D. Operational Components

1. Public Facilities, Improvements or Programs

Apart from the public facilities, programs, and infrastructure improvements described above in Table 1, no other additional public facilities, programs or improvements will be constructed as part of the Town’s implementation of this Second Amended and Restated Development Program.

2. Commercial Improvements Financed Through Development Program

None. The Town will not provide any TIF reimbursements to property owners or developers.

3. Relocation of Displaced Persons

Not applicable.

4. Transportation Improvements

Apart from the transportation improvements described above in Table 1, no other additional transportation improvements will be constructed as part of the Town's implementation of this Second Amended and Restated Development Program.

5. Environmental Controls

The improvements made under the Second Amended and Restated Development Program will meet or exceed all federal and state environmental regulations and will comply with all applicable land use requirements for the Town of Eliot.

6. Plan of Operation

During the term of the Second Amended District, the Select Board-of-Selectmen of Eliot or its designee will be responsible for all administrative matters within the purview of the Town concerning the implementation and operation of the Second Amended District.

7. Duration of the District

The Development Program began with the Town's July 1, 2009 - June 30, 2010 fiscal year, and will continue for a total of thirty (30) years until June 30, 2039.

III. Physical Description

The proposed District will encompass 243.23214.16+/- acres of the Town of Eliot. Maps of the Second Amended District are presented in Exhibit A-1 and a complete listing of included properties is included with the Assessor's Certificate attached as Exhibit B. Data related to acreage limitations are set forth in Exhibit G, Statutory Requirements and Thresholds.

IV. Financial Plan

A. Anticipated Sources of TIF Revenues & Captured Value

The development within the Second Amended District that will provide the bulk of the funding for the Town's TIF projects is the Maritimes & Northeast natural gas compressor station at 413 Harold L. Dow Highway, as identified on Town tax maps as Map 45, Lot 5. Maritimes & Northeast installed this compressor station in 2008 in order to handle anticipated increased natural gas flowage along its pipeline through Eliot. This project has already been completed and has an estimated increased assessed value of \$34.7 million (undepreciated). Maritimes & Northeast and the Town are

hopeful that natural gas flowage through Eliot will continue to increase in the future requiring the addition of another compressor station at the same site.

Another project that will provide an ongoing funding source for the Town's projects includes the construction of an office building by John Lang at 384 Harold L. Dow Highway, as identified on Town tax maps as Map 45, Lot 18. This project has already been completed and has an estimated increased assessed value of \$2.3 million.

Under this Second Amended and Restated Development Program, the Town will capture one hundred percent (100%) of the increased assessed value (for both real and personal property) over the original assessed value of all of the property located within the Second Amended District, and retain within the Second Amended District all of the tax revenues generated by the captured assessed value.³ The taxes paid on this "captured value" constitute the TIF Revenues discussed in this Financial Plan section of the Second Amended and Restated Development Program. All increased assessed value captured in the Second Amended District will be added to the general tax rolls at the end of the 30-year TIF term, June 30, 2039 (the start date of the District was July 1, 2009).

The Town has already created and established a segregated development program fund in the name of the Town for the District (the "Development Program Fund"). The Development Program Fund is pledged to and charged with the payment of the project costs in the manner provided in 30-A M.R.S.A. § 5227(3)(A). The Development Program Fund consists of a Sinking Fund Account and a Project Cost Account. Each year, upon each payment of property taxes by property owners inside the Second Amended District, the Town will deposit into the Development Program Fund the entirety of the property tax payments constituting TIF Revenues. As provided by statute, and only if applicable, the Town will first deposit TIF Revenues into the Sinking Fund Account to the extent and in such amounts necessary to finance the costs for improvements undertaken by the Town and financed with bonded indebtedness, if any, and otherwise the Town will deposit the TIF Revenues (or if applicable, the remaining TIF Revenues) to the Project Cost Account.

Estimates of the increased and captured assessed values of the Second Amended District, the anticipated TIF revenues generated by the Second Amended District, and the estimated tax shifts are shown in Exhibit C-1 and Exhibit C-2. This Second Amendment does not change prior projections undertaken.

B. Costs Estimates for Development Program

The developers owning properties located within the Second Amended District will pay for and/or finance all private improvements located in the Second Amended District through private sources. This Second Amended and Restated Development Program does not contemplate or allow for TIF reimbursements to private developers.

C. Public Indebtedness

³ Please note that for purposes of measuring the captured assessed value for the district, the Town will begin with values as of April 1, 2008 for parcels identified in the Supplement to Exhibit B.

The Town may in the future fund some of its municipal TIF projects with bonded indebtedness, though the Town has not incurred any public indebtedness related to the Second Amended District to date, ~~and the Town does not currently contemplate funding any of the municipal projects with bonded indebtedness.~~ Any decision to incur bonded indebtedness to fund the Town's TIF projects would need to be approved in advance by the Eliot voters.

V. Statutory Requirements and Thresholds

The statutory requirements and threshold limits addressing the conditions for approval mandated by 30-A M.R.S.A. § 5223(3) are set forth in Exhibit G.

VI. Tax Shifts

In accordance with Maine statutes governing the establishment of a tax increment financing district, the table set forth in Exhibit C-2 identifies the tax shifts that are expected to result during the term of this District from the establishment of the District and this amendment.

VII. Municipal Approvals

A. Warrant for ~~Annual~~ Town Meeting

Attached as Exhibit D, is a copy of the Warrant Article for the ~~Annual~~ Town Meeting adopted by the Eliot Select Board of Selectmen at a Select Board of Selectmen meeting duly called and held on ~~April 19, 2018~~ August 22, 2019, submitting to the voters of Eliot the question of whether to designate the Second Amended District and adopt the Second Amended and Restated Development Program as well as the findings attached to the Warrant.

B. Notice of Public Hearing

Attached as Exhibit E, is a certified copy of the Notice of Public Hearing held on ~~May 10, 2018~~ October 22, 2019, in accordance with the requirements of 30-A M.R.S.A. § 5226(1). The notice was published in the *Seacoast Portsmouth Herald*, a newspaper of general circulation in Eliot on or before ~~April 30, 2018~~ October 11, 2019, a date at least ten (10) days prior to the public hearing.

C. Minutes of Public Hearing

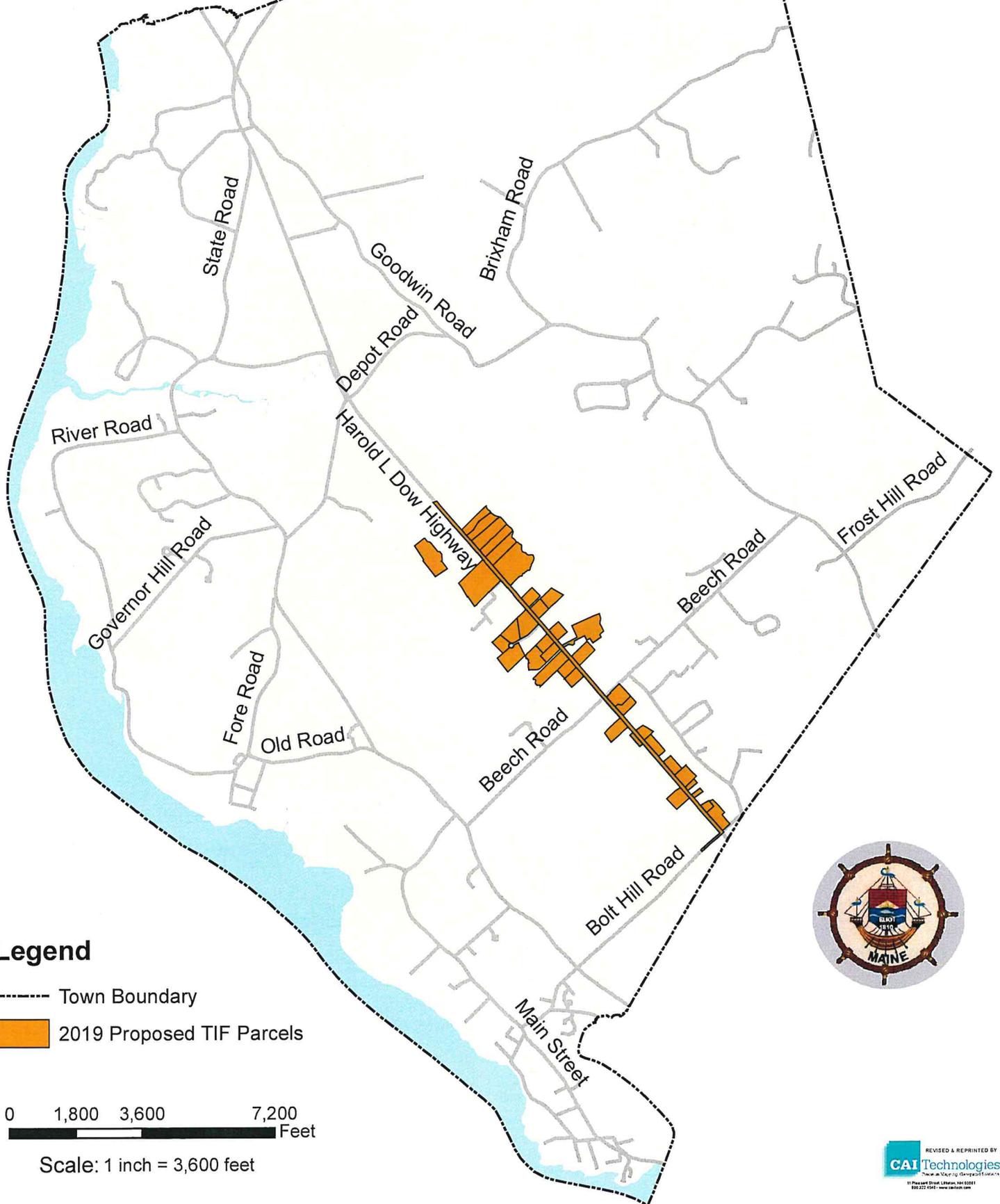
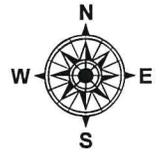
Attached as Exhibit F, is a certified copy of the minutes of the public hearing held on October 22, 2019 and ~~Annual~~ Town Meeting vote held by secret ballot vote on June 12, 2018 November 5, 2019, at which ~~times~~ the ~~amended~~ Second Amended District was discussed and approved.



Town of Eliot

2019 Proposed TIF Parcels

EXHIBIT A



Legend

- Town Boundary
- 2019 Proposed TIF Parcels

0 1,800 3,600 7,200 Feet

Scale: 1 inch = 3,600 feet

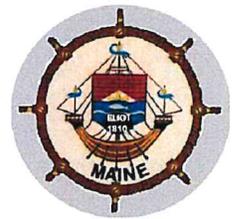


EXHIBIT A

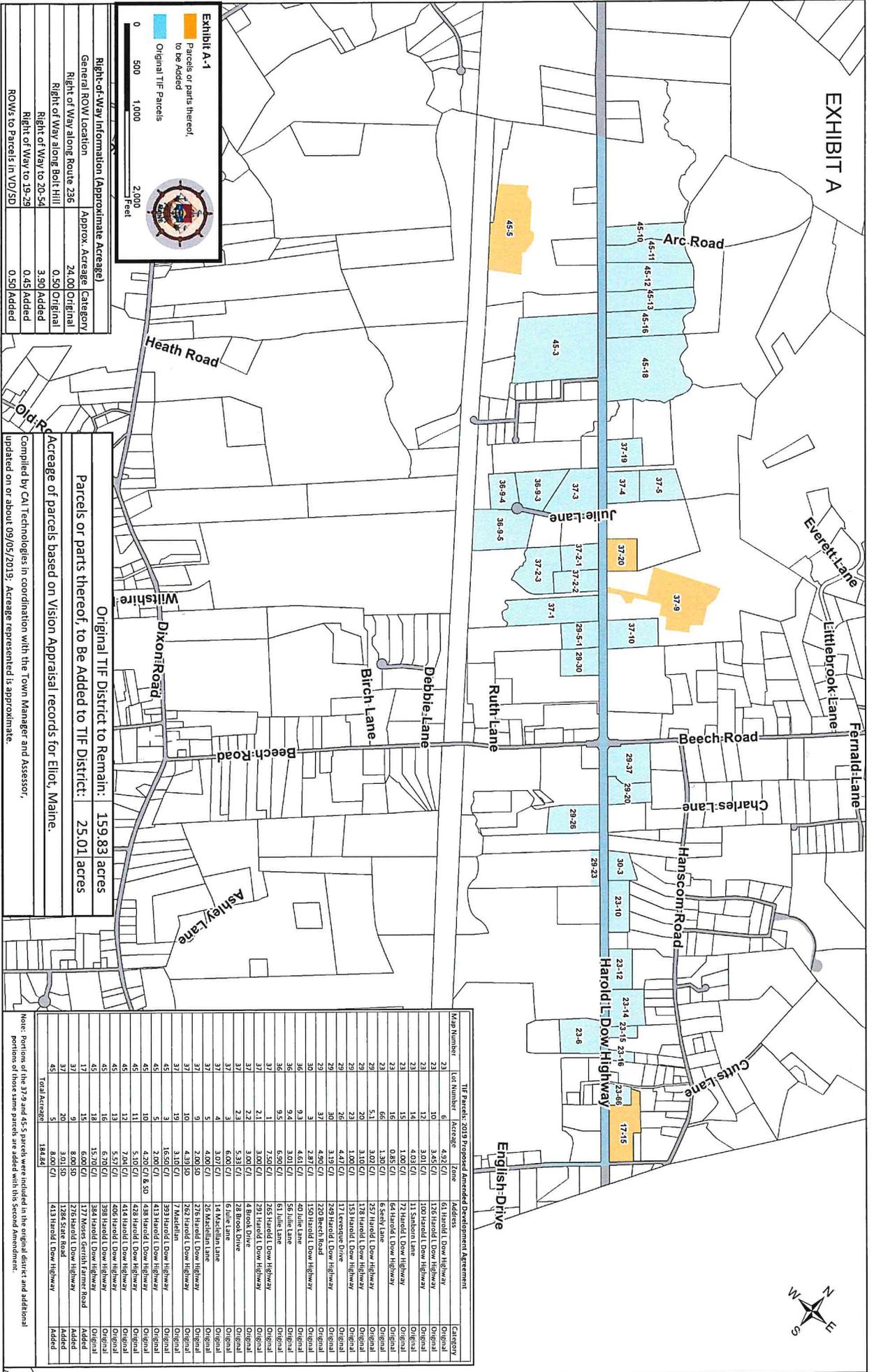


Exhibit A-1

Parcels or parts thereof, to be Added

Original TIF Parcels

0 500 1,000 2,000 Feet

Right-of-Way Information (Approximate Acreage)

General ROW Location	Approx. Acreage	Category
Right of Way along Route 236	24,000	Original
Right of Way along Bolt Hill	0.50	Original
Right of Way to 20-54	3.90	Added
Right of Way to 19-29	0.45	Added
ROWS to Parcels in VD/SD	0.50	Added

Parcels or parts thereof, to be Added to TIF District: 25.01 acres

Original TIF District to Remain: 159.83 acres

Acreage of parcels based on Vision Appraisal records for Eliot, Maine: 25.01 acres

Compiled by CAI Technologies in coordination with the Town Manager and Assessor, updated on or about 09/05/2019. Acreage represented is approximate.

TIF Parcel: 2019 Proposed Amended Development Agreement

Map Number	Lot Number	Acreage	Zone	Address	Category
23	23	6	4.92 C/I	61 Harold Dow Highway	Original
23	10	3.45 C/I	3.45 C/I	126 Harold Dow Highway	Original
23	12	3.01 C/I	3.01 C/I	100 Harold Dow Highway	Original
23	14	4.03 C/I	4.03 C/I	111 Sashport Lane	Original
23	15	1.00 C/I	1.00 C/I	172 Harold Dow Highway	Original
23	16	0.35 C/I	0.35 C/I	6 Harold Dow Highway	Original
23	20	3.02 C/I	3.02 C/I	527 Harold Dow Highway	Original
29	20	3.10 C/I	3.10 C/I	128 Harold Dow Highway	Original
29	17	1.00 C/I	1.00 C/I	153 Harold Dow Highway	Original
29	26	4.41 C/I	4.41 C/I	17 Levesque Drive	Original
29	30	3.19 C/I	3.19 C/I	249 Harold Dow Highway	Original
30	3	4.90 C/I	4.90 C/I	220 Beech Road	Original
30	3	2.87 C/I	2.87 C/I	150 Harold Dow Highway	Original
36	9.3	4.61 C/I	4.61 C/I	40 Julie Lane	Original
36	9.4	3.01 C/I	3.01 C/I	582 Julie Lane	Original
36	9.5	6.90 C/I	6.90 C/I	61 Julie Lane	Original
37	1	7.50 C/I	7.50 C/I	285 Harold Dow Highway	Original
37	2	3.00 C/I	3.00 C/I	428 Harold Dow Highway	Original
37	2	8.00 C/I	8.00 C/I	128 Harold Dow Highway	Original
37	2.8	5.31 C/I	5.31 C/I	128 Brook Drive	Original
37	3	6.00 C/I	6.00 C/I	6 Julie Lane	Original
37	4	3.07 C/I	3.07 C/I	14 Mashellan Lane	Original
37	5	4.00 C/I	4.00 C/I	26 Mashellan Lane	Original
37	9	2.00 S/D	2.00 S/D	278 Harold Dow Highway	Original
37	10	4.39 S/D	4.39 S/D	262 Harold Dow Highway	Original
37	19	3.10 C/I	3.10 C/I	7 Mashellan	Original
45	3	16.50 C/I	16.50 C/I	393 Harold Dow Highway	Original
45	5	2.00 C/I	2.00 C/I	413 Harold Dow Highway	Original
45	10	4.20 C/I & S/D	4.20 C/I & S/D	438 Harold Dow Highway	Original
45	11	5.10 C/I	5.10 C/I	428 Harold Dow Highway	Original
45	12	7.04 C/I	7.04 C/I	434 Harold Dow Highway	Original
45	14	6.70 C/I	6.70 C/I	398 Harold Dow Highway	Original
45	18	15.70 C/I	15.70 C/I	384 Harold Dow Highway	Original
45	15	6.00 C/I	6.00 C/I	127 Morse Gerrish Farmer Road	Added
37	9	8.00 S/D	8.00 S/D	276 Harold Dow Highway	Added
37	20	3.01 S/D	3.01 S/D	1264 State Road	Added
45	5	8.00 C/I	8.00 C/I	413 Harold Dow Highway	Added
Total Acreage					184.24

Note: Portions of the 37-9 and 45-5 parcels were included in the original district and additional portions of those same parcels are added with this second amendment.

EXHIBIT B

SECOND AMENDED & RESTATED ASSESSOR'S CERTIFICATE TOWN OF ELIOT, MAINE

The undersigned Assessor for the Town of Eliot, Maine, hereby certifies pursuant to the provisions of 30-A M.R.S.A. § 5227(2) that:

The taxable real and personal assessed value of the **Town of Eliot Municipal Development and Tax Increment Financing District** (formerly known as the Route 236 Municipal Development and Tax Increment Financing District) as described in the Second Amended and Restated Development Program to which this Certificate is included, is **\$15,340,500**. This total original assessed value for the District consists of **\$13,855,300** as of March 31, 2008 (April 1, 2007) related to parcels that were included in the District when it was originally designated and **\$1,485,200** as of March 31, 2019 (April 1, 2018) related to parcels that were added to the District in the Second Amendment adopted by the Town in 2019.

**Parcels in Original District - OAV Date
3/31/2008**

map	lot	OAV	
23	6	\$1,360,000	
23	10	\$344,600	
23	12	\$149,200	
23	14	\$427,400	
23	15	\$142,200	
23	16	\$196,800	
23	66	\$229,100	
29	5.1	\$90,400	
29	20	\$501,800	
29	23	\$149,000	partial lot
29	26	\$758,100	

29	30	\$573,500	
29	37	\$117,100	
30	3	\$225,200	
36	9.3	\$377,100	
36	9.4	\$303,100	
36	9.5	\$76,200	
37	1	\$420,800	
37	2.1	\$414,000	
37	2.2	\$241,600	
37	2.3	\$554,600	
37	3	\$332,400	
37	4	\$108,000	
37	5	\$264,400	
37	9	\$671,100	partial lot

37	10	\$330,400	
37	19	\$325,000	
45	3	\$382,200	
45	5	\$195,200	partial lot
45	10	\$185,600	
45	11	\$620,000	
45	12	\$574,000	
45	13	\$995,600	
45	16	\$1,091,500	
45	18	\$128,100	
	TOTAL	\$13,855,300	

Parcels Added in 2019 Second Amendment - OAV Date 3/31/2019			
map	lot	OAV	

17	5	\$1,136,000	
37	20	\$170,000	
45	5	\$147,700	partial lot
37	9	\$31,500	partial lot
	TOTAL	\$1,485,200	

Note: the following parcels are being removed in the 2018 Amendment: Map and Lot 23-11 and 36-10, which represent a total original assessed value of \$566,100.

IN WITNESS WHEREOF, this Certificate has been executed as of this 5th day of August, 2019.

TOWN OF ELIOT ASSESSOR


 Martine Painchaud

EXHIBIT B Second Amended Supplement

Pursuant to the Development Program, all increased assessed value over and above the April 1, 2008 assessed values for the following properties will be captured as part of the Town of Eliot TIF District (as opposed to all value over and above the April 1, 2007 assessed values). All properties located within the **original** Route 236 TIF District are listed below except for the portion of the Maritimes & Northeast property included in the Route 236 TIF District, identified on Town Tax Maps as Map 45, Lot 5. All Maritimes & Northeast property's increased assessed value over and above the April 1, 2007 assessed value shall be captured value in the Route 236 TIF District. While the official Original Assessed Value is certified in this Exhibit B, the following supplemental table is meant to facilitate the administration of Town of Eliot TIF District in the future.

Map Number	Lot Number	Individual April 1, 2008 Assessed Value
23	6	\$1,248,300
23	10	\$575,100
23	12	\$195,700
23	14	\$566,800
23	15	\$221,000
23	16	\$348,400
23	66	\$376,600
29	5.1	\$142,500
29	20	\$757,400
29	23	\$193,400*
29	26	\$1,653,200
29	30	\$767,200
29	37	\$169,900

30	3	\$338,100
36	9.3	\$574,100
36	9.4	\$573,800
36	9.5	\$177,600
37	1	\$527,100
37	2.1	\$556,000
37	2.2	\$338,200
37	2.3	\$915,900
37	3	\$399,800
37	4	\$167,400
37	5	\$341,300
37	9	\$904,400*
37	10	\$426,800
37	19	\$355,100
45	3	\$520,600

45	10	\$258,900
45	11	\$871,700
45	12	\$813,800
45	13	\$1,836,700
45	16	\$1,856,300
45	18	\$161,300
	TOTAL	\$19,032,600

*Only part of these two properties are included within the TIF District and therefore, the Individual April 1, 2008 Assessed Values for these properties reflect the value for only the portion contained within the TIF District.

Note: The following parcels were removed in the 2018 First Amendment: Map and Lot 23-11 and 36-10 which represent a total April 1, 2008 Assessed Value of \$566,100. The following parcels are being removed in the 2019 Second Amendment: Map and Lot 36-8 and 29-27-1 which represent a total April 1, 2008 Assessed Value of \$902,400.

Exhibit C-1: Estimated Captured Assessed Values
Town of Eliot TIF (f/k/a Route 236 TIF)

Tax Year	TIF Year	Projected Increased Assessed Value	Percent of Value Captured	TIF District Captured Assessed Value	Projected Mil Rate	Projected New Taxes Captured	Town TIF Revenue
2009-2010	1					\$448,314	\$448,314
2010-2011	2					\$470,007	\$470,007
2011-2012	3					\$491,320	\$491,320
2012-2013	4					\$526,548	\$526,548
2013-2014	5					\$520,619	\$520,619
2014-2015	6					\$544,904	\$544,904
2015-2016	7					\$522,807	\$522,807
2016-2017	8					\$573,576	\$573,576
2017-2018	9	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2018-2019	10	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2019-2020	11	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2020-2021	12	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2021-2022	13	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2022-2023	14	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2023-2024	15	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2024-2025	16	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2025-2026	17	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2026-2027	18	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2027-2028	19	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2028-2029	20	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2029-2030	21	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2030-2031	22	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2031-2032	23	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2032-2033	24	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2033-2034	25	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2034-2035	26	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2035-2036	27	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2036-2037	28	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2037-2038	29	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
2038-2039	30	\$39,335,400	100%	\$39,335,400	14.30	\$562,496	\$562,496
Total:							\$16,473,012
Average:							\$549,100

Assumptions:

1. This projection shows Town's actual TIF Revenue for the first eight years.
2. Assumes current \$39,335,400 increased assessed value in the District continues for the duration of the District. Assessor does not predict any substantial increases at this time.
3. Assumes mil rate of 14.30 (mil rate for 2017-2018) remains constant for the duration of the District.
4. Assumes the Town will capture 100% of the increased assessed value as captured assessed value for the duration of the District.
5. Projections are much less likely to be accurate farther into the future.

SUPPLEMENT TO EXHIBIT C-1

Added in Second Amendment to Town of Eliot TIF

Since the prior projections were undertaken, in Fiscal Year 2018, the District captured \$40,356,100, resulting in \$593,235 in TIF revenues and in Fiscal Year 2019, the District captured \$40,772,200, resulting in \$599,351 in TIF revenues.

Exhibit C-2: Tax Shift Benefits
Town of Eliot TIF (f/k/a Route 236 TIF)

Tax Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Additional Local Education Contribution	Total Tax Shift Benefit
2016-2017	8	-	-	-	-	\$0
2017-2018	9	-	-	-	-	\$0
2018-2019	10	-	\$0	\$0	\$0	\$0
2019-2020	11	\$0	\$20,809	\$15,370	\$24,485	\$60,664
2020-2021	12	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2021-2022	13	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2022-2023	14	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2023-2024	15	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2024-2025	16	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2025-2026	17	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2026-2027	18	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2027-2028	19	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2028-2029	20	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2029-2030	21	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2030-2031	22	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2031-2032	23	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2032-2033	24	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2033-2034	25	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2034-2035	26	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2035-2036	27	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2036-2037	28	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2037-2038	29	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2038-2039	30	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2039-2040	31	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2040-2041	32	\$322,157	\$20,809	\$15,370	\$24,485	\$382,821
2041-2042	33	\$322,157	\$20,826	\$15,370	\$24,505	\$382,858
Totals:		\$7,087,452	\$478,619	\$353,512	\$563,170	\$8,482,754
Averages:		\$308,150	\$19,942	\$14,730	\$23,465	\$326,260

Assumptions:

1. Data sources include the 2018 mil rate and commitment reported by the Town, the State Treasurer's Office Municipal Revenue Sharing projections for FY2019 dated 03/29/18, the Maine Department of Education 04/18/18 ED 279 form for RSU 35/MSAD 35 2017-2018, the Maine Department of Education's EM-F-46 form for RSU 35/MSAD 35 and FY 18 County of York Tax Assessment. Local Education Contribution based on State Valuation.
2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.
3. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.
4. Assumes the assessment ratio in the Town is 100% when new property value arrives, such that the market value of new property is used for assessment purposes.

EXHIBIT D

TOWN WARRANT ARTICLE AND VOTE RESULTS

TOWN OF ELIOT, MAINE

SPECIAL TOWN MEETING ELECTION & REFERENDUM WARRANT

TUESDAY, NOVEMBER 5, 2019

To Grant M. Hirst, a Resident of the Town of Eliot, in the County of York, State of Maine

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Eliot, County of York, State of Maine, qualified by law to vote in town affairs, to meet at Marshwood Middle School, 626 H. L. Dow Highway, Eliot, Maine, on Tuesday, November 5, 2019 at 7:30 AM for opening ceremonies and action on Article One, Election of Moderator. The polls for voting will be open from 8:00 AM to 8:00 PM for secret ballot voting on Articles Two through Nine and Advisory Survey Non-Binding Referendum Question One.

Pursuant to Title 21-A, Section 759(7) absentee ballots will be processed at the polling place from 9:00 AM to 8:00 PM on the hour, every hour as needed.

The Town will provide any reasonable accommodations for any disabled resident to attend this Election. Please notify the Town Manager at the Town Office of the need. This is in accordance with the ADA Law.

ARTICLE 1: To elect a moderator by written ballot to preside at said meeting.

ARTICLE 2: To elect One (1) Budget Committee Member to fill an unexpired term to June 2022.

ARTICLE 3: Amendment to the Tax Increment Financing Development Program

Shall the voters of the Town of Eliot, Maine amend the existing Town of Eliot Municipal Development and Tax Increment Financing District boundaries and adopt the Second Amended and Restated Development Program which would revise the list of approved project costs, all based on the findings attached to the town meeting warrant approved by the Select Board?

Select Board Recommends (Yes 4 - No 0 - Absent 1)

Statement of Fact: For the following three (3) articles, if Article number four (#4) is defeated then Articles number five (#5) and number six (#6) are also defeated. These three articles are dependent upon the passage of Article number four (#4).

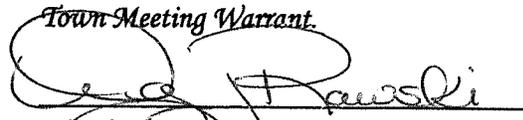
ARTICLE 4: ORDINANCE AMENDMENT – ADULT USE MARIJUANA ESTABLISHMENTS

Shall an ordinance entitled "Amendments to Chapter 45, Zoning, Section 45-290, Table of permitted and prohibited uses" of the Municipal Code of Ordinances of the Town of Eliot, Maine be enacted to permit adult use marijuana stores, cultivation facilities, products manufacturing facilities, and testing facilities in the Town of Eliot?

Planning Board Recommends (Yes 5 - No 0)

Select Board Recommends (Yes 4 - No 0 - Absent 1)

*Attest: A true copy of the November 5, 2019 Special
Town Meeting Warrant.*


Wendy J. Rawski, Eliot Town Clerk
11/07/2019

ARTICLE 5: ORDINANCE ADOPTION – MARIJUANA ESTABLISHMENTS

Shall an ordinance entitled "Chapter 11, Marijuana Establishments" of the Municipal Code of Ordinances of the Town of Eliot Maine be enacted only if voters approve Article 4 permitting adult use marijuana stores, cultivation facilities, products manufacturing facilities, and testing facilities in the Town of Eliot?

Planning Board Recommends (Yes 5 - No 0)
Select Board Recommends (Yes 4 - No 0 - Absent 1)

ARTICLE 6: ORDINANCE AMENDMENT – PLANNING AND DEVELOPMENT

Shall an ordinance entitled "Amendments to Chapter 33, Planning and Development" of the Municipal Code of Ordinances of the Town of Eliot Maine be enacted only if voters approve Article 4 permitting adult use marijuana stores, cultivation facilities, products manufacturing facilities, and testing facilities in the Town of Eliot?

Planning Board Recommends (Yes 5 - No 0)
Select Board Recommends (Yes 4 - No 0 - Absent 1)

ARTICLE 7: ORDINANCE AMENDMENT – SEWER SYSTEMS

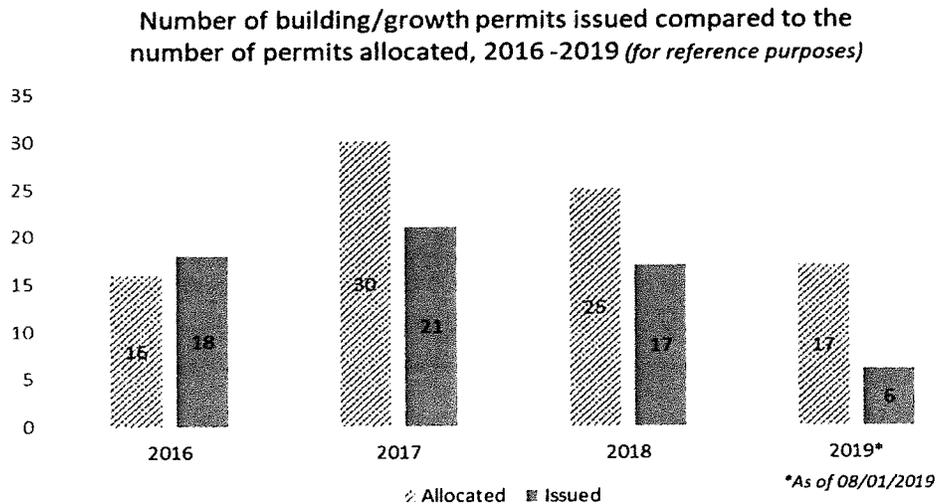
Shall an ordinance entitled "November 2019 Amendments to "Chapter 18, Sewer Systems" of the Municipal Code of Ordinances of the Town of Eliot, Maine be enacted?

Select Board Recommends (Yes 4 - No 0 - Absent 1)

ARTICLE 8: ESTABLISH MAXIMUM GROWTH PERMITS FOR 2020

Shall the Town allocate a maximum of 24 growth permits for new, residential dwelling units for calendar year 2020, as recommended by the Eliot Planning Board, in accordance with §29-5 of the Growth Management chapter of the Municipal Code of Ordinances of Eliot, Maine?

**Note: In the event this article does not pass, the number of growth permits allocated in 2020 will be 105% of the mean number of permits issued for new residential dwelling units during the previous ten years, as required by M.R.S.A. 30-A §4360. That number is estimated to be 16.*



Planning Board Recommends (Yes 4 - No 1)
Select Board Recommends (Yes 4 - No 0 - Absent 1)

ARTICLE 9: CITIZEN INITIATIVE

Shall an ordinance entitled "Agricultural Tourism Ordinance" be enacted?

***** ADVISORY SURVEY – NON-BINDING REFERENDUM *****

CHLORAMINES

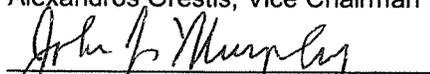
Portions of Eliot are served by public water from Kittery Water District. Recently, the idea of changing their water treatment from just Chlorine to Chlorine plus Ammonia (Chloramine) has been discussed. What is your view?

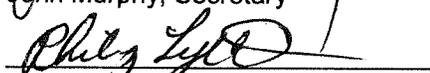
Please Note: Copies of all proposed ordinances and ordinance amendments are available at the Town Clerk's Office and on the Town Website at www.eliotmaine.org.

Given under our hands this 22nd day of August, 2019.


Richard Donhauser, Chairman


Alexandros Orestis, Vice Chairman


John Murphy, Secretary


Philip Lytle, Selectman

Robert McPherson, Selectman

**Select Board
Town of Eliot, Maine**

RETURN OF THE WARRANT

Eliot, Maine

Oct 7, 2019

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said town, qualified as herein expressed, to meet at said time and place, and for the purposes therein named, by posting an attested copy of said warrant at the Eliot Town Office Interior & Exterior Bulletin Boards, the Eliot Transfer Station Bulletin Board, the Eliot Post Office Bulletin Board and the William Fogg Library Bulletin Board in said town, being public and conspicuous places in said town, on the 7th day of October 2019 being at least seven days before the meeting.


Grant M. Hirst
Resident, Town of Eliot, Maine

Findings Related to the Second Amended and Restated Town of Eliot Municipal Development and Tax Increment Financing District and Development Program

WHEREAS, in 2009 the Town of Eliot designated the Route 236 Municipal Development and Tax Increment Financing District (the "District") and adopted a development program for the District (the "Development Program"), which district designation and development program adoption were approved by the Maine Department of Economic and Community Development (the "Department") on March 31, 2009; and

WHEREAS, in 2018 the Town of Eliot amended the District and adopted the Amended and Restated Development Program for the District (the "First Amendment") to amend the geographic boundaries and to rename the District the "Town of Eliot Municipal Development and Tax Increment Financing District." The First Amendment was approved by the Department on January 7, 2019.

WHEREAS, the Town of Eliot is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the District and to amend the Development Program for the District (the "Second Amended and Restated Development Program"); and

WHEREAS, there remains a continuing need for economic development in the Town of Eliot; and

WHEREAS, there is a need to provide continuing and new employment opportunities for the citizens of the Town and the surrounding region; to improve and broaden the tax base of the Town; and to improve the general economy of the Town, the surrounding region and the State of Maine; and

WHEREAS, implementation of the Second Amended and Restated Development Program will help to promote economic development and provide new employment opportunities in the Town and the surrounding region, improve and broaden the tax base in the Town and improve the economy of the Town and the State of Maine; and

WHEREAS, the Town will hold a public hearing on the question of amending the boundaries and project list of the District (the "Second Amended District") and adopting the Second Amended and Restated Development Program for the Second Amended District in accordance with the requirements of 30-A M.R.S.A. Section 5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town desires to designate the Second Amended District, and to adopt the Second Amended and Restated Development Program for the Second Amended District; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the designation of the Second Amended District and the adoption of the Second Amended and Restated Development Program for the Second Amended District;

NOW, THEREFORE, BE IT HEREBY VOTED BY THE TOWN:

Section 1. The Town hereby finds and determines that:

At least twenty-five percent (25%), by area, of the real property within the Second Amended District, as hereinafter amended, is suitable for commercial uses as defined in 30-A M.R.S.A. Section 5223(3); and

The total area of the Second Amended District does not exceed two percent (2%) of the total acreage of the Town, and the total area of all existing and proposed development districts within the Town (including the Second Amended District) does not exceed five percent (5%) of the total acreage of the Town; and

The original assessed value of all existing and proposed tax increment financing districts (including the Second Amended District) does not exceed five percent (5%) of the total value of equalized taxable property within the Town as of April 1, 2018; and

The designation of the Second Amended District and pursuit of the Second Amended and Restated Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the

betterment of the health, welfare or safety of the inhabitants of the Town, and any adverse economic effect on or detriment to any existing business is outweighed by the contribution made by the Second Amended District and the Second Amended and Restated Development Program to the economic growth or well-being of the Town and the betterment of the health, welfare and safety of its inhabitants.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby amends the District, as designated and described more particularly set forth in the Second Amended and Restated Town of Eliot Municipal Development and Tax Increment Financing District Development Program presented to the town meeting in the form attached hereto and such Second Amended and Restated Development Program is hereby incorporated by reference into this vote as the Development Program for the Second Amended District.

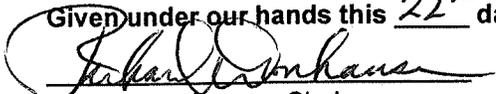
Section 3. Pursuant to the provisions of 30-A M.R.S.A. Section 5227, the percentage of captured assessed value to be retained in accordance with the Development Program is to be established as set forth in the Second Amended and Restated Development Program.

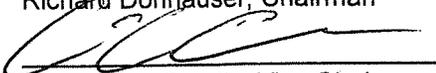
Section 4. The Town Manager be, and hereby is authorized, empowered, and directed to submit the designation of the Second Amended District and the adoption of the Second Amended and Restated Development Program for the Second Amended District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. Section 5226.

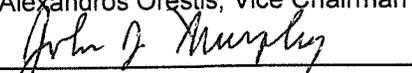
Section 5. The Town Manager be, and hereby is authorized and empowered, at his discretion, from time to time, to make such revisions to the Second Amended and Restated Development Program for the Second Amended District as the Town Manager may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the Second Amended District by the Department, or for any other reason, so long as such revisions are not inconsistent with these articles or the basic structure and intent of the Second Amended and Restated Development Program.

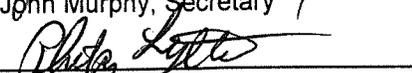
Section 6. The foregoing designation of the Second Amended District and the adoption of the Second Amended and Restated Development Program for the Second Amended District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation to the Second Amended District and adoption of the Second Amended and Restated Development Program by the Department, without requirements of further action by the Town, the Board of Selectmen or any other party.

Given under our hands this 22nd day of August, 2019.


Richard Donhauser, Chairman


Alexandros Orestis, Vice Chairman

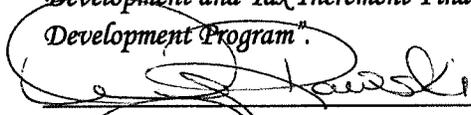

John Murphy, Secretary


Philip Lytle, Selectman

Robert McPherson, Selectman

**Select Board
Town of Eliot, Maine**

Attest: A true copy of the "Findings Related to the Second Amended and Restated Town of Eliot Municipal Development and Tax Increment Financing District and Development Program".


Wendy J. Rawski, Eliot Town Clerk
09/12/2019

MUNICIPAL ELECTION & REFERENDUM – NOVEMBER 5, 2019
MODERATOR'S RETURN OF VOTES CAST

Total Votes Cast: 1,712

I, J. Peter Dennett, duly appointed Moderator, do hereby certify the following to be the true results of the Municipal Election and Referendum Election held in Eliot on Tuesday, November 5, 2019. Said election was held in accordance with the provisions of 30-A MRSA Section 2531(4):

<u>CANDIDATES / REFERENDUMS</u>	<u>VOTES RECEIVED</u>
BUDGET COMMITTEE – (1) Member, Term to June 2019	
Holt, Diane M.	<u>1189</u>
Write-in	<u>33</u>
Blank	<u>490</u>
QUESTION 3	
Yes	<u>1069</u>
No	<u>580</u>
Blank	<u>63</u>
QUESTION 4	
Yes	<u>1059</u>
No	<u>637</u>
Blank	<u>16</u>
QUESTION 5	
Yes	<u>1098</u>
No	<u>591</u>
Blank	<u>23</u>
QUESTION 6	
Yes	<u>1095</u>
No	<u>572</u>
Blank	<u>45</u>

Attest: *A true copy of the November 5, 2019 Special Town Meeting Election & Referendum Results.*


Wendy J. Rawski
Eliot Town Clerk
11/07/2019

CANDIDATES / REFERENDUMS

VOTES RECEIVED

QUESTION 7

Yes	<u>1087</u>
No	<u>517</u>
Blank	<u>108</u>

QUESTION 8

Yes	<u>1067</u>
No	<u>602</u>
Blank	<u>43</u>

QUESTION 9

Yes	<u>1196</u>
No	<u>376</u>
Blank	<u>140</u>

**** ADVISORY SURVEY – NON-BINDING REFERENDUM QUESTION1****

Support	<u>113</u>
Do Not Support	<u>797</u>
No Opinion	<u>736</u>
Blank	<u>666</u>



Moderator's Signature



Election Official's Signature

EXHIBIT E

PUBLIC HEARING NOTICE

OBITUARIES & NEWS

Marie A. Cashman

YORK HARBOR, Maine — Marie A. Cashman, 95, formerly of South Berwick and Kittery, passed away peacefully surrounded by her family on Monday, October 7, 2019 at Sentry Hill of York Harbor following a period of failing health. She was born in Portsmouth, N.H., on November 4, 1923, the oldest of eight children born to Ambrose and Marion Penney.



Marion Bedell; brother Ambrose (Joe) Penney, Jr. and great-granddaughter, Aida Marie. Surviving are her four daughters, Darlene Grant

and husband John, Carol Bryant and husband Paul, Sharon Wiggins and husband Bruce, Donna Kraft and husband Bob; son, Brian Cashman and wife Terry; 13 grandchildren; 22 great-grandchildren and three great-great grandchildren. Marie is also survived by her sisters, Margaret Rogers and Patricia Littlefield; brother Robert (Bob) Penney and many nieces and nephews.

The family would like to thank the many friends and medical care providers at Sentry Hill for their loving support and guidance during her years there.

SERVICES: Visiting hours will be held Sunday, October 13, from 6-8 p.m. at the Johnson Funeral Home, 26 Market St., North Berwick, Maine. Funeral services will be held Monday, October 14, at 1 p.m., at Bethel Christian Church, 129 Lower Main St., North Berwick; interment to follow in Brooks Memorial Cemetery in Eliot, Maine.

In lieu of flowers, donations should be considered to the Bethel Christian Church (Marie Cashman Music Fund), P.O. Box 537, North Berwick, Maine or Browning Memorial Fund at Sentry Hill, 2 Victoria Court, York, ME 03909. Arrangements are entrusted to the Johnson Funeral Home, 26 Market St., North Berwick, ME 03906. Condolences may be made online at www.JohnsonFuneralHomeME.com.

She was predeceased by her husband, Alfred Cashman, her parents; sisters, Virginia Michaud, Florence Sylvester and

MARKET WATCH

Dow	26,496.67	▲ 150.66
Nasdaq	7,950.78	▲ 47.04
S&P	2,938.13	▲ 18.73
Russell	1,485.36	▲ 5.90
NYSE	12,766.00	▲ 74.84

COMMODITIES REVIEW

Gold	1,494.80	▼ 11.30
Silver	17.520	▼ .208
Platinum	903.10	▲ 11.20
Copper	2.6050	▲ .0430
Oil	53.55	▲ 0.96

IN BRIEF

KNOXVILLE, TENN. Owners of Charlie Brown song sue Dollywood

The copyright owners of the "Charlie Brown Christmas" theme song have sued Dollywood in federal court for copyright infringement.

News outlets report the complaint says the East Tennessee theme park named for country star Dolly Parton has used the song without permission

in live Christmas performances since 2007.

The lawsuit says Los Angeles-based Lee Mendelson Film Productions owns the copyright and is asking for \$150,000 for every time the song has been used.

According to the suit, "Christmas Time is Here" was written by Lee Mendelson and Vince Guaraldi for the 1965 television special "A Charlie Brown Christmas."

Robert Arthur Spinney

YORK, Maine — Robert Arthur Spinney, 88, of York, husband of June (Hall) Spinney, passed away on Tuesday, October 8, 2019 at the York Hospital in York, Maine. He was born on August 15, 1931 in Somerville, Massachusetts, to the late Reginald and Harriett (Rowe) Spinney.



years he also enjoyed fly fishing; was an avid reader; liked playing cards and was always up for a good game of cribbage.

Robert was a graduate of Traip Academy, Class of 1948 and went on to proudly served his country in the United States Army from 1950-1952, during the Korean War.

Prior to his retirement, he was U.S. civilian service employee as a finish carpenter at the Pease Air Force Base.

Over a 12 year period, he built four homes, the fourth is where he and wife, June, resided for over 50 years and raised their children. During that time, the family cleared a majority of the 25 acres that the house and barn sit on. As an accomplished finish carpenter, his love of woodworking was shown in the many hand-made projects, including many woodturning projects, which he shared with family.

Robert was an avid hunter and in his younger

Robert was a 50-plus year member of Naval Lodge #184 AF & AM in Kittery. He also attended many masonic meetings at St. Andrew's Lodge No. 56 F & AM in Portsmouth.

Besides his parents and his two sisters, Olive Moulton and Mary Pelletier, a son, Russell Spinney, predeceased him in 1991.

Survivors include his wife of 66 years, June of York, Maine; a son, Randy Spinney (Lisa Thompson) of Eliot, Maine; grandson, Ethan Spinney of Kittery, Maine; nieces and nephews.

SERVICES: Keeping with Robert's wishes there will be no services. Memorial contributions may be made to: Rice Public Library, 8 Wentworth St., Kittery, ME 03904. For online condolences, visit: www.jwoodfuneralhome.com. Arrangements are under the direction and care of the J. Verne Wood Funeral Home - Buckminster Chapel.

Trump using impeachment to rally voters

By Zeke Miller, Steve Karnowski and Jonathan Lemire
The Associated Press

before in the history of this country."

MINNEAPOLIS — President Donald Trump sought to convert the impeachment investigation in Washington into a political asset on the campaign trail, telling supporters at the first of three reelection rallies over the next eight days that Democrats want to "erase" their vote by removing him from office.

The Thursday night rally in Minneapolis was the first since Democrats began proceedings two weeks ago to remove him from office. It served as a proving ground for the president as he tries to use the impeachment inquiry to energize supporters for his 2020 campaign.

"They want to erase your vote like it never existed," Trump said. "They want to erase your voice and they want to erase your future." He added, "The Democrats' brazen attempt to overthrow our government will produce a backlash at the ballot box the likes of which they have never ever seen

The rally, scheduled before House Speaker Nancy Pelosi, D-Calif., announced the impeachment investigation, came at a pivotal moment for Trump. His campaign strategy is focused on motivating his core supporters, rather than trying to win over a diminishing number of undecided voters, and the resonance of his appeal to the faithful may determine his second-term chances.

Trump has lashed out in acerbic tweets and public statements at Democrats, the media and even some Republicans as impeachment has dominated the national headlines. He has claimed that he is the victim of a "coup," although impeachment is a constitutional process, and accused Democrats of trying to undo the 2016 election.

White House officials expected Trump to echo those themes in Minnesota, much as he tried to paint himself as the victim during special counsel Robert Mueller's Russia investigation.

Turkey presses Syrian assault as thousands flee

By Lefteris Pitarakis and Mehmet Guzel
The Associated Press

AKCAKALE, Turkey — Turkey pressed its air and ground assault against U.S.-allied Kurdish forces in northern Syria on Thursday for a second day, pounding the region with airstrikes and an artillery bombardment that raised columns of black smoke in a border town and sent panicked civilians scrambling to get out.

Amid the fierce fighting, residents fled with their belongings loaded into cars, pickup trucks and motorcycle rickshaws, while others escaped on foot. The U.N. refugee agency said tens of thousands were on the move, and aid agencies warned that nearly a half-million people near the border were at risk.

It was a wrenchingly

familiar scene for many who had fled the militants of the Islamic State group only a few years ago.

There were casualties on both sides: Turkish officials in two border provinces said mortar fire from Syria killed at least six civilians, including a 9-month-old boy and three girls under 15. On the Syrian side, seven civilians and eight Kurdish fighters have been killed since the operation began, according to activists in Syria.

The Turkish offensive was launched three days after U.S. President Donald Trump opened the way by pulling American troops from their positions near the border alongside their Kurdish allies.

At a time when Trump faces an impeachment inquiry, the move drew swift criticism from Republicans and Democrats in Congress,

along with many national defense experts, who say it has endangered not only the Kurds and regional stability but U.S. credibility as well. The Syrian Kurdish militia was the only U.S. ally in the campaign that brought down the Islamic State group in Syria.

Trump warned Turkey to act with moderation and safeguard civilians. But the opening barrage showed little sign of holding back: The Turkish Defense Ministry said its jets and artillery had struck 181 targets so far.

Turkish Foreign Minister

Mevlut Cavusoglu said the military intends to move 30 kilometers (19 miles) into northern Syria and that its operation will last until all "terrorists are neutralized."

More than a dozen columns of thick smoke rose in and around the Syrian town of Tel Abyad, one of the offensive's first main targets. Turkish officials said the Kurdish militia has fired dozens of mortars into Turkish border towns, including Akcakale.

As the shelling intensified, cars packed with civilians crowded a bridge linking Syria and Iraq.

Legal Notice

Please take notice that Highpine Properties, LLC, P.O. Box 339, Wells, ME 04090, 207-619-0032, through its agent, Attar Engineering Inc., 1284 State Road, Eliot, Maine 03903 is intending to file a Site Location of Development Act Permit application and Natural Resources Protection Act Permit (Tier 1) with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. sections 481 through 490 and sections 480-A through 480-BB on or about October 30, 2018

The application is for a 120 Unit Residential Multi-Family Subdivision at the following location: Sanford Road, Wells, ME.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection's office in Portland, during normal working hours. A copy of the application may also be seen at the municipal offices in Wells, Maine.

Written public comments may be sent to the regional office in Portland where the application is filed for public inspection: MDEP, Southern Maine Regional Office, 312 Canco Road, Portland, Maine 04103

A public informational meeting will be held @ 9:00 A.M. on October 23, 2019 at the site. Parking is available at an existing gravel lot (Wells Fire Department, Highpine Station), on the west side of Route 109, approximately 0.1 miles north of the southerly intersection of High Pine Loop.

Legal Notice

TOWN OF NEW CASTLE, NH BOARD OF SELECTMEN - LEGAL NOTICE

The New Castle Select Board will have a public hearing on Monday, October 21, 2019 at 6:45pm at the Recreation Building, 301 Wentworth Road, New Castle, to accept a gift of \$10,000.00 from the Great Island 5K for the purpose of purchasing/or replacing playground equipment at the Great Island Common in New Castle, NH.

Damon Frampton, Chairman
New Castle Board of Selectmen

Legal Notice

TOWN OF ELIOT, MAINE OFFICE OF THE SELECT BOARD
1333 State Road, Eliot, ME 03903

PUBLIC HEARING NOTICE
ELIOT SELECT BOARD
MARSHWOOD MIDDLE SCHOOL GYMNASIUM
DATE OF HEARING: TUESDAY, OCTOBER 22, 2019
TIME: 7:00PM

Notice is hereby given that the Select Board of the Town of Eliot, Maine will hold a public hearing on Tuesday, October 22, 2019 at 7:00PM in said Town to hear public comment on Article Three of the Special Referendum Warrant to be voted by secret ballot on Tuesday, November 5, 2019 as follows:

Article Three: Amendment to the Tax Increment Financing Development Program
Article Three is regarding the second amendment to Town of Eliot Municipal Development and Tax Increment Financing District (formerly known as the Route 236 Municipal Development and Tax Increment Financing District).

The purpose of the public hearing is to receive public comments on the second amendment of the Town of Eliot Municipal Development and Tax Increment Financing District and the adoption of the Second Amended and Restated Development Program for the Second Amended District.

The proposed Second Amended District is comprised of an approximate total of 214.16 acres of real estate located in Eliot, Maine along Route 236. A copy of the proposed Second Amended & Restated Development Program will be on file with the Town of Eliot prior to the Public Hearing, along with a color map showing the location of the parcels to be included in the Second Amended District. The proposal does not involve partnership with private parties; there are no proposed credit enhancement agreements planned for the Amended District. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Copies of the Town Meeting Warrant are available at the Town Office and on the Municipal Website (www.eliotmaine.org)

Legal Notice

TOWN OF ELIOT, MAINE OFFICE OF THE SELECT BOARD
1333 State Road, Eliot, ME 03903

PUBLIC HEARING NOTICE
ELIOT SELECT BOARD
ELIOT TOWN OFFICE
DATE OF HEARING: THURSDAY, OCTOBER 24, 2019
TIME: 7:00PM

Notice is hereby given that the Select Board of the Town of Eliot, Maine will hold a public hearing on Thursday, October 24, 2019 at 7:00PM in said Town to hear public comment on the Special Referendum Warrant Articles to be voted by secret ballot on Tuesday, November 5, 2019 as follows:

- Article 4: Ordinance Amendment - Adult Use Marijuana Establishments
- Article 5: Ordinance Adoption - Marijuana Establishments
- Article 6: Ordinance Amendment - Planning and Development
- Article 7: Ordinance Amendment - Sewer Systems
- Article 8: Establish Maximum Growth Permits for 2020
- Article 9: Citizen Initiative - Agricultural Tourism Ordinance
- Non-Binding Referendum 1: Portions of Eliot are served by public water from Kittery Water District. Recently, the idea of changing their water treatment from just Chlorine to Chlorine plus Ammonia (Chloramine) has been discussed. What is your view?

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Copies of the Special Election & Referendum Warrant, proposed ordinances, and proposed ordinance amendments are available at the Town Office and on the Municipal Website (www.eliotmaine.org).

community FAITH directory

BAPTIST FIRST BAPTIST CHURCH OF EXETER 2 Spring Street, Exeter, NH (603) 772-3098 fbc-exeter.org Sundays 10am "Connecting People to People and People to God"	BAPTIST MIDDLE STREET BAPTIST CHURCH 18 Court Street Portsmouth, NH (603) 436-2337 www.middlestreetbaptist.org Sundays 10am Growing with Portsmouth
METHODIST FIRST UNITED METHODIST CHURCH 129 Miller Avenue Portsmouth, NH (603) 436-6038 fumportsmouth.com office@fumportsmouth.net Sundays 10am All Are Welcome	NON-DENOMINATIONAL CHRISTIAN LIFE CHURCH 775 Harold L. Dow Highway, Eliot, ME (207) 449-3824 ciltchurches.org Sundays 9am & 11am Downpour Service 7pm 2nd Friday of the month Come as you are. Discover all you can be.

Included in your listing should be Name, Address, Phone, Web Address, Worship Hours and A Short One-Liner.
For directory information, or to list your church, call TINA RITTER at (603) 570-2122 - or tritter@seacoastonline.com

Attest: A true copy of the Eliot Select Board Notice of Public Hearing to be held on Tuesday, October 22, 2019.
Wendy J. Rawski, Town Clerk
Town of Eliot, Maine
October 21, 2019

TOWN OF ELIOT, MAINE
OFFICE OF THE SELECT BOARD
1333 State Road, Eliot, ME 03903

PUBLIC HEARING NOTICE

AUTHORITY: ELIOT SELECT BOARD
PLACE: MARSHWOOD MIDDLE SCHOOL GYMNASIUM
DATE OF HEARING: TUESDAY, OCTOBER 22, 2019
TIME: 7:00PM

Notice is hereby given that the Select Board of the Town of Eliot, Maine will hold a public hearing on Tuesday, October 22, 2019 at 7:00PM in said Town to hear public comment on Article Three of the Special Referendum Warrant to be voted by secret ballot on Tuesday, November 5, 2019 as follows:

Article Three: Amendment to the Tax Increment Financing Development Program

Article Three is regarding the second amendment to **Town of Eliot Municipal Development and Tax Increment Financing District** (formerly known as the Route 236 Municipal Development and Tax Increment Financing District).

The purpose of the public hearing is to receive public comments on the second amendment of the Town of Eliot Municipal Development and Tax Increment Financing District and the adoption of the Second Amended and Restated Development Program for the Second Amended District.

The proposed Second Amended District is comprised of an approximate total of 214.16 acres of real estate located in Eliot, Maine along Route 236. A copy of the proposed Second Amended & Restated Development Program will be on file with the Town of Eliot prior to the Public Hearing, along with a color map showing the location of the parcels to be included in the Second Amended District. The proposal does not involve partnership with private parties; there are no proposed credit enhancement agreements planned for the Amended District.

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Copies of the Town Meeting Warrant are available at the Town Office and on the Municipal Website (www.eliotmaine.org)

Municipal Officers' Return

Eliot, Maine

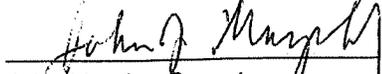
Pursuant to 30-A M.R.S.A. §2528(5) and 30-A M.R.S.A. §5226, we have this day, being at least 10 days before the hearing directed Wendy Rawski, Town Clerk to notify the inhabitants of said Town of a public hearing, to be held at the time and place, and for the purposes stated above, by posting a copy of said notice at the following public and conspicuous places in said Town: Eliot Town Office, Eliot Transfer Station, Eliot Post Office and William Fogg Library.

Given under our hands this 22nd day of August, 2019.



Richard Donhauser, Chairman

Alexandros Orestis, Vice Chairman



John Murphy, Secretary



Philip Lytle

Robert McPherson

**Municipal Officers
Eliot, Maine**

*Attest: A true copy of the Select Board Public Hearing
Notice for a hearing to be held on Tuesday, October 22,
2019..*



Wendy J. Rawski, Eliot Town Clerk
09/12/2019

EXHIBIT F
MINUTES OF PUBLIC HEARING

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM**

7:02 PM: The meeting was opened by Chairperson Donhauser.

Mr. Donhauser said that this public hearing is a statutory requirement. We are here tonight to discuss a change to the TIF and development program and explain what we have come up with. He introduced himself (Chair, Eliot Select Board) and the other members of the Select Board: Alex Orestis, Bob McPherson, Jack Murphy is at another meeting, and Phil Lytle. Dana Lee is the Town Manager and we also have Shana Cook Mueller, attorney from Bernstein Shur and Phil MacDonald, P.E., from Underwood Engineers. We also have members of the TIF Committee here: Ed Henningsen (Chair), Caleb Sloan (Vice-Chair), Sarah Plocharczyk (Secretary), Charles Bradstreet, Randy Stewart (not present), and Rosann Lentz (Alternate).

Mr. Donhauser discussed his position on this. First of all, I want to tell you that I have been a resident of Eliot for over 45 years and one of the constants that happened to me during those 45 years is that there has always been change. I can remember the elimination of dairy-farming. We used to go down on Brixham Road and buy chocolate milk. We can't do that anymore. In fact, farming is almost gone. There's also been a reduction of the workforce at the shipyard. There are also a number of businesses that have gone in, gone out of the Eliot Commons. There's been a lot of change over the 45 years that I've been here. So, we face a choice. We can either proactively manage this continuous change through the decision we are about to make this evening, through the election, I should say, or risk that Eliot is fundamentally going to change in a way we may not want to have it change or could have been avoided in the first place; so, we're going to discuss that tonight. But, the heart of the discussion is how we manage economic development of our town and how we create the greatest likelihood for attracting the type of businesses we would like to have here. For example, a data center, an outpatient clinic, or doctors, pharmacies, or restaurants. Currently, with Route 236 it's very difficult to have any of those types of businesses along Route 236 because of the infrastructure. We have an economic corridor which is currently underutilized and that's Route 236. There's been a number of proposals for the TIF but as a 45-year resident, and a former business owner...I actually owned two businesses on Route 236 – Eliot Rent A Space & Self-Storage and was a CPA for 25 years here in Eliot. The choice is pretty clear to me. This is my opinion and everybody has their own opinion. By further developing the infrastructure along Route 236, we can create the type of economic development that attracts a diversity of businesses that will allow Eliot to thrive with desirable services, such as a clinic or a data center or a pharmacy, for examples. We can also avoid diverting traffic through residential areas by developing Route 236. I

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

think the underlying theme is that what we're doing is that we're trying to provide options rather than unintended outcomes.

7:06 PM Mr. Donhauser said that, before we begin this public hearing, I would like to set some ground rules so that everyone feels comfortable rather than react to each other. First of all, remember that we're all neighbors, and you are entitled to your opinion and I'm entitled to my opinion. I respect your opinion and you should respect my opinion. I'm sure that everyone sitting here wants the best possible solution for the Town of Eliot and we will certainly not agree; that it's not possible that all of us will agree but we should be better informed by the time we finish this meeting. I ask, in any case, not to make a disparaging remark about any individual here tonight because everyone is here of their own volition and they are here for information, and to make their own comment. We're going to do two rounds of comments and questions. When the first round starts, if you want to speak, you approach the podium, please identify yourself and speak into the microphone. If you're speaking, you're really speaking to not only the people, yourselves, here but we would like you to address the Select Board or Mr. Lee, the Town Manager, or the TIF Committee members, whoever you feel is appropriate, or Attorney Mueller or Mr. MacDonald from Underwood Engineers. If you want to address a question to somebody in the audience, please address it to me, first, and then I will address it to the person in the audience so there's no audience going back and forth. The other thing we'd like to establish is that we are going to do a 3-minute rule; so, you can speak for 3 minutes, and we will have a timer, with the 3 minutes for questions and answers, and at the end of 3 minutes you have to stop because we want to give everyone the opportunity. So, that's round one and we will let everybody speak. Once you get up and, if you sit down after three minutes, you can't get back up until the second round. The second round, you get another 3 minutes and, if we need a third round, we will do a third round but I would rather stay with two. If you have a written statement, would you please leave a copy of that with the recording secretary, which is Ellen Lemire.

7:09 PM Mr. Donhauser said that I think it would be appropriate to let the TIF Committee tell us what was our process, how did we get where we are, and try to explain our position. I think it's important to note that everybody here, both on the TIF Committee and the Select Board are unanimous in what we're proposing. There is not one person that is opposed to this.

7:10 PM **The Public Hearing was opened.**

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

Round #1:

Mr. Henningsen introduced himself. I am the chair of the Municipal Tax Increment Financing (TIF) Committee. I didn't pursue this position but inherited it when the original chairman resigned. Tonight, I would like to explain how the TIF Committee arrived at the decision to place Question 3 on the November ballot. First, I feel it is important for the voters to understand that **the purpose of a TIF is to improve economic development within a town and specifically within the TIF district. Thus, improving employment opportunities in the town. Any improvements to residential properties can only happen as an unintentional consequence from the TIF improvement.** The current TIF Committee was formed in November 2018 because the previous committee had been disbanded. The task of our new committee was to review and implement the TIF Program as approved by the voters in June 2018. As many of you know, the TIF Program has been an ongoing project in the town since 2009. The June 2018 vote added 5 properties to the TIF in what was named the "Village Center" and removed a couple from the Rte. 236 properties. It also removed consideration of sewer on Rte. 236. The committee has reviewed and assessed the June 2018 vote and the TIF properties. Of the new properties added three are close together at the intersection of Moses Gerrish Road and State Road. But they are small lots with existing businesses and little opportunity for expansion or growth. The two other properties are Frost Tufts Park and Lot 20-54. Frost Tufts Park is town owned and in the middle of a residential area. Lot 20-54 is mostly woods but has ponds, vernal pools and wetlands. It is currently zoned suburban. The committee spent several meetings looking at uses for Lot 20-54. The best idea we came up with was off-site parking for Portsmouth Naval Shipyard, including a childcare facility and possibly other businesses. In the end, it was agreed that the wetlands, zoning obstacles, access and the history of the past attempt to rezone that lot made it undesirable to develop. Frost Tufts Park also offers little opportunities for commercial development. Yes, there may be a business that could go in there. But we felt the neighbors would object because the park is actively used, would require rezoning and would increase traffic. Recently, there has been discussion within the town that the TIF is an opportunity to expand residential sewer along the river. The committee also considered this possibility. However, we need to comply with the economic development restriction within the TIF rules, which is why this option was rejected. We just could not envision a business at Frost Tufts Park that would justify the expense of the sewer. In addition, neither the State nor Federal government agencies are pushing expanded sewer. Therefore, we feel it is unlikely that they would participate with any funding. In the future, the Middle School could benefit by connecting to the new sewer if it were on Rte. 236. The school operates on a renewable overwater discharge license from the State.

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

Renewed every 5 years. Presently, it is expected that the license will be renewed when it expires in 2 years. However, it would be of benefit to the school, both economically and environmentally, if it could be connected to a sewer system. The main economic and commercial backbone of this town is and always will be Rte. 236. By adding infrastructure to this backbone, it will help modernize the businesses and improve our town and its tax base. A YES vote on Question 3 will allow the TIF Committee to explore viable economic opportunities on Rte. 236 and allow the committee to present those findings to the voters in 2020. The TIF Committee recommends a yes vote on Question 3. Thank you for your time.

7:15 PM

Mr. Lee said that, at this point, I could make a few comments but I think, really, this is an opportunity for some of you to make comments and ask questions, in particular if you don't understand TIFs. He asked if anyone wanted a primer on how TIFs even work.

Many in the audience said yes.

Mr. Lee said that the idea of a Tax Increment Financing District (TIFD) is that you pick a spot in time and you basically take a snapshot of a series of properties that you want in your TIF map, your TIF district. That's called a 'base value'. Whatever its base value was at that time and, in our case, it was 2009 when we first started this TIF process. We took a base value snapshot. All the taxes that on any of that value that existed as of that snapshot continues to go into our General Fund and they continue to fund education, police, public works, and so on. The reason they call it a tax increment financing plan is because there is an increment. We are picking property we think will grow in value. And, if they grow in value, let's say a property was \$500,000 and they decide by virtue of infrastructure, for example, to expand or whatever, and now it goes to \$1,000,000. That new \$500,000 of new value, that incremental increase, the taxes that are yielded from that go into a special economic development fund called the 'TIF Fund'. That TIF Fund is governed by the State of Maine. It is for the creation of jobs and new value in your community. Our TIF is set for a term of thirty years. We're now ten years into that and it goes to 2039. For the last decade, we've been struggling to get a strong majority of our Townspeople to agree on a particular direction. We've had marginal votes that were 3% this way, 3% that way but that's how we've developed so much money. We currently have about 5 ½ million dollars of accumulated taxes in our TIF Fund and, based on the amount going in now with no other additional value, we're expecting about \$18,000,000 in total to land in that TIF Fund between now and 2039. If a second compressor station at XNG, Maritimes and Northeast – that's the bulk of where most of our TIF money comes from – that one compressor station is so valuable that alone contributes about

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

\$500,000 of the \$560,000 we get every year into our TIF Fund. They are talking about a massive expansion of another compressor and, if that happens (we met with them), another \$900,000/year would go into this TIF Fund, making the overall amount that we could expect almost \$30,000,000 in 2039. That's a lot of money. At the end of 2039, all of this new increase in value becomes part of our tax base and it will help real tax dollars to go into our General Fund. They will not always go into this development fund. You've had years to build up your tax base. Currently, we're 95% residential, all taxes come 95% from residences and only 5% comes from commercial properties. That's not a very well-balanced tax base. That puts a lot of tax burden on residences, obviously. I'll stop there. Is there a specific question anybody had about how TIFs work more than that.

7:18 PM

Josh Dow, Bolt Hill Road, asked how big can the TIF area be. Does it have to be located on Rte. 236, only, or could it be a much more expansive thing to encompass places like Shiloh Farm, Sanctuary Arts, and things like that.

Mr. Lee said that they don't have to be contiguous to one another. You can have different parcels if you think there's going to be economic development 'here' and 'here' and also over 'here' and, this whole strip, you could actually make a TIF parcel like that. 2% of your land, all of the acreage in the Town of Eliot, is the maximum you can put into your TIF map. We are at 1.94% with the TIF properties that we put in for Rte. 236.

Mr. Dow said, as an example, I have 100 properties and that equals 2.9%. Do those properties have to be 'here' or could they be spread out.

Mr. Lee said that they can be spread out but we cannot go over 2% of our acreage that is protected from...one of the things about TIFs that people don't realize is that we get much more money in education aid, we pay less county taxes and we get more in revenue-sharing by virtue of sheltering this money. The State doesn't recognize this as being part of our base value, so, we appear poorer than we actually are; so, we get more State aid in two different categories and pay less in county taxes. That's a pretty big thing in having a TIF. And I'll tell you most of the towns around us all have TIFs, one, two, some places have three, or more. We just have the one. Thank you for the good question. At this point, Mr. Chairman, would you like to have people come up and speak into the mic and give questions to people. We've got handouts, by the way, if people haven't found them already and pointed to where they were.

7:21 PM

Janet Saurman, Park Street, said if there is one elephant in the room tonight, it is the "green sheet" Eliot citizens recently received as an insert in the Weekly

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

Sentinel. Because this sheet is intended to influence voters to adopt a particular point of view, I find it troubling that this group, the ECIN, make no mention anywhere in their publication of who they are (actual names, their spokesperson, authors, leadership and the like), why they exist, what their acronym stands for. I could not find a website for the organization that might contain their mission statement, their membership practices, their meeting schedule. THEIR sources... Nothing. We are supposed to take their word for it, but we can't know who they are. So, my first request at this meeting tonight, via the Chairperson would be that if there are any ECIN members in the group here tonight, or authors of this sheet, would they please stand and identify themselves so that fellow citizens, here, have an opportunity to "consider the source." I've studied this year's sheet and I find it stunning in its hypocrisy. Its "voting again" theme: that's what we do in America – we vote, time and time again, we vote. Its "no consultant" complaint – the previous TIF committee that I served on asked for a consultant, and the request was rejected by some of the people I personally suspect are affiliated with this sheet. And the suggestion of a willingness to now support a TIF project that will help sewer users. The opposite was true previously – remember all those "but who is helping me with my septic system question" in previous votes. So, I ask for an ECIN showing here tonight so that for your fellow citizens at this meeting and those watching at home can know who you are and we will all have a chance to consider the source of this green sheet that went out in a mailing. Thank you.

7:25 PM

John Reed, Governor Hill Road, said I am a member of ECIN (Eliot Citizens Information Network). It's the best we could come up with at the time. The green sheet speaks for itself. It doesn't depend on individuals. We've attempted, through the years, to try to come up with information that might be of use or helpful to citizens when they're trying to decide how to vote on something. We attempt to provide information only. We try not to lead the witness. There's lots of times when there's misinformation masquerading as information. We try to avoid that. We're not 100% successful, I'm sure, as I'm sure some of you folks may have issue with our statements. But that is as it is. It is a free country. People can take the green sheet for what it's worth. If they want to read it, think about the issues and statements that are in it, that's great. If they want to throw it in the trash, that's okay, too. I ask they recycle it, at least. So, I'm a proud member of the mysterious ECIN with our...I think it was called an 'ugly green sheet' a couple of cycles ago. So, I'm not going to defend exactly what's on this particular green sheet. The TIF is what it primarily addressed this time around but I'm actually here tonight for a different reason. If you want, I can continue on but I'm sure I'm over my 3 minutes by now.

Mr. Lee said he had about a minute and 10 left.

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

Mr. Reed said that what I have to say further is going to have to be on my own 3 minutes as opposed to this one. Thanks for your attention.

7:27 PM

Thomas Cray, Creek New Drive, asked about the yellow handout we got. There was a mention of the highway department doing something to Rte. 236 in 2021. Could you expand on that so we know what that is. My thought is, if we're going to have a major project, they're going to expand the road, etc., etc., it would be crazy not to get this all underneath that road when it happens. Route 236 is going to develop. Now, whether you have septic on the property or a sewer line under the new road, it does not matter. Look at what's on Rte. 236. A lot of those businesses have been there a long time. Those people are going to cash out and retire. They can sell that property. Our Town is very sought after. That's why we're all here, right. We love it. A great bedroom community and it's a great place to raise kids. It's going to happen. There's no doubt about it. You're going to have businesses come in now. Some of these businesses, like a Walmart, which I absolutely do not, and I'm sure everybody in this room does not, want stuff like that. But different legislation is going to stop that. A sewer line is not going to stop that. So, getting that septic underneath is going to be environmentally friendly instead of having a 50-room business building go in with a sewer in the back yard, which can go into the wetlands behind it because both sides of the road are wetland, right. That sewer line is going to be environmentally friendly and going to help us. That building is coming. Different legislation will help us control that and prevent the stuff we don't want. I personally just bought 178 Dow Highway and so I have a personal thing about this sewer line, now. But, in the end, if you vote NO, "Okay, "I'm going to pay X amount of dollars for my sewer." If you vote YES, "I'm going to pay X amount of dollars, pretty close, to tie in." And I can do what I want on my lot, if I want. It doesn't matter. So, I just don't want to do it twice. I don't want to have to change my sewer and then, it comes up the road, and I have to pay twice. YES or NO isn't going to matter to me. I'd rather be in the sewer going under the road. It's better for the environment. Thank you. (Time was up)

7:29 PM

Mr. Lee said that he and Mr. Henningsen met with LaRay Hamilton (MEDOT) partly because we had seen in the Maine DOT 5-year plan is that they intended to be in Eliot in the year 2021. Mr. Hamilton said that they may widen Route 236 slightly, shimmed with a big overlay, they would have to re-do the back slopes on the road (ditching), etc. and it is going to be a pretty big project. They are not reclaiming it. They can push it off until 2022 if we don't resolve this locally in 2021 and have authority to put in water and hydrants and sewer, and so forth. Once they do this road project, we will be locked out of doing anything on that

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

roadway for a minimum of 5 years, per State regulations. They will work with us, jointly, on this. Make one contract, one effort, one long disastrous construction season on Rte. 236, which he thinks a lot of people would appreciate – a singular season of construction. We would have our own engineers, such as Mr. MacDonald and others, design our project and put it with their project. It might go out as a joint bid and we would oversee our portion of stuff under the road and, when they are done, they would oversee the back filling and paving of the road. We think that makes a lot of sense to get this infrastructure question before you now because we are looking at probably 2 years before we'll be able to break ground, with your approval, and then three after that that we will be locked out if we don't break ground.

7:32 PM

John Chagnon, Goodwin Road, thanked the TIF Committee for bringing this back up, again. I think this is important. I think a lot of municipalities would be very thankful to have a TIF like Eliot does and it was very forward-thinking of the Selectmen at the time. They saw that there was going to be a compressor station coming in, which was going to bring in a lot of value to the community to create this TIF to provide, potentially, a source of money to improve the infrastructure mainly on Rte. 236. Improving infrastructure can mean things like sewer, and sewer is important, but just as important is water and electricity. I think the Town should go forward and would be well-served by expanding water service on Rte. 236. There's been a number of fires at the ARC facility and I think the Chief can speak to the lack of water service; so, it would be good to expand that in this corridor. Spend the money for that and provide better service to the community for fire suppression. Also, the school would probably be well-served by having a water connection. The TIF will add value in the Commercial District and, as mentioned, that's what towns like if you're looking to lower taxes for the regular folks who are residents. The tax base in communities is served by commercial development paying higher taxes. I've seen the green sheets in the past. I haven't seen this particular one but they mentioned some things I wanted to discuss. One is that the compressor station is going to lose value over time. That was one of the things that was mentioned in the green sheet in the past. The company that invested some tens of millions of dollars in the compressor station is not going to let that turn into an untenable asset and go to zero. In fact, I believe, and someone should answer, that they've put more money into that station since the initial construction. That should be brought out. They are not just letting that asset lie there. Adding to it, as was mentioned, they might be adding to it, again. The green sheet, in the past, has mentioned the Rte. 236 corridor is not a good place to build a sewer and he thinks we should hear from the engineers because it's a great place for a sewer. It's a long, straight, shallow-sloped, existing piece of ground. There's not going to be a lot of work to do to put sewer there. Thank you. (Time was up)

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

7:35 PM Tom Hausmann, Drake Lane, asked Mr. Lee, in terms of the future of sewer, do we have an agreement in perpetuity with Kittery to handle our sewerage.

Mr. Lee said that I don't know if it's in perpetuity but we do have a contract and asked Mr. MacDonald if he knew.

Mr. MacDonald said that, right now, you have an agreement for 200,000 gallons/day.

Mr. Lee said that they have extra capacity at the Kittery Sewer District. We currently have a contract with them, we pay them a portion of their capital improvements to that facility (10%) and we also pay for anything that we send over in terms of wastewater. They have extra capacity that they could sell us. We bought, initially, 200,000 gallons/day of treatment and we're currently using 115,000 gallons/day, which leaves us 85,000 still in capacity. He broached the question with the Kittery Sewer District, if we needed another 50,000 or 75,000 or 100,000, and they said we would simply go by the existing formula, which is to say we would have more of a percentage on the capital improvement side that we pay but, otherwise, it would just be more consumption cost that we would be paying and you would pay us and we would pay them. That never came up, even in the discussions, that we were in fear that Kittery would not treat our waste. In fact, when the federal government came in, in the mid-80's, they were ordered to take our waste.

7:39 PM Melissa Magdziasz Horner, Alvin Lane, said that I have the Intermunicipal Agreement with Kittery and we entered into a 20-year agreement with them in 2013 and we have to notify each other 5 years before the requested termination date and try to negotiate a settlement.

Ms. Horner said I prepared a statement tonight and was unaware of the time restrictions. It's about 6 ½ minutes so you will see me in Round #2. I, too, want to mention the green sheet from the ECIN: "This Green Sheet from ECIN that has been circulated to the whole town leaves citizens with no way to validate any of the information, and doesn't let anyone consider who the actual source is providing it to them. If there are any citizens who are planning on using this document to guide them towards their vote, you may want to seriously reconsider. I've researched each bullet point and found that several are misleading or taken out of context. I want to share just a few with you tonight.

ECIN's green sheet says, "*its is a myth that higher levels of economic development will always reduce property taxes for residents*" Ask yourself, what

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

are they trying to get me to think? I believe they are trying to get you to think that you've been promised reduced taxes for installing sewer. But they are misleading you by using a type of argument, used throughout history in debates called straw man tactics, it's giving you the impression of refuting an argument that wasn't actually presented by the opponent. Don't fall for the straw man.

The green sheet also tells the entire Town that, "*Increased economic development most often leads to bigger tax rolls and increased spending by local governments*". Ask yourself, what are they trying to get me to think? I believe they want you to think that installing sewer means your taxes are going to increase. Not only is this statement lacking a credible source, after tons of research its most likely referencing municipalities acquiring land for development, you know, like our current TIF plan, the one ECIN members are pushing.

They also share that, "*The Maine Center for Public Interest Reporting states that there is scant data to support claims that TIFs have a positive effect on property values, economic activity, or jobs*". Ask yourself, what are they trying to get me to think? I believe they are trying to get you to think that since there is little data showing any positive outcome, then how could installing sewer work? A quick copy and paste into Google and I actually found the source of this information – a 2014 Bangor Daily News article. The entire two-part article that I read is mostly about how TIFs work. Then there is this little tiny section where ECIN pulled their line, the one used to influence you. But, by not providing any context, its well, out of context, and doesn't provide you with the whole truth. That tiny section, in particular this quote that ECIN is using to tell you not to support sewer is about PRIVATE sector TIFs and why giving a tax break to a developer is bad. It's NOT about infrastructure improvements. I will wait until Round #2 to finish.

7:42 PM

John Reed said that I would like to address something that's a little bit different from what exactly we are addressing tonight. This is Article #3, having to do with the TIF. I believe this TIF effort is not going to go anywhere easily or fast if we insist on maintaining the attitudes we have had since we started this TIF. I would like to address a certain thing that happens in Article #7, which has to do with the revised Sewer Ordinance. The sewer system and the TIF are arguably the most critical, expensive, and contentious issue facing Eliot. The problem is actually not the TIF. If you look into all the voting that's happened over the years, there's a related issue that is fundamental to our resolving moving the TIF forward. Coming up again and again is the question of who pays for the upkeep, maintenance, and repair cost of any Eliot sewer after it's built. That's the whole problem in that, if you look at all the yes and no votes over the years, they all

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

have to do with who will support the TIF going forward after it's built. Until an answer is made completely clear to all citizens, he doesn't think we'll be able to win the approval of voters for TIF spending warrants and build the infrastructure that we need. No matter where the TIF sewer is located – Village or Route 236. I found this statement on what we're being asked to vote on in two weeks. It's a new text inserted in Article 1 §18-9(f) "Operation, maintenance, and replacement responsibilities: The Town of Eliot shall be responsible for the operation, maintenance, and repair of the Public Sewers in the Town of Eliot." I've seen this before a number of times. Think about it. (Time was up)

7:45 PM

Mr. Lee said that of course the Town is responsible. We have a sewer department that would be the functional department responsible.

Mr. Reed asked to add one sentence to what he said before.

Mr. Lee agreed.

Mr. Reed said that he would like to add a question. Does the language he cited mean that all the citizens of Eliot, not just the sewer users, are responsible for paying for the costs of upkeep for the sewer system in Eliot.

Mr. Lee said that that is what I was going to address. Only the sewer users are going to be chipping in to fund the ongoing maintenance for the sewer system. Regular taxpayers will have no bills associated with this. It doesn't affect taxes. It won't affect your taxes. You won't get a sewer charge. This is strictly going to be the just under 700 sewer users that we have now. Who's going to fund it goes back to the question of who's going to fix these two pump stations at \$1.7 million. That ended up being resolved and the 700 sewer users are also paying that full debt service. None of that went to the taxpayers. None of this expense will go to the taxpayers. Kittery Water District will be servicing the hydrants and the water mains as they do now in our Town. Currently we are contracted with Kittery Sewer District and they are helping us with the maintenance of our sewer stuff and we pay Kittery for their help with our sewer maintenance; that that money is paid through the sewer fund, exclusively.

7:48 PM

Mr. Donhauser said that I thought a lot about what you said Mr. Reed and, if you are one of the approximate 600 sewer users in Eliot, you get a sewer bill. There are some components to that sewer bill. The first component is sewer usage and, normally, it's the water that comes in or the effluent going out, unless you can prove that you are filling a swimming pool or something like that. The second component is debt service, which is built into the rate structure, So, as you pay

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

your sewer bill, you are not only paying for usage, you are paying for debt service, and that happens to be the \$1.7 million put on the rate payers in Eliot. The third component is the maintenance reserve. So, as you're going along, you are accumulating a maintenance reserve. I think that answers some of Mr. Reed's question about future maintenance. The next thing is, if I was a sewer user where the sewer runs in Eliot, would I want this TIF to go forward. I think you would because, if I'm a commercial person and I have a 2" sewer pipe running out of my business, I pay based on the dimension of the pipe my affluent is going out of. If I am a resident, I think I might have a 1" pipe. If you have a 2" and a 1", you are going to pay a lot more as a commercial user into those components. There are 60 properties along Rte. 236 that are identified as TIF properties. If we run a sewer down Rte. 236, it doesn't say that if this property is not in the TIF, this property can't connect. That isn't true. This property can also connect. The properties that are adjacent to Rte. 236 can actually participate in the sewer. They don't have to be in the TIF. The TIF is just a mechanism to fund an infrastructure. I actually counted up all the abutters, or anything that touched the TIF District, and there were over 40-50 additional properties to fund the sewer.

7:51 PM

Cindy Cray, Creek New Drive, said that we own commercial property on Rte. 236. It's all relevant but there is something that is really haunting me, as well. We used to live in Portsmouth and it was a beautiful town and we have a lot of friends who live there. Not so much a beautiful town anymore. The development is nuts. It's off the charts and like a runaway train. I get really concerned when I hear economic development on Rte. 236. I work in a building on that road. I travel that road every day. It's a nightmare. I don't know what is proposed for economic development. I'd like to know if there is anything but, I'll tell you right now, it's a bad road and I don't want a Woodbury Avenue running through Eliot. It seems to me the lessons we learned everywhere, Tom said it that growth is going to happen, where's the leash, what legislation do we have. It is my understanding that there are several different commercial zones on that road. So, yeah, I'm concerned and I would like to hear from anybody who might know what has been proposed, what we're going to do, what we're not going to do.

Mr. Lee asked to start with a little different location from Rte. 236. I am currently taking part in a study about Rte. 236 from Beech Road back toward Kittery to McKinley Road. In that study, we are planning to put in center turning lanes that would be traffic-calming and allow traffic to keep moving hopefully reducing long lines of traffic backups. We want to do that same component from Beech Road towards South Berwick (center lanes/traffic calming) because, as an example, trying to get into the Eliot Transfer Station everything gets blocked up and the big trucks come to a dead stop and take a while to get up to speed again.

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

We would like to incorporate that same type of thing in whatever type of project we have with MDOT; that MDOT would like to see it widened, too, and they were talking about the shoulders being adequate for widening. That is true on both parts; with the study he is involved in now and the study we would conduct as part of this road project. As far as economic development, we don't know what will go in. Somebody spoke to some of the older business owners. A lot of them are like car repair places or car lots and I believe that what will probably happen is that they will trade hands to a higher and better purpose. I sent out a letter to business owners asking them if they plan to develop any more and I got back only two responses. One was from Eliot Small Engine who said that they would love to, if they could, and they love the sewer idea, but the lot is fully built out. The other was Mr. Fortunato who has a building going up on Rte. 236. I did want to talk about what laws would prevent it from being a nightmare out there. We have no fluorescent lights (signs/advertising) allowed, no drive-thru, no big-box stores per our zoning. Our zoning is very restrictive, already. You couldn't put a Burger King in, a Walmart, and these days you could not put a Dunkin Donuts in; that the only reason they are there is that they were grandfathered from the old donut shop that used to have drive-thru. But, other than that, we do have zoning in place because we don't want that either.

7:55 PM

Cindy Cray said that that was helpful and asked about traffic flow.

Mr. Lee said that part of this would be to mitigate traffic. We would like to get traffic moving consistently but safely. The State wanted to put in a round-about, at some point; we freaked and said go away, we don't want your money. So, hopefully, traffic would keep moving, be less frustrating, safer, people would be able to turn more safely. And, as I said, our zoning ordinances are very restrictive. In fact, we had been talking about a park-n-ride facility for the Portsmouth Naval Shipyard (PNS), putting a set of little stores around like childcare, elder care, a barber, café. Our zoning doesn't even allow us to have a stand-alone parking terminal type thing. We don't want big terminal parking lots. So that is not an option.

7:57 PM

Jay Muzeroll, Eliot Fire Chief, said that I have been a strong proponent for many years of water mains everywhere in Town, especially in the economic growth area. The fact that we've had some major catastrophes and major fires recently, the last few years, further supports the need to have viable water sources for the protection of the properties that are on that road, or any road in Town. As we move forward, and it's going to move forward, with the development of properties on Rte. 236, it only makes sense to support adequate water supply systems for those properties. It may come as a surprise to some of you but I've

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

got 11 years as a certified wastewater treatment plant operator before I went to work at another job so I'm well-aware of what happens with subsurface disposal systems. The first thing you notice with subsurface wastewater systems when they fail is that you have something coming up on the ground somewhere. By the time you come around to fixing that the damage may already have been done environmentally. Along Rte.236, we have some areas of concern with some water that's involved or some wetland. Why develop property or propose to develop property that you're going to put water on – and I think the Town supports putting water on Rte. 236 – why put the water there, bigger water mains, but not allow the industry that's going to be on that property to connect to a sewer system to prevent environmental damage and to promote adequate, reasonable, and responsible growth.

7:59 PM Russ McMullen, Beech Road, said that he has been one of the longest owners of real estate on Rte. 236 for 33 years, and for full disclosure, he no longer owns property on Rte. 236. My real concern is, having been a realtor and sold a great deal of the land on Rte. 236, I have been involved with a lot of soils tests that took place on Rte. 236 as these lots were developed. And I never had an opinion but the soil scientists all did. A great deal of Rte. 236 is clay and one of my great concerns is that we've seen a lot of things go into Rte. 236 that aren't necessarily friendly to waterways and, folks, Rte. 236 is loaded with water all the way around it. He asked how many knew what the heath was and not many knew. He said that the heath is a body of water on the other side of Rte. 236 out in back of the power station. It is a huge, huge, absolutely wonderful, natural body of water. The water supply in that heath is astronomical, and I am very, very concerned that, with the funds we have available, if we don't start taking care of it – the environment – folks, take an airplane ride. Rte. 236 is surrounded by water. Some of that water, meaning the heath, we've studied. You can go to the Town Hall and ask about it. Some of that water in the heath may become our water supply someday. So, I really ask you to please consider to putting sewer and water on Rte.236 environmentally and safety-wise. Thank you very much.

8:01 PM Rita Pomerleau, Spinney Creek Road, said I am all for the sewer. I have sewer and I'm kind of nervous about paying more but you make me feel better if commercial comes in, they'll pay more. I think I live under a rock, sometimes, as I only read the Portsmouth Herald and the only way I found out about this meeting was that someone posted one thing "TIF Meeting"; that I then have the green paper that I have no idea where it came from. How do people know about the meetings or the information.

Mr. Lee asked if she didn't get a yellow flyer.

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

Rite Pomerleau said that I did but I didn't read it. What I want is something in the Portsmouth Herald. I want more information. And whoever writes in the paper sometimes, they write slanted. They write the green sheet or they put the stuff in the Portsmouth Herald. I want something in there that is balanced.

8:02 PM Mr. Lee said fair enough. We did send something home to every mailbox that we know of in the Town. A full description of how TIFs work and all the information we are talking about tonight. If you still have it, read it, or recycle it with the green sheet, as you will, but it does have a lot of information in it.

Round #2:

8:03 PM Josh Dow said the sewer sounds great for all the reasons you just said. I live on sewer and it's very convenient. If I had a place of business or a house, I would love to have sewer. I think the entire Town should have sewer. But I don't want our little Town to get much bigger. I don't want 25, 35, 45 years from now businesses that are owned by people that we know now are long gone, and their grandkids have it or it's completely different, to have the opportunity to over-expand because, once it's there, you're not taking it back. Now, if we have zoning laws that are supposed to prevent this sort of thing, how do you make that more permanent. How do you convince me that when my kids are owning my house that Eliot isn't going to look like every other over-expanded New England town. Newburyport, where I came from, used to be very small and they wanted to expand it, which they should have, but now it's like you can't drive there. It's expanded beyond the amount of traffic that they can even have there. So, I don't want that for our little Town. I want you guys to assure me that that's not what where we're going to go. Have all the sewer you want, that's great, and it's perfect for lots of logical reasons but how do you know that we're going to stay the same size for a long time.

8:05 PM Mr. Lee said I love your viewpoint and I agree with you completely. I grew up around Greater Portland and saw what happened to Wyndham over my lifetime. Wyndham used to have a Dairy Queen on 302, and that was about it, but now, it's just a hot mess. They didn't control growth, at all. How do you control it. How do you make sure your kids grow up in a place that we don't recognize anymore. You participate on the Planning Board. You participate in the Select Board where you set policy. These folks up here, I can assure you, are not looking for any big growth. At some point, somebody will replace them, and they should be similarly-minded. And I think that, in this Town, the only people you're going to find that are going to get elected are people that are small or low-growth. We did a survey

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

of everybody back four years ago that was part of the TIF and we had some very strong responses – we don't want a lot of growth, we don't want big growth, we want it small or non-existent, keep our agricultural character. And that is what we've been trying to do ever since. We had a very good response on that. You get involved and you make sure your Town doesn't end up like Wyndham. He described growing up in Falmouth Foreside, when it was just fields, and now it's all built up. I don't recognize the place. I don't like it. And I'm sure that future leaders of this Town are going to keep it pretty much the way it is. Get involved and direct the direction of the Town.

8:07 PM

Thomas Cray said there is a gentleman who said he was worried about the increase of payment of taxes to pay for this sewer and you're saying that only someone on the sewer system is going to have to deal with that. So, where's the problem. I don't live in his neighborhood, so my house won't be paying more taxes but my business property will. So, we put in the sewer, the green sheet people, who don't live or have property where the sewer is going, will have a zero tax increase. And if it does go up, drop it in my mailbox and I'll pay it for you. I have intentions, or my son does, of putting another building on my lot; so, I'm figuring my taxes are going to go up when I do that, and they should. They're supposed to. So, compared to a single home paying, my taxes are going to go way up and I want this to happen, not because I'm trying to save myself from some taxes, the environment thing is huge and, as Russ McMullen said, everything is water. There's no reason not to run a pipe under this new road. We need to think about the environment along the road. Think of those 6 to 8-inch rain storms. The water goes over the road because it can't go into the soil, it's all clay. It takes forever to disburse. So, when you have, let's say, one of these garages go out of business and somebody comes in and puts in a 30-unit office building, or something like that, and they put a septic out back. Where are they going to put a leach field for a 30-unit building. And now you do that with 10 properties on the road, 10 more sewers, 10 more leach fields. Where is it going to go. Just put pipe in and solve the problem. You're not going to get your taxes increased. I am. I'm not sure what the problem is.

8:10 PM

Frank Fortunato, Riverview Drive, said, with this zone on Rte. 236, I have two properties. One on the north side, one on the south side. About 5 years ago, my leach field failed and I considered tying into a force main that is privately owned. It was quite expensive and it's also an older pipeline. There's going to be repairs, a fee that has to be paid to maintain that line, which is only natural. Across the street, from the warehouse next to Eliot Auto, we have a leach field there. I did consider tying into the sewer, but it's private, and is on the other side of Rte. 236, which would be an astronomical cost. Sewer is a problem. It's a very real thing.

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

We all need it – residentially, commercially. I don't have a lot of water usage. I'm not like a Dunkin' Donuts where you are constantly using water, but it needs to be disposed of. And all this draining water, think about the location of your well compared to your leach field. I'm sorry to be rude but it's environmental and needs to be disposed of properly. Let's be serious. It's going to cost us some money. We need to grow. This is not the 1800's. There are rules and Planning Board regulations. The maximum height for a building is 35 feet. This is not going to turn into Boston. We have to plan ahead and get rid of sewage and bring the pipeline in for water. I now have water from Kittery. Think about what the Fire Chief says with the fire hazard. We need hydrants to put out fires. It's just a well-known fact, to keep a business going, a residence going, water and sewer is a part of daily life. And, yes, it's going to cost some money but, as Mr. Lee said, it's going to be paid from the people that are using it. So, if the TIF funds are going to pay for this pipeline to be put in, it's not going to cost us for the installation. And if the people using it are going to pay for the maintenance of it, I don't see an issue.

8:13 PM

The Fire Chief just wanted to add that one of the bonuses for adding water lines on Rte. 236 (or anywhere) to any, whether it's residential or commercial, is that fire departments work hard with the insurance industry in the last couple of years to have our insurance service office rating change. We have a better rating now than we did in the past, both for people that are within the water district and without the water district. As a commercial business owner, it would be an enticement to reduce insurance costs. I can't give you numbers. We have insurance professionals in the crowd, here, that can probably give a better idea how that will affect them. But, it's also just an added bonus for the people that are looking to develop in this Town. The water mains and the sewers – the insurance industry will look at that and give them a better fire protection class and save them a little bit of money.

A member of the audience asked if that would expand your reach to private property that go off of Rte. 236 for your ability to put a fire out.

The Fire Chief said that the way the rating goes is, if you are within 1,000 feet of a fire hydrant, you're rated a certain rate. If you're within 5 miles of a fire station, it's another rate, and over 5 miles is another rate. We've been able to work things out with our response codes and our timing and working with the industry so that it basically boils down to now, if you are within 1,000 feet of a hydrant or year-round water source, you get a certain rating; then, if you are outside of that, you get another rating, but it's certainly a better rating than what it used to be. So, you

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

are correct. If you are within a certain distance of the hydrant or a year-round water source, you get benefit from that, as well.

8:16 PM

John Chagnon said I can appreciate what the woman said about change, change is difficult. I've heard from old-timers that there was a huge change when Rte. 236 was opened up. It used to be a railroad line that turned into a highway. Immediately the traffic on Goodwin Road and State Road dropped off noticeably because the shipyard, now, had a different way to get to work. I think the decision was made a long time ago that that would be a good thing to have that road and focus commercial development on that road. That kept Goodwin Road and State Road rural, which is a benefit to the Town, and provides for a place for growth. Growth is also local. The talk about this route becoming something else, like Rte. 1 Saugus or other areas that don't seem to be inviting, also excludes people that are in Eliot that are trying to build their businesses and expand their businesses. An example is that a local brewer wanted to build a brewery somewhere in the area in Eliot and he couldn't do it in Eliot because he didn't have the water and sewer. He went somewhere else. I don't think a brewery would be a bad use of land on Route 236. There happens to be a school on Rte. 236 that is on septic and is going to face a limitation of expansion because they frankly cannot exceed a certain capacity, the capacity of the soil to handle that. So, local businesses are our neighbors, now, and some of them won't be able to expand. Sewer is a benefit to some of those businesses. They are our businesses. They are local people. It's not just developers coming in and taking over the Town. Thank you.

8:18 PM

Melissa Horner, speaking as a Planning Board member, wanted to address concerns that were made about the zoning and how not to let it explode and how to control that and keep Eliot kind of the way that it is. I wanted to just remind everyone that Eliot has dimensional standards in Town and, in the Commercial Zone, it's a 3-acre minimum lot size. In order to change lot sizes, setbacks, lot coverage, all that stuff has to be voted on by the Town. By making this TIF District isn't going to just give anybody authority to go into this district and change all these things that we already have to protect ourselves. So, I just wanted to make sure that the public knew that, that if there are any changes proposed, you get to vote on that again. You can protect yourselves by not voting for the dimensional standards that would potentially increase development.

Melissa Horner had left off from her personal statement and continued: Now, I want to believe that the ECIN is not deliberately trying to deceive you but after all my research I have my reservations. Maybe they don't really understand the difference between a private sector TIF and a municipal TIF project. Either way,

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

it is incredibly deceptive and immoral to pull a quote to fit their agenda without providing proper context to the general public for consideration.

Upon further research I found a University of Maine School of Law review published last year about TIF Districts in Maine and it references other sections of that Bangor article. The review says use of TIFs speak for themselves and many municipalities view it positively. They were disappointed with the news article because there was no acknowledgment that TIFs have made the difference in many economic development projects in Maine. The review goes on to say that extending a public sewer system or widening a road with TIF results in tangible, long-term benefits for an entire community. They also point out that projects focused on infrastructure improvements, benefit industry, society and help whole regions and not just one Town.

I hope you'll consider what I've said here tonight and question the validity and educational value of that green sheet and start thinking for yourselves and start listening to the folks who want to share facts with you, not fiction. In my opinion., that green sheet is political propaganda.

I am a citizen under the age of 40 with two kids, a six-month-old and one who just started Eliot Pre-K. We do not need traffic and business near the elementary school. We need it where it was intended, in the commercial district on Rt. 236. Please don't leave me and my kids with the future tax burden of another municipal owned building by moving forward with the construction of a municipal owned facility. We need this Town to believe in leaving things better for the future, not taking some small tax break. We need people to stop taking these Green Sheets as gospel, I've shown there are cherry-picked truths with no context. We need a diversified tax base with better commercial business to help absorb the burden of lost aid from the state when the TIF is over so residents aren't hung out to dry. Better commercial businesses need sewer and water, and they need to be on Rt 236.

8:22 PM

John Reed said I would really like to see the Town of Eliot use the TIF to make a sewer. In fact, I believe all the people in ECIN are of the same mind. We're all about trying to base our decisions, and each of us has our own decision to make, on facts and we also believe in transparency in government. What I don't want to see is what happened to these current sewer users who now have three parts to their sewer bill. There's no reason for that. Absolutely no reason why there should be a debt service on the existing sewer users to pay for that equipment replacement. If the sewer arrangements before were done properly, there would have been two, and only two, parts to their bill – one is the service to Kittery and the other to the capital equipment reserve. If you started with the capital sewer reserve when the sewer started, and everybody put about \$6.50 in per month, those 641 people over 33 years would have their \$1.7 million and they wouldn't

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

have to pay debt service. They wouldn't have to pay interest on that loan. The people in ECIN, and especially me, don't want to see that happen again. I would like to insist that this §18-9(f) be more clear because I want this TIF to move forward. I don't want it to get stuck and everybody moaning about whether they're going to have to pay for the upkeep for the sewer. You have to be perfectly clear about who is going to pay for equipment repairs and replacement. You have to be clear because the people who aren't sewer users, now, are going to be leery. I don't want to see that happen. You want people to go into this together. Together is how we're going to get a TIF going, on Rte. 236 or wherever. It's really important to the Town that the TIF go forward. And if we get into this "Well, I'm not going to do it because..." and "It's not going to be fair.", and all of this other stuff, you've got to make it really clear. So, what I would like the Select Board to do is to take this Article #7 off the ballot until such time as they can word it correctly so that people can understand, without any doubt unequivocally, that the sewer users are going to pay for their equipment. Otherwise, we're going to be round and round and round like we've been for the last 10 years.

8:25 PM

Mr. Donhauser said that I am going to refocus what we're doing here. What we are doing is trying to discuss Article #3, which has been predetermined that it will be on the ballot. Essentially, what this does is that it allows us to put Rte. 236 back in play. It sort of takes the emphasis off the village center because it was determined by our TIF Committee that that wasn't the most feasible way. That it could be done, without question, and probably could be done for a lot of money. But we think the best way to do it is to actually refocus on Rte. 236. So, to bring it back together, we're trying to get Rte. 236 back in play. There were three handouts prepared and the most interesting one (Illustration of Leverage) that everybody should be interested in regarding what the tax rate has been for the past 10 years while the TIF has been in existence. In 2009, the mil rate was \$12 (TIF formed) and it is currently \$14.70 but, more importantly, that mil rate is broken down into three components – the county, municipal, and MSAD #35. We, as a group, the SB and people in government in Town, only have immediate control over the municipal portion and that represents 0.28% of the mil rate; that in 2009, the mil rate from the Town portion was \$3.36 and has gone up to \$4.12, which shows, in his mind, that the costs have been contained in the Town of Eliot, so the mil rate isn't skyrocketing. And the TIF had very little impact on the mil rate. We've accumulated \$5.5 million without a major impact on the mil rate. The next thing he wanted to go over is there is a tax shift benefit table and what this represents is that, when you have a TIF, there is State aid to education, there's revenue-sharing, there's county tax, and then MSAD #35. State aid to education is the money that comes back to the Town of Eliot and how that's determined is that

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

they take the total assessed value of the entire Town of Eliot and compare it to all the other towns. If our assessed value is 'here' and other towns are 'here', we're considered a wealthier town so they're going to give less State aid to education. To combat against that, you form a TIF, which we did 9 years ago. It doesn't allow this big assessed value that's in the TIF that's creating \$5.5 million of tax revenue to be added on to our assessed value as a Town, as a whole, and therefore our State aid to education kept coming. It wasn't decreased. This table is just an estimate out of the TIF document schedule. Over the life of the TIF, for example, State aid to education over the next 10 years will be about \$6 million, so there's an offset there. The State is actually funding this sewer project, or the TIF or the infrastructure. That's what that says. The last thing I want to tell you about is that we have \$5.5 million in a TIF account right now and we can leverage that. It's like when you have a salary and you go to the bank and get a mortgage on your home. You don't use your whole salary to buy a house. You give them \$50,000 on a \$300,000 loan, so you are leveraging the \$300,000. This table is an example of how we can leverage our money and shows, with this TIF, if everything goes as it appears it's going to go, we're going to accumulate a heck of a lot of money for the purpose of infrastructure and it's not going to increase your real estate tax. The opponents will say, and I agree with them 200%, if the TIF didn't exist, all that money would go back in to reduce your tax rate. However, you'd lose about 60% of the value. If you have a question about this, contact me, call the Town. I would be more than happy to see you or talk to Mr. Lee or anybody in the Town. We are going to wrap this up unless somebody has something more to say.

8:30 PM

Cindy Cray, referring back to the traffic study and the road expansion, asked if that would be done at the same time. Is that the goal and how does that work. You're putting the third lane in. Where is the expansion going to go on either side. How does that happen.

Mr. Lee said that the traffic engineers we're working with right now have determined that there is adequate shoulder existing right now on Rte. 236 that we could sheet that road wider and, as I noted earlier, the base on the edge of the road is suitable to be paved. It is good gravel, it is compacted, etc. And we only need to squeeze out a fairly small amount to have a turning lane. The lanes on Rte. 236 are already a little bit wide and we could sheet them down a bit. That's called a traffic calming. That gives us some of that middle turning lane and the shoulders will provide the rest of it. We can do that with MDOT, as well, when they're doing their work on Rte. 236 concurrent with what we hope to do with infrastructure. It can be done and I think it needs to be done because people are beginning to go on State Road and Goodwin Road to bypass Rte. 236 like crazy. I

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

get 3 or 4 complaints a day about speed on State Road. At 3:30 in the afternoon I plan on my phone ringing about someone speeding, or Goodwin Road. I'd like to get them back on Rte. 236 and give them incentive to stay on that road, as it will be smooth, slower, safe. I think it will be saving some money if we do it concurrent. When you do a joint project, they have a thing called "pennying". For example, we have to have flaggers out there, anyway, and one of the things we can jointly split costs on. We can split costs on other traffic control measures. The paving. They're going to be doing that paving anyway, Now, maybe they were only planning on doing 3 inches and they're going to want a total of 6 inches but I won't have to replace 6 inches, I'll only have to replace 3 inches. Still a big savings. So, there's a lot to be said about doing this concurrent, not the least of which is your inconvenience for a full construction season while we do this project, if you don't want to see two of those. I'll put some businesses out if I do two construction seasons. You won't probably survive it if Rte. 236 is bunged up for two years.

8:34 PM Tom Hausmann said, on the development of Rte. 236, if Rte. 236 gets more developed, I would guess that people would want to avoid Rte. 236. They will use Goodwin Road more than they do right now to save a few minutes. The second concern I have is, if we more businesses on Rte. 236, we pave more area on Rte. 236, we have both sides of the road that are paved. The capacity for those soils to absorb water is less and less and less and no matter how much sewer or water lines we have, that's not going to change that. That's a stormwater issue and where's all that water going to go.

8:35 PM Mr. Lee said that Eliot is a stormwater community. We're on our third license, now. We spend \$200,000/year on stormwater management. One of the things we hope will come of this is that, actually, the pollutants, which we test for in our outfalls of our existing sewer systems...we're afraid we're going to see more of what they call "bacteroides" (human fecal organisms) in our outfall and a lot of that may be coming from that Rte. 236 corridor because there's a lot of water that goes down toward the Piscataqua River from there. I'm just afraid that, with the open septic systems we have now, that that's going to increase our stormwater costs, actually, because we will find more bacteroides if we have a failed septic system. As Mr. McMullen pointed out, you only know when it starts smelling and you see something on your lawn.

8:36 PM Mr. Donhauser said that I want to personally thank you, and from the Select Board, for coming out tonight and being very civil. I believe we did it pretty well. I've been in past public hearings that have gone way out of whack, You guys did a really good job. I applaud you. Thank you very much for your patience, I honor

**SPECIAL SELECT BOARD MEETING
PUBLIC HEARING ON ARTICLE #3: AMENDMENT TO TAX INCREMENT
FINANCING DEVELOPMENT PROGRAM
MARSHWOOD MIDDLE SCHOOL
October 22, 2019 7:00PM (continued)**

your opinion. I understand where you're coming from. We may not agree but, hopefully, we will move forward. We have one last comment and then we will close this public hearing.

8:37 PM Frank Fortunato said I think Mr. Reed brought up a good point. I think a lot of people voting are skeptical about voting yes to approve the sewer. They think they're going to pay for it so the ballot needs to be tweaked a little bit. In thinking about the placement of the pipe on Rte. 236, would it be placed on the north side or the south.

Mr. MacDonald said that the plans are to put the sewer on the south side of the roadway and water would be heading down on the north side. The existing water is on the north side to Beech Road so it would maintain that corridor. There is natural gas on the south side and that's where the existing private force main is.

8:38 PM The public hearing was closed.

N. Adjourn

The meeting was adjourned at 8:39 PM.

Respectfully submitted,

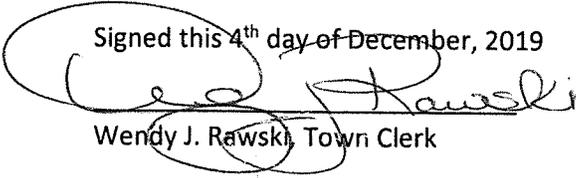
Ellen Lemire, Recording Secretary


Select Board Chairman
~~Mr. John J. Murphy, Secretary~~

Date approved:
November 14, 2019

Attest: A true copy of the Select Board Minutes for the Public Hearing on Article #3: Amendment to Tax Increment Financing Development Program held on October 22, 2019.

Signed this 4th day of December, 2019


Wendy J. Rawski, Town Clerk

STATUTORY REQUIREMENTS AND THRESHOLDS
 Town of Eliot Municipal TIF (f/k/a Route 236 District) District | AMD-2

SECTION A. Acreage Caps		
1. Total municipal acreage;		12,992
2. Acreage of proposed Municipal TIF District;		214.16
3. Downtown-designation ¹ acres in proposed Municipal TIF District;		0
4. Transit-Oriented Development ² acres in proposed Municipal TIF District;		0
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;		214.16
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).		1.65%
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ Amended Route 236/214.16 acres Eliot Commons/17.64 acres	Existing	17.64
	Proposed	214.16
	Total:	231.8
30-A § 5223(3) EXEMPTIONS ⁴		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district:		0
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts: N/A		0
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts: N/A		0
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts common to ⁵ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above:		0
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;		231.8
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).		1.78%
14. Real property in proposed Municipal TIF District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;	0	0
b. In need of rehabilitation, redevelopment or conservation;	0	0
c. Suitable for commercial or arts district uses.	214.16	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

¹ Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

² For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

³ For AH-TIF acreage requirement see 30-A § 5247(3)(B) because that Program has its own/separate valuation limit.

⁴ Downtown/TOD overlap nets single acreage/valuation caps exemption.

⁵ PTZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
 Town of Eliot Municipal TIF (f/k/a Route 236 District) District | AMD-2

SECTION B. Valuation Cap		
1. Total TAXABLE municipal valuation—use most recent April 1;	\$955,517,800	
2. Taxable Original Assessed Value (OAV) of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	\$15,340,500	
3. Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality: Amended Route 236/\$15,340,500 Eliot Commons/\$1,953,700	Existing	\$1,953,700
	Proposed	\$15,340,500
	Total:	\$17,294,200
30-A § 5223(3) EXEMPTIONS		
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	0	
5. Taxable OAV of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
6. Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
7. Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁶ Municipal TIF districts:	0	
8. Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:	0	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$17,294,200	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	1.81%	

COMPLETED BY	
NAME :	Shana Cook Mueller, Bernstein Shur
DATE :	December 10, 2019

⁶ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.