

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for September 25, 2001 - Page 1 of 11**

- I. ROLL CALL:** This Planning Board Meeting was held in the City Council Chambers of Lewiston City Hall; was called to order at 7:05 p.m.; and was chaired by Chairman Dennis Mason.
- **Members in Attendance:** Dennis Mason, Lewis Zidle, John Cole, Rob Robbins, and Kristine Kimball.
  - **Staff Present:** James Lysen, Planning Director; Lincoln Jeffers, Economic Development Specialist; Gil Arsenault, Deputy Development Director; David Sanborn, the new Planning Coordinator; and Doreen Asselin, Administrative Secretary - Planning Division.
  - **Members Absent:** Roger Lachapelle, Mark Paradis (Resigned due to seeking the City Council), and Student Member Ethan Chittim.

**II. ADJUSTMENTS TO THE AGENDA:** None.

**III. CORRESPONDENCE:**

- A. A memorandum from Deputy Chief **James D. Morin**, Lewiston Fire Department, dated September 25, 2001 in regards to the Maple Street Community Housing Project;
- B. Planning Board Project Development Review Form from Deputy Chief James D. Morin, Lewiston Fire Department, dated September 25, 2001 in regards to the Carter's Self-Storage Facility, 741-747 Main Street; and
- C. Correspondence from **Denis L. Theriault** of Theriault Enterprises, dated September 25, 2001 in regards to the Neighborhood Housing Initiative, Inc. Project on the corner of Blake and Maple Streets.

**MOTION:** by **Rob Robbins**, seconded by **Lewis Zidle** to accept the above correspondence and place it on file to be read at the appropriate time.

**VOTED:** 5-0.

**IV. PUBLIC HEARINGS:**

- A. **A review of a proposal by Jessica Maurer and Penthea Burns to amend the Conditional Rezoning Agreement for 85 Crowley Road (Robinson Mountain Tree Farm) to create GreatMountain Farm.** David Sanborn read his memorandum dated September 19, 2001. In summary, this property was originally zoned the Office Service (OS) District. In July of 1994, 24 acres of the property was Conditionally Rezoned to the Rural Agricultural (RA) District to allow the owners to establish a commercial tree farm on that portion of the property. No other use is permitted in the RA zoning. This item was brought to the Planning Board since the owners, **Jessica Maurer** and **Penthea Burns**, wish to use a portion of the property that is currently Conditionally Rezoned RA as a breeding kennel for Chinook dogs (a rare breed of sled dogs native to Maine and New Hampshire) in addition to the existing commercial tree farm.

Both the RA and OS Districts list kennels as a permitted use. Added to the Agreement, as a conditional use, is Item B. Conditional Uses. This was added because in the future, the owners may offer non-intensive recreation i.e. dog-sledding rides or cross-country skiing.

Present at this meeting was **Jessica Maurer**, the applicant. **Jessica Maurer** distributed a hand-out of GreatMountain Chinooks. **Jessica Maurer** briefly presented her proposal to the Board. She stated that currently there is 78 acres of undeveloped land. She re-stated that in July of 1994, 24 acres of the property was Conditionally Rezoned to the RA District for the establishment of the tree farm. The following question was asked, "How much frontage is on Crowley Road?" **Jessica Maurer** responded that there is close to 200 feet. The setback is quite a distance.

This item was turned to the Planning Board for questions or comments. Since there were none, it was opened to the Public.

**Susan Kennedy (95 Crowley Road)** said that she is not against this project. **Susan Kennedy** said that she runs a day care. She stated that she is only concerned with barking dogs and the safety of her children. Her property adjoins the property requested to be rezoned. **Jessica Maurer** said that her dogs are temperament tested and are taken to lots of schools for training. The dogs are used to being around children, but they will be contained.

There, being no further comments or concerns from the public, the public portion was then closed and turned back to the Planning Board for the following motion.

**MOTION:** by **Lewis Zidle**, seconded by **Kristine Kimball** that the Planning Board send a favorable recommendation to the City Council to approve the proposal to amend the Conditional Rezoning Agreement for 85 Crowley Road (Robinson Mountain Tree Farm) to create Great Mountain Farm, as submitted.

**VOTED:** 5-0.

**B. A review of a proposal for a Conditional Rezoning request on land adjacent to East Avenue, between Lisbon and Pleasant Streets from Office Residential (OR) and the Neighborhood Conservation "A" (NCA) Districts to the Community Business (CB) District.** James Lysen read his memorandum dated September 20, 2001.

The proposal presented is to Conditionally Rezone land adjacent to East Avenue, between Lisbon and Pleasant Streets from the OR and the NCA Districts to the CB District. Included in the proposal was Exhibit "A", Description of Property to be Rezoned and Exhibit "B", which is a map of the properties to be rezoned as well as those properties subject to "Provisions Pertaining to Certain Neighboring Parcels." On August 21, 2001 the City Council initiated this proposal and the Planning Board received a presentation from **John Corbett** of W/S Development Associates. On Friday, September 14, 2001, a notice of this meeting, the revised Conditional Rezoning Agreement (dated September 13, 2001 #2) along with the above mentioned Exhibits A and B were mailed to all the abutters and those who expressed a written interest in being informed of the process.

In this same memorandum, James Lysen made reference to the changes that were suggested by Staff or the developer in order to make the project more consistent with the Comprehensive Plan.

Also enclosed in the Planning Board packets was a "Petition to Discontinue a Portion of Marston Street." This is a necessary point of the rezoning and subsequent development of the property.

James Lysen briefly described what Conditional Rezoning is. The permitted uses under this Conditional Rezoning Agreement are listed on Page Nos. 3 and 4. The Conditional Rezoning Agreement gives the Planning Board more control, i.e. as to vehicular traffic, which is referred to as Item No. 1 in James Lysen's cover memorandum. In the Agreement, no vehicular traffic access ways to this property will be allowed from Pleasant Street except by way of Marston Street.

James Lysen continued by stating that, at the request of City Attorney **Robert Hark**, a time limit of recording was set. There is a five- (5-) year time limit, a requirement that the land must be contiguous to the property which has already been rezoned pursuant to this Agreement; clarification on recording within six (6) months and requiring a form satisfactory to the City.

At this point in the Public Hearing there were no questions from the Planning Board to Staff Members.

**Lincoln Jeffers**, Economic Development Specialist for the City of Lewiston, stated that this will create more jobs, investment, and taxes for the City of Lewiston. Lincoln Jeffers said that a project like this increases our tax revenues without increasing the tax rate. It is a critical component

for a City of this size. The current taxes are \$7,300.00. This project could bring an additional \$200,000 in property taxes to Lewiston with \$5 million in real estate and \$1 million in property. **Lincoln Jeffers** continued to say that this project may help keep people in the area. He said that this may be a way to make some of the retail in the area more successful, i.e. the Ames Department Store. The tenant, at this time, is not known. 125 jobs will be created with this development.

**Lincoln Jeffers** stated that the developer, W/S Development Associates, has developed properties in both Maine and New England. They are a very reputable firm.

**Lincoln Jeffers** commented that this project will go to the City Council no matter what vote is taken. This was brought to the Planning Board as a Public Hearing as to what the concerns are and how they can be addressed. This area has two (2), four- (4-) lane roads and will foster more retail development. This is compact development - right on the edge of an urban community. **Lincoln Jeffers** said that this is the right site for retail. There are high traffic counts and visibility to this site. **Lincoln Jeffers** concluded by saying, "Why now?" This is a service center community. It has the visibility. This project will be a great neighbor and valuable asset to the City.

**John Corbett** did a brief presentation on his firm. He said that W/S Development Associates was asked by the owner of the property (Franklin Property Trust) to come in and see what could be developed. W/S Development Associates developed the Maine Mall, the Augusta Mall, and malls in Bangor, Calais, Skowhegan, and Ellsworth, Maine. The development can be done the right way. This is a wooded area. W.S Development Associates are being asked to change that. Currently, W/S Development Associates are in the process of developing a partnership with Martel School.

**Ron Bissonnette**, an attorney from Isaacson & Raymond, stated that this project will be done right. The project will be a place for people to visit and enjoy.

Also present at this meeting were: **Barry Hosmer**, an architect; **Tom Gorro** of Gorro & Palmer (traffic engineers); **Doug Reynolds**, a Civil Engineer; and **Jeremiah Bartlett**, a traffic engineer supporting Tom Gorro.

After the above presentations, the following concern was heard from the Planning Board. Dennis Mason said that he is concerned over a service station on the corners of Pleasant Street and East Avenue. **Ron Bissonnette** responded that this cannot happen. There needs to be access. James Lysen responded that there would need to be contiguous ownership of land and that it would need to become part of the agreement. If there was a service station similar to B.J.'s, this can be amended from the agreement.

When a tenant is selected, this project will be coming back to the Planning Board.

This item was then opened to the public (concerned citizens) for their input and opposition to this project.

**Natalie Dunlap (316 Webster Street)** said that she has resided in this area for 54 years. She just wants to live in Lewiston. She said that this makes it very uncomfortable. She said that this is a reality that they are facing. She questions the whole project. **Natalie Dunlap** comments that this is a ludicrous project. In closing she stated that **Georgette Berube** shares every word that she said tonight.

**Angela Vallee (62 O'Connell Street)** referenced the Sabattus Street property at the intersection of East Avenue (former Shop 'N Save property) and she also stated that her City Councilor does not talk to them. Therefore, she is not voting for any Councilmen. **Angela Vallee** said that this project interrupts both Martel and the High School. She is concerned with safety of the children and pedestrians. She commented that, "You cannot give up everything, just to pay the taxes".

**Bob Berube (RE/MAX By The Bay)**, a real estate developer, was present at this meeting.

He is in support of this project. He gave a brief outline of his childhood in this area. He said that in 1946 his parents brought property in this area. In 1960, they moved to 105 East Avenue where he was brought up. He used to play baseball down in the area where Sears is now located. He commented that this project will lower tax bases and would be a positive impact to this area. He commented, "To say "No" to this project would be very short-sighted". This could be a successful project. In closing **Bob Berube** said that he supports these efforts being done. He said that we are trying to make the City of Lewiston the second best city in the state.

**Paul Vickerson (10 Pleasant Street)** lives across from the proposed area and is against this project. He is concerned with the safety of Martel School children. He stated that, "The overall safety of our children should be the overwhelming concern." There will be an increase in traffic. Buffers are needed for the safety of children. He said that protection needs to be offered for the children. In closing he said that, "Until I see something that quantifies the risk, and plans to make the children safer, I cannot support it."

**Raymond Begin (20 O'Connell Street)** questioned why not the property behind Staples. **Lincoln Jeffers** response was, "You need a willing seller." James Lysen said that the setback is the first 20 feet from the property line. Gil Arsenault commented that the Franklin Property Trust would not support this development by Staples. This will be a positive buffer for O'Connell Street.

**Robert McGraw (5 Pleasant Street)** said that he had four (4) children who attended Martel School. He now has two (2) grandchildren who attend Martel School. He commented that this is a dangerous situation with a parking lot of the proposed size to be by the school. This should be looked at more closely.

**Charles McDonald (11 Pleasant Street)** said that he went on a tour of the Lewiston Mall. There are four (4) empty stores. He stated that Ames Department Store is planning to go bankrupt in January 2002. "Why not develop what we have got and run?" He said that he will fight to stop this. He is not in support of this development.

**Angela Vallee** again mentioned that two (2) accidents were reported in the last month. She stated that at the intersection of East Avenue and Pleasant Street you cannot get across this intersection. This is a very dangerous area.

**Bob Faunce** was present at this meeting, however, he was not representing the developer. He has an office located at 183 Main Street in Lewiston. He commented that this is a very modest-size project. The taxes would be equivalent to 200 homes per year. He said that he has high regards for development of this site. He said to let the development come through. He is in support of this project.

**Joyce Lepage (25 South Avenue)** said that she does not reside in this neighborhood, however, she does have a 9-year old daughter who attends Martel School. In talking with her daughter, she said that the background noise is very loud in their classroom. She said that the taxes will go up anyways. She is concerned mainly with the added pollution and safety of the children in this area. There will be more accidents, due to the increase in traffic. Also, she feels it is not a good idea, from a school standpoint and the neighborhood, to take the playground area.

**Richard Vallee (62 O'Connell Street)** said that he had one (1) question directed to both Bob Berube and Bob Faunce, "Would you be in favor if that was your back yard?"

**Charles Soule (98 Pine Street) (running for City Mayor)** asked, "What is actually going in there? The neighbors are entitled to answers."

This item was then closed to the public and turned back to the Planning Board.

**John Corbett**, representing the developer, W/S Development Associates, said that the developer is very insulted. He said he has addressed sprawl. This is not sprawl! They have met

with the School Superintendent (**Leon Levesque**), the principal of Martel School, and the School Committee. They have had four (4) meetings altogether. The only concern expressed was the safety of the children. **Ron Bissonnette** stated that he met with the principal of Martel School and **Leon Levesque** earlier today (09/25/01). Their concern expressed was pertaining to noise. There will be more screening for the school. They are currently working with the School Department on a plan.

**Lincoln Jeffers** commented that there is \$60 million in investment since January 2000, \$45 million is in the downtown. This project will not happen downtown. All the factors are to make this project work.

This item was then opened up to the Planning Board.

Kristine Kimball asked, "What type of businesses are you looking at?" **John Corbett's** response to this question was major tenants i.e. clothing, etc. **John Corbett** stated that they cannot build without having a tenant secured. This will go in when the economy is down and will be ready when it comes back up.

Lewis Zidle asked, "How many tenants will go in this location." The response was one (1) major tenant. Lewis Zidle then asked, "Will a single tenant be successful?" **John Corbett** responded with "Yes, this will pick this whole area up."

Dennis Mason asked, "Would you be willing to make the gas station a Conditional Use instead of a Permitted Use?" The response was, "Yes" and is included in the motion taken at the end of this Public Hearing.

Kristine Kimball asked, "Is there a traffic lane proposed, as well as a crossing guide for the entrance across from Ames Department Store for controlled access?" James Lysen responded that this will be addressed in the traffic study.

Lewis Zidle then asked, "Would the curb cut coincide with Ames Department Store?" John Corbett responded with, "Yes".

Kristine Kimball commented that this is in the wrong location because of the location of Martel School. Dennis Mason responded that this is part of the development process, things can be done to improve this, and part of what the developer (W/S Development Associates) designs can be used to lessen the effect on the school.

John Cole disagreed with Kristine Kimball and commented that this project is in the right location and that Martel School should not be there. This area is designed for retail development. John Cole also stated that this is not sprawl in this area. John Cole then suggested that Martel School be moved within the next 3-5 years. The school is obsolete (i.e. asbestos). This is the best possible area for this type of retail development and it is intended to be there.

Kristine Kimball suggested that this building then be an "L"-shaped structure with two (2) tenants, with an alley for the children to walk to/from school until Martel School is moved.

At this point in this discussion, **Lincoln Jeffers** said that he has spoken with the principal of Martel School. With his discussions, he concluded that there are not many walkers along East Avenue. The majority of the students are bused. Currently, the only crossing guide that Martel School has now is located on Lisbon Street.

There were no further comments by the Planning Board Members.

James Lysen faced the public audience and stated that this is just words on paper for now. This is a challenge for any neighborhood. He encouraged the audience to participate in this on-going process.

John Cole asked, "Assume that the Martel School does become available, would W/S Development Associates be interested in this parcel?" **John Corbett** answered that this would definitely attract their interest. At this point in this discussion, John Cole then asked to have the Martel School relocated and to have this placed in a form of a motion. John Cole agreed to draft up

the motion for the Planning Board to consider at the end of this meeting. The following motions were then made pertaining to this Public Hearing.

RECOMMENDATION TO THE CITY COUNCIL:

**MOTION:** by **John Cole**, seconded by **Lewis Zidle** that the Planning Board send a favorable recommendation to the City Council to approve the Conditional Rezoning Agreement, subject to Section (A), Permitted Uses, Sub-Section (13), "Gasoline service stations which are a part of and subordinate to a retail use" moved to Section (B), Conditional Uses, and that subsequent renumbering take place with this change concerning the proposal for a Conditional Rezoning on land adjacent to East Avenue, between Lisbon and Pleasant Streets from Office Residential (OR) and the Neighborhood Conservation "A" (NCA) Districts to the Community Business (CB) District.

**VOTED:** 4-1 (Kimball Opposed).

DISCONTINUANCE OF MARSTON STREET:

**MOTION:** by **John Cole**, seconded by **Lewis Zidle** that the Planning Board send a favorable recommendation to the City Council that a portion of Marston Street be discontinued in conjunction with the Conditional Rezoning proposal on land adjacent to East Avenue, between Lisbon and Pleasant Streets.

**VOTED:** 4-1 (Kimball Opposed).

**V. PRE-APPLICATION AND DETERMINATION OF COMPLETENESS HEARING:**

**A. Pre-Application and Determination of Completeness Hearing concerning a proposal by the Neighborhood Housing Initiative, Inc. to construct a duplex and thirteen (13), attached, single-family dwelling units located at the corners of Maple and Blake Streets; designed for owner occupancy.** The reading of the Staff Memorandum prepared by James J. Lysen dated September 21, 2001 was waived.

This application was submitted by **Michael Gotto** of Technical Services, Inc. on behalf of the Neighborhood Housing Initiative, Inc. (NHI) to construct a duplex and 13 attached, single-family dwelling units on 1.3 acres of land (57,000 SF) at the intersection of Maple and Blake Streets. NHI is a collaborative effort between the Sister's of Charity Health System (SOCHS), Lewiston Housing Authority (LHA), Community Concepts, Inc. (CEI), and the City of Lewiston. This project is classified as the creation of a subdivision, a major project, and is in the Downtown Residential (DR) Zoning District, where single-family, attached dwellings and two-family dwellings are permitted as a matter-of-right. This Plan also includes the discontinuance of Maple Street in the area of this project, but the street will still function as a street with respect to urban design issues. A Homeowners Agreement is necessary since this project has common ownership elements, both structure-wise and with respect to parking and access areas and open space. Included in the Planning Board packets were the correspondence from **John Geismar** and a summary of salient points that will be included in the organic homeowners association documents.

Also included in the Planning Board packets was the correspondence dated September 21, 2001 from **Michael Gotto** of Technical Services, Inc. which addresses some concerns that were raised during the Staff Review Committee Meeting.

In review of this project by the various departments, the Police Department had no concerns. The Fire Department concerns were: 1. The second floor window height to grade; 2. Heating units and chimney(s); and 3. Access to the south and east sides of Units No. 10 and access to the eastern sides of Unit Nos. 7, 8, 9 for apparatus access. Public Works issues that need to be addressed prior to the Final Hearing scheduled for Tuesday, October 9, 2001 include: 1. Unit Nos. 1-10 should be fed off of the main located in Blake Street and easements are needed to own water line and right to access curb stops; 2. A public easement needs to be retained for maintenance and emergency for what is existing in Maple Street when the street is discontinued (20' wide, 10' either side) and the Water and Sewer Department does not want to own the laterals; and 3. The outfalls on the hill need level lip spreaders.

Present at this meeting were **Mike Gotto** of Technical Services, Inc. and both **Mike Grimmer** and **James Cassidy** of the Neighborhood Housing Initiative, Inc.

**Mike Gotto** presented a brief summary. He stated that the plan was originally submitted for 30 parking spaces and now an alternative plan, with on-site parking for the project is presented with 22 spaces. With the alternative plan, there will be more green space and less pavement. As mentioned in **Mike Gotto's** correspondence, the City will provide NHI with an option to purchase an adjacent lot where additional parking spaces could be developed in the future. There is a total of nine (9) additional parking spaces in this adjacent lot. **Mike Gotto** stated that the City agrees that this is an affordable project. **Mike Gotto** continued his presentation by saying that the Fire Department concern is resolved. Their concern was to how much access would be provided between the units.

**Mike Gotto**, in his presentation, showed the Planning Board and Staff visuals of the site. These visuals were prepared by Stevens/Morton/Rose/Thompson (SMRT ) Architects. One (1) vision was from the parking lot. He also showed visuals of the back yards of five (5) units. These visuals reflect the colors and building design. James Lysen commented that the parking with the new design and green space adds to this project. These units will each have covered porches on the front with decks on the back. There will be full basements in all of these units. These units are two-(2-) story units.

***The groundbreaking for these units is scheduled for tomorrow, September 26, 2001, at 3:30 p.m.***

It is anticipated that the parking areas and basements will be built by this fall. One (1) building in its entirety will be done at a time. These units will have two (2) single owners. Two (2) of the units will have daylight basements. All the units will have a private, fenced in back yard. The fencing will be three (3) to four (4) feet in height. These units are manufactured homes, which are built by Keiser. It is proposed that there will be one (1) parking space per unit. The functional need is what is looked at. There will need to be space for snow removal, etc.

In continuing his presentation, **Mike Gotto** said that the structures are all of high-quality vinyl siding. The siding consists of clapboard and shingles. The owners will own the inside and the Association will own the outside. The porches will be made of wood. These units are expensive. They are stick-built in a factory. Delivery is eight (8) weeks. Set up will take three (3) weeks.

After **Mike Gotto's** presentation, **Denis Theriault** of Theriault Enterprises correspondence dated September 25, 2001 was discussed. This correspondence was distributed at this meeting. **Denis Theriault** was present at this meeting. He owns property at 241-243-245 Bartlett Street. His property abuts this development on Blake and Maple Streets. **Denis Theriault** stated that rigid rules, etc. will need to be established. Once they are established, it works. In **Denis Theriault's** correspondence he mentioned three (3) concerns. Those concerns were: 1. Fencing along the rear

area for safety; 2. Trash and debris in Pierce Street Extension, which is owned by the Franklin Property Trust; and 3. The lack of Bylaws that govern buildings, common areas, and complaints, etc. **Denis Theriault** stated that he is willing to work together for a positive atmosphere and a better environment. He said that **Estelle Rubenstein** is also willing to be involved. At this point in the discussion, **Mike Gotto** said that he encourages **Denis Theriault** and **Mike Grimmer** to talk and work together to create a workable area. **Denis Theriault** mentioned that there are large volumes of trash in this area. In closing, **Denis Theriault** commented that this is an excellent project to compliment this area. There is a need to change peoples attitudes in this area, since this is a rough neighborhood.

There following motion was made.

**MOTION:** by **Rob Robbins**, seconded by **John Cole** that the Planning Board determines the application for the Neighborhood Housing Initiative, Inc. (NHI) to construct a duplex and 13 attached single-family dwelling units located at the corners of Maple and Blake Street; designed for owner-occupancy to be complete, accepts, and approves the Modification/Waiver request forms, as submitted, and schedules a Final Hearing for the October 9, 2001 Planning Board Meeting.

**VOTED:** 5-0.

Rob Robbins mentioned that he would prefer the additional parking spaces. **Mike Gotto** stated that there is an option with first refusal on the land. Rob Robbins stated that the Association would have those rights.

The following motion was made on the discontinuance of a portion of Maple Street.

**MOTION:** by **Kristine Kimball**, seconded by **John Cole** that the Planning Board send a favorable recommendation to the City Council that a portion of Maple Street be discontinued in conjunction with the Neighborhood Housing Initiative, Inc. proposal to construct a duplex and thirteen (13), attached single-family dwelling units located at the corners of Maple and Blake Streets; design for owner-occupancy.

**VOTED:** 5-0.

**B. Pre-Application and Determination of Completeness Hearing concerning a proposal by Richard B. Tonoli to install up to 38 self-storage units at the Carter's facility at 741-747 Main Street.** The following is a summarization of the memorandum prepared by **David Sanborn**, Planning Coordinator, dated September 5, 2001 of which was read at this meeting.

This proposal has been submitted by **Robert Faunce** of Technical Services, Inc. (TSI) on behalf of the applicant, **Richard Tonoli** to install up to 38 fully assembled, self-storage units at the Carter Milling site located at 741-747 Main Street. To date, approximately half of these proposed units have been installed on this site without approval and in violation of the Zoning and Land Use Code. 741-747 Main Street is within the Highway Business (HB) District. These uses are not permitted in this district. **Richard Tonoli** is proposing to install up to 38 10' x 20' (7,600 SF) pre-manufactured self-storage units in the northerly portion of the Carter's site and in an area of the currently vacant car lot, adding 0.53 acres to the overall project area, bringing the total to 1.88 acres. **Richard Tonoli** is also proposing to create a new increase of 600 square feet of new office space adjacent to the existing garage building on the vacant car lot site.



Planning Board Staff supports the granting of waivers for a utility plan and traffic study, since there are no new utility services and **Richard Tonoli** is eliminating a curb cut on Main Street. The Public Works Department is requiring a drainage study. Planning Board Staff is not in support of the drainage study waiver. However, Planning Board Staff would consider this application as being complete subject to a drainage study being submitted, reviewed, and approved by the Public Works Department prior to final approval. The Police Department raised an issue concerning the lack of any security measures to prevent unauthorized access to the units. The Fire Department raised a concern about the proximity of the four (4) proposed storage units numbered 19-22 adjacent to the existing one- (1-) story, wood-framed building and how they would prevent proper fire fighting access to that building. Code Enforcement raised a number of concerns, which is included in the Planning Board packets.

In the UE District, the minimum front setback is 25 feet and the minimum side and rear setback is 20 feet. An easement/maintenance agreement may be required if the buildings are closer than five (5) feet from the property line. Code Enforcement would like the propane filling facility and vacuum cleaning area adjacent to the railroad to the rear of the property to be shown on the plan.

**Richard Tonoli** is proposing a landscaped area along Main Street in front of the proposed self-storage area to buffer the use from the travel way. Planning Board Staff also would like the placement of street trees in this area to improve the streetscape.

Also mentioned in this application was that the Carter's portion of the property will be divided so that the Subway building will be located on its own lot. This is to accommodate the sale of the building. Each lot will have a reciprocal easement covering access, parking, maintenance, and other operational issue. These easements will be needed prior to the Final Hearing.

Present at this meeting was **Bob Faunce** of TSI. **Bob Faunce** said that this was originally approved in 1990. This area was originally one (1) large building and a silo. Over the years, storage buildings have been added to this area. Other buildings were moved to Merrill Road. **Bob Faunce** said that this is a good location for them. Self-storage facilities are limited in Lewiston to only the Urban Enterprise (UE) District or the Office Service (OS) District, therefore, a conditional rezoning is much more appropriate.

**Richard Tonoli** will install sidewalks, granite curbing, and a landscape buffer.

Included in the Planning Board packets is a revised Topographic Site Plan along with a letter dated September 20, 2001, which provides responses to the departmental comments on the application. **Bob Faunce** stated that a number of adjustments have been made to the plan. The self-storage facilities are self-contained, steel, 10' x 20' units with full aluminum floors. These units are portable.

Dennis Mason asked Planning Board Staff the following question, "Why conditionally rezone this property and not Merrill Road?" The self-storage units that are currently in place on this property near Spare-Time Recreation are not anchored. They are portable units.

John Cole said that this is a very busy gateway corridor to Lewiston. Rob Robbins said that he would prefer to not see this. Gil Arsenault suggested that if this area is screened from view, that this could mitigate this use. Creating a view barrier could be a compromise. Dennis Mason commented that if this area is screened, it could be practically invisible.

**Bob Faunce** said that he would like to work on a buffer and work on the units and bring them back to the next meeting. He also said that the telephone pole will remain between the buildings. Gil Arsenault commented that this area is not required to be paved, since this is not a required parking area.

**Bob Faunce** questioned the Board with the following questions: 1. Should all or part of the property be used as self storage; 2. Can this property be modified; and 3. Can the units be relocated to reduce the visualization or prefer that the self-storage units go to Merrill Road. John Cole said that these are portable and the use could cease at some time. It was also mentioned that developmentally there are differences between 741-747 Main Street and Merrill Road. James Lysen suggested that the agreement could be draw up to include Merrill Road.

Gil Arsenault then suggested that the Main Street issue should be resolved once and for all. The following motion was made.

**MOTION:** by **Kristine Kimball**, seconded by **Rob Robbins** to table the proposal to install up to 38 self-storage units at the Carter’s facility, 741-747 Main Street for the next Planning Board Meeting to be held on October 9, 2001, subject to the application not being complete.

**VOTED:** 5-0.

**VI. OTHER BUSINESS:**

**A. New Business:**

- 1. A review of a proposal by Richard B. Tonoli to Conditionally Rezone the Carter’s facility at 741-747 Main Street from the Highway Business (HB) District to the Urban Enterprise (UE) District and to possibly schedule it for a Public Hearing.**

Included in the Planning Board packets were a letter from **Robert Faunce** dated August 31, 2001 and the Conditional Rezoning Agreement. This amended Agreement includes the possibility of a drive-up ATM machine or similar bank-related activity at this location. This item was brought up under “Other Business”, since this petition was not submitted in time for the Planning Board packet. However, this petition contains the required signatures and is in the proper form, according to Planning Staff. **Bob Faunce** was present at this meeting. It was decided to move forward with the scheduling of the Public Hearing (for the next Planning Board Meeting) on this item, but to resolve the issue pertaining to Main Street first.

**MOTION:** by **John Cole**, seconded by **Rob Robbins** to schedule a Public Hearing to be held on October 9, 2001 to Conditionally Rezone the Carter’s facility at 741-747 Main Street from the Highway Business (HB) District to the Urban Enterprise (UE) District.

**VOTED:** 5-0.

- 2. Review a de minimus change for Edward Hebert & Sons, General Contractors; to include a 26' x 26', two- (2-) level addition and the relocation of four (4) parking spaces at their site at 9 Gould Road.** There was no public audience at this

meeting in regards to this item.

The Site Plan included in the Planning Board packets shows a two- (2-) level, 676 SF attached addition to the existing structure. Edward Hebert & Sons plan to use this space for additional office and storage space only. This addition will not result in any additional employees.

The original Site Plan was approved on September 27, 1988. This original plan shows four (4) parking spaces that were never constructed and were located as shown on the new proposed Site Plan. The de minimus change is that the impervious surface ratio will be decreased slightly, therefore, Public Works Department is waiving drainage requirements on the lot. There were no concerns with the Police, Fire, and Public Works Departments. The following motion was made.

**MOTION:** by **Rob Robbins**, seconded by **John Cole** that the Planning Board determines the changes reflected in the Site Plan for Edward Hebert & Sons proposed two- (2-) story addition and relocation of four (4) parking spaces to be of a “de minimus” nature and authorizes the Planning Board Chairman to sign the revised mylar.

**VOTED:** 5-0.

**IV. PUBLIC HEARINGS:**

**B.** A review of a proposal for a Conditional Rezoning request on land adjacent to East Avenue, between Lisbon and Pleasant Streets from Office Residential (OR) and the Neighborhood Conservation “A” (NCA) Districts to the Community Business (CB) District As mentioned earlier in these minutes, John Cole made the following motion and Resolution that he created on the relocation of Martel School.

**RELOCATION OF MARTEL SCHOOL:**

**MOTION:** by **John Cole**, seconded by **Kristine Kimball** that the Planning Board approve the attached Resolution concerning the Martel School and its relationship to the Conditional Rezoning proposal for land adjacent to East Avenue, between Lisbon and Pleasant Streets.

**VOTED:** 5-0.

The Resolution is attached to this set of minutes as part of the record.

**VII. READING OF THE MINUTES:** *Draft of the Minutes from the August 21, 2001 Planning Board Meeting. There are no minutes for the September 11, 2001 Planning Board Meeting, since this meeting was canceled due to the tragic events of that day.* Due to the lateness of this meeting, the Planning Board Minutes from the August 21, 2001 Planning Board Meeting were not reviewed.

**VIII. ADJOURNMENT:** This meeting adjourned at 10:45 p.m. The next regularly scheduled Planning Board Meeting is scheduled for Tuesday, October 9, 2001.

Respectfully submitted,

Dennis Mason, Chairman

DMA:dma

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