

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for November 3, 2003 - Page 1 of 2**

I. ROLL CALL: This meeting was held in the Third Floor Conference Room, was called to order at 7:01 p.m., and was chaired by John Cole.

- **Members in Attendance:** John Cole, Jeffrey Gosselin, Lucy Bisson, Rob Robbins, Tom Truchon, and Jim Horn.

- **Members Absent:** Roger Lachapelle and John Racine.

- **Staff Present:** Gil Arsenault, Director - Planning & Code Enforcement; Lincoln Jeffers, Deputy Director - Economic & Community Development; David Hediger, City Planner; and Eric Cousens, Land Use Inspection Officer.

- **Student Member Absent:** Wade Morgan.

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: Memo dated November 3, 2003 from Gorrill-Palmer.

Memo dated November 3, 2003 from Lincoln Jeffers.

IV. HEARINGS:

A. *A proposal to consider an amendment to the East Avenue Retail Development at 27 East Avenue for the construction of a 14,300 square foot retail building and an additional 19 parking spaces.*

David Hediger read the staff comments.

John Corbett of W/S Lewiston Properties introduced the proposed changes to the project. Al Palmer of Gorrill-Palmer explained the project further and noted that neighborhood meetings with abutters had been productive due in large part to Lincoln Jeffer's efforts. The initial approval was for a 6000 square foot restaurant/food service establishment and the 14,300 square foot retail building will generate less traffic. City standards require 325 parking spaces for the total retail space on-site as proposed, 347 spaces are proposed.

According to Al Palmer, neighbors have raised concerns about people driving too fast on Marston Street. W/S Properties is/will be working with public works and police to determine if signage, specifically a stop sign at the Marston Street entrance to the lot would be effective. If it is, the developer is willing to pay for necessary signage.

John Cole, PB Chairperson pointed out a typographical error on Page 2, Paragraph 2 of the staff comments. The reference to Article XI, Section 9(3) of the Zoning and Land Use Code should read Article XI, Section 11. John Cole also asked what would prevent a food service/fast food business from locating there and Al Palmer indicated that the lease agreement with Shaw's prohibits this. John Cole clarified that an eating/ drinking establishment is not necessarily something that should be prohibited there but traffic generation would have to be reviewed if the larger square footage structure or a portion thereof was to be used for any use that generates more traffic than was initially approved.

PUBLIC INPUT:

Opposed: No one spoke.

In Favor: No one spoke

General comments: Mr. And Mrs. McDonald of 11 Pleasant Street, asked that an 8' fence be installed as a buffer instead of a 6' fence and complained that on 4-5 occasions over the last few months they and other neighbors have witnessed men urinating behind the building. After discussion, it was noted that people not affiliated with the retail building had done this out of convenience and the developer suggested a real or false camera, obviously placed may deter this occurrence. Gil Arsenault suggested signage indicating the surveillance and the developer agreed to encourage this.

Raymond McGraw of 5 Pleasant street, noted that lights shine through bedroom windows at his residence and should be shielded in addition to buffering.

Present at this meeting was: Ronald Bissonnette of Isaacson & Raymond.

Rob Robbins suggested considering amending the conditional rezoning agreement, if the Board was so inclined, to eliminate eating and drinking establishments. Gil Arsenault suggested a condition of approval (See #3 below.)

The following motion was made.

MOTION: by **Jeffrey Gosselin**, seconded by **Lucy Bisson** that the Planning Board determines the application for the construction of a 14,300 SF retail building and an additional 19 parking spaces for W/S Lewiston Properties OP, LLC to be complete, grants approval to the modification/waiver checklist, determines this application meets all the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code, and grants approval to this application, subject to the following conditions:

1. The buffer to abutting residential properties to be negotiated to the satisfaction of each individual abutting property owner at the time of construction;
2. The parking lot lights will be shielded to the satisfaction of individual neighbors; and
3. Changing the use of the property or a portion thereof to an eating and/or drinking establishment would require development review approval. Approval is based on dry retail tenants.

VOTED: 6-0.

B. A proposal to consider an amendment to Appendix A of the Zoning and Land Use Code, Article XI, Section 15 to allow fitness and recreational sports centers as a permitted use in the Industrial (I) zoning district.

Brief discussion and all present were in favor of this.

The following motion was made.

MOTION: by **Jeffrey Gosselin**, seconded by **Lucy Bisson** that the Planning Board send a favorable recommendation to the City Council to amend Appendix A of the Zoning and Land Use Code, Article XI, Section 15 (c) of the Industrial (I) zoning district.

VOTED: 6-0.

V. OTHER BUSINESS:

A. A discussion to amend the Office Residential (OR) District and expand the zoning district to include properties along East Avenue from Webster Street to Russell Street.

B. A discussion of staff changes and explanation of why Recording Secretary Doreen Christ would no longer be present at the Planning Board Meetings.

No action is required.

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

VI. READING OF THE MINUTES: Reading of the minutes from the October 20, 2003 Planning Board Meeting. There were no changes made to the minutes, therefore, the following motion was made.

MOTION: by **Lucy Bisson**, seconded by **Thomas Truchon** that the Planning Board accept the Planning Board Minutes for October 20, 2003, as presented.

VOTED: 5-0 (Rob Robbins abstained, due to absence from the previous meeting).

VII. ADJOURNMENT: This meeting adjourned at 8:40p.m. The next regularly scheduled Planning Board Meeting is for Monday, November 17, 2003.

Respectfully submitted,

Lucy A. Bisson, Planning Board Member & Secretary

