

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for January 15, 2002 - Page 1 of 8**

**I. ROLL CALL:** This meeting was held in the City Council Chambers of Lewiston City Hall, was called to order at 7:03 p.m., and was chaired by Dennis Mason.

- **Members in Attendance:** Dennis Mason, John Cole, Roger Lachapelle, Kristine Kimball, Robert Connors, Jeff Gosselin, Student Member Ethan Chittim, and also new Student Member Jen Robustelli. Recognition was made to outgoing members Mark Paradis (new City Councilor) and Lewis Zidle.

- **Staff Present:** James Lysen, Planning Director and Doreen Christ, Administrative Secretary - Planning Division.

- **Member Absent:** Rob Robbins.

- **Staff Absent:** David Sanborn, Planning Coordinator.

An introduction was made to the two (2) new Planning Board Members Robert Connors and Jeff Gosselin.

Jeff Gosselin introduced himself as being born and raised in Lewiston. He is employed by Peoples Heritage Bank. He currently resides at 77 Charles Street in Lewiston.

Robert Connors, retired for two (2) years, almost three (3), as the Superintendent of the Lewiston School Department, has done two (2) interims as Superintendent, and is currently an Interim Assistant Superintendent for the Bath School Department. He also resides on Charles Street (23) in Lewiston.

**II. ELECTION OF OFFICERS:**

The following motions were made:

**MOTION:** by **John Cole**, seconded by **Roger Lachapelle** to nominate Dennis Mason to another term to serve as Chairman of the Planning Board.

**VOTED:** 5-0-1 (Dennis Mason Abstained).

**MOTION:** by **Dennis Mason**, seconded by **Roger Lachapelle** to nominate John Cole as Vice Chairman of the Planning Board.

**VOTED:** 5-0-1 (John Cole Abstained).

Dennis Mason stated that the Secretary reviews the minutes with Doreen Christ, reads them before they go out to the Planning Board packets, and makes any corrections that need to be corrected.

**MOTION:** by **Roger Lachapelle**, seconded by **John Cole** to nominate Kristine Kimball as Secretary of the Planning Board.

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

**III. PRESENTATION OF RECOGNITION AWARDS TO OUT-GOING PLANNING BOARD**

**MEMBERS** - Special recognition and presentation of plaques were made to both Mark Paradis and Lewis Zidle by James Lysen. He stated that he had mixed emotions on saying "goodbye" to members who have served on the Planning Board. He stated that when Lewis Zidle decides to talk he usually has something good to say. He stated that he appreciated Lewis Zidle's good humor - be it during the meeting, after the meeting, or calling in, etc. James Lysen said that he looks back over the last few years with joy and satisfaction. There were some difficult years prior to that and he said he feels that both Mark Paradis and Lewis Zidle were a big part of the improvement, meaning people who stick to issues. James Lysen said that working together is the key to all city members, not just the Planning Board. James Lysen then presented Lewis Zidle with his plaque.

James Lysen continued his presentation by saying that Mark Paradis is now going on to bigger and better things, and has been elected a City Council Member. Mark Paradis served for two (2) years as Secretary of the Planning Board. James Lysen said as Mark moves more into policy-creating, we will certainly welcome that interaction between Planning Board and City Council. In the past years, Mark Paradis also was a member of the LCIP Review Committee and he will miss his input in this process. James Lysen said that it is with mixed emotions that Mark Paradis is leaving the Planning Board after five (5) years, but again he will be seen in the same room, but in a different occasion. He then presented Mark Paradis with his plaque.

Dennis Mason said that four (4) years ago he started out as the only new member of the Planning Board that year. He was placed on the quiet side of the room. He got to sit with the silent people thinking about things and where the only thing that was said was what needed to be said. In those four (4) years when Lewis and Mark needed to say something, you knew that it was important and that they really meant it. Lewis has made close to 100 motions in the last 12 months. Lewis took it upon himself to keep the meeting going. Mark has definitely in the past year, made his point of saying what needed to be done. Mark served on the LCIP and CDBG. In conclusion, Dennis Mason said that we may not have gotten everything we wanted, but the things that needed to be talked about, were talked about. It was comforting knowing that Mark Paradis was there alongside of him. Dennis Mason thanked both outgoing members for attending this meeting.

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

**V. CORRESPONDENCE:** The following items were distributed at this meeting. 1. FY2003 Lewiston Capital Improvement Program (LCIP); 2. An envelope from Empower Lewiston! in regards to their Annual Report for Fiscal Year 2001 (October 1, 2000 - September 30, 2001); and 3. A memorandum from James Lysen, Planning Director of the City of Lewiston dated January 14, 2002 in regards to the January 14, 2002 Downtown Advisory Board (DAB) Meeting (to be discussed under the *Other Business* item on this Agenda).

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 at this meeting.

**VOTED:** 6-0.

James Lysen briefly explained the process for the LCIP to the new Planning Board Members. He said that a number of people contribute to this document, including Doreen Christ, himself, and other Department Heads. The letter of transmittal is to the City Council and basically lists the charter requirements, then it gets into the Capital Improvement Program itself, which are projects recommended to be funded for the next fiscal year. This is by alphabetical order starting with the Airport projects and finishing with Public Works. This is a summary. This is not a budget. It is kind of a blueprint to spend. The action from the Planning Board that needs to be taken, is to schedule this item for a Public Hearing. By January 15, 2002 (today) this item needs to be released to the City Council, Finance Committee, and the Planning Board. The Planning Board has to make a recommendation on this document 4-1/2 months prior to the end of this fiscal year, which is February 15, 2002. The next regularly scheduled Planning Board Meeting is February 12, 2002. The City Council then needs to adopt this program, with or without amendments. This also gets combined with the budgetary process that will occur prior to the end of this fiscal year in May and June. This Capital Improvement is what capital projects are there that the City needs to take care of. This is a five- (5-) year program. After the summary letter are the letters to both the Finance Committee and Planning Board Chair. Section II is the breakdown of each of the different projects for this fiscal year only that are contained in the summary with a page number of where it can be found in the project description forms. Section III is the breakdown of each of the different projects for the next four (4) years (FY2004-2007) and includes the summary sheets and the description forms for the next four (4) years only. These projects are not budgeted for this fiscal year. Section IV is the summarization for the full five- (5) year program, which is in the form of a spreadsheet. Section V is the Fiscal Impact prepared by the Finance Department. Section VI is the Inventory of what is out there, which are a number of planning documents that are referred to, demographics, and a breakdown of jobs, salaries, manufacturing, etc. The Lewiston area shows a higher percentage of manufacturing jobs - almost 15 percent. This is the City Administrator's Plan. The following motion was made.

Dennis Mason questioned ATRC. James Lysen responded that ATRC stands for Androscoggin Transportation Resource Center and that it replaces LACTS. Dennis Mason then questioned the last Comprehensive Land Use Plan. James Lysen said that this was last adopted in 1988. This creates policies necessary on land use codes. The new Comprehensive Plan is more broad based.

**MOTION:** by **John Cole**, seconded by **Jeff Gosselin** that the Planning Board schedule the FY2003 Lewiston Capital Improvement Program (LCIP) for a Public Hearing on Tuesday, February 12, 2002.

**VOTED:** 6-0.

Dennis Mason said that he encourages the Board Members to read this document and direct any questions they may have to James Lysen.

**VI. REVIEW OF PLANNING BOARD RULES AND PROCEDURES** - Enclosed in the Planning Board packets was a copy of the current Planning Board Handbook, which was last amended in April 2001. Included in the handbook is: 1. Exerpts from the Charter concerning Planning Board organization and duties; 2. Lewiston Planning Board Rules of Procedure; 3. Public Records and Proceeding - Freedom of Access - Public Right to Know Law; 4. AICP Code of Ethics and Professional Conduct; and 5. ICMA Code of Ethics.

James Lysen said that he was anticipating some changes in respect to acquisition/disposition, except tax acquired property. The City Council has, however, eliminated the Land Committee, not the Planning Board's input, relative to that process. Therefore, no changes are necessary. The City Council saw the value of the Planning Board to holding these meetings. James Lysen said that he is always open to do something in another way. This was basically included since there are now three (3) recent, new Board Members. This Board has authority over Development Review projects. It is the Planning Board's job to ask, "Does this project meet the standards?" Sometimes there are gray areas and in most cases, it is cut and dry. Rezoning can get very controversial. Code amendments, changes in district regulations, etc. are sometimes difficult to make a decision. New information can be provided during the Public Hearing. The public, applicant, or the neighborhood provides their input, of how they may be impacted during a Public Hearing, which can influence which way the Planning Board will go, i.e., new information as to why a project does not meet standards.

Dennis Mason made reference to Page No. 8 of the Planning Board Handbook. Under Item 3. Meetings, Sub-Item D., third line the words, "agenda only if" is repeated twice. He requested deleting the repeat.

James Lysen mentioned a bookkeeping item. He asked the Board if the page numbering can start on the page entitled, "Excerpts from Charter of the City of Lewiston effective January 7, 1980", as i., ii, and iii. and start the numbering as Page No. 1 with the page entitled, "Lewiston Planning Board Rules of Procedure".

John Cole made reference to Item No. 10 of the Lewiston Planning Board Rules of Procedure, which states that these Rules of Procedure shall be reviewed and adopted annually at the Board's organizational meeting, or during the year should the need arise and, therefore, the following motion was made.

**MOTION:** by **John Cole**, seconded by **Jeff Gosselin** to adopt the Planning Board Rules of Procedure, as amended.

**VOTED:** 6-0.

**Dennis Mason mentioned to the new Planning Board Members that if they so desire, they can leave their Planning Board binders for Administrative Secretary Doreen Christ to update after each meeting.**

**VII. OTHER BUSINESS:**

**A. *New Business:***

**1. *Municipal Property Acquisition/Disposition:***

**a. *Acquisition - 245 Park Street; and***

**b. *Disposition - 57 Birch, 276 Blake, and 266 Park Streets.***

Enclosed in the Planning Board packets was information concerning a request from the Lewiston Housing Authority (LHA) to have the City of Lewiston donate 57 Birch Street and 276 Bates Street together in support of their Community Center Project. Also proposed is a land-swap with LHA assuming ownership of 266 Park Street while deeding ownership of 245 Park Street to the City of Lewiston. The information provided in the packets were: 1) City Council action and back-up information, 2) certified copy of action taken at the City Council Meeting held on December 28, 2001; and Property Acquisition/Disposition Review Forms from the various departments involved. The only comment made was by James Andrews, Community Development Director. He states that Development Staff recommends approval of this proposed donation and the exchange of parcels contingent upon review of the Planning Board.

Kristine Kimball asked if there were any buildings located on these properties. James Lysen mentioned that there is a gazebo located on the 276 Bates Street property.

The following motion was made.

**MOTION:** *by Jeff Gosselin, seconded by Robert Connors to send a favorable recommendation to the City Council on the acquisition of the 245 Park Street property to the City of Lewiston and disposition of the properties located at 57 Birch, 276 Blake, and 266 Park Streets to the Lewiston Housing Authority.*

**VOTED:** 6-0.

**2. *Discussion of possible rezoning of 884 Lisbon Street, Gregory Moran, Aubuchon Realty Company.*** Enclosed in the Planning Board packets was a letter from

Gregory Moran of Aubuchon Realty Company dated September 14, 2001 in regards to a zoning line running through his single-deeded parcel, a mapping of the area, Exhibit A, and the Special Warranty Deed (two pages). This item is being brought to the Planning Board during discussions concerning the Conditional Rezoning on East Avenue for the proposed retail project. This property is located across Marston Street from the Martel School on Lisbon Street. Dennis Mason said that this property is where ColorTile used to be located. Gregory Moran has discovered that his property is split-zoned. His front parcel along Lisbon Street is in the Community Business (CB) District and the rear parcel is zoned in the Neighborhood Conservation "A" (NCA) District. This is one (1) building located on two (2) lots. This split-zoning occurred during the City-wide rezoning in 1988. Both of these properties are currently in commercial use with the back parcel providing parking for the commercial uses of the front parcel.

Dennis Mason said that his question was whether the Planning Board could require the Owner (Aubuchon Realty Company) pay the required notice and mailing fees. James Lysen said that basically if the Board comes to the conclusion that this was an oversight back in 1988, in the policy that was created on split-zoning, that the applicant will not get charged these fees, except for the advertising fees that will be necessary and that the Board initiate this request. James Lysen said that he feels that this is clearly an oversight. The following motion was made.

**MOTION:** *by Roger Lachapelle, seconded by Robert Connors that the Planning Board initiate rezoning of the rear parcel of 884 Lisbon Street in the Neighborhood Conservation "A" (NCA) District to the Community Business (CB) District and schedule it for a Public Hearing at the February 12, 2002 Planning Board Meeting and that only advertising fees be charged.*

**VOTED:** 6-0.

**3. Discussion concerning Joint Planning Board/School Committee Meeting scheduled for Wednesday, January 30, 2002 at 7:00 p.m. at the Dingley Building.**

The Planning Board has been invited by the School Committee for a Joint Meeting to discuss issues related to planning and development and how they impact the School Department. Enclosed in the Planning Board packets were agendas for both the Joint Planning Board/School Committee Meeting and also the Joint City Council and School Committee Meeting. The Joint City Council and School Committee Meeting is scheduled for Saturday, January 19, 2002 from 8:30 a.m. to 12:00 p.m. James Lysen said that these agendas were placed in the packets for information and to see if there was any information to be covered or reported on. Dennis Mason mentioned to the Board that reference was made as to the relocation of Martel School, which was brought up during the rezoning of the East Avenue retail project. During this rezoning process, Planning Board Member John Cole had approached this Board to recommend that the City and School Department look into relocating Martel School and that some assistance may be provided by The Franklin Company, since they would be the owners of that property if the School Department decided to relocate. Because of traffic especially, this would be a better location for retail development than a school location. Farwell School's entrance also was discussed. Both these issues triggered the above mentioned meetings. Dennis Mason went on to say that we do not want to tell the School Department where to put their schools or that they have to move their schools, but to the extent that the City's Planning Department and Public Works Departments can advise concerning school siting.

Dennis Mason said that a plan needs to be developed for Martel School. That school is 50 years old and it is probably beyond its useful life if not past it. If the City does not have a plan to replace that school, than they need to come up with one. John Cole added that development in that area has changed in such a way that that corner has transformed to become one of the most valuable corners in the City of Lewiston. This might be the opportunity to get people to consider getting the relocation under way. With that kind of value, appropriate funded, can drive the relocation. Obviously, John Cole said that the Planning Board's suggestion did not go very far with respects to the existing project, but that does not mean that there may be some other way to perhaps introduce selling that property. John Cole then asked, "Didn't we determine that that property reverts to The Franklin Company?" James Lysen said that the easement was just acted upon at the meeting last night, January 14, 2002.

Roger Lachapelle added that this is one (1) of the busiest intersections in the City. The safety issues are a factor. This is not a good place for education.

Dennis Mason commented that the school teachers need to yell, at times during the day, to be heard by the students. There is a lot of traffic in this area. James Lysen said that he was surprised to find out that there are so few kids that walk to this school. Roger Lachapelle commented that there are a lot of fumes in the Spring when the windows are opened, due to traffic. Kristine Kimball mentioned that it does not make a whole lot of sense to dump money into improvements to this school.

James Lysen said that maybe some of these issues can be clarified on January 30<sup>th</sup>. Alternatives need to be looked into.

Roger Lachapelle said that a lot of studying has been done as to what should be done to the schools. A big study was done about ten (10) years ago. He stated that he was part of that committee. Part of this conversation should include the Middle School. He said that you have both Bates College and St. Mary's Hospital that both want to buy that property. That building is not real conducive to the Middle School. The bottom line is that you are looking at community development.

Student Member Jen Robustelli stated that both her and Student Member Ethan Chittim volunteer there, on a regular basis, and that this is not really a good place for a school. It is very hard to get in there, there is no place to turn around, and it is very noisy. She volunteers for Kindergarten.

It was stated that that intersection probably has more accidents than any other intersection in the City.

John Cole said that shortly after becoming involved in law practice (27 years ago), he became involved in a project looking at the City's layout of what was then conceived to be the circumferential highway between the City's. He said that part of that highway went right through the block and part of it went over to and connected to where the Alfred Plourde Parkway is now. John Cole said that he discovered that because the Maine Turnpike was not part of the interstate highway system, the City of Lewiston has been effectively deprived of any kind of money to build a new sort of circumferential belt around the City from the federal government. That would all be contingent upon designation of the Maine Turnpike someday as part of the interstate highway system. That has now come to past. John Cole said that he is wondering if anybody from the City has ever researched whether or not if federal statutes that prevail. It would suddenly now make it possible to access MDOT funds from the interstate highway system to do pieces of circumferential building on the outskirts of the City. James Lysen then made reference to a new turnpike Exit (Exit 13A). This is still a possibility. This would take the support of the MDOT. James Lysen then stated that this can certainly be looked at. John Cole said that this may be an opportunity that has not been examined for over 30 years. James Lysen said that the City of Lewiston is limited, due to having only one turnpike access. Transportation is not easy when you are trying to fund bridges to cross the river.

There being no action necessary, the next item on the agenda was discussed.

**4. Update on the Gas Works Redevelopment Project.** James Lysen stated that he was asked to do a memorandum to the Downtown Advisory Board (DAB) Meeting. This item was distributed at this meeting for inclusion in the Planning Board packets. The items on this memorandum refer to the agenda items for the DAB Meeting held on January 14, 2002. The memorandum also refers to "Design Review Guideline Standards" [referred to as Item 4)]. This is an issue that this Board has expressed an interest in. In James Lysen's memorandum to the DAB, he is suggesting that the three (3) groups consisting of the Planning Board, DAB, and Historic Preservation Review Board have a joint workshop to discuss the scope and focus of such guideline/standards, along with architectural. Input received and a consensus needs to be reached on an approach to develop such guideline standards. James Lysen said that we do not really have any standards. Will it be guidelines or will it be standards? This needs to be developed and interpreted.

James Lysen continued with his memorandum and updated the Planning Board in regards to the Gas Works Redevelopment Project [Item 2)] located on Locust Street. He stated that Chris Velasco of Artspace Projects, Inc. of Minneapolis, Minnesota spend two (2) days visiting properties and meeting with people concerning arts-based development with Lewiston-Auburn. Chris Velasco was impressed with both community leadership and grass-roots support for the arts in this region and identified a number of site suitable for this type of development. They are willing to work here. Based on Artspace Projects, Inc., the Lewiston-Auburn area received a "Good Rating". The Gas Works Redevelopment site is subject to a grant (\$30,000) from the "Smart Growth" program from the State Planning Office. A Request For Proposal (R.F.P.) for A/E and historic preservation consulting services for the redevelopment project is expected before the end of this month. The DAB will be invited to participate in the public input process concerning this project. Chris Velasco was confident that a number of locations would be suitable for such arts-based development. Most of the projects are of a historic nature. In closing, James Lysen said that contact will be continued with Artspace Projects, Inc., updating them on the progress and the interest in having them come back here to work. Dennis Mason then mentioned that in regards to design standards, this topic will be discussed later on this evening.

**5. Update on the Wal-Mart Distribution Center Project.** James Lysen said that obviously one (1) of the issues at this site is rezoning. This rezoning is necessary. It is currently zoned the Rural Agricultural (RA) District. A presentation will be made to the Planning Board at the February 12, 2002 Meeting to start this process. James Lysen asked, "Does this Board feel comfortable by initiating this rezoning or the City Council?" The Agreement says the City will help move this process on. This initiation can be either by the Planning Board, City Council, or by petition. Dennis Mason stated to the Planning Board Members that probably what is going to be requested by Planning Staff is to rezone a portion from Alfred Plourde Parkway to an area depicted in light-green color on the mapping shown along the none-river side of that parkway and probably rezone all of that area. James Lysen said that this should all be the Industrial (I) District. James Lysen also mentioned that there will be some relocation of the Alfred Plourde Parkway. This will open up this area. There are three (3) lots involved in this project. This is located in the gravel pit.

The cost to develop this site is pretty huge. Lewiston does not have a whole lot of industrial land. Dennis Mason said that people will be opposing this redevelopment, but they know that it is coming. James Lysen said that this is an update and that the Planning Board will be facing this rezoning. The Planning Board does not have expanded project review authority on this project. Dennis Mason mentioned that along with the D.E.P. and M.D.O.T., the Army Corps of Engineers will be involved. In conclusion, Dennis Mason said that this item will be scheduled for discussion and possible initiation of a rezoning at the February 12, 2002 Planning Board Meeting.

**6. Discussion on Staff visits to other communities concerning the Development**

**Review Process and possible streamlining measures.** James Lysen stated that himself, Gil Arsenault and Greg Mitchell spent a couple of hours meeting with Auburn officials and both James Lysen and Gil Arsenault met even longer with Bangor and South Portland officials on their Development Review Process. They are also scheduled to visit with Saco officials as well. He stated that each town/city have some pretty interesting review processes. James Lysen said that he felt good about his review process. The communities that they visited tended to learn as much from Lewiston as they did from them. They shared what works and does not work for them.

**As mentioned earlier under Item No. 4, the following is the discussion concerning Design Standards**

Dennis Mason mentioned that in February 2002 he would like to set goals further in the streamlining process. He said that the City needs design standards specifically in the downtown area. For example with Lowell Square, this can make an impact for the next 10-20 years. He questioned, "How does the City handle roads?" He stated that the City is long overdue for zoning. There are way too many rezonings. Roger Lachapelle agreed that a lot of other people need to get involved. Dennis Mason questioned, "Where do we want the City to grow?" John Cole asked, "Is there a state statute to revisit the Comprehensive Plan?" James Lysen responded with, "every 5-10 years". James Lysen agreed that it is good to focus on the downtown. It was mentioned that sprinkler systems may need to be required, if Fire Stations are not built on the outskirts of the City. Dennis Mason said that nothing has been implemented. Jeff Gosselin mentioned that no housing is available for professionals who move into this area. He then referenced the new Cardiac Care Center at CMMC. He stated that provisions will need to be provided for these individuals. The development impact fees need to be enforced. Dennis Mason again mentioned that some goals need to be placed on the February 2002 agenda. Currently, there are 18 districts placed on the Zoning Map dated January 2001. Student Member Ethan Chittim questioned the small portion of area zoned, "Riverfront", when the whole area should be zoned, "Riverfront". There are issues for certain zones. There are quite different land uses. Compact urban design and density was mentioned. This item will be placed on the February 2002 agenda.

**B. Old Business:**

**1. 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.**

James Lysen said that the update on this item is that they have filed an NRPA application for wetland impacts associated with development of Stetson Brook Estates in Lewiston with the State of Maine D.E.P. This application was filed on November 19, 2001.

**VIII. READING OF THE MINUTES: Reading of the minutes from the December 11, 2001 Planning Board Meeting.**

John Cole made the following change:

- On Page No. 5, last paragraph, second line, delete the word, "to" and replace it with the word, "for".  
The following motion was made.

**MOTION:** by **John Cole**, seconded by **Kristine Kimball** to accept the Planning Board Minutes for December 11, 2001, as amended.

**VOTED:** 3-0-3 (*Lachapelle, Connors, and Gosselin Abstained*).

**IX. ADJOURNMENT:** This meeting adjourned at 9:00 p.m.

Respectfully submitted,

Kristine Kimball  
Planning Board Member & Secretary

DMC:dmc  
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