



Town of Hampden
Planning and Development Committee
Wednesday December 20, 2017, 6:00 pm
Municipal Building Council Chambers

Agenda

1. Approval of December 6, 2017 Minutes
2. Committee Applications:
 - A. Morton Syversen, Reappointment to Planning Board
 - B. Jake Armstrong, Appointment to Planning Board
3. Updates:
 - A. MRC/Fiberight
 - B. Staff Report
4. Old Business:
 - A. Executive Session pursuant to 1 MRSA Section 405(6)(C) to discuss economic development issues about which premature disclosure might prejudice the town's bargaining position
 - B. Discussion with Southstreet Development, LLC regarding potential duration and other terms of Credit Enhancement Agreement to support development of Tradewinds and other retail at Coldbrook Corners
 - C. Meeting with Town consultant Noreen Norton and review of working draft of proposed Coldbrook Corners Tax Increment Financing (TIF) District
 - D. Meeting with Town consultant Noel Musson and review of working draft of proposed amendments to Hampden Business Park Covenants -
POSTPONED UNTIL P&D MEETING ON JANUARY 3, 2018
5. New Business:
 - A. Update on marketing Hampden through Down East Magazine
6. Zoning Considerations/Discussion: None
7. Citizens Initiatives
8. Public Comments
9. Committee Member Comments
10. Adjourn



Town of Hampden
Planning and Development Committee
 Wednesday December 6, 2017, 6:00 pm
 Municipal Building Council Chambers
Minutes - Draft

Attending:

Committee/Council

Ivan McPike-Chair
 Terry McAvoy
 Dennis Marble
 Mark Cormier
 David Ryder

Staff

Karen Cullen, Town Planner
 Myles Block, Code Enforcement Officer
 Chief Joe Rogers, Public Safety Director

Public

Noel Musson, Consultant
 Eric Ellingwood

Chairman McPike called the meeting to order at 6:00 pm.

1. Approval of November 15, 2017 Minutes – **Motion** to approve as submitted tonight with revisions to the draft version in the packet made by Councilor Marble with second by Councilor Ryder; carried 5/0/0.
2. Committee Applications:
 - a. Kelley Wiltbank, reappointment to the Planning Board. Planner Cullen noted Mr. Wiltbank is unavailable to attend the meeting tonight but is available for the next meeting. Councilor Marble said his application shows he is a well-qualified member of the Board and he has no objection to moving forward with his application tonight.

Motion to refer the application of Kelley Wiltbank to the Town Council for reappointment to the Planning Board for a five-year term as a full member of the Board made by Councilor Ryder with second by Councilor McAvoy; carried 5/0/0.
3. Updates:
 - a. MRC/Fiberight: Planner Cullen noted the items in the packet. CEO Block reported the building construction continues and everything is going okay. He noted DEP is holding them to all conditions and is keeping an eye on progress. In response to questions from the committee, CEO Block will take a look at the curbing along the roadway and the stormwater BMP's associated with it.

- b. Planner Cullen gave the staff update, noting she is going to be working with the Planning Board on the zoning amendments to deal with the uses and dimensional requirements at the board's two December meetings.
4. Old Business:
- a. Hampden Business Park Covenants – Planner Cullen introduced Noel Musson of The Musson Group, who led the discussion. This project is to amend the covenants for the business park to eliminate redundancy and potential conflicts with the zoning ordinance and to modify as needed to eliminate unnecessary processes. Councilor Marble noted the goal is to balance the Town's interests, those who have already invested in the park, and the marketability of the lots that are now available. Noel handed out a memorandum which lists his recommendations for appropriate actions for each section of the covenants (see attached). Key points of discussion:
 - i. The entire document should apply to the entire park.
 - ii. The approval process for site development should just be the site plan approval with the Planning Board; there should not be a requirement for Town Council approval too.
 - iii. There are some sections (e.g. 3.10, rights reserved to declarant) that will need to be reviewed with the attorney to ensure that modification or elimination will not remove protections the town should maintain.
 - iv. Discussion on 3.9 regarding why the town would want to buy land back if a buyer failed to develop it within a year, seems it would be better for the tax base to have such parcels remain in private ownership.
 - v. The committee sees no reason to keep the ten foot wide easement requirement in 3.10; the idea of having pedestrian ways surrounding each lot may have been well intentioned but it impractical.
 - vi. The development standards in Article 4 can mostly if not entirely be eliminated as they either already are or should be handled in the zoning ordinance. In this case, the subdivision plan includes the building envelopes for each lot, and the covenants could simply reference that plan. We may want to keep some provisions in the covenants to deal with allowing flexibility to the Planning Board in regard to standards, ensuring unpaved areas don't produce nuisance dust, etc.
 - vii. May want to keep the prohibited uses in the covenants for added protection.
5. New Business: None.
6. Zoning Considerations/Discussion: Planner Cullen noted that MMA is recommending that municipalities consider adopting moratoriums on retail marijuana uses to ensure there is not a period where there are no local regulations in effect after February 1, 2018 when the state moratorium ends. She added the state legislature may extend the state moratorium but that has not yet occurred and the town should take local action to protect our interests. Question as to whether a field of marijuana crop would be considered a "facility" – staff believes under the state laws it would be, although it is not crystal clear. Planner Cullen noted that the town has recently adopted amendments to the zoning ordinance to prohibit retail sales and social clubs, and the

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proposed emergency moratorium covers the other three uses: cultivation, product manufacture, and testing. She also said this is proposed as an emergency moratorium so it will take effect immediately instead of 30 days later. It will be effective for 60 days, and Council can vote to extend it as long as the reasons for enacting it remain valid.

Motion to refer the “Emergency Moratorium Ordinance Regarding Retail (Adult Use) Marijuana” to Town Council, due to the lack of state rules regarding retail marijuana which are necessary for Hampden to adopt reasonable regulations for the uses as stated in the moratorium ordinance made by Councilor Marble, with second by Councilor McAvoy; carried 5/0/0.

7. Citizen Initiatives: Eric Ellingwood of Dudley Street presented a proposal to the committee regarding a town forest and recreational trails. He submitted a paper on this, see attached.
8. Public Comments: None.
9. Committee Member Comments: None.
10. **Motion** by Councilor Ryder to enter into executive session at 7:30 pm, pursuant to 1 MRSA Section 405(6)(c) to discuss potential terms of a Credit Enhancement Agreement for Southstreet Development within the proposed Coldbrook Corners TIF District, and to include Planner Karen Cullen in the executive session, with second by Councilor Marble; Councilors McAvoy, Cormier, Marble, Ryder, and McPike voted in the affirmative, motion carried 5/0/0.

Motion to exit executive session at 7:55 pm by Councilor Marble, with second by Councilor McAvoy; Councilors McAvoy, Cormier, Marble, Ryder, and McPike voted in the affirmative, motion carried 5/0/0.
11. Adjournment: **Motion** to adjourn at 7:55 pm by Councilor McAvoy; seconded by Councilor Marble, carried 5/0/0.

Respectfully submitted by
Karen Cullen, Town Planner

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Check One: Initial Application Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: SYVERSEN MORTEN
LAST FIRST

ADDRESS: 70 MAIN ROAD SOUTH HAMPDEN MI
STREET TOWN ZIP

MAILING ADDRESS (if different):

TELEPHONE: 974-7125
HOME WORK

EMAIL: GOKSTAD @ TDS.NET

OCCUPATION: ENGINEER

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: PLANNING BOARD

SECOND CHOICE (OPTIONAL):

How would your experience, education and/or occupation be a benefit to this board or committee?

DESIGN & CONSTRUCTION ENGINEERING
HOLD A PROFESSIONAL ENG. LICENSE

Are there any issues you feel this board or committee should address, or should continue to address?

3 YEAR

BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
HARBOR COMMITTEE

DYER LIBRARY
RECREATION COMMITTEE
BOARD OF APPEALS
HISTORIC PRESERVATION COMMISSION

5 YEAR
PLANNING BOARD

DEC 06 2017

FOR TOWN USE ONLY

Date Application Received: DEC 06 2017

COUNCIL COMMITTEE ACTION: Planning & Development DATE: 12/20/17

COUNCIL ACTION: DATE:

NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES:



Check One: Initial Application
 Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

NAME: Armstrong JAKE R
LAST FIRST MI

ADDRESS: 109 Kennebec Rd Hampden 04444
STREET TOWN ZIP

MAILING ADDRESS (if different): _____

TELEPHONE: _____ 207 735 6545
HOME WORK

EMAIL: JAKE R Armstrong 21 @ Gmail.com

OCCUPATION: Insurance Adjuster

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Planning Board

SECOND CHOICE (OPTIONAL): _____

How would your experience, education and/or occupation be a benefit to this board or committee? _____

Have a degree in building science and work in the field.

Are there any issues you feel this board or committee should address, or should continue to address? _____

3 YEAR

BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
HARBOR COMMITTEE

DYER LIBRARY
RECREATION COMMITTEE
BOARD OF APPEALS
HISTORIC PRESERVATION COMMISSION

5 YEAR
PLANNING BOARD

FOR TOWN USE ONLY		Date Application Received: <u>DEC 13 2017</u>
COUNCIL COMMITTEE ACTION: <u>P+D</u>	DATE: <u>12/20/17</u>	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

**BI-WEEKLY CONFERENCE CALL
MRC & Fiberight Facility
November 27, 2017**

Attendees:

- | | |
|---|-----------------|
| ◆ Alan Iantosca, Patrick Emerson, Craig Stuart Paul | Fiberight |
| ◆ Greg Louder | MRC |
| ◆ Lou Pizzuti, Victoria Eleftheriou, David Burns, Lynn Muzzey | Maine DEP |
| ◆ Myles Block | Town of Hampden |
| ◆ Kyle Sullivan | CES, Inc. |

Discussion Notes:

1. **Meeting Minutes** – No Comments on previous meeting minutes

2. **Agreements** - Craig provided an update of executed agreements associated with project progress: With the exception of Cianbro all construction contracts have been executed, Executed agreement with Pine tree for delivery of MSW during interim of construction and full operations capacity; discussed proposed PERC vision of potential waste delivery and processing agreement. David requested additional information regarding a proposed framework for the waste handling agreements for the next meeting

3. **Construction Schedule**—Fiberight still believes steel will be erected and building completion will occur in December, Alan will be providing MDEP with an Updated Master Schedule. Victoria requested the updated schedule included tanks, electrical, dripline, and odor control system installation.

David requested an update on the wet end equipment and to have this included on the schedule. Alan stated they were currently getting bids on this equipment.

4. **Condition Compliance** – Kyle asked if the recently provided MRF layout drawing met MDEP’s expectation for Condition Compliance 3. Victoria stated that they were expecting construction ready drawings and specifications.

5. **Closing** – Craig expected offering memorandums associated with bonding to be sent this week and the closing would be before Christmas.

6. **Air Bureau** – Lynn asked for an update on the expected license amendment, and Alan stated Coastal was waiting for boiler sizing from AMEC. After we receive boiler sizing information, CES and Fiberight will provide MDEP an update on the amendment schedule.

Maine Revised Statutes
Title 1: GENERAL PROVISIONS
Chapter 13: PUBLIC RECORDS AND PROCEEDINGS

§405. EXECUTIVE SESSIONS

Those bodies or agencies falling within this subchapter may hold executive sessions subject to the following conditions. [1975, c. 758, (NEW).]

1. Not to defeat purposes of subchapter. An executive session may not be used to defeat the purposes of this subchapter as stated in section 401.

[2009, c. 240, §2 (AMD) .]

2. Final approval of certain items prohibited. An ordinance, order, rule, resolution, regulation, contract, appointment or other official action may not be finally approved at an executive session.

[2009, c. 240, §2 (AMD) .]

3. Procedure for calling of executive session. An executive session may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies.

[2009, c. 240, §2 (AMD) .]

4. Motion contents. A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.

[2003, c. 709, §1 (AMD) .]

5. Matters not contained in motion prohibited. Matters other than those identified in the motion to go into executive session may not be considered in that particular executive session.

[2009, c. 240, §2 (AMD) .]

6. Permitted deliberation. Deliberations on only the following matters may be conducted during an executive session:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;

(3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and

(4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal; [2009, c. 240, §2 (AMD).]

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

(1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire; [2009, c. 240, §2 (AMD).]

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency; [1987, c. 477, §3 (AMD).]

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions; [1999, c. 144, §1 (RPR).]

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage; [2009, c. 240, §2 (AMD).]

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute; [1999, c. 180, §1 (AMD).]

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and [1999, c. 180, §2 (AMD).]

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter. [1999, c. 180, §3 (NEW).]

[2009, c. 240, §2 (AMD).]

SECTION HISTORY

1975, c. 758, (RPR). 1979, c. 541, §A3 (AMD). 1987, c. 477, §§2,3 (AMD). 1987, c. 769, §A1 (AMD). 1999, c. 40, §§1,2 (AMD). 1999, c. 144, §1 (AMD). 1999, c. 180, §§1-3 (AMD). 2003, c. 709, §1 (AMD). 2009, c. 240, §2 (AMD).

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III. Financial Plan

A. Increased Assessed Values & Credit Enhancement Agreements

Estimates of the increased assessed value of the District property, TIF Revenues to be generated by the District, and credit enhancement projections are shown in Exhibit D-1.

The Development Program provides that the Town will “capture” one-hundred percent (100%) of the increased assessed value over the Original Assessed Value on taxable real property of the District beginning on July 1, 2018 after approval of this TIF District and Development Program by the Commissioner of DECD. The TIF Revenues so collected will fund tax reimbursements to the Company pursuant to a Credit Enhancement Agreement and/or contribute to the funding of the approved municipal projects as described on Table 1 hereof. At the end of the TIF term all taxable real property value captured in the District will be added to the general tax rolls.

A [redacted]-year period for tax reimbursements to the Company will begin in the tax year in which there is an increase in the taxable value of real property within the Company Tract of the District over the established original assessed value (see Exhibit C). Tax reimbursements to the Company shall be [redacted] percent ([redacted]%) of the taxes on the Incremental Assessed Value, except that the following conditions shall apply: If, in Year One of the reimbursement period, [redacted] percent ([redacted]%) of the taxes on the Company Tract Incremental Assessed Value is less than \$19,500, then, provided District TIF Revenues are available, the Company reimbursement shall be \$19,500, with the remaining portion coming from what would have been Town TIF Revenue. This condition shall continue into subsequent years until the Company has received \$19,500 in reimbursement. If this condition is exercised, the actual dollar value of the Town TIF Revenues used to supplement the Company reimbursement to reach the \$19,500 shall be deducted from the Company reimbursement in the next year those revenues are available within the Company reimbursement period.

Through the Omnibus feature of this TIF District, the Town reserves the right to negotiate and execute one or more future credit enhancement agreements for up to the balance of the term of the District with up to one hundred percent (100%) reimbursement of the TIF Revenues to a company or developer making investments within the Town Tract of the TIF District. Approval of such future credit enhancement agreements is at the sole discretion of the Hampden Town Council.

Any TIF revenues not committed to a credit enhancement agreement will be retained by the Town to fund municipal TIF project costs as outlined in Table 1.

Upon each payment of property taxes by the property taxpayers in the District, the Town will deposit into a development program fund (the “Development Program Fund”) the entirety of the property tax payments constituting TIF Revenues. 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). The Development Program Fund consists of two segregated accounts, a sinking fund account (“Sinking Fund Account”) and a project cost account (the “Project Cost Account”). The Town will deposit the TIF Revenues necessary to pay debt service on any bonds issued to pay for District improvements, if any, into the Sinking Fund Account. The money in this account is pledged to and charged with the payment of interest and principal on municipal indebtedness related to the improvements in the District. The Town will deposit any additional TIF Revenues into (a) a subaccount or subaccounts of the Project Cost Account to be used for credit enhancement payments to the Company and (b) to a subaccount of the Project Cost Account for other approved municipal projects outlined in this Development Program and not financed with Town indebtedness. Additional dedicated Development Program subaccounts will be created with each Omnibus credit enhancement agreement approved by the Town Council.

The Town has agreed to enter into a Credit Enhancement Agreement with the Company over a period of () years as reflected in Exhibit D. Estimates of the increased assessed values of the District, the anticipated TIF Revenues generated by the District, that portion of the TIF Revenues to be applied to the District each year, and the estimated tax shifts are shown in Exhibit D.

B. Sources of Revenues

The Company will finance the Project through private funds. The Company will be responsible for making all arrangements for, and payments with respect to, any additional indebtedness incurred to fund the Project.

Town Public Improvements that are not part of the Project will be financed with municipal resources including TIF revenues. The Town will be responsible for making all arrangements for, and payments with respect to, any additional indebtedness incurred to fund the Public Improvements.

C. Public Indebtedness

The Town does not anticipate funding municipal project costs through public indebtedness. The Town, however, reserves the right to incur bonded indebtedness for approved projects in the future, provided that the timing and funding of any bonded projects complies with all statutory requirements for paying bonded indebtedness with TIF Revenues.

D. Original Assessed Value

Certification by the Town’s Tax Assessor of the Original Assessed Value of the District is set forth in Exhibit C.



Town of Hampden
Land & Building Services

Memorandum

To: Planning & Development Committee
From: Karen M. Cullen, AICP, Town Planner *KME*
Date: December 15, 2017
RE: Potential Coldbrook Corners TIF District

Following the discussion last month on a potential new Tax Increment Financing (TIF) District at the corners of Coldbrook Road and Route 202, Noreen Norton has prepared a draft TIF Development Program. Staff has reviewed and edited it and it will be discussed at the P&D meeting on December 20. Some items that require further policy direction will be highlighted for discussion. This includes discussion of potential terms of a Credit Enhancement Agreement. Chuck Lawrence of Southstreet Development, LLC will be in attendance for the meeting, and an Executive Session has been included on the agenda to provide the Committee the opportunity to discuss potential CEA terms prior to discussion with the developer.

**ECONOMIC DEVELOPMENT
HAMPDEN, MAINE**

An Application for a Municipal Development and Tax Increment Financing District

**HAMPDEN COLDBROOK CORNERS OMNIBUS
MUNICIPAL DEVELOPMENT AND
TAX INCREMENT FINANCING DISTRICT**

Presented to:

TOWN OF HAMPDEN

DATED:

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EXHIBITS:

- A-1 TIF District Map Showing District in Relation to Municipal Boundaries**
- A-2 Map Showing TIF District Boundary**
- B Statutory Requirements & Thresholds**
- C Assessor's Certification of Original Assessed Value**
- D-1 TIF Revenue/Captured Assessed Values Projections**
- D-2 Tax Shift Calculations**
- E Public Hearing Notice**
- F Public Hearing Minutes**
- G Town Council Resolution**

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I. Introduction

A. The Coldbrook Corners Project

Coldbrook Corners is an important intersection in Hampden. Traffic volumes are relatively high, reflecting travel going to or from Interstate Routes 95 or 395. Route 202, one of the roads comprising this intersection, carries traffic to and from Route 395, Bangor, and provides access to the Hampden Business Park and other industrial and commercial sites to the north. Coldbrook Road, the other road comprising the intersection, runs from Route 1A near the Penobscot River northwest to I-95. Given these major roadways, this intersection is busy and the land area around it is becoming more attractive for development.

The town's 2010 comprehensive plan recognizes this area as having growth potential, and most of the land in the proposed district is zoned for commercial use. Currently, one quadrant of the intersection is the site of a major trucking trailer company and a popular seafood restaurant, and another is used for a small auto dealership and repair facility. One quadrant is the 76-acre site of a former concrete plant, which is ripe for redevelopment, and an adjacent 77-acre parcel of undeveloped land. The fourth quadrant is the site where Southstreet Development, LLC ("the Company") is interested in constructing a gasoline station with convenience store and other retail, as well as a stand-alone bank. High visibility and relatively high traffic volumes at this intersection are key (the "Project"). Hampden expects that development of this use in this location will anchor this area, and help spur development on other parcels within the District and along Coldbrook Road, heading toward I-95.

B. Tax Increment Financing – Coldbrook Corners Project

To make the Project investment financially viable, the Company has requested a credit enhancement agreement made possible through the creation of a Municipal Tax Increment Financing ("TIF") district. The establishment of a TIF district, together with the execution of a credit enhancement agreement between the Town and the Company, will help ensure the economic viability of the Project and bring investment and jobs to the Town.

The Town seeks to support the Project as it is anticipated to bring attention to the value of this high traffic intersection, and vacant land along Coldbrook Road between Coldbrook Corner and I-95, thus motivating new commercial investment on land in an area identified as a growth area for development by the Town. The proximity to the interstate makes this an attractive area for development, and in the past year public water service was extended from its prior terminus at 202 northwesterly along Coldbrook Road. However, the lack of sewer infrastructure along Coldbrook Road has limited the opportunities for development, and will continue to constrain opportunities.

The Town can designate the proposed TIF District consistent with the provisions of 30-A M.R.S.A. § 5223, adopt this Development Program, authorize a credit enhancement agreement, and accomplish the following goals:

- Maintain the existing tax revenues generated within the Town;
- Support the development of mixed use commercial development within a designated growth area thus enhancing the future tax revenues generated within the TIF District;
- Provide resources (i.e. TIF revenues) for municipal economic development investments;
- Encourage new commercial development;
- Create employment opportunities for area residents; and
- Improve the general economy of the Town as well as the Bangor Region and the State of Maine.

In addition, by creating a TIF District, the Town can “shelter” the increase in valuation that this Project will bring about. This tax shelter will mitigate the impacts that the District’s increased assessed property value would have on the Town’s share of state aid to education, municipal revenue sharing and its county tax assessment. An estimate of the tax shelter benefit is shown as Exhibit D-2 attached hereto.

In order to fulfill these goals, the Company property (a portion of Map-Lot 33-0-011-A) on the corner of Route 202 and Coldbrook Road along with ten other parcels (Map -Lots 22-0-004, 22-0-004-1, 22-0-005, 22-0-005-A, 9-0-020, 9-0-020-A, 9-0-030, 9-0-028-A, 17-0-001, and 17-0-002), and the public right-of-way extending from this location northwesterly along Coldbrook Road to its intersection with I-95, have been proposed as the **“Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District”** (the **“District”**). Through the creation of the District, together with a credit enhancement agreement (the **“Credit Enhancement Agreement”**) between the Town and the Company, a portion of the projected tax revenue generated from the real property taxes paid on the captured assessed value of the improvements made within the Company Tract (as described herein) of the TIF District will be allocated to and used by the Company to fund the Project and to pay eligible expenses which may include debt service associated with the improvements. These eligible expenses and potential investments are described more fully herein.

Additional credit enhancement agreements may be approved within the Town Tract of the business park through an Omnibus feature of the District described herein.

C. Tax Increment Financing – Hampden Economic Development Program

The Town intends to use its portion of tax revenue generated from the taxes on real property paid on the captured assessed value of the improvements made within the District (the **“TIF Revenues”**) to finance some or all of the costs of public improvement projects and

future economic development programs and initiatives which collectively will improve the Town’s economy and increase the Town’s ability to stand out in a competitive marketplace as a dynamic place in which to grow a business. Anticipated Town Projects are described in Table 1 below, such costs being authorized as project costs as defined under 30-A M.R.S.A. § 5225 and § 5230.

**TABLE 1
Town of Hampden Coldbrook Corners TIF District Project Costs**

Project Description	Cost Estimate	Statutory Cite
Investments Within the District		
<p>1. <u>Capital Costs including but not limited to:</u></p> <ul style="list-style-type: none"> • The acquisition or construction of land, improvements, public ways, infrastructure, buildings, structures, fixtures and equipment for public or commercial development district use. <ul style="list-style-type: none"> ○ The proposed District includes the Coldbrook Road public right-of-way extending from Route 202 northwesterly to I-95 • Public safety measures including but not limited to turning lanes, road widening; • The demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures; • Site preparation and finishing work; • Fees and expenses including but not limited to licensing, permitting expenses, project design and planning, engineering, architectural, legal and accounting expenses. 	<p>\$</p>	<p>30-A M.R.S.A. § 5225(1)(A)(1)(a),(b), (c), and (d)</p> <p>30-A M.R.S.A. § 5225(1)(A)(5)</p>
<div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p>Note that “Real Property Assembly” and “Relocation” costs are not included</p> </div>		
<p>2. <u>Financing Costs:</u> TIF Revenues may be used to finance any of the other projects listed herein. Such costs may include, but are not limited to, closing costs, issuance costs and interest paid to holders of evidences of indebtedness issued to pay for project costs and any premium paid over the principal amount of that indebtedness because of the redemption of the obligations before maturity.</p>	<p>\$,000</p>	<p>30-A M.R.S.A. § 5225(1)(A)(2)</p>

Project Description	Cost Estimate	Statutory Cite
3. <u>Administrative Costs</u> : A dedication of reasonable reimbursement from District revenues to defray administrative costs in connection with the implementation of the development program, including pro-rated municipal staff salaries.	\$,000	30-A M.R.S.A. § 5225(1)(A)(5)
4. <u>Organizational Costs</u> : relating to the establishment or amendment of the district, including, but not limited to, the costs of conducting environmental impact and other studies and the costs informing the public about the creation of the District and implementation of the project plans.	\$,000	30-A M.R.S.A. § 5225(1)(A)(7)
Investments Made Necessary by District		
5. <u>Infrastructure Costs</u> : Improvements directly related to and made necessary by the District including, but not limited to sewer, water or stormwater utilities, electric lines, and roadway improvements. Use of TIF Revenues for such improvements will be limited to improvements within the District and improvements outside the District pro-rated to include only the portion of improvements made necessary by the Project.	\$,000	30-A M.R.S.A. § 5225(1)(B)(1)
6. <u>Public Safety</u> : As development occurs within the District, significant increases in traffic t may require measures to address safety concerns outside the District boundaries. TIF Revenues will be made available to address those concerns through measures which may include, but are not limited to, installation of turning lanes, signalization, or other traffic control; signal preemption for emergency response; communications infrastructure: or fire protection equipment & maintenance if development requires equipment not currently owned by the municipality.	\$,000	30-A M.R.S.A. § 5225(1)(B)(2)
Investments Related to Economic Development		

Project Description	Cost Estimate	Statutory Cite
<p>7. * # % <u>Costs of funding economic development programs and/or events including, but not limited to:</u></p> <ul style="list-style-type: none"> • Municipal economic development programs marketing the municipality as a business location, • Events that will attract visitors to the municipality, • Planning for economic development within the Town of Hampden, including but not limited to, Economic Development Strategic Planning, Feasibility Studies for a Downtown Development District, Downtown Redevelopment Plan, Transportation Planning, Broadband Feasibility Study, Utilities expansion feasibility etc. <p>Pro-rated costs of staff salary or consultant fees to oversee the TIF program and to promote economic development within the Town.</p>	\$0,000	30-A MRSA §5225 (1)(C)(1)
THIS SPACE INTENTIONALLY LEFT BLANK		
<p>8. * # % <u>Economic Development Program Support</u></p> <p>Pro-rated share of dues to organizations that provide economic development support to the Town, such as the Eastern Maine Development Corporation. Such funding may include additional economic development services and contracts.</p>	\$,000	30-A MRSA §5225 (1)(C)(1)
<p>9. # % <u>Costs of funding environmental improvement projects</u> related to commercial activities in Hampden. Such projects could include impact studies and watershed management in areas that affect, or are affected by, commercial development in Hampden.</p>	\$,000	30-A MRSA §5225 (1)(C)(2)
<p>10. # % <u>Costs of funding to establish permanent economic development revolving loan funds, investment funds, loan guarantee programs, and/or grants.</u></p>	\$,000	30-A MRSA §5225 (1)(C)(3)

Project Description	Cost Estimate	Statutory Cite
<p>11. # % <u>Costs of services and equipment to provide skills development and training</u>, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained within Hampden.</p> <p>Expand Broadband Access to Hampden commercial and industrial areas to improve access to training and educational opportunities.</p>	\$,000	30-A MRSA §5225 (1)(C)(4)
<p>12. * # % <u>Costs relating to planning, design, construction, maintenance, grooming and improvements to new or existing recreational trails</u> determined by the department to have significant potential to promote economic development, including bridges that are part of a trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related multiple uses. Trail systems are prevalent and active in Hampden, drawing visitors from surrounding communities.</p>	\$,000	30-A M.R.S.A. § 5225(1)(C)(6)
<p>13. % <u>Costs associated with a new or expanded transit service</u>, limited to transit service capital costs, including but not limited to: transit vehicles such as buses, ferries, vans, rail conveyances and related equipment; bus shelters and other transit-related structures; and benches, signs and other transit-related infrastructure.</p>	\$,000	30-A M.R.S.A. § 5225(1)(C)(7)(a)
<p>14. # % <u>TIF revenues to be used as match for applicable State and Federal Economic Development Grant Programs</u></p> <p>To be used for purposes identified as authorized project costs in 30-A M.R.S.A. § 5225.</p>	\$,000	30-A M.R.S.A. § 5230
Total Municipal Investment Plan Costs:	\$00,000	

* Projects identified with an asterisk (*) share funding with Dennis Paper & Foodservice TIF, a currently active TIF District within the Town of Hampden.

Projects identified with a hash tag (#) share funding with Coldbrook Road & Emera Maine Hampden TIF, a currently active TIF District within the Town of Hampden.

% Projects identified with an asterisk (*) share funding with Hampden Business Park TIF, a currently active TIF District within the Town of Hampden.

II. Development Program Narrative

A. The Development District

The District consists of real property and facilities within the identified boundaries and will exist for a total of thirty (30) years. The Development Program described herein will serve the purpose of administering the District as a Municipal Development and Tax Increment Financing District pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the “Development Program”). Subsequent to the Town Council vote designating the District and adopting the Development Program, the designation of the District and adoption of this Development Program will become effective on July 1, 2018, following approval by the Commissioner of the Maine Department of Economic and Community Development (“DECD”) and end on June 30, 2048. The District is more fully described below in this Development Program and is depicted on the maps attached as Exhibit A. The Town plans to capture one-hundred percent (100%) of the increased assessed value of taxable real property located within the District. The Town will use the property taxes paid on such captured real property value to fund a Credit Enhancement Agreement with the Company of the Project, any subsequent CEAs with companies or developers of property within the District boundaries, and to fund municipal projects described in detail in Table 1 herein.

1. Physical Description

The District will encompass a total of **?+/- acres** of property with a Company Tract and a Town Tract.

Company Tract: The Company Tract is a 16+/- acre parcel within the Coldbrook Corners District found on Town tax map 33-0-011-A.

Town Tract: The Town Tract is a collection of parcels within the Coldbrook Corners District found on Town **tax maps ?? (?? acres)**. Maps of the proposed District are presented in Exhibit A-1, a Locational Map and A-2, which provides detail of individual sections of the District.

2. Statutory Requirements and Thresholds

The Statutory Requirements and Thresholds form addressing the acreage and valuation conditions for approval mandated by 30-A M.R.S.A. § 5223(3) is set forth in Exhibit B.

3. Duration of the Program

The District will be designated for a total of thirty (30) years, becoming effective on July 1, 2018, following approval by the Commissioner of the Maine Department of Economic and Community Development (“DECD”) and ending on June 30, 2048.

4. Certification of Original Assessed Value

The Original Assessed Value (“OAV”) of the District was (need \$\$) as of March 31, 2017, (April 1, 2016). The Assessor’s Certificate of Original Assessed Value is included as Exhibit C.

B. The Project

The Project, as described herein, consists of the construction of a “Tradewinds” retail food (small grocery) and gasoline establishment and other retail, as well as infrastructure improvements for the Project. The District is designed to assist in financing of improvements put into place within the District.

The Town intends to use tax increment financing to support the Project by allocating certain tax revenues generated by future new development within the District to the Project. Under the Development Program, the Town will make a portion of the incremental tax revenues from real property investments within the Company Tract of the District available to the Company pursuant to a Credit Enhancement Agreement, which Agreement will be consistent with the allocation of incremental tax revenue as detailed below in the Financial Plan section of this document and reflected in Exhibit D-1 attached. These revenues will be used by the Company to pay costs of the Project directly or to pay debt service on funds borrowed privately by the Company to finance the cost of the Project. By means of a Credit Enhancement Agreement between the Town and the Company, a portion of the TIF Revenue generated solely from the property taxes paid on the captured assessed value of real property improvements made within the Company Tract of the District will be allocated to and used by the Company to fund Project costs. The TIF Revenues will provide financial assistance for the Project itself, making it a more viable endeavor for the Company, including in addressing significant up-front costs to develop the site due to existing topography, infrastructure and environmental constraints.

C. The Development Program

The Town’s designation of the District and adoption of this Development Program creates a single municipal TIF district in order to capture the value of the taxable real property improvements to be made within the District and enable the use of a portion of the TIF Revenues to assist the Company through a Credit Enhancement Agreement. It will also permit a portion of the TIF revenues be used to finance various municipal economic development projects as set forth in Table 1 above.

This Development Program will run for a term of 30 years and will capture one-hundred percent (100%) of the increased assessed taxable real property value of the District. The Town will retain the tax revenues generated by the captured assessed taxable real property value for designated economic development purposes.

The Town will enter into a Credit Enhancement Agreement with the Company, which will allocate to the Company a portion of the TIF Revenues generated from the captured assessed value resulting from site improvements and building investment within the Company Tract. The credit enhancement allocation to the company will begin in the first tax year in which the Company pays taxes on an assessed value of the Company Tract that is greater than the original assessed value of the Company Tract. The credit enhancement shall continue for a total of ___ years, as set forth below in Section IV—Financial Plan. The Company will use such TIF Revenues to offset the cost of its investment in the Project, as more fully discussed in this Development Program. Any TIF Revenues not allocated to the Credit Enhancement Agreement will be retained by the Town to fund municipal economic projects as described in this document.

Through the Omnibus feature of this TIF District, the Town reserves the right to negotiate and execute one or more future credit enhancement agreements for up to the balance of the term of the District with up to one hundred percent (100%) reimbursement of the TIF Revenues to a Company or company making investments within the Town Tract of the TIF District. Approval of such future credit enhancement agreements is at the sole discretion of the Hampden Town Council.

The Town will retain any portion of the TIF Revenues not designated to a credit enhancement agreement for economic development programs and projects as discussed in Table 1 above. By adopting this Development Program, the Town will underscore Hampden's commitment to business retention and growth, support its growing reputation as a desirable community in which to locate a business.

This Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. Subsequent to a public hearing and Town Council vote, and following approval by the Commissioner of the Maine Department of Economic and Community Development, adoption of this Development Program will be effective on July 1, 2018.

D. Operational Components

1. Public Facilities

Please refer to Table 1 for the various public infrastructure improvements that TIF Revenues will support. The Town will be responsible for these improvements as it deems necessary to accommodate future development.

2. Commercial Improvements Financed Through Development Program

The Company Project consists of planning, permitting and construction of building and infrastructure improvements within the Company Tract of the District.

By means of an Omnibus structure, the Town will have the flexibility to negotiate and execute future credit enhancement agreements with a Company or developer of property within the Town Tract of the District. Such credit enhancement agreements will be executed at the sole discretion of the Town Council and may provide a reimbursement of up to one hundred percent (100%) of the TIF Revenue generated for a term not to exceed the balance of the District term remaining at the time of approval.

3. Relocation of Displaced Persons

Not applicable.

4. Transportation Improvements

Please refer to Table 1. The Town will fund roadway and traffic improvements within the District and/or outside the District that are made necessary by the investments within the District.

5. Environmental Controls

The improvements made under this Development Program will meet or exceed all federal, state and local environmental laws, regulations and ordinances and will comply with all applicable land use requirements for the Town.

6. Plan of Operation

The Company shall be responsible for securing needed permits and for completion of all improvements it will make within the proposed Project area. All of the personal property improvements made by the Company and located within the District are planned to be owned by the Company. The Company will be responsible for maintenance expenses, insurance and taxes on all Project improvements.

Any company or developer of private parcels within the District will be responsible for securing needed permits and for completion of all improvements to those parcels and for maintenance expenses, insurance and taxes on all Project improvements.

During the term of the District, the Town Manager or his/her designee will be responsible for all matters related to public ways and all administrative matters within the purview of the Town concerning implementation and operation of the District.

III. Financial Plan

A. Increased Assessed Values & Credit Enhancement Agreements

Estimates of the increased assessed value of the District property, TIF Revenues to be generated by the District, and credit enhancement projections are shown in Exhibit D-1.

The Development Program provides that the Town will “capture” one-hundred percent (100%) of the increased assessed value over the Original Assessed Value on taxable real property of the District beginning on July 1, 2018 after approval of this TIF District and Development Program by the Commissioner of DECD. The TIF Revenues so collected will fund tax reimbursements to the Company pursuant to a Credit Enhancement Agreement and/or contribute to the funding of the approved municipal projects as described on Table 1 hereof. At the end of the TIF term all taxable real property value captured in the District will be added to the general tax rolls.

A [redacted]-year period for tax reimbursements to the Company will begin in the tax year in which there is an increase in the taxable value of real property within the Company Tract of the District over the established original assessed value (see Exhibit C). Tax reimbursements to the Company shall be [redacted] percent ([redacted]%) of the taxes on the Incremental Assessed Value, except that the following conditions shall apply: If, in Year One of the reimbursement period, [redacted] percent ([redacted]%) of the taxes on the Company Tract Incremental Assessed Value is less than \$19,500, then, provided District TIF Revenues are available, the Company reimbursement shall be \$19,500, with the remaining portion coming from what would have been Town TIF Revenue. This condition shall continue into subsequent years until the Company has received \$19,500 in reimbursement. If this condition is exercised, the actual dollar value of the Town TIF Revenues used to supplement the Company reimbursement to reach the \$19,500 shall be deducted from the Company reimbursement in the next year those revenues are available within the Company reimbursement period.

Through the Omnibus feature of this TIF District, the Town reserves the right to negotiate and execute one or more future credit enhancement agreements for up to the balance of the term of the District with up to one hundred percent (100%) reimbursement of the TIF Revenues to a company or developer making investments within the Town Tract of the TIF District. Approval of such future credit enhancement agreements is at the sole discretion of the Hampden Town Council.

Any TIF revenues not committed to a credit enhancement agreement will be retained by the Town to fund municipal TIF project costs as outlined in Table 1.

Upon each payment of property taxes by the property taxpayers in the District, the Town will deposit into a development program fund (the “Development Program Fund”) the entirety of the property tax payments constituting TIF Revenues. 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). The Development Program Fund consists of two segregated accounts, a sinking fund account (“Sinking Fund Account”) and a project cost account (the “Project Cost Account”). The Town will deposit the TIF Revenues necessary to pay debt service on any bonds issued to pay for District improvements, if any, into the Sinking Fund Account. The money in this account is pledged to and charged with the payment of interest and principal on municipal indebtedness related to the improvements in the District. The Town will deposit any additional TIF Revenues into (a) a subaccount or subaccounts of the Project Cost Account to be used for credit enhancement payments to the Company and (b) to a subaccount of the Project Cost Account for other approved municipal projects outlined in this Development Program and not financed with Town indebtedness. Additional dedicated Development Program subaccounts will be created with each Omnibus credit enhancement agreement approved by the Town Council.

The Town has agreed to enter into a Credit Enhancement Agreement with the Company over a period of () years as reflected in Exhibit D. Estimates of the increased assessed values of the District, the anticipated TIF Revenues generated by the District, that portion of the TIF Revenues to be applied to the District each year, and the estimated tax shifts are shown in Exhibit D.

B. Sources of Revenues

The Company will finance the Project through private funds. The Company will be responsible for making all arrangements for, and payments with respect to, any additional indebtedness incurred to fund the Project.

Town Public Improvements that are not part of the Project will be financed with municipal resources including TIF revenues. The Town will be responsible for making all arrangements for, and payments with respect to, any additional indebtedness incurred to fund the Public Improvements.

C. Public Indebtedness

The Town does not anticipate funding municipal project costs through public indebtedness. The Town, however, reserves the right to incur bonded indebtedness for approved projects in the future, provided that the timing and funding of any bonded projects complies with all statutory requirements for paying bonded indebtedness with TIF Revenues.

D. Original Assessed Value

Certification by the Town’s Tax Assessor of the Original Assessed Value of the District is set forth in Exhibit C.

IV. 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 B.

V. TIF Projections and Tax Shifts

In accordance with 30-A M.R.S.A. § 5224(4), the tables set forth in Exhibit D-1 and Exhibit D-2 show, based on planned investment within the Company Tract, for each year of the term of the District: (1) estimates of the increased assessed values of the District; (2) the portion of increased assessed values to be applied to the Development Program as captured assessed values; (3) the resulting tax increments (i.e., the TIF Revenues); and (4) the estimated tax shifts that are expected to result from the designation of the District. There is no reliable way to project investment value or timing of full development of the District.

VI. Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit E is a copy of the Notice of Public Hearing regarding the establishment of the Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District and adoption of this Development Program for the District, published in the Bangor Daily News, a newspaper of general circulation in the Town, on _____, 2018 a date at least ten (10) days prior to the public hearing.

B. Minutes of Public Hearing Held by Town Council

Attached as Exhibit F is a certified copy of the minutes of the public hearing held on _____, 2018 at which time the proposed District and Development Program were discussed by the public.

C. Authorizing Votes

Attached as Exhibit G is a copy of the Hampden Town Council Resolution designating the District and adopting this Development Program, which Resolution was adopted by the Council at a meeting of the Council duly called and held on _____, 2018.

TIF DISTRICT MAP SHOWING DISTRICT IN RELATION TO MUNICIPALITY BOUNDARIES

DRAFT

DRAFT

EXHIBIT B
STATUTORY REQUIREMENTS & THRESHOLDS

A. ACRE LIMITATION		
1. Total Acreage of Municipality		24,000
2. Total Acreage of Proposed Municipal TIF District		
3. Total Downtown acres contained in the Proposed Municipal TIF District		-0-
4. Total Transit acres contained in the Proposed Municipal TIF District		-0-
5. Total acreage of Proposed Municipal TIF District counted towards 2% cap (A2-A3-A4)		
6. Percentage of total acreage in proposed municipal TIF District (cannot exceed 2%) Divide A5 by A1		0. %
7. Total acreage of all existing and proposed municipal TIF districts in the municipality. Add A2 to sum of all existing TIF district acreage. (+A.5.) *		
8. Total acreage of an existing or Proposed Downtown TIF District in the municipality.		0
9. Total acreage of all <u>existing</u> Pine Tree Development Zone TIF Districts in the municipality.		0
10. Total acreage of all existing or Proposed Transit TIF Districts in the municipality.		0
11. Total acreage of all existing and Proposed Municipal TIF Districts in the municipality counted toward 5% cap. Subtract A8+A9+A10 from A7.		
12. Percentage of total acreage in all existing and proposed Municipal TIF Districts (cannot exceed 5%) Divide A11 by A1.		%
13. Total Acreage of all real property in the Proposed Municipal TIF District that is:		
(Note: a, b, or c must be at least 25%)	Acres	%
a. Blighted (Divide acres by	-	-
b. In need of rehabilitation/conservation (Divide acres by	-	-
c. Suitable for industrial/commercial site (Divide acres by		%
TOTAL		%
B. VALUATION LIMITATION		
1. Total Aggregate Value of Municipality (TAV) <i>Use most recent April 1st</i>		
2. Original Assessed Value (OAV) of Proposed Municipal TIF District. <i>Use March 31st of tax year preceding date of municipal designation</i>		
3. Total OAV of all existing and Proposed Municipal TIF Districts in the municipality. <i>Add b2 to sum of all existing TIF district OAVs (10,005,500+B.2.) *</i>		
4. OAV of an existing or proposed Downtown TIF District in the municipality.		0
5. OAV of all <u>existing</u> Pine Tree Development Zone TIF Districts in the municipality.		0
6. OAV of all existing or Proposed Transit TIF Districts in the municipality.		0
7. Total OAV of all existing and Proposed Municipal TIF Districts in the municipality counted toward 5% cap. <i>Subtract B4+B5+B6 from B3</i>		1x,xxx,xxx
8. Percentage of total OAV to TAV in all existing and Proposed Municipal TIF Districts (cannot exceed 5%). <i>Divide B7 by B1</i>		1.xx%

*Total from Hampden Business Park TIF, plus proposed

Statutory Requirements Backup Data

Hampden Business Park

District	Year Established	Acreage	OAV	Expiration FY
HEC	2008	1.64	87,400	2017-18
Dennis Paper	2012	13.00	1,378,300	2027-28
Coldbrook Rd/Emera	2015	224.39	1,582,200	2038-39
Hampden Business Park	2017	130.34	6,957,600	2046-47
TOTAL:		369.37	10,005,500	

Coldbrook Corners

District	Year Established	Acreage	OAV	Expiration FY
HEC	2008	1.64	87,400	2017-18
Dennis Paper	2012	13.00	1,378,300	2027-28
Coldbrook Rd/Emera	2015	224.39	1,582,200	2038-39
Hampden Business Park	2017	130.34	6,957,600	2046-47
Coldbrook Corners	2018			2047-48
TOTAL:		xxx.xx	1x,xxx,xxx	

ASSESSOR'S CERTIFICATE OF ORIGINAL ASSESSED VALUE

TOWN OF HAMPDEN

COLDBROOK CORNERS OMNIBUS MUNICIPAL DEVELOPMENT & TAX INCREMENT FINANCING DISTRICT

ASSESSOR'S CERTIFICATE

The undersigned Tax Assessor for the Town of Hampden, Maine, does hereby certify pursuant to the provisions of 30-A M.R.S.A. §5254 that the taxable assessed value of taxable real property in the Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District, as delineated on a map included in the Development Program to which this Certificate is included, was \$ XXXXX as of March 31, 2017, (April 1, 2016).

As of the Original Assessed Value date, there was \$XXX personal property which is exempt from taxation pursuant to the business equipment tax exemption within the Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District.

IN WITNESS WHEREOF, This Certificate has been executed as of this XXth day of Month, 201x.

TOWN ASSESSOR

By: _____

Original Assessed Value for Individual Tax Map Lots

Tax Map and Lot Number	Acreage	Original Assessed Value as of March 31, 2017 (April 1, 2016)
Town Tract		
Roads		
Total Town Tract		\$
Company Tract		
Total Company Tract		-
Total:		\$

EXHIBIT D-1
INCREASED ASSESSED VALUE AND TIF REVENUE PROJECTIONS

DRAFT

DRAFT

**NOTICE OF PUBLIC HEARING
TOWN OF HAMPDEN MAINE
Regarding**

**A Municipal Tax Increment Financing Development Program for the District Known as the
“Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District”**

Notice is hereby given that the Hampden Town Council will hold a public hearing on

_____, 2018

at the

**Council Chambers, Hampden, Maine,
The Public Hearing will be at 7:00 p.m.**

The purpose of the public hearing is to receive public comments on the designation of the proposed Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District (the “District”), the Development Program and Financial Plan for said District, and a proposed credit enhancement agreement with the Company, Southstreet Development Company LLC, all pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. The proposed Municipal Development and Tax Increment Financing District consists of approximately **xxx** acres of property located on Route 202 and Coldbrook Road, known as the Coldbrook Corners and identified on Town **Tax Map Lots_____**; including the roads contained therein.

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time. Verbal and written comments received prior to the close of the public hearing will be included in the public hearing record.

EXHIBIT F
MINUTES OF PUBLIC HEARING AND TOWN COUNCIL MEETING

DRAFT

HAMPDEN TOWN COUNCIL
ORDER # _____

WHEREAS, the Town of Hampden, Maine (the “Town”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes as amended (the “Act”), to designate a specified area within the Town as the Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District (the “District”) and to adopt a development program (the “Development Program”) for the District pursuant to the Act; and

WHEREAS, there is a need for economic development in the Town, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the Town; and

WHEREAS, designation of the District and adoption of the Development Program will help to improve and broaden the tax base in the Town and improve the economy of the Town and the region by attracting business development to the District; and

WHEREAS, there is a need to implement continued economic development initiatives in the planned District through the establishment of the District in accordance with the provisions of Act; and

WHEREAS, the Town desires to designate the District and adopt the Development Program; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving the designation of the District and adoption of the Development Program.

ORDERED AS FOLLOWS:

Section 1. The Town Council of the Town of Hampden Maine, as the legislative body of said Town pursuant to Article II, section 205 of the Hampden Town Charter, hereby designates the Coldbrook Corners Omnibus Municipal Development and Tax Increment Financing District and hereby adopts the Development Program for said District; such designation and adoption to be pursuant to the following findings, terms, and provisions:

Section 2. The Town Council hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for commercial uses; and

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

c. The original assessed value of all existing and proposed tax increment financing districts (including the proposed District) does not exceed five percent (5%) of the total value of equalized taxable property within the Town as of April 1, 2016 (March 31, 2017); and

d. The designation of the District and adoption of the related Development Program will make a contribution to the economic growth and well being of the Town and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the Town, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The Town has considered all evidence, if any, presented to them with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the District and the Development Program.

Section 3. The Town Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 4. The Town Manager, or his appointed representative, is hereby authorized and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program with Southstreet Development Company LLC, in the name of and on behalf of the Town, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the said Town Manager or his duly-appointed representative, may approve, his approval to be conclusively evidenced by his execution thereof.

Section 5. The foregoing designation of the District and approval of the Development Program shall automatically become final upon receipt by the Town of approval of the designation of the District and adoption of the Development Program by the Department, without requirement of further action by the Town, the Town or any other party, and shall take effect in accordance with Title 30-A M.R.S. section 5224(2)(H) for the tax year subsequent to the Department's approval, beginning July 1, 2017.

Section 6. The Town Manager or his duly appointed representative is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Development Program as the Town Manager, or his duly appointed representative, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and/or the Development Program by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

Dated: _____, 2018.

TOWN OF HAMPDEN, MAINE

(By) _____
Ivan P. McPike, Councilor

David I. Ryder, Councilor

Mark S. Cormier, Councilor

Dennis R. Marble, Councilor

Terry McAvoy, Councilor

Gregory J. Sirois, Councilor

Stephen L. Wilde, Councilor



Town of Hampden
Land & Building Services

Memorandum

To: Planning & Development Committee
From: Karen M. Cullen, AICP, Town Planner *KME*
Date: December 15, 2017
RE: Marketing Hampden

Staff has been working with Down East Magazine to produce a piece which will highlight Hampden as a good place to live and to do business. We had explored this idea last year, but both budget and available staff capacity did not allow this to proceed. During FY18 budget discussions with the Council, support was expressed to include this initiative in the FY18 budget, which was approved.

We spoke with the Bangor City Manager and Community & Economic Development Director to see if they were interested in partnering with us on this initiative, and they enthusiastically agreed. Our goal is to secure a four page fold-out piece, splitting the \$6,500 cost 50/50. Hampden's portion (\$3,250) is in the marketing budget this year.

We will be working closely with our Bangor counterparts and with the editors at Down East in the coming weeks as we put together the material for publication in the March 2018 Live & Work edition. This follows specifically from findings in the Market Study completed earlier this year, and we expect will help Hampden capitalize on the good that has happened (and is happening) with regard to economic development and quality of life.