

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for November 27, 2001 - Page 1 of 5**

- I. ROLL CALL:** This meeting was held in the City Council Chambers on the First Floor of Lewiston City Hall, was called to order at 7:16 p.m., and was chaired by Dennis Mason.
- **Members in Attendance:** Dennis Mason, John Cole, Roger Lachapelle, Lewis Zidle, Kristine Kimball, Rob Robbins, and Student Member to the Planning Board, Ethan Chittim.
 - **Staff Present:** Gil Arsenault, Deputy Development Director; Lincoln Jeffers, Economic Development Specialist; James Lysen, Planning Director; David Sanborn, Planning Coordinator; and Doreen (Asselin) Christ, Administrative Secretary - Planning Division.
- II. ADJUSTMENTS TO THE AGENDA:** None.
- III. CORRESPONDENCE:**
- A. Correspondence (response to questions) dated November 27, 2001 and Topographic Site Plan from **Michael Gotto** of Technical Services, Inc. in regards to the Radio City warehouse expansion project at 175 Apple Road;
 - B. Facsimile copy of correspondence in reference to review comments received from Dan Pelletier of the Police Department dated November 26, 2001 from Michael Gotto of Technical Services, Inc. in regards to the Radio City warehouse expansion project at 175 Apple Road;
 - C. Planning Board Project Development Review Form from **Dan Goyette** of the Public Works Department in regards to the Radio City warehouse expansion project;
 - D. Planning Board Project Development Review Form from **Dan Pelletier** of the Police Department in regards to the East Avenue retail project on East Avenue;
 - E. Correspondence in reference to the stockade fence between properties dated November 26, 2001 from both **Irene Belanger** and **David Gendron** of Easy Self-Storage; and
 - F. Planning Board Project Development Review Form from Dan Goyette of the Public Works Department in regards to GRE, LLC, South Avenue and River Road.
- The following motion was made.
- MOTION:** by **John Cole**, seconded by **Roger Lachapelle** to accept the above correspondence and place it on file to be read at the appropriate time.
- VOTED:** 6-0.
- IV. FINAL HEARING:** *A Final Hearing on an application by Stephen Sylvester of Radio City, Inc. to construct a 10,000 square foot warehouse at an existing developed site in the Turnpike Industrial Park at 175 Apple Road, to serve as a central warehouse for his Radio City consumer electronics business.* David Sanborn read his memorandum dated November 20, 2001.
- Present at this meeting were **Michael Gotto** of Technical Services, Inc., **Stephen Sylvester** and his son, **Chad Sylvester** of Radio City, Inc.
- Mike Gotto addressed issues that the Development Department Staff had.
- This item was then opened up to the applicant, who had no comments and then to the public for comments. Since there was no public comment on this item, this item was then turned back to the Planning Board.

Dennis Mason requested a moment to read the section of the correspondence dated November 27, 2001 (distributed at this meeting) pertaining to wetlands. After reading the correspondence, Dennis Mason stated that he had no issues. There being no further comments, the following motion was made.

Lincoln Jeffers arrived at this meeting at 7:25 p.m.

MOTION: by **Roger Lachapelle**, seconded by **John Cole** that the application by Stephen Sylvester of Radio City, Inc. to construct a 10,000 SF warehouse in the Turnpike Industrial Park at 175 Apple Road, meets all the applicable criteria under Article XIII, Section 4, of Appendix A, Zoning and Land Use Code; grants final approval; and grants the Modification/Waiver requests, as submitted.

VOTED: 6-0.

V. DETERMINATION OF COMPLETENESS HEARING: A Determination of Completeness Hearing on an application by W/S Development Associates, LLC, to develop a 7.56-acre parcel for two (2) proposed retail buildings totaling 72,540 square feet. The project is also being reviewed under the City's expanded review authority pursuant to MDOT's Traffic Movement Permit process and under the City's expanded review authority pursuant to the DEP's Site Location of Development Law. David Sanborn read his memorandum dated November 21, 2001. The Traffic Impact Study is receiving an independent review by traffic engineer **Bill Eaton** of Eaton Traffic Engineers.

There were no concerns from the Public Works and Police Departments.

The Fire Department was concerned about the ability of the current water supply pressure that will be used on this site to accommodate both the Fire Department connection and the sprinkler system concurrently.

John Corbett, of W/S Lewiston Properties, L.L.C. was present at this meeting. John Corbett thanked the Planning Board and Staff for their prompt attention to this project. He stated that both legal counsel and his sound/traffic/noise engineers are available at this meeting. He then turned this meeting over to **Al Palmer** of Gorrill-Palmer Consulting Engineers, Inc., who responded to traffic concerns.

John Cole stated that there are no references to the restricted covenants. **Ron Bissonnette** from Isaacson & Raymond was present at this meeting and responded to John Cole's statement. Ron Bissonnette mentioned that there are titles on both parcels of land. There are no restrictions imposed, since the property is owned by the Trustees of The Franklin Property Trust.

Al Palmer stated that in regards to the request for **Jeremiah Bartlett** to obtain police data, this information was obtained. From 2001 to date, there are nine (9) accidents in this time period. In the last three (3) years, there have been 25 accidents. He stated that the rate is up this year, but it is not significantly different.

At Dennis Mason's request, Al Palmer was asked for an alternative plan, if the negotiations with Martel School do not come to fruition.

John Corbett said that there are a lot of people interested in occupying this space and that there will be no problem filing this space, however, whoever is the occupant, they will need to work with Martel School, i.e. sponsoring of field trips, fundraisers, etc. The school is very supportive of this project.

In closing, the applicant, W/S Lewiston Properties, L.L.C. will come back to this Planning Board on Tuesday, December 11, 2001.

This item was then opened to the public audience for comments.

Paul Vickerson (10 Pleasant Street) is concerned with traffic.

Robert McGraw (5 Pleasant Street) is concerned with getting in and out of his property when construction starts on this development. Al Palmer responded that the duration to rebuild the section of Marston Street is two (2) weeks.

Steve Morin (President of Martel School PTO) has concerns on the detail of fencing and also with the truck traffic near the school. **Barry Hosmer**, Landscape Architect, responded that there will be fencing, which will include a four foot (4'), vinyl-coated chain-link fence and six (6) to seven (7) foot evergreen trees.

Ray Begin (20 O'Connell Street) also questioned fencing.

Linda Begin (20 O'Connell Street) requested that the trees be left as they are and to preserve nature in this area. Dennis Mason explained that the applicant is required to meet with the City Arborist. They have met and identified trees that should preserve nature as part of this project.

Denis Cloutier (11 Pleasant Street) mentioned greenery along the property line.

Jake Paris (18 Pettingill Street) is concerned with the sidewalk.

Ray Begin (20 O'Connell Street) questioned one (1) catch basin? Al Palmer said that some regrading will be done on the westerly side of O'Connell Street. A swale will put in between the roadway and the berm.

Monique Paris (18 Pettingill Street) questioned, "Who is paying for the Marston Street reconstruction?" This is the applicant's expense.

Paul Vickerson asked, "Who is responsible for the Marston Street egress?" Al Palmer responded with City maintenance.

Roland Hachey (8 Pleasant Street) said that his concern was with vehicle headlights.

This item was then closed to the public and brought back to the Planning Board for further discussion and a motion.

Roger Lachapelle said that a commendable job was done putting this project together.

John Corbett stated that in regards to elevations, the tenants of this development will come back to the Planning Board.

In closing, James Lysen said that this development needs to be done in accordance with the Conditional Zoning Agreement.

MOTION: by **John Cole**, seconded by **Lewis Zidle** that the application by W/S Development Associates, LLC, to develop a 7.56 acre parcel for two (2) retail buildings totaling 72,540 SF on East Avenue is determined to be complete and schedules a Final Hearing for December 11, 2001.

VOTED: 5-0-1 (Kimball Abstained).

VI. OTHER BUSINESS:

A. New Business:

1. A request for a "de minimus" change to the existing Site Plan by GRE, LLC on property located on the corners of South Avenue and River Road. Reading of the memorandum prepared by David Sanborn dated November 21, 2001 was deferred.

There was no public audience in attendance at this meeting and no further discussion or comments from the Planning Board, therefore the following motion was made.

MOTION: by **John Cole**, seconded by **Robert Robbins** that the Planning Board determines the change to the existing Site Plan by GRE, LLC on the corners of South Avenue and River Road to be of a “de minimus” nature and authorizes the Planning Board Chair to sign the revised mylar.

VOTED: 6-0.

2. **Community Development Block Program: Annual review and approval of the Citizen Participation Plan and Planning Process.** A formal process is still left to be developed for the Citizen Participation Plan (enclosed in the Planning Board packets). A meeting is scheduled for next week. The following motion was made.

MOTION: by **Robert Robbins**, seconded by **Kristine Kimball** that the Planning Board accepts the FY03 CDBG Citizen Participation Plan and Planning Process and sends a favorable recommendation to the City Council.

VOTED: 6-0.

3. **Discussion concerning the protection of Garcelon Bog.** James Lysen said that most of this area is zoned Resource Conservation (RC). It was recommended by the consultant team of Parsons Brinkerhoff and accepted by the City Council that the proposed Eastside Connector road is not feasible to go through Garcelon Bog. This item was brought to the Planning Board to look for stewardship of land and a better access to utilize it for nature purposes. Planning Board Staff is looking for input. This area cannot be used for traffic access. There is a need to find other means to carry traffic.

Dennis Mason mentioned that the Comprehensive Plan speaks of protecting the bog. Back in the 1960's, plans were discussed for the Alfred Plourde Parkway to go directly through this area. Again, this area is not feasible for traffic. Staff will continue to study for the best use of Garcelon Bog. John Cole said that this whole area has an interesting history. There is no benefit of easy access to Lewiston. An easier access to the turnpike needs to be looked at. It was requested that James Lysen ask Chris Branch, the Public Works Director for a consultant to brief the Board on easier access to the turnpike at the beginning of the year. Dennis Mason said that the Board is forced to react to changes that they were not involved in. The following motion was made.

MOTION: by **Roger Lachapelle**, seconded by **John Cole** that the Planning Board recommends to the City Council to work towards a Preservation Plan for the protection of Garcelon Bog.

VOTED: 6-0.

4. **Discussion concerning proposed amendments to Article IX, Section 3 (9), (10), and (11), Standards concerning appeals, relative to granting of modifications to space and bulk standards for division of commercial buildings, and possible scheduling of a Public Hearing.** This item pertains to granting of modifications to space and bulk standards for division of commercial buildings. Gil Arsenault said that this item was brought to the Planning Board as a result of the possible, future division of the buildings being proposed as part of the East Avenue retail development. This pertains to the dividing of land. Buildings within 15 feet of each other would preclude a common wall.

Dennis Mason said that he would like these issues, such as design standards, Resource Conservation, the planning of roads, and industrial park land to be covered over the next year.

At this point in the meeting, it was mentioned that Greg Mitchell, Director of Development, along with both James Lysen and Gil Arsenault have been meeting with municipalities to obtain ideas. They are going over other municipalities notice process, number of meetings, etc. On Friday, November 30, 2001 they will be traveling to Bangor, Maine and possibly on to Augusta, Maine on another date or even to Waterville, Maine.

B. Old Business:

1. *Discussion concerning the Planning Board meeting minutes.* Again John Cole stressed his point as to his idea of summary minutes. He feels the minutes should be simple statements of the item, the action to be taken, and a motion. He feels the level of detail has been significant. The Planning Board Minutes are taped and recorded. These records are kept for five (5) years and then they are destroyed.

Initially, a motion was made by Roger Lachapelle, of which there was no second and, after the following comments, Roger Lachapelle withdrew his motion.

Dennis Mason said that a template needs to be generated i.e. things that a developer promises to do. Dennis Mason also mentioned the elimination of the listing of correspondence items. James Lysen said that this needs to be included, since it usually pertains directly to an item of discussion. In conclusion, Dennis Mason requested that Gil Arsenault, James Lysen, and Doreen (Asselin) Christ to come up with a format, which is less specific.

2. *Discussion concerning a fill project at the Stetson Brook Estates Mobile Home Park. This project was tabled at the 08/22/00, 09/25/00, and 11/28/00 Meetings.*

No update.

VII. READING OF THE MINUTES: *Reading of the minutes from the November 13, 2001 Planning Board Meeting.* There being no revisions to the minutes, the following motion was made.

MOTION: *by Roger Lachapelle, seconded by Kristine Kimball to accept the Planning Board Minutes for November 13, 2001, as submitted.*

VOTED: 6-0.

VIII. ADJOURNMENT: This meeting adjourned at 9:50 p.m. The next Planning Board Meeting is scheduled for Tuesday, December 11, 2001.

Respectfully submitted,

Dennis R. Mason, Chairman

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