

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for July 23, 2002 - Page 1 of 10**

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 7:01p.m., and was chaired by Dennis Mason.

- **Members in Attendance:** Dennis Mason, John Cole, Rob Robbins, Kristine Kimball, Robert Connors, and Jeffrey Gosselin.
- **Member Absent:** Roger Lachapelle.
- **Staff Present:** Lincoln Jeffers, Business Development Manager; James Lysen, Planning Director; David Sanborn, Planning Coordinator; and Doreen Christ, Administrative Secretary-Planning Division.
- **Student Members:** Ethan Chittim - Present and Jen Robustelli - Absent.
- **Others Present:** Mike Paradis, City Engineer and Joe Grube - Director of Assessing.

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: The following items of correspondence were distributed at this meeting:

1. Petition to Amend the Zoning and Land Use Code form for conditional rezoning of 590 Main Street from the Office Residential to the Community Business District;
2. Memorandum to Honorable Mayor and City Council from James Bennett, City Administrator dated July 5, 2002 in regards to the City Council Meeting on July 9, 2002 for Agenda Item Nos. 9-11;
3. Zoning Ordinances adopted 1989-1994; and
4. Supplement No. 3.

MOTION: by *John Cole*, seconded by *Robert Connors* to accept these items of correspondence, place them on record, and be read at the appropriate time.

VOTED: 6-0-0.

Jeffrey Gosselin recused from the Planning Board on this item.

IV. PUBLIC HEARINGS:

A. Proposal by Norman Boulay to conditionally rezone his property located at 590 Main Street from the Office Residential (OR) District to the Community Business (CB) District. *Normand Boulay* was present at this meeting.

James Lysen read his memorandum dated July 19, 2002. The prior use of this property was a bank with a drive-through facility. Normand Boulay is proposing to Conditional Rezone this property to allow for a Dunkin' Donuts franchise. Normand Boulay is limiting this to an eating (not drinking) establishment. This project will help reduce traffic problems at the Dunkin' Donuts site located across from the Central Maine Medical Center on Main Street. A traffic study will be undertaken for the Main Street area from the overpass project north later this fall.

James Lysen explained the Levels of Service (LOS), as follows:

LOS "A" = 10 Second Delay	LOS "D" = 25-35 Second Delay
LOS "B" = 10-15 Second Delay	LOS "E" = 35-50 Second Delay
LOS "C" = 15-25 Second Delay	LOS "F" = 50 or greater

The Level of Service "D" needs to be in service for this area. The Strawberry Avenue/Main Street intersection is currently estimated to operate at a marginal level, either "D", "E", or "F". Improvements are needed at this intersection. As stated in the Staff Memorandum, Public Works Director Chris Branch indicates that this intersection would probably require a total of five (5) lanes on Main Street. The estimated cost would be up to \$1 million. Normand Boulay has agreed to pay his fair share of the necessary study and improvements for his development to bring the level of service to this standard. These improvements will be completed within one (1) year of approval of the project. This project will need to go through the development review process.

The Office Residential (OR) District does not allow food establishments. However, the Community Business (CB) District allows many uses. The permitted uses are listed in the Conditional Rezoning Agreement.

Lincoln Jeffers arrived at 7:19 p.m.

Other properties in this area are for sale. It is anticipated that much of this land will be combined to allow for a large commercial development. Changes may be needed later to keep the traffic flowing. Controlled access to this site from Main Street will be critical to maintain traffic capacity in this area. If a large commercial development is to occur, Normand Boulay will coordinate his design to be consistent with Best Management Practices (BMP's).

The impact is going into and out of the property. Dennis Mason mentioned that outreach could be done with the neighborhood. The agreement protects the City's interest and the petitioner. Dennis Mason questioned why there was no mention of signage. James Lysen responded that this will go through development review process. There will be new signage.

There will be one (1) single entranceway. Mention was made of a larger scale development to include an anchor store. This property runs all the way back to the railroad. This area has potential for development. John Cole read the code on eating/drinking establishments. 50 percent of sales in alcohol would make it an adult establishment.

This item was opened to the public audience for their comments and concerns.

Normand Boulay (Petitioner) stated that this is not a residential area anymore. There are 32,000 cars per day. He would like to see an upgrading of zoning on the whole strip. There is a financial aspect for transportation improvements. He would like to find out what is needed to change this strip.

Marcel Morin (a Lewiston taxpaying resident) suggested adding commercial rezoning to reduce taxes. The City of Lewiston needs commercial development. He suggests rezoning the whole strip. Marcel Morin said that he also agrees with James Lysen in the need for having two (2) lanes, each going both ways.

Dr. Steve Danney (owns an office on Strawberry Avenue) and also two (2) acres of land. He recently renovated his offices. He said that he has a vision of what this area may become. There are a lot of potential applications to this area.

James Keogh agrees wholeheartedly with what Marcel Morin spoke about. He also stated that James Lysen did a good job in presenting this item. He said that this is never going to be ideal. He also wants this whole strip rezoned.

Jerry Douglas agrees with James Lysen, Marcel Morin, and James Keogh. He does not want each piece of property micro-managed. The whole area should be rezoned.

Bob Spencer started by saying that 32 years ago he tried to get a rezoning. This rezoning should take place. He said he came to this meeting to give insight. He said he will take a broad view of the overall situation. He said he would like to see the City and the State save some money.

Mike Paradis arrived at 7:51 p.m.

Bob Spencer continued by saying that there is an incredible back-up of potential users. He used to do development for VIP stores throughout the northeast states.

He said that at some point Main Street will be rezoned. This is no longer a residential area, it is commercial. He spoke of the property including Saunders Florist, Inc., Fleet Bank, etc. Bob Spencer said that Main Street needs to be widened. He then asked, what do you think the value of the land near the railroad is worth? He then spoke about setting back the front of the properties by 45 feet. This will come from the west side of the development. He suggested making the users conditional. He suggested letting the developers tear the buildings down without the City of State paying for it.

Bob Spencer agrees with the one (1) entrance in and out. He suggested an exit only on the south end nearest the bridge.

Laurie Winsor (Androscoggin Home Care & Hospice) mentioned the Main Street/Strawberry Avenue intersection. She said she is pleased in context of the conditional rezoning. She is also pleased with John Cole's suggestion of the drinking terminology. She said she is also pleased to see that the petitioner is willing to keep the architectural character of the building.

James Lysen said that a clarification has been made on Page No. 4 in the second paragraph of the agreement as to BMP's. This was in the original draft. A newer version has been developed.

Bruce Mason (593 Main Street) stated that he is concerned with the very significant problems with traffic. His office has been located in this location for 26 years. He feels that Main Street should be rezoned. He feels there is a need to develop an overall plan for this area. Currently, the lane on the west side is the only one (1) going south. He feels that entire reconstruction is needed. He concluded by questioning, "How is this going to work?"

Norm Boulay said that any left turn is difficult to do. A traffic signal light would solve this problem. He suggested placing a traffic signal light at the Montello Street/Strawberry Avenue intersection. This would slow down the traffic. He said that there is a problem from Marden's down to his development.

Mike Dubois (adjacent property owner at 588 Main Street) said that he is not for or against this development. This is a much bigger project than just one (1) parcel. There are traffic considerations. There will be problems with ingress and egress. He feels that rezoning the whole area needs to be addressed.

Dennis Mason said that the Planning Board deals with development and that they can make the developer pay for improvements. This is more complicated than placing traffic lights. The areas need to be considered for rezoning.

The public comments section was then closed and turned back to the Planning Board for a discussion. This can go forward as presented, it can be tabled, it can be turned down, or put on hold for the area to be studied more.

John Cole asked about rezoning from below Brooks Avenue to Montello Street on both sides of Main Street. He suggested beginning a process. This will have a domino effect. This needs to be done in a much more comprehensive fashion. This is the northern gateway to the City. He feels that this is opening the door to a greater demand. He said that zoning is a control and device to maintain uses in the City. He said that due consideration for a rezoning should be developed for the whole area. This is premature for a conditional rezoning tonight. John Cole also said that he feel that this should be an eating and drinking establishment. He said he cannot support this as presently presented.

Kristine Kimball agrees that the whole area needs to be rezoned all the way to the Greene town line.

Dennis Mason said that a study in September/October would not be helpful because of the overpass not being complete. He asked, "Why would we want to put retail in this area?" Lincoln Jeffers responded that there is great visibility and a good traffic count for business.

It was suggested to not recommend holding up this project to rezone this whole area. John Cole stated that Norm Boulay have a traffic study done. John Cole then read what is allowed in a Community Business (CB) District. This area needs to be studied carefully. Lincoln Jeffers commented that most developers want the zoning in place to do a project. They do not want a question mark.

Rob Robbins stated that this does deserve a very thoughtful consideration. Rob Robbins will hold off to see where this is headed.

The question was raised, "Why won't you want to see offices in this area?" Lincoln Jeffers responded that this could be foreseen.

James Lysen questioned, "What makes property unique?" Transitional uses are occurring southbound. The Office Residential (OR) District does not allow retail and restaurant establishments.

Dennis Mason commented that the only item to be dealt with at this meeting tonight is 590 Main Street. He then asked Norm Boulay what he wants to do? Norm Boulay responded, "to continue".

The following sequence of motions were made.

MOTION: *by **John Cole**, seconded by **Robert Robbins** that the Planning Board does not recommend the conditional rezoning of 590 Main Street based on the conditions that prevail at this particular time and recommends that the City give further consideration to the area for a study of the area in order to determine what that area can best be utilized for, which should include consideration of the existing traffic situation with what is likely to develop there once the overpass is completed.*

VOTED: *No vote was taken.*

Marcel Morin requested a clarification on the above motion. Therefore, the previous motion was withdrawn by both John Cole and Robert Robbins and restated by John Cole, as follows.

MOTION: *by **John Cole**, seconded by **Robert Robbins** that the Planning Board given to the circumstances and conditions that prevail at the present time, to simply include the absence of provide the traffic data about this area as well as the impact on this area that it will have, on this particular property that we have, on potential rezoning of surrounding properties, and the entire Office Residential District on the Main Street corridor; that the application is denied on this rezoning at the present time; and to recommend to the City that an appropriate traffic study be undertaken as soon as possible with due regard to the impact of the overpass once it is developed and that other considerations be given to what*

appropriate rezoning of this area, not precluding the corridor along Main Street, but also the area that adjoins the overpass, should be in the future.

VOTED: 2-3-0 (Opposed - Dennis Mason/Kristine Kimball/Robert Connors).

This motion was not successful and resulted in no action being taken. The following motion was then made.

MOTION: *by Robert Connors, seconded by Dennis Mason that the Planning Board approves the Conditional Rezoning of 590 Main Street, subject to the clarification of eating and drinking establishments.*

VOTED: 3-2-0 (Opposed - John Cole/Robert Robbins).

This motion carries, but does not have enough votes to constitute an action by the Planning Board. James Lysen stated that this vote will go to the City Council as being a non-action with that note. A consideration was then made to the earlier motion made by John Cole (a non-action) to amend that motion to include the following.

MOTION: *by Robert Robbins, seconded by Kristine Kimball that the Planning Board amends the motion in regards to Item b. (1) of the Conditional Rezoning Agreement for the small 20 x 15 foot addition to the rear to insert, “which addition shall be consistent with the architectural character of the existing building”.*

VOTED: 5-0-0.

John Cole then asked why are we voting on something that does not carry. Both James Lysen and Dennis Mason said that it does not carry, but it does constitute an action. Norm Boulay said that he intends to keep the architectural nature of the existing building without changing the looks.

Dennis Mason then explained the voting process of the Planning Board at the request of Bob Spencer. The City Council will have the final say. The following final motion was then made.

MOTION: *by Robert Connors, seconded by Dennis Mason that the Planning Board send a favorable recommendation to the City Council on the proposal by Norman Boulay to conditionally rezone 590 Main Street from the Office Residential (OR) District to the Community Business (CB) District subject to the Conditional Rezoning Agreement, as amended.*

VOTED: 3-2-1 (Opposed - John Cole and Robert Robbins).
(Abstained - Jeffrey Gosselin).

Dennis Mason recused himself from the Planning Board and turned the Chairing of this Board on this item over to John Cole, due to a conflict of interest.

Jeffrey Gosselin rejoined the Planning Board.

B. Proposals by Blaine Akerley (29 Blake Street) and Daniel Dumont (31,35 & 37 Blake Street) to conditionally rezone their properties from the Centreville (CV) District to Urban Enterprise (UE) District. James Lysen read his memorandum dated July 17, 2002. ***Daniel Dumont*** was present at this meeting. There are two (2) separate requested agreements regarding conditionally rezoning these properties from the Centreville to the Urban Enterprise Districts. ***Blaine Akerley*** is requesting a conditional rezoning to allow automobile repair garages as a permitted use so that his existing business may become a legally conforming use. Daniel Dumont is requesting a conditional rezoning on his three (3) properties to allow automobile repair garages as a permitted use so his business may expand and make improvements, including additional parking. Daniel Dumont is also interested in acquiring the 29 Blake Street property when Blaine Akerley retires.

James Lysen referenced the Ordinance Pertaining to Zoning Boundaries, Page No. 2, Conditional Rezoning Agreement. He noted a typographical error in the sequence of lettering, which goes from Item (c) to (f) and should be re-lettered to go from (d) through (j). Items (1) through (15) are items that are already permitted. Daniel Dumont spoke briefly to the Planning Board. He stated that he would like to clean up this area of the downtown. Unless it is a permitted use, he cannot pave this area. Daniel Dumont stated that he is trying to do this the right way.

Rob Robbins recused himself from the Planning Board.

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There was no public comment for or against this item, therefore, the public portion was closed and turned back

to the Planning Board for the following motion.

MOTION: by **Kristine Kimball**, seconded by **Robert Connors** that the Planning Board send a favorable recommendation to the City Council to conditionally rezone the properties located at 29 Blake Street (Blaine Akerley) and 31, 35, & 37 Blake Street (Daniel Dumont) from the Centreville (CV) District to the Urban Enterprise (UE) District, subject to their respective Conditional Rezoning Agreements.

VOTED: 4-0-2 (Abstained - Dennis Mason and Rob Robbins).

Dennis Mason resumed his position as Planning Board Chair on the remainder of the agenda items. John Cole recused himself from the Planning Board.

C. Proposals by Mark Hartnett (170 Summer Street) and Guy Hartnett (150 Summer Street) to conditionally rezone their properties from the Neighborhood Conservation "B" (NCB) District to Urban Enterprise (UE) District. The Staff Memorandum was not read to the Planning Board, instead, James Lysen did a quick summary on this rezoning. There are two (2) separate requested agreements regarding conditionally rezoning these properties from the Neighborhood Conservation "B" (NCB) to the Urban Enterprise (UE) District. Both **Mark Hartnett** and his dad, **Guy Hartnett** were present at this meeting. Guy Hartnett (150 Summer Street) is requesting this rezoning to allow the facility (Auburn Machinery, Inc.) to become legally conforming with the ability to make a planned expansion and other improvements. Mark Hartnett (170 Summer Street) is requesting this rezoning to allow the facility (One-Right Systems, Inc.) to also become legal-conforming with the ability to make future planned expansions and other improvements.

James Lysen stated that both these properties will need development review. These rezonings will allow for future expansions and, therefore, will add additional employment to this area. These businesses will be screened from Sunnyside Park. Currently there is no fencing in the rear. This will meet buffering standards. This rezoning will support existing business.

Mark Hartnett distributed copies of photographs taken of his property and the surrounding area. This whole area was rezoned in 1988. The best looking properties in this area, are 150 and 170 Summer Street. Mark Hartnett said that he is concerned with a long-term ability to expand.

Since there were no further comments from the petitioners or the public audience, the public portion was closed and opened to the Planning Board for the following motion.

MOTION: by **Robert Connors**, seconded by **Kristine Kimball** that the Planning Board send a favorable recommendation to the City Council to conditionally rezone the properties located at 170 Summer Street (Mark Hartnett) and 150 Summer Street (Guy Hartnett) from the Neighborhood Conservation "B" (NCB) to the Urban Enterprise (UE) District, subject to their respective Conditional Rezoning Agreements.

VOTED: 4-0-2 (Abstained - John Cole and Jeffrey Gosselin).

Dennis Mason stated that this area is overdue for consideration of zoning. The area from Lowell Square up to the cemetery could be valuable to the City.

John Cole rejoined the Planning Board on the remainder of the agenda items.

D. Proposed Amendment to the Zoning and Land Use Code concerning adult business and adult amusement standards; and amendments to permitted and conditional uses in the Centreville (CV), Riverfront (RF), Highway Business (HB), Mill (M), and Urban Enterprise (UE) Districts. James Lysen said there were discussions with the Downtown Advisory Board (DAB), which really put forward the recommendation. There were members present at a Planning Board Meeting in which these items were discussed and this is what brought this item to the Planning Board. Amendments have been made to include both, along with some housekeeping changes. James Lysen then characterized the amendments made to the code pertaining to this item as: 1. They are two (2) distinct separate uses; 2. Clarification of the definition. The amendment focuses on the specific activity occurring, instead of a percentage of their operating income; 3. Linking the definition of an eating and drinking establishment to a specific

Outer Limits located behind Staples). The Tunnel was determined to not be an adult business establishment by the Board of Appeals. This was based upon the food that they serve and admissions that they charge when they have teenage activities or non-alcohol events that occur. Instead of doing a percentage, it was determined by what is the use. This has nothing to do with the income level. This is a much easier determination by code and planning; 4. Amending the performance standards/locational criteria to include both adult business and amusement establishments; 5. Adding locational criteria so that both establishments are a minimum of 300 feet away from school, dormitories, churches, chapels, or a legally conforming dwelling in a residential zoning district (this is currently what is required by the state for a liquor license for a bar). James Lysen said that what is basically being said is that we do not want these uses downtown, they should belong on the arterials of the HB or CV zoning districts. It is important to incorporate some residential protection from entrance-to-entranceway by way of travel, either by walking or driving 300 feet from entrance-to-entrance; 6. Removal of billiards and pool halls from adult business establishment definitions (any place with two billiards or tables is automatically an adult business establishment and is regulated that way); and 7. Amending the zoning district regulations so that tattoo artist establishments are not permitted in the RF, CV, and M Districts.

Jeffrey Gosselin asked, "What is the difference between an Adult Amusement Establishment and an Adult Business Establishment? Tattoo parlors are an example of an Adult Business Establishment, where you need to be 18 years of age or older. Dennis Mason then requested for James Lysen to explain what a special amusement permit is. A special amusement permit is for special events i.e. concerts, dancing, etc.

Dennis Mason referenced the typographical error made on Page No. 6 under Article XII. Performance Standards, Item (2), fifth line, the word ordinary is misspelled.

This item was then opened up to the public for comments, concerns, or questions.

Ray Bowden (a local taxpayer) referenced the teen activities and in regards to the RAVE's held at the Central Maine Civic Center. He then mentioned hip-hop dancing (Outer Limits). These are approved by the Board of Appeals.

The Tunnel is located practically in his backyard. He has 400 cars parked in his backyard up to 3:00 a.m. James Lysen stated that this amendment deals with these situations. This removes the area that makes it difficult to determine what kind of use that they are. James Lysen stated that it is the nature of the use that we are looking at, not necessarily income levels. Ray Bowden said that the City of Lewiston needs to change their image. There needs to be better planning. These establishments need to get out of here. The City of Lewiston needs to get good businesses here and not to ship them over the bridge to Auburn. Dennis Mason then asked James Lysen what the notice requirement is for the Board of Appeals. If a business is not determined to be an Adult Business Establishment, then they don't need a Conditional Use Permit. James Lysen said that if this amendment goes through, it will The Tunnel to be run as an Adult Business Establishment and regulated as a Conditional Use through the Board of Appeals. The Tunnel will be grandfathered and any expansion would require review.

Ray Bowden then asked, "Who proposed the amendment to the zoning on the amusement/business development?" Dennis Mason responded that this was originated as a request by the Downtown Advisory Board (D.AB.) for the Planning Board to consider and put forward amendments because they were concerned about tattoo parlors. Planning Staff was then requested by the Planning Board to look at the whole definition of Adult Amusement Establishments. Dennis Mason stated that any businesses that are currently existing can continue as they are. They will be grandfathered.

Dennis Mason is concerned about pushing these establishments onto corridors of Lewiston. He said he was more concerned with the CV District because of the location of those areas on Pine Street, Main Street, Lisbon Street, etc. These will then be pushed further out of town. He stated that a Conditional Use is almost as good as a Permitted Use. If somebody wants to put a Conditional Use there, they are going to be able to do it. The use will happen.

John Cole commented that he agrees with Dennis Mason. John Cole said, otherwise, that this is a good first approach, but he does not feel that this satisfies what the City is trying to accomplish, and will not support this as a draft.

Jeffrey Gosselin said he is in agreement with the definitions, but not the locations (i.e. banning from certain areas). Jeffrey Gosselin then questioned in other parts of the country, aren't these establishments concentrated in one particular area? Where would we want these? This may be an aesthetic improvement, but he does not believe in trying to do this. There is a lot of potential to tattoo establishments. A tattoo parlor is the mildest of them all.

Dennis Mason felt that with some minor tweaking, this would be acceptable to him. Most of these establishments downtown, for example on Lisbon Street, have been closed. There are not too many of these around.

Jeffrey Gosselin stated that he is fine with the definitions, but is not inclined to start banning these establishments for a particular zone.

John Cole said that what this is saying is that we do not want these to be in certain areas of the downtown. Some of these places are already there. The objective is to move them out of there. Where are they supposed to go? If these are placed in the HB corridor, then this put them out along the major corridors coming into the City. This is contrary

to the long-standing objective that this Board and the City Council has had to maintain and beautify the gateways and make them look like the City is serious about developing in promising areas. This sends the wrong message. Maybe we need to consider having a red light district in a particular area.

Lincoln Jeffers, the City of Lewiston's Business Development Manager, and who also staffs the Downtown Advisory Board, stated that when it is in the downtown, it is walkable. If it is taken out of the downtown area, there is a less visual impact. The Downtown Advisory Board does not want these in our downtown. The Downtown Advisory Board did not feel it was appropriate to outlaw these establishments.

Robert Robbins asked why don't we want these establishments in our City? If they are undesirable, they why are we permitting them in the CV or the HB District? Why are we not looking at eliminating them entirely? Lincoln Jeffers responded that he would like to Planning Board to entertain that.

John Cole said that nobody has the absolute right to any particular use in any particular area at any particular moment of time. The City does not have the power to exclude certain uses altogether. This needs to be examined and entertained by the City Council. The City Council can give an opinion that the City could indeed choose not to permit certain uses in the City overall in all zones of the City. Appropriate consideration could be given to elimination of this kind of use within the precincts of the City. This needs to be examined and an opinion ought to be obtained by the City Council on. Robert Robbins said that he was in agreement with John Cole and that this is something that the Planning Board should consider obtaining an opinion from the City Council on. If it is something that the Planning Board could look at eliminating these types of uses in Lewiston, then we should be doing that.

Jeffrey Gosselin said that we are trying to improve the perception of Lewiston in other parts across the state. He said opposed and has a hard time supporting an absolute no across the state.

Ray Bowden commented that he used to work for the Small Business Administration. Other businesses could be formed. The clubs need to go and put in some good taxpaying businesses. We need to revitalize the downtown area period.

MOTION: *by John Cole, seconded by Robert Robbins to request an opinion from the City Attorney regarding whether the City may not allow Adult Amusement Establishments as proposed to be defined as neither Permitted nor a Conditional Use and that the Planning Board table this Public Hearing until the next scheduled Planning Board Meeting on August 13, 2002.*

VOTED: *4-2-0 (Opposed - Kristine Kimball and Jeffrey Gosselin).*

After the above motion, John Cole asked what other restrictions can we pose? This would be another request to the City Attorney. John Cole said that we need to know what the parameters are to operate constitutionally, that includes both the state and federal constitution.

James Lysen said that if these establishments are banned from the downtown, they should be banned from the rest of the City. It was discussed that if these establishments are no longer permitted, the existing establishments would be grandfathered. James Lysen said that the definitions and amendments really strengthen the existing regulatory contact. James Lysen said he would like to make sure there are no existing inconsistencies.

E. Public Hearing on a proposal to amend the City of Lewiston's Zoning and Land Use Code, concerning parking space dimensions for parking structures. This item was brought about by Chris Branch, Public Works Director, in relation to Item V. Final Hearing, Sub-Item B. Final Hearing (this evening's agenda) on the proposed City of Lewiston's Park Street Parking Garage project. Chris Branch raised the issue of required parking space dimensions. Currently the code requires parking spaces to be a minimum of 9 x 18 feet, with a provision for up to 40 percent being compact spaces a minimum of 8 x 15 feet. These dimensions apply to both lots and structures. During Chris Branch's research, he found that the current industry standards for parking spaces in parking structures is 8-1/2 x 17 feet. This amendment will eliminate compact spaces and reduce the spaces down to a smaller size.

Steve Myers, of Platz Associates, was present at this meeting. Platz Associates was the firm hired to design the Park Street Parking Garage. This is their third garage to design. They are doing a lot of parking lot and design..

Steve Myers said that compact parking does not work because nobody pays attention to it. This was very effective in the garage done on Chestnut Street. The difference is the nature of the use being that a parking garage, people are there for longer terms and it is more expensive. It is the same people every day. The people are just pulling

in once and pulling out once in a day. They know how to use it. There is not a lot of in and out, like you would have in a shopping center or a mall. In a parking lot people need more design.

John Cole stated that he can thoroughly understand the argument about eliminating compact space. He questioned why would one want to create parking spaces that are six (6) inches narrower than the standards that are used

in a parking lot. Steve Myers said that there is not a big difference between a surface parking lot and a parking garage. James Lysen reiterated what Steve Myers said previously. He said that the difference is the nature of the use being that a parking garage, people are there for longer terms, than in a shopping area or mall. He explained that in a parking garage, you would understand the layout and process a little more and are familiar with it. Parking structures are also more expensive to build than a surface parking lot.

This item was closed to the public and the following motion was made.

MOTION: by **Jeffrey Gosselin**, seconded by **John Cole** that the Planning Board send a favorable recommendation to the City Council to approve amendments to the City of Lewiston's Zoning and Land Use Code concerning parking space dimensions for parking structures.

VOTED: 6-0.

V. FINAL HEARINGS:

A. Final Hearing on a subdivision application by Denis Jean to develop his property located at 18 Larrabee Road into a five (5)-lot, single-family residential subdivision. Dennis Mason stated that the Boundary Survey and Subdivision Plan has been updated, this has been conveyed to Denis Jean's neighbors and a Boundary Line Agreement, which was enclosed in the Planning board packets, has been conveyed to them showing them his property.

Denis Jean was present at this meeting.

Denis Jean's property encompasses 8.78 acres and is in the Medium Density Residential (MDR) District. The minimum lot size for single-family homes in this district is 40,000 square feet on septic with a minimum of 100 feet of road frontage.

In conclusion, Dennis Mason stated that there is now a Lot No. 5, instead of remaining land.

There, being no further comments, the following motion was made.

MOTION: by **Jeffrey Gosselin**, seconded by **Kristine Kimball** that the Planning Board grant the modifications and waivers requested; that the subdivision application by Denis Jean, 18 Larrabee Road meets all the approval criteria under Article XIII, Sections 4 and 5 of the Zoning and Land Use Code; and grants final approval to this application, as submitted.

VOTED: 6-0.

B. Final Hearing on the proposed City of Lewiston's Park Street Parking Garage project.

Steve Myers presented this item. Also in attendance, at this meeting was **Mike Paradis**, the City Engineer. **Nat Salfas**, from Platz Associates, is the architect involved with this. Steve Myers stated that Platz Associates is the architect hired for the master planning of the facility and design. There has been a great deal of participation also by the Downtown Advisory Board (D.A.B.). The facility is to be located on the corners of Oak, Bates, and Park Streets. This facility will occupy a section of the City's municipal parking lot, which has been located there for 22 years. Steve Myers showed the Planning Board the Schematic Plan - Phase I. Steve Myers then distributed the correspondence dated April 15, 2002 from Gorrill-Palmer Consulting Engineers, Inc. This letter addresses their review of the ingress and egress for the garage and internal circulation. Gorrill-Palmer are suggesting that an additional ingress/egress should be considered on Park Street midway between Oak and Ash Street to reduce the congestion at the Oak Street access. They are also recommending that the middle lane at each driveway be reversible so that two (2) entry lanes will be available during the AM peak and two (2) exit lanes in the PM peak. The surface lot will come into the garage entrance. They do not recommend a driveway immediately adjacent to Ash Street, due to the proximity.

This project is to be done in two (2) phases. Phase I is the front half of the parking facility. This facility is in an area that is an historical district. Therefore, this project had to go through the Historic Preservation Review Board.

There will be a bus station at the corner of Oak Street. This bus station will be attached to the garage. Currently, the schematic design is in budget considerations. Landscaping is proposed along Oak Street. There will be Oak trees placed on the Oak Street side of the facility. Steve Myers stated that Phase I is what is included in the Planning Board packets. There will be three (3) levels to this garage. The existing surface parking lot has 388 spaces. Phase I will bring this total to 585 when completed. There are currently 388 now in the surface parking lot. The

impervious surface will be reduced by approximately 8,200 square feet. Since this is being reduced, runoff calculations are not needed.

Dennis Mason stated that the with the courthouse and all the other development going in downtown, there is not enough parking spaces. More spaces are sold than what exist.

Jeffrey Gosselin said that he is concerned with the Middle Street traffic. There will be an entrance in on

Middle Street and another on Park Street. The only exit out will be on Oak Street. Steve Myers said that Middle Street will be the most direct access point. These are the same entrance/exit points as they exist today.

The buses will be at Bates Street. The turning radius issue will meet standards, since Bates Street is a very wide street and is convenient for the stopped buses.

Mike Paradis stated that this was originally developed by Parsons-Brinkerhoff. There needs to be control of the facility. The Park Street entrance was the best approach.

A Landscaping Plan will be brought back at another time.

There were no concerns from the Police, Fire (parking garage only - not bus station), and Public Works Department or Code Enforcement.

The following motion was made.

MOTION: by **Jeffrey Gosselin**, seconded by **John Cole** to accept the application for the City of Lewiston's Park Street Parking Garage, as presented, subject to the submission of a Landscaping Plan and its approval by the Staff Review Committee (S.R.C.).

VOTED: 6-0.

VI. OTHER BUSINESS:

A. Proposed City Acquisitions:

1. *Hallowell property located north of No Name Pond.* This item was tabled until the August 13, 2002 Planning Board Meeting for further information.

The Planning Board to waived its rule, due to the lateness of the hour, to consider this item.

2. *Bates Mill Complex acquisitions; 137 & 143 Main Street.* Lincoln Jeffers commented that these properties need to be acted on by the Planning Board so that City Council can act on them so that they can be closed on. The contracts are contingent on these actions and have been negotiated. The City of Lewiston has reached a Purchase and Sale Agreement with the property owners. The buildings only tenant is Music Mania and there is a residential tenant, who is eligible for relocation assistance. The purchase price for 137 Main Street is \$75,000 and for 143 Main Street is \$28,000. These properties are slated for demolition and will support the redevelopment of the Bates Mill Complex for additional parking and open and green space.

The following motion was made.

MOTION: by **Robert Connors**, seconded by **John Cole** that the Planning Board send a favorable recommendation to the City Council that the City of Lewiston acquire 137 and 143 Main Street.

VOTED: 6-0.

The Planning Board waived its rule, due to the lateness of the hour, to consider this item.

3. *Eminent Domain acquisition of 49 Main Street.* Distributed at this meeting was the Memorandum from James A. Bennett City Administrator dated July 5, 2002. This item was brought to the Planning Board for a recommendation on the acquisition of this property. The City Council has already voted on this item. Jeffrey Gosselin asked if this is being acquired to tear down for aesthetic purposes? Lincoln Jeffers stated that this property will be demolished for parking and landscape improvements to the gateway. Lincoln Jeffers stated that this has been very difficult to negotiate. Jeffrey Gosselin also asked if the negotiating price is still up in the air. The property owner is Roland Amlotte and he states that he has put \$320,000 in the property. This property houses both the LA House of Pizza and Captain Morgan's Tattoo Parlor. The assessed value of the property is \$127,600, which consists of \$29,100 for the land and the remaining \$98,500 in building. The purchase price on this property is \$160,000, less the outstanding balance on the mortgage.

The following motion was made.

MOTION: by **Jeffrey Gosselin**, seconded by **John Cole** that the Planning Board send a favorable recommendation to the City Council that the City of Lewiston acquire the property at 49 Main Street.

VOTED: 6-0.

B. *De minimus change, request for extension of approval for Chestnut Hill Estates.* This item was not discussed.

C. *Any other business Planning Board Members or others may have relating to the duties of the City of Lewiston Planning Board.* None.

VII. READING OF THE MINUTES: *Reading of the minutes from the June 25, 2002 Planning Board Meeting.* The reading of these minutes was waived until the August 13, 2002 Planning Board Meeting.

VIII. ADJOURNMENT: This meeting adjourned at 10:57 p.m. The next Planning Board Meeting is scheduled for August 13, 2002.

Respectfully submitted,

Dennis R. Mason
Planning Board Chair

DMC:dmc
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