

**TO:** Honorable Mayor Rines, Members of the City Council & City Manager

**FROM:** E. Patrick Gilbert, City Services Director

**DATE:** October 29, 2004

**RE:** Cindy Sirois – Concerns regarding Anthony Automotive

Mrs. Sirois addressed the City Council at our last meeting with a number of concerns about activities at Anthony Automotive and motor vehicle safety on route 201.

A number of issues regarding code and permit violations regarding operations at Anthony Automotive were raised. The office of Code Enforcement is currently investigating the alleged violations and to see if the business is adhering to the provisions of the Conditional Use Permit approved by the Planning Board on April 18, 1991. A letter of decision will be forthcoming from Code Enforcement for your review.

Additionally, there are concerns as to the loading and unloading of vehicles on the shoulder and break down lane of route 201 in front of the business. Chief Toman has discussed this matter with MDOT Region 2, and while MDOT does not condone this type of activity, they would most likely not take any action against it either. They advised that we could establish a no parking zone by the passage of an ordinance, the City would then have the ability to enforce any violations of such an ordinance. I would point out that no laws are being broken by this activity and without any data it is difficult to make a determination as to how unsafe the situation really is.

In speaking with Bruce Ibarguen, Traffic Engineer with MDOT, he felt that frequency of the activity would have a bearing on his opinion, but that nothing immediately jumps to mind that would make him say this is a dangerous situation. Many automotive businesses receive shipment from the side of state roads, a number of them in Augusta unload directly from a lane on four lane roads.

In closing, I will shortly have a decision from Code Enforcement on the issue of any code or permit violations if any. As far as making a no parking zone I don't think an informed decision can be made at this time based on the limited information we have. If you have any additional questions on this matter please don't hesitate to contact me.

