



January 9, 2019

**To:** Planning Advisory Committee

**From:** Marc Buske, Dangerous & Unsightly Premises Administrator

**Subject:** Recommendation for Demolition

**Re: PID # 25005729, 59 Church Street, Amherst, NS**

**Issue**

Many complaints on the property have been received over the years.

The lack of maintenance has caused the building to become unsafe. The condition of the building poses a risk to the general public due to the rodent infestation, fire hazard, transient activity and possibility of structural collapse.

The Town has cleaned up the property several times over the years.

On November 4, 2016, there was an order to vacate the property. Since then, little to no work has been done to bring the building into compliance.

The work needed to bring the dwelling up to “minimum Standards for Residential Occupancy” would be extensive and expensive. The repair costs would far exceed the resale value of the property.

**History**

**March 2011**

- 1- March 9, 2011: Received a complaint about solid waste around the property.
- 2- March 10, 2011: Sent a letter to owner stating the property was identified as an unsightly property. A letter was sent to the complainant acknowledging the complaint.
- 3- March 29, 2011: The Town of Amherst removed the waste from the property and the cost was added to the property tax account. Letters were sent to the owner and complainant saying the file was closed.



**February 2013**

- 1- February 06, 2013: Received an unsightly complaint about solid waste around the property.
- 2- February 8, 2013: A letter was sent to the property owner stating the property was identified as an unsightly property. A letter was sent to the complainant acknowledging the complaint.
- 3- February 25, 2013: The Town hired a contractor to clean up the property. The cost of the work was added to the property tax account. A letter was sent to the complainant stating the file was closed.

**March 2013**

- 1- March 09, 2013: Received an unsightly complaint about solid waste around the property.
- 2- March 09, 2013: The owner sent an email to the administrator saying the garbage was cleaned up.
- 3- March 18, 2013: The administrator sent the property owner a letter saying the Town hired a contractor.
- 4- March 25, 2013, file closed.

**August 2014**

- 1- August 1, 2014: Received an unsightly complaint about solid waste around the property.
- 2- August 1, 2014: A letter was sent to the property owner stating the property was identified as an unsightly property.
- 3- August 5, 2014: The file was closed. A letter was sent to the property owner and the complainant stating the file was closed.

**September 2014**

- 1- September 24, 2014: The administrator sent the owner and property manager a letter to have the debris and garbage removed as soon as possible.
- 2- September 26, 2014: A letter was sent to the property owner, stating the file was closed.

**April 2015**

- 1- April 13, 2015: A complaint was received on this property about solid waste.
- 2- April 20, 2015: A letter was sent to owner asking him to clean up the solid waste around the property.
- 3- April 29, 2015: The property was in compliance, file closed.

**May 2015**

- 1- May 14, 2015: A complaint was received on this property about solid waste.
- 2- May 19, 2015: A letter was sent to the property owner saying there was a complaint about the solid waste around the property. A letter was sent to the complainant acknowledging the complaint.
- 3- May 22, 2015: The property was brought into compliance. A letter was sent to the complainant and the owner stating the file was closed.



**August 2015**

- 1- August 5, 2015: A complaint was received on this property about solid waste. A letter was sent to the owner of the property asking them to clean up the solid waste.
- 2- August 10, 2015: The property was in compliance. A letter was sent to the owner saying the file was closed.

**October 2015**

- 1- October 19, 2015: A complaint was received on this property about solid waste. A letter was sent to the property owner saying there was solid waste around the property that needed to be cleaned up.
- 2- October 29, 2015: The property was in compliance and a letter was sent to the property owner saying the file was closed.

**December 2015**

- 1- December 8, 2015: An order was placed on the property to clean up the solid waste.
- 2- February 18, 2016: The town hired a contractor to clean up the solid waste around the property. A letter was sent to the property owner say the file was closed and the cost of the cleanup would be added to the property tax account.
- 3- March 2, 2016: The property owner sent a letter to the Town saying he was not going to pay the bill as the charges were fraudulent. He also wanted a meeting with the mayor. Nothing in the file to state the outcome from this letter.

**April 2016**

- 1- April 12, 2016: Received a complaint by email about solid waste around the property.
- 2- April 20, 2016: Pictures were taken. File stops here.

**May 2016**

- 1- May 2, 2016: Received complaint about solid waste around the property by email.
- 2- May 4, 2016: The Town hired a contractor to clean up the solid waste. File closed.

**July 2016**

- 1- July 27, 2016: The administrator talked to the property owner about solid waste around the property.
- 2- August 19, 2016: The property was brought into compliance.

**August 2016**

- 1- August 29 2016: The town received a complaint about solid waste around the property, the state of the building and the safety of one of the tenants.
- 2- August 30, 2016: A letter was sent to the property owner informing him of the complaint and the action needed to be taken to bring the property into compliance. A site visit was done on this date. There were concerns about the state of the building and the way some of the tenants where living. The property manager was contacted as well as adult protective services.
- 3- August 31, 2016: The town hired a contractor to remove the bushes around the property.



### **September 2016**

- 1- September 2, 2016: A letter was sent to the property owner requesting access to the building. On this date a bill was sent to the property owner for the cleanup of the solid waste and the removal of the bushes. The bill was added to the property tax account.
- 2- September 6, 2016: The property manager contacted the administrator to inform him the window was fixed and an exterminator was hired.
- 3- September 7, 2016: An order to vacate one apartment was issued. The order was posted and mailed to the property owner.
- 4- September 8, 2016: A letter was sent to the property owner to inform him the property needed work and a list of what was needed to be fixed in order to bring the property into compliance.
- 5- October 12, 2016: A letter was received by the Town from Empowering Beyond Barriers that expressed concerns with the living conditions of this property.

### **October 2016**

- 1- October 20, 2016: A letter was sent to the property owner to inform him there was a minimum standards complaint, and an inspection would take place. Notice posted.
- 2- October 29, 2016: A site visit took place.
- 3- November 4, 2016: A letter was sent to the property owner with a list of repairs required to bring the building to a minimum standard. A vacate order was placed and the property with a copy sent to the owner.
- 4- January 6, 2017: A letter was sent to the complainant say the building was vacated and the file closed.

### **March 2018**

- 1- March 17, 2018: Received phone call from Amherst police department about the state of the property.
- 2- March 19, 2018: A letter was sent to the property owner.

### **April 2018**

- 1- April 24, 2018: A letter was sent to the property owner stating the file was closed.
- 2- April 26, 2018: The town received a complaint about the property.

### **May 2018**

- 1- May 2, 2018: Send a letter to the complainant and the property owner.

### **June 2018**

- 1- June 13, 2018: A letter was sent to the property owner and complaint stating the file was closed.

### **October 2018**

- 1- October 2, 2018: A site visit was done on the property to determine the condition of the building. Reports to follow.



## **Discussion**

Mr. Buell's report indicated:

- 1- Collapse of several portions of the foundation, open to exterior.
- 2- Structural fatigue and partial structural support failure in basement.
- 3- Façade compromised and at places open to exterior, weather and wear.
- 4- Structural failure shown at several locations throughout structure.
- 5- Partial collapse of foundation interior.
- 6- Electrical shock risk due to exposure of wiring, disarray of utility in basement, degradation of panel and entrance, and water penetration.
- 7- Collected pools of water in basement. Exposed plumbing issues and multiple signs of water damage.
- 8- Signs of wildlife penetration and several carcasses located on site.
- 9- Debris and garbage located through out structure.
- 10- Compromised building envelope to the point of being a health risk.

It is in the opinion of this inspector that the building site be secured and marked for demolition or major restoration. This building poses an imminent risk to transients, as well as threatens the safety of the public in its present state.

## **Options**

1. That the property at 59 Church Street be demolished and the foundation be backfilled within 45 days from the date of this committee meeting, with all work to be done by the property owner. Failure to do so will result in the Town completing the work. All costs incurred by the Town in the demolition and cleanup will be added to the owner's property taxes.
2. Work with the property owner with well-defined tasks and timelines to remedy the property and bring it up to minimum standards for occupancy. Should the property owner default on any of the timelines, the Committee shall order demolition of the property within 30 days of default.

The Administrator is recommending Option 1.

