

## Tammy Hodgman

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**From:** Christopher S. Hanson  
**Sent:** Thursday, May 20, 2021 1:54 PM  
**To:** Tammy Hodgman  
**Subject:** FW: 26 Anthoine Rd Junkyard

Tammy,  
I think this email should be part of the Council Packet for 26 Anthoine .

Christopher Hanson  
Director of Code Enforcement and Zoning Administrator  
8 School Road  
Windham, Maine 04062

(207) 894-5900 x 6111

cshanson@windhammaine.us

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-----Original Message-----

From: Collins, Kristin M. <KCollins@preti.com>  
Sent: Wednesday, May 19, 2021 10:45 PM  
To: Chuck Daigle <cdaigle@windhammaine.us>  
Cc: Christopher S. Hanson <cshanson@windhammaine.us>; Barry A. Tibbetts <batibbetts@windhammaine.us>  
Subject: RE: 26 Anthoine Rd Junkyard

Hi, Chuck. The prior owner's old permit is not transferrable, so the new owner will need to get a new permit. Section 3754-A does require the junkyard to show at the time of application that it is part of a viable business entity and that the applicant is "actively engaged" in salvage work at the time of licensure. I do not consider moving tires around to be active engagement. There has to be a real business plan involving dismantling and reselling the parts. I would suggest requiring the new owner to submit a permit application and demonstrate proof that the activities are part of a real business. One option could be to require ongoing proof at three or six-month intervals demonstrating that they are deriving income from any salvage or sales.

Please let me know if you want to discuss further. R

Thanks,  
Kristin

Kristin M. Collins

Attorney  
PretiFlaherty

-----Original Message-----

From: Chuck Daigle <cdaigle@windhammaine.us>

Sent: Wednesday, May 19, 2021 11:03 AM

To: Collins, Kristin M. <KCollins@preti.com>

Cc: Christopher S. Hanson <cshanson@windhammaine.us>; Barry A. Tibbetts <batibbetts@windhammaine.us>

Subject: 26 Anthoine Rd Junkyard

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Hi Kristen, I have a couple of questions regarding an existing junkyard that has kept its licenses current for 50 plus years. The yard has gone dormant for approximately 15 years and has recently changed ownership, where the new owner is currently bringing in new cars to dismantle. The neighbors are not happy about this and are contacting us with numerous questions. One of the questions is can the yard be reopened because it has gone dormant even with its licenses current. The current owner is coming in front of the Board to get a name change which we have allowed many in the past. Another is the transferring of permit, I believe that I'm right in saying that the permit is not being transferred but instead a new permit is being issued for an existing junkyard. Lastly, section 3754-A-5-D states that the yard has to be "actively engaged in the business of", there has been many tires left by the previous owner that the current owner is now removing, not sure if that counts. If you'd like to talk about this I can be reached at W 777-1694, C 714-0391. The attached file are question highlighted by one of the neighbors.

Thank you.

Chuck Daigle  
Code Enforcement Officer  
CEO Office  
8 School Road  
Windham, ME 04062

Phone (207)894-5900 Ext 6113

Fax (207)892-1916

cdaigle@windhammaine.us

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