

City of Gardner

**Department of Community Development
and Planning**

DISTRESSED PROPERTY LIST

2008

The City of Gardner strives to make its neighborhoods safer and better places to live. To this end, the City, acting through its Department of Community Development and Planning has compiled a list of “Distressed Properties” for the year 2008. In conjunction with this list, the City works to provide funding through grants and private investment to improve conditions for the betterment of the community.

2008 List of Distressed Properties

206 Central Street
41 Chestnut Street
35-39 Graham Street
25 Grant Street
14 Main Street
412 Main Street
492 Main Street
131 Mill Street
32 Parker Street
57-67 Parker Street
94 Pleasant Street
138 Pleasant Street
142 Pleasant Street
67 Sawyer Street
39 School Street
73 Stuart Street
13 Washington Street
25 Wickman Drive

Properties listed alphabetically

How do properties get on the list?

The Department of Community Development and Planning periodically prepares a list of distressed properties located within the municipal boundaries of Gardner. The purpose of the list is to identify troubled properties to better direct public and private efforts to address issues of slum and blight in the city.

Lists have been compiled previously for the years 1992, 1996, 2000, and 2004. The list was reviewed and updated for 2008. As a result of the review, seven properties were removed and eight were added.

A point system was used to rank the properties. A property receives one point for each characteristic of distress, with the higher ranking properties being included on the list. The highest possible score was fourteen.

In this most recent review, properties scored from a low of one (1) point to a high of ten (10) points. Properties scoring three points or more were included on the list.

A watch list of properties has also been added in this update. These are properties that did not receive enough points to be on the list, but could accumulate enough points by the time the next update is done in 2012. These properties appear in an appendix to this Distressed Property List.

In 2008, the City Council approved two ordinances relative to vacant and/or abandoned and nuisance properties. A copy of the new ordinances follow the appendix.

Selection criteria were:

Municipal Tax Lien	Structural Fault
Water or Sewer Lien	Condemned
Vacant	Fire Damage or Fire Risk
Unsecured	Other (explain below)
Open to Weather	Carried over from 1996 List
Brownfield or Underground Storage Tank	Carried over from 2000 List
Priority Redevelopment Area	Carried over from 2004 List

Properties Listed in Alphabetical Order

<u>Address</u>	<u>Points Received</u>
206 Central Street	8
41 Chestnut Street	4
35-39 Graham Street	6
25 Grant Street	6
14 Main Street	4
412 Main Street	6
492 Main Street	5
131 Mill Street	5
32 Parker Street	6
57-67 Parker Street	11
94 Pleasant Street	4
138 Pleasant Street	9
142 Pleasant Street	9
67 Sawyer Street	6
39 School Street	4
73 Stuart Street	5
13 Washington Street	5
25 Wickman Drive	10

Properties Listed by Point Score

<u>Address</u>	<u>Points Received</u>
57-67 Parker Street	11
25 Wickman Drive	10
138 Pleasant Street	9
142 Pleasant Street	9
206 Central Street	8
35-39 Graham Street	6
25 Grant Street	6
412 Main Street	6
32 Parker Street	6
67 Sawyer Street	6
492 Main Street	5
131 Mill Street	5
73 Stuart Street	5
13 Washington Street	5
41 Chestnut Street	4
14 Main Street	4
94 Pleasant Street	4
39 School Street	4

Appendix Properties Listed in Alphabetical Order

<u>Address</u>	<u>Points Received</u>
5 East Broadway	2
7 Greenwood Street	1
149 Greenwood Street	2
272 Park Street	1
10-12 Willow Street	2

Where to Get Help

City Clerk and Collector (978-630-4008)

The City Clerk's Office receives and records payment of City tax bills. Unpaid municipal tax and utility bills become municipal liens against the property.

City Assessor (978-630-4004)

The Assessor values all properties for tax purposes, sets the annual tax rate, and hears requests for abatements of taxes.

Department of Community Development and Planning (978-630-4011)

This department works with the Planning Board to coordinate development projects that require review by the Board. It also administers the City's Community Development Block Grant programs, which provide financial and technical assistance for housing and commercial rehabilitation, public infrastructure projects, and other community development activities.

Building Department (978-630-4007)

The Building Commissioner administers the State Building Code and also acts as the Zoning Enforcement Officer. Any construction or alteration of buildings in the city that falls under the Building Code must receive a building permit from the Building Commissioner, who monitors all construction in the City to ensure that all regulations for safe construction are followed.

The *Plumbing Inspector and Wiring Inspector* also work out of the Building Commissioner's Office.

City Engineer (978-630-4010)

The City Engineer reviews plans and projects for compliance with city regulations, assists other departments with engineering issues, and acts as a clearinghouse for information pertaining to the city's infrastructure (roads, sewers, and storm drains).

Department of Public Works (978-630-4015)

The DPW is responsible for operations and maintenance of the city's water and sewer systems. They are also responsible for collecting water and sewer bills.

Zoning Board of Appeals (978-630-4007)

The Zoning Board of Appeals (ZBA) hears and decides on petitions for variance and special permits pertaining to zoning matters.

Board of Health (978-630-4013)

The Board of Health administers laws pertaining to septic systems, water supplies and the landfill, as well as other public health issues. The Board must approve designs for septic systems and placement of wells.

Financial Assistance

The City of Gardner, through its Department of Community Development and Planning, administers various Community Development Block Grant programs that provide financial assistance to qualified property owners and/or tenants. There are eligibility requirements for applicants, and some programs have specific target areas within the city. Owners of distressed properties may be interested in the Housing Rehabilitation and the Commercial Rehabilitation programs in particular.

For more information, contact the Department of Community Development and Planning at 978-630-4011.

206 Central Street



Property Owner: Worcester Community Housing Resources, Inc.
11 Pleasant Street, Ste 300
Worcester, MA 01609

Assessor's references: Map P-25 Block 10 Lot 4

Point score: 8

- | | |
|--|---|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input checked="" type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input checked="" type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

41 Chestnut Street



Property Owner: Patrick L. Hannula
611 Snake Charmer Ave
North Las Vegas, NV 89031

Assessor's references: Map Q-25 Block 77 Lot 23

Point score: 4

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

35-39 Graham Street



Property Owner:

R A Realty Trust
378 Kelley Street
Manchester, NH 03012

Assessor's references:

Map O-25 Block 30 Lot 23

Point score: 6

- | | |
|--|---|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input checked="" type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

25 Grant Street



Property Owner: Sara Carpenter, Trustee
Acquisition Trust
111 Marlborough Street
Boston, MA 02116

Assessor's references: Map Q-22 Block 287 Lot 34

Point score: 6

- | | |
|--|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input checked="" type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

14 Main Street



Property Owner: BBC Equities, Inc.
C/O Douglas Rau
PO Box 1014
Gardner, MA 01440

Assessor's references: Map O-24 Block 2 Lot 42

Point score: 4

- | | |
|--|--|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

412 Main Street



Property Owner: Edward Jaferian
145 Church Street
Carlisle, MA 01741

Assessor's references: Map P-20 Block 41 Lot 12

Point score: 6

- | | |
|--|---|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input checked="" type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

492 Main Street



Property Owner:

Collier-Keyworth Co.
c/o Leggett & Platt
1 Leggett Road
P.O. Box 757
Carthage, MO 64836

Assessor's references:

Map Q-20 Block 48 Lot 6

Point score: 5

- | | |
|--|---|
| <input type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input checked="" type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

131 Mill Street



Property Owner:

Asgard Realty, LLC
326 Lisle Street, Suite 100
Braintree, MA 02184

Assessor's references:

Map Q-14 Block 36 Lot 1

Point score: 5

- | | |
|--|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input checked="" type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential area) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

32 Parker Street



Property Owner: TAJ Mahal Realty LLC
25 Wainwright Street
Dorchester, MA 02124

Assessor's references: Map O-24 Block 3 Lot 24

Point score: 6

- | | |
|--|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input checked="" type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

57-67 Parker Street



Property Owner:

Maki Building Trust
Judith Falite, Trustee
7 Glen Dr.
Lynnfield, MA 01940

Assessor's references:

Map O-24 Block 121 Lot 7

Point score: 11

- | | |
|---|---|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input checked="" type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input checked="" type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input checked="" type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input checked="" type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential area) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

Wood support columns compressing under weight of building
Damaged Roof
Vandalism

94 Pleasant Street



Property Owner:

R A Realty Trust
378 Kelley Street
Manchester, NH 03012

Assessor's references:

Map O-23 Block 4 Lot 15

Point score: 4

- | | |
|--|---|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input checked="" type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input type="checkbox"/> Vacant | <input type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input checked="" type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

138 Pleasant Street



Property Owner: RJM Development, Inc.
7 Glen Dr.
Lynnfield, MA 01940

Assessor's references: Map O-23 Block 9 Lot 20

Point score: 9

- | | |
|--|---|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input checked="" type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input checked="" type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input checked="" type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential area) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

Asphalt siding poses fire risk
Roof damage

142 Pleasant Street



Property Owner: Judith Falite, Trustee
354 Main St.
Wakefield, MA 01880

Assessor's references: Map O-23 Block 10 Lot 21

Point score: 9

- | | |
|---|---|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input checked="" type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input checked="" type="checkbox"/> Unsecured | <input checked="" type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

Instrument of taking on file

67 Sawyer Street



Property Owner:

Herbert & Veronica Lamoureux
67 Sawyer Street
Gardner, MA 01440

Assessor's references:

Map M-12 Block 8 Lot 20

Point score: 6

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input checked="" type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input checked="" type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

39 School Street



Property Owner: Patrick L. Hannula
611 Snake Charmer Ave
North Las Vegas, NV 89031

Assessor's references: Map Q-25 Block 25 Lot 3

Point score: 4

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

73 Stuart Street



Property Owner:

Steven Ruscio
73 Stuart Street
Gardner, MA 01440

Assessor's references:

Map N-30 Block 13 Lot 6

Point score: 5

- | | |
|--|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input checked="" type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential area) | <input type="checkbox"/> Carried over from 2004 List |

Other comments:

13 Washington Street



Property Owner:

Jose Ayala and Carmen & Daniel Melenzed
169 Western Ave. #3
Cambridge, MA 02139

Assessor's references:

Map P-23 Block 49 Lot 34

Point score: 5

- | | |
|---|---|
| <input type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input checked="" type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input checked="" type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input checked="" type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

City demolished building. Demolition lien.

25 Wickman Drive



Property Owner:

D.L. Gates, LLC
37 Qual Hollow Lane
Agawam, MA 01001

Assessor's references:

Map L-7 Block 17 Lot 15

Point score: 10

- | | |
|---|---|
| <input checked="" type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input checked="" type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input checked="" type="checkbox"/> Unsecured | <input checked="" type="checkbox"/> Other (explain below) |
| <input checked="" type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input checked="" type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input checked="" type="checkbox"/> Carried over from 2004 List |

Other comments:

Dangerous roofs and floors.

APPENDIX

While assembling the properties for the 2008 update, the City compiled a list of properties that did not earn enough points to make the 2008 Distressed Property List. These properties are being considered as future candidates and are listed here.

5 East Broadway

Property Owner: George Yiantsidis
100 Davis Road
New Braintree, MA 01531

Assessor's references: Map S-14 Block 42 Lot 11

Point score: 2

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

7 Greenwood Street

Property Owner: Jose Guzman
5529 53rd Street
Vegreville AB, CN T9C109

Assessor's references: Map N-24 Block 73 Lot 48

Point score: 1

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

149 Greenwood Street

Property Owner: James M. Hogan
Brenda M. Royer
194 Florence Street
Leominster, MA 01453-4408

Assessor's references: Map N-21 Block 48 Lot 15

Point score: 2

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

272 Park Street

Property Owner: Leo Rousseau
272 Park Street
Gardner, MA 01440

Assessor's references: Map O-29 Block 18 Lot 2

Point score: 1

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input checked="" type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input type="checkbox"/> Vacant | <input type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

10-12 Willow Street

Property Owner: Brian J. Rellstab
9 Sterling Avenue
Sterling, MA 01564

Assessor's references: Map O-22 Block 5 Lot 48

Point score: 2

- | | |
|---|--|
| <input type="checkbox"/> Municipal Tax Lien | <input type="checkbox"/> Structural Fault |
| <input type="checkbox"/> Water or Sewer Lien | <input type="checkbox"/> Condemned |
| <input checked="" type="checkbox"/> Vacant | <input checked="" type="checkbox"/> Fire Damage or Fire Risk |
| <input type="checkbox"/> Unsecured | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Open to Weather | <input type="checkbox"/> Carried over from 1996 List |
| <input type="checkbox"/> Brownfield or Underground Storage Tank | <input type="checkbox"/> Carried over from 2000 List |
| <input type="checkbox"/> Priority Redevelopment Area
(Downtown Target Area and adjacent residential areas) | <input type="checkbox"/> Carried over from 2004 List |

AN ORDINANCE RELATING TO NUISANCES ON PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

It is the purpose and intent of this Section to eliminate property nuisances in the City of Gardner. Nuisances, such as dilapidated buildings, overgrowth, debris, trash, stagnant pools of water, property having defective weather protection and vacant or abandoned buildings, cause and contribute to blight within neighborhoods and commercial areas of the City. Such nuisances on property also impair the public health and safety. As authorized by M.G.L. c. 111 §122, this ordinance is intended to further the objectives of and to act in concert with any existing state or local laws.

SECTION 1. DEFINITIONS. The following words and phrases, when used in this Section, shall have the following meanings:

"Nuisance" - A failure to satisfy any one or more of the property standards set forth in Section 2 herein.

"Owner" - means a person, trust, partnership, corporation, mortgagee in possession or other entity who is capable of owning legal or equitable title to real property or an authorized agent of the person or entity holding legal or equitable interest to real property, including but not limited to any person sufficiently identified by the name and address appearing in the records of the City Assessor.

"Person"- means the owner, occupant, or its authorized agent, who owns, possesses, occupies, manages or controls any property.

"Property" - means any land, building, structure of real property, including any fixtures attached thereto, or any personal property located within the City of Gardner.

SECTION 2. PROPERTY STANDARDS. All property in the City of Gardner shall be maintained in accordance with the following property standards:

- (a) General. All property, whether occupied or vacant, shall be maintained in good repair and a safe and sanitary condition as provided herein, so as not to cause or contribute to the creation of a hazardous or blighted area or to affect adversely the public health and safety of adjacent or surrounding property.
- (b) Overgrowth. All property shall be maintained free of vegetation over twelve (12) inches high that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property.
- (c) Structures. All structures, including any buildings, fences, storage sheds, or any element thereof shall be maintained in a structurally sound condition and in good repair, including proper weather protection and waterproofing, and shall be maintained in a condition so as to not cause or contribute to creation of a fire safety hazard. All property shall be maintained free of extensive peeling, flaking, or chipped paint. All property with siding shall be maintained in a weather resistant and watertight condition.
- (d) Accumulation of Trash, Rubbish or Debris. All property shall be maintained in a clean and sanitary manner and free from the accumulation of litter, rubbish, trash or other debris, except in closed receptacles intended for such use.
- (e) Pools of Stagnant Water. All property shall be maintained to prohibit the formation of stagnant pools of water, which may affect adversely the public health by attracting and harboring mosquitoes and other insects.

NUISANCES ON PROPERTY (Continued)

SECTION 3. REMOVAL OF NUISANCE. It shall be unlawful for the owner of any property in the City to violate anyone or number of the property standards contained in Section 2, and any such property in violation shall be deemed a public nuisance. The Director of the Board of Health or his respective designated agent shall declare the property a public health nuisance and order the property owner to remove the nuisance within ten (10) days after service of Notice of the violation.

(a) Notices required pursuant to this Section shall contain the following information:

1. The street address and description of the property sufficient for identification of the property.
2. A statement that the property has been declared a public nuisance because of the presence of a nuisance on the property.
3. A concise description of the conditions on the property that have lead to the determination that the property is a public nuisance.
4. A statement that the nuisance shall be removed from the property within ten days from service of the notice and that if the owner fails to remove the nuisance within the time frame specified that the owner will be in violation of this ordinance and subject to the penalties described therein.

(b) Notices required pursuant to this Section shall be served in accordance with M.G.L. c. 111, §124 in the following manner:

1. Personally on the owner, occupant or his authorized agent as defined in Section 1; or,
2. Left at the last and usual place of abode of the owner, occupant or his authorized agent as defined in Section 1 if such place of abode is known and is within or without the Commonwealth; or
3. By certified or registered mail, return receipt requested, to the owner, occupant or his authorized agent as defined in Section 1 if such address is known and is within the Commonwealth; or
4. If the residence and whereabouts of the owner, occupant or his authorized agent as defined in Section 1 are unknown or are outside the Commonwealth, then the notice shall be served by posting a copy thereof in a conspicuous place on the property and by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the City.

SECTION 4. VIOLATIONS.

(a) If the owner fails to remove such nuisance within the period provided in Section 3, the City may enter the property and remove or cause the nuisance to be removed. The reasonable costs and expense of abating a nuisance in accordance with this section shall be assessed to the owner, who shall be liable to the City for expenses incurred by the City. The Director of the Board of Health or his designee shall provide the owner with a written statement of all costs associated with abating the nuisance and the owner shall reimburse the City within sixty (60) days of notice of expenses incurred for such abatement. If the owner fails to pay or reimburse the City, the sum so expended may be recovered by the City as provided in M.G.L. c. 111 §125 and M.G.L. c. 139 §3A, relative to liens for such debt and collection of the claims for such debt, or in an action of contract by the City against the owner.

(b) This Ordinance may also be enforced by civil process, criminal process or by non-criminal disposition as provided in General Laws, Chapter 40, §21D.

(c) Each day on which a violation exists shall be deemed to be a separate offense and any person in violation of this ordinance shall be subject to the following fines:

first violation:	fifty dollars
second violation:	one-hundred dollars
third violation:	two-hundred dollars
fourth and each subsequent violation:	three-hundred dollars

NUISANCES ON PROPERTY (Continued)
VIOLATIONS (Continued)

(d) In addition to the penalties set forth above, the Director of the Board of Health or his respective designated agent may seek an injunction from a court of competent jurisdiction to restrain any violation of this Ordinance.

(e) This Ordinance shall not be enforced against the City or the Commonwealth of Massachusetts, its authorities, departments, or agencies.

SECTION 5. APPEAL VIOLATION FINES.

(a) Any owner who is aggrieved by a Notice of Violation made by the Board of Health may, within five business days from the date of Notice of Violation, appeal his or her case in writing, to Director of the Board of Health or his designee for further consideration. Thereafter the decision of the Director or his designee shall be final and binding on the parties.

(b) If an owner submits a written statement of action taken or to be taken within a designated time period to abate a nuisance violation, the Director shall determine whether said action will eliminate the nuisance in a timely manner. If it is determined that the action taken or to be taken will result in the elimination of the nuisance a timely manner, the Director shall notify the owner, in writing, that no assessment will be made at that time.

If any Section, sub-Section, or phrase of this Ordinance were held for any reason, to be unconstitutional, such decision shall not affect the validity of the remaining portion or portions of this Ordinance.

Ordinance No. 1471, passed June 2, 2008

AN ORDINANCE RELATIVE TO VACANT AND ABANDONED BUILDINGS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

SECTION 1. PURPOSE: Unsecured, vacant, and abandoned buildings present danger to the safety and welfare of public safety officers and the public, and, as such, constitute a public nuisance. This Section is enacted to promote the health, safety and welfare of the public and to minimize hazards to public safety personnel inspecting or entering such buildings, and by preventing unauthorized persons from gaining entry to abandoned and vacant buildings.

SECTION 2. DEFINITIONS. The following words and phrases, when used in this section, shall have the following meanings:

"Abandoned building" - (1) a vacant building, the ownership responsibilities of which have been surrendered or relinquished, whether intentionally or by failure to occupy and maintain such property; or, (2) buildings, structures and premises for which the owner cannot be identified or located by delivery of certified mail at the last known or registered address, which persistently or repeatedly becomes unprotected or unsecured or, which is or has been occupied by unauthorized persons.

"Building" - any combination of materials having a roof and enclosed within exterior walls or firewalls, built to form a structure for the shelter of persons or property, excluding accessory structures that are incidental to the principal structure located on the same lot, such as but not limited to dog houses and storage sheds; structures used on a seasonal basis such as vacation premises or resort facilities; and structures that are temporarily vacant for owner or tenant change or for remodeling.

"Certificate of Building Closure" - certificate issued by the Commissioner to the owner of a vacant building or abandoned building upon compliance with the provisions of Section 3 herein.

"Commissioner" - the Building Commissioner or his or her designee

"Director" - the Director of the Health Department or his or her designee.

"Dangerous building" - any unoccupied building that has been neglected and deteriorated; or abandoned, vacated, unused or open to weather to such an extent that it is a danger or potential danger to life or property.

"Fire Chief" - the chief of the Gardner Fire Department or his or her designee.

"Owner/person" - (1) a person, trust, partnership, corporation or other entity capable of owning legal or equitable title to real property or capable of possessing legal or equitable interest in real estate or, (2) an authorized agent of the person or entity holding legal or equitable interest to real property, including but not limited to any person specified as a "contact person" pursuant to Section 3 Paragraph 6 herein. This term shall include a mortgagee in possession.

"Unsecured building" - any vacant or abandoned building not continuously secured, maintained, locked or boarded to prevent unauthorized entry or which fails to provide protection from weather damage.

"Vacant building" - (1) any unoccupied real property which is empty or remains empty and is not continuously maintained, for twenty-one consecutive days or longer by occupants having custody or legal right of entry to said property or, (2) any building which exhibits dilapidated walls, roof or doors which will fail to prevent the entry of a trespasser.

SECTION 3. NOTIFICATION REQUIREMENTS. Any owner/person who knows or reasonably should know that a building owned by said owner/person is or will become vacant or abandoned as those terms are defined herein or, any owner/person who intends to abandon or vacate a building owned or controlled by said owner/person shall forthwith:

VACANT AND ABANDONED BUILDINGS (Continued)**SECTION 3 (Continued)**

1. File a Vacant & Abandoned Building Certificate Application in a form proscribed and amended from time to time by Director, Commissioner and the Fire Chief setting forth the following: the status of such building, including in such notice, the name, address and telephone number of the owner; the location of the building; the length of time the building has been vacant; the estimated time the building will remain vacant; and, the nature of the contents of the building; and,
2. As may be required by the Fire Chief, file one set of space utilization floor plans for said building with the Fire Chief and one set of plans with the Commissioner; and,
3. Remove from the building, to the satisfaction of the Fire Chief, hazardous material, as that term is defined in M.G.L. Chapter 21K, as that statute may be amended from time to time; and,
4. Secure all windows and door openings and ensure that the building is secured from all unauthorized entry continuously in accordance with the United States Fire Administration, National Arson Initiative Board-up Procedures or, provide twenty-four (24) hour on-site security personnel in the building. When a building is located within a complex of buildings owned by a single owner, twenty-four (24) hour onsite security shall be provided within the building or within the complex wherein the building is located; and,
5. As may be required by the Fire Chief, Director, or Commissioner, post "No Trespassing" signs on the building; and,
6. Provide the Fire Chief, Commissioner and Director with the name, local address, and telephone number of a responsible person who can be contacted in case of emergency. The owner shall cause the name and contact number to be marked on the front of the building as may be required by the Fire Chief or Director; and,
7. Maintain liability insurance on the building and furnish the Commissioner with a copy of said certificate of insurance; and,
8. As may be required by the Commissioner, provide a cash bond acceptable to the Commissioner, in the sum of not less than Five Thousand (\$5,000.00) Dollars, to secure the continued maintenance of the building throughout its vacancy and remunerate the City for any expenses incurred in inspecting, securing, marking or making such building safe.
9. Payment of the appropriate Certification Fee or Certification Renewal Fee as set forth in Ordinance No. 94 as from time to time amended.

Upon satisfactory compliance with the above-provisions, the Commissioner shall issue a Certificate of Building Closure. Said Certificate shall be valid for period not to exceed six (6) months from the date of issuance. Said Certificate may be renewed at the discretion of the Commissioner subject to continued compliance with this Ordinance and the payment of the appropriate renewal fee as set forth in Ordinance No. 94 as from time to time amended. Under no circumstances shall a Vacant & Abandoned Building Certificate or any extension thereof exceed six (6) months in duration from the date of issuance.

SECTION 4. SIGNS/MARKINGS. When required pursuant to this section, signs or markings shall be applied on the front of the building, and elsewhere as the Fire Chief may require, at or above the second floor level and shall not be placed over doors, windows, or other openings. All signs/markings shall be visible from the street and, when requested by the Fire Chief, shall be placed on the sides and rear of the building. Signs/markings shall be a minimum of 24 inches by 24 inches, with lines of 2-inch width, and shall have a reflective background, or be painted with reflective paint, in contrasting colors. Signs/markings shall be applied directly on the surface of the building and shall state the date of posting and the most recent date of inspection by the Fire Chief and Director.

SECTION 5. FINES/FAILURE TO COMPLY AND ENFORCEMENT

1. Failure to comply with any provision of Section 3. above shall be punished by a fine of Three Hundred (\$300.00) Dollars with each day of violation constituting a separate offence. The Commissioner and/or the Fire Chief shall be enforcing persons for purposes of this section.

VACANT AND ABANDONED BUILDINGS (Continued)

SECTION 5 (Continued)

2. No owner of a vacant building or abandoned building shall allow said building to become or remain unsecured or dangerous. If it appears that any vacant or abandoned building is unsecured or dangerous, the Commissioner shall send written notification to the owner, requiring that the owner promptly secure or cause the building to be secured. If the owner fails to comply with any order issued pursuant to this Section, the Fire Chief or Commissioner may immediately seek to obtain the proceeds secured by the bond filed pursuant to Section 3 Paragraph 8 herein and shall enter upon the premises and cause the building to be inspected, secured and marked using said proceeds.
3. The Commissioner or Fire Chief, upon being informed of the existence of an abandoned building or a vacant building without a Certificate of Building Closure, shall cause notice to issue to the owner of the status of said building and shall order said person to immediately obtain a Certificate of Building Closure. If any person fails to comply with said order, the Fire Chief or Commissioner may enter the premises to inspect, secure and mark the building.
4. All unsecured vacant and unsecured abandoned buildings shall be immediately referred to the Director and Commissioner for a determination relative to whether the building is a nuisance or dangerous pursuant to M.G.L. Chapter 139 and M.G.L. Chapter 143 and procedures promulgated thereunder.

SECTION 6. EXPENSES. The owner of an abandoned building or an owner of a vacant building, who fails to obtain a Certificate of Building Closure as required herein, shall be liable to the City for expenses incurred by the City in securing such building. The Commissioner shall provide the owner with a written statement of all costs associated with inspecting, securing and marking the building. If the owner fails to pay or reimburse the City within sixty (60) days of notice of expenses, the City shall record the notice of claim in the Worcester District Registry of Deeds (or the Land Court Department) forthwith, establishing a lien on the property for the balance due.

SECTION 7. NOTICES. Notices required pursuant to this section shall be served in the following manner:

1. Personally on the owner, or the lessee, or the mortgagee in possession, or the contact person specified pursuant to Section 3 Paragraph 6; or
2. Left at the last and usual place of abode of the owner, or contact person as specified pursuant to Section 3 Paragraph 6 if such place of abode is known and is within or without the commonwealth; or,
3. By certified or registered mail, return receipt requested, to the owner, or the lessee, or the mortgagee or contact person specified pursuant to Section 3 Paragraph 6 if such address is known and is within the Commonwealth.
4. If the residence and whereabouts of the owner or, the owner's lessee or, the mortgagee or, the owner's agent are unknown or are outside the Commonwealth, then the notice shall be served by posting a copy thereof in a conspicuous place on the property and by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the City.

If any Section, sub-Section, or phrase of this Ordinance were held for any reason, to be unconstitutional, such decision shall not affect the validity of the remaining portion or portions of this Ordinance.

Ordinance No. 1472, passed June 2, 2008