

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for February 12, 2002 - Page 1 of 4**

- I. ROLL CALL:** This meeting was held in the City Council Chambers of Lewiston City Hall, was called to order at 7:07 p.m., and was chaired by Dennis Mason.
- **Members in Attendance:** Dennis Mason, John Cole, Kristine Kimball, Jeffrey Gosselin, and Robert Connors. Also present were Student Members Ethan Chittim and Jen Robustelli.
 - **Staff Present:** Gregory Mitchell, Director of Development; Lincoln Jeffers, Business Development Manager; Gil Arsenault, Deputy Development Director, James Lysen, Planning Director, David Sanborn, Planning Coordinator, and Doreen Christ, Administrative Secretary - Planning Division.
 - **Member(s) Absent:** Roger Lachapelle and Rob Robbins.
- II. ADJUSTMENTS TO THE AGENDA:** That Item No. III be struck out on the agenda, since it is already listed later on the agenda and that under New Business, add Item No. 8, A Vote to Place a Planning Board Member as the LMRC Representative.
- IV. CORRESPONDENCE:** The following items were distributed at this meeting: 1. Joint School Committee - Planning Board Meeting Agenda and 2. An updated listing for the Lewiston Planning Board Members.
- V. PUBLIC HEARINGS:**

A. Review and recommendation on the Fiscal Year 2003 Lewiston Capital Improvement Program (LCIP). *Chuck Gill*, Chairman, and *Leighton Cooney*, Member of the Downtown Advisory Board (D.A.B.) stressed the need for funding to implement the Downtown Master Plan, and the overall lack of commitment to the downtown. The D.A.B. wants funding for such projects as pocket parking and gateway improvements.

Dennis Mason suggested future changes to the LCIP process to better tie projects to strategic goals of the City. After further discussion, the following motion was made:

MOTION: *by Robert Connors, seconded by John Cole that the Planning Board recommends to the City Council to adopt the proposed FY2003 LCIP with the suggestion that they strongly consider recommended changes put forward by the Downtown Advisory Board (D.A.B.).*

VOTED: 5-0.

B. A proposal by Gregory J. Moran of Aubuchon Realty Company to rezone the rear portion of 884 Lisbon street from Neighborhood Conservation (NCA) District to Community Business (CB) District. James Lysen read from the Staff Memorandum dated February 8, 2002 and showed photographs of the site. This item was opened to the public, there was no public comment. The Planning Board had no additional comments, concerns, or questions, so the following motion was made:

MOTION: *by John Cole, seconded by Robert Connors that the Planning Board sends a favorable recommendation to the City Council to rezone the rear portion of 884 Lisbon Street from the Neighborhood Conservation "A" (NCA) District to the Community Business (CB) District.*

VOTED: 5-0.

VI. PRE-APPLICATION AND DETERMINATION OF COMPLETENESS HEARING:

B. A Pre-Application and Determination of Completeness Hearing on an application by A.R.C.C. Land Surveyors, on behalf of Royal Flooring Company, Inc. to create a new, 40,000 square-foot lot from existing Lot No. 23 located at 789 Webster Street in the Lewiston Industrial Park.

David Sanborn read his memorandum dated February 8, 2002. *Arthur Montana* on behalf of Royal Flooring Company, Inc., presented the application to create a new, 40,000 square foot lot from existing Lot No. 23 located at 789 Webster Street (Lewiston Industrial Park) in the Industrial (I) Zoning District. This item was opened to the public, and, since there was no public comment and no questions or concerns from the Planning Board, the following motion was made:

MOTION: by *John Cole*, seconded by *Robert Connors* that the Planning Board grant the necessary modification and waiver requests; determines the application for the Royal Flooring Company, Inc. to create a new, 40,000 square foot lot from existing Lot No. 23 located at 789 Webster Street in the Lewiston Industrial park to be complete and schedule it for a Final Hearing at its February 26, 2002 Meeting.

VOTED: 5-0.

VII. OTHER BUSINESS:

C. New Business:

1. Discussion and possible initiation of a rezoning of property located on the east side of River Road in conjunction with the proposed Wal Mart Distribution Center; and amendments to the Industrial (I) Zoning District to better protect neighboring residential uses.

James Lysen read his memorandum dated February 8, 2002. This rezoning is broken into three (3) phases. The Planning Board has been requested to initiate the Phase I rezoning, on Gendron & Gendron land and the Quaker Cemetery, which is owned by the City; and an Industrial (I) District Code amendment proposal. The changes being made under the Space and bulk standards include changing the minimum front yard for all uses from 20 feet to 25 feet and providing both buffering for adjacent residential uses in residential zoning districts across the street from the development, also helping to protect industrial areas from encroachment from non-compatible residential uses.

Lincoln Jeffers reviewed the Wal Mart project and provided background on the rezoning request.

There were no questions from the Board, therefore, this item was opened to the public.

Peter Grenier (401 River Road) stated that Phase I is acceptable, but Phase II and III were not.

John Racine (289 River Road) resides directly across where the proposed Wal Mart will be located.

He voiced concerns about aesthetics, noise, including truck traffic. He would like the project buffered 50 to 100 feet with additional landscaping to deaden the noise.

Norm Boulay suggested that Wal Mart purchase residential homes in this area.

This item was then closed to the public and brought back to the Planning Board for the following motion:

MOTION: by *Jeff Gosselin*, seconded by *Robert Connors* that the Planning Board schedule the Phase I rezoning for the proposed Wal Mart Distribution Center and changes to the Industrial (I) District, as presented, for a Public Hearing at the February 26, 2002 Planning Board Meeting.

VOTED: 4-1-0 (Kimball).

2. ***A request for a “de minimus” change to the existing plan for Maurice Estates Subdivision (Acorn Lane off Old Greene Road) to eliminate street lighting.*** James Lysen read from his memorandum dated February 8, 2002. ***Mike Gotto*** presented this item to eliminate street lighting from the Maurice Estates Subdivision on Old Greene Road. Staff has recommended that, at a minimum, a street light should be provided at the intersection of Old Greene Road and Acorn Lane. Since there was no other public comment, the Planning Board made the following motion:

MOTION: *by John Cole, seconded by Jeff Gosselin that the proposed change is of a “de minimus” nature and to waive the lighting requirement except for a light located at the intersection of Old Greene Road and Acorn Lane.*

VOTED: 5-0.

3. ***A discussion and scheduling of a Public Hearing on a proposal by Donald Toussaint to amend Appendix A, Zoning and Land Use Code, Section 12, Highway Business (HB) District, to allow mixed-use structures as a permitted use.*** Donald Toussaint (not in attendance) submitted a proposal along with a petition (all signatures have been verified) for an amendment to the Highway Business (HB) District to allow mixed-use structures as a permitted use in order for him to convert some of the non-residential space in his building where Sam’s Italian Sandwich Shoppe is located (Sabattus and Hartley Streets) to residential.

James Lysen referred to his memorandum dated February 8, 2002 stating that Planning Staff recommends a minimum net lot area per dwelling requirement and a minimum percentage of the mixed-use structure be non-residential (i.e. 33 percent), to avoid large multi-family dwelling units being constructed in conjunction with minimal, non -residential uses. Staff will prepare such a proposal for the next meeting. The following motion was then made:

MOTION: *by John Cole, seconded by Kristine Kimball to schedule the proposal by Donald Toussaint to amend Appendix A, Zoning and Lane Use Code, Section 12, Highway Business (HB) District, to allow mixed-use structures as a permitted use for Public Hearing at the Planning Board Meeting scheduled for March 12, 2002.*

VOTED: 5-0.

Because of the similarity between the next two (2) items on the agenda, both Item Nos. 4 and 5 were discussed simultaneously.

Due to a conflict concerning Item No. 5, John Cole recused himself from the Planning Board.

4. ***Discussion of a possible rezoning of 445 Sabattus Street (formerly the Sunoco gas station) to allow use of the property as a specialty used-car lot, and***

5. ***Discussion of a possible rezoning of property located at 969 Lisbon Street (corner of Dumont and Lisbon Street) to allow use of the property as a used-car lot.***

James Lysen read from his memorandum dated February 8, 2002. ***Matthew Fournier*** stated that he is interested in putting in a specialty used-car lot at 445 Sabattus Street, at the most, for five (5) years. It was stated that the conditional zoning process could put these restrictions on a use. This property is currently zoned Community Business (CB) District, which does not permit used car lots. ***David Teich*** stated he would like to renovate the building at 969 Lisbon Street, continue to run the redemption business, and create a used-car lot for 3-5 cars. This property is also in the Community Business (CB) District.

The Board expressed their concerns about the two rezonings, but stated the applicants can submit petitions to the Board.

John Cole rejoined the Planning Board.

Due to a conflict, Jeff Gosselin recused himself from the Planning Board on the following item.

6. Discussion of a possible rezoning of property located at 590 Main Street (corner of Main Street and Strawberry Avenue - formerly Northeast and Fleet Banks) to allow use of the property for a Dunkin Donuts satellite shop with a drive-through.

This property is zoned Office Residential (OR) District and does not permit any retail or eating and drinking establishments.

Norm Boulay stated that this lot is ideal for this type of business.

John Cole mentioned that he does not feel that this is a ideal location, because: 1. There would be an immense traffic problem and 2. The use does not fit the character of the neighborhood.

After much discussion about the proposal and its impacts, *Mr. Boulay* said that he would be interested in a conditional rezoning to address some of the Board's concerns. The Board stated that he could submit a petition.

Jeff Gosselin rejoined the Planning Board.

7. Rescheduling of Joint Planning Board - School Committee Meeting to March 27, 2002 at 7:00 P.M. at the Dingley Building.

This item was placed on the agenda as a reminder to the Board Members and, also, that there will be no Planning Board Meeting on March 26, 2002.

8. A Vote to Place a Planning Board Member as the LMRC Representative. The following motion was made to replace *Dennis Mason*, as the Planning Board Representative to the LMRC Board:

MOTION: by *John Cole*, seconded by *Kristine Kimball* for *Jeffrey Gosselin* to replace *Dennis Mason* on the LMRC Board.

VOTED: 4-0-1 (*Gosselin*).

VIII. READING OF THE MINUTES: Draft minutes from the January 15, 2002 Planning Board.

MOTION: by *Kristine Kimball*, seconded by *Robert Connors* to accept the Planning Board Minutes for January 15, 2002, as amended.

VOTED: 5-0.

IX. ADJOURNMENT: This meeting adjourned at 10:02 p.m. The next regularly scheduled meeting is Tuesday, February 26, 2002.

Respectfully submitted,

Kristine Kimball, Planning Board Member & Secretary

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