

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for February 23, 2004 - Page 1 of 3**

**I. ROLL CALL:** This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 7:00 p.m. and was chaired by Jeffrey Gosselin.

- **Members in Attendance:** Jeffrey Gosselin, Roger Lachapelle, Lucy Bisson, John Racine, Jim Horn, John Butler, and Stephen Morgan.

- **Member Absent:** Tom Truchon.

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

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

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

**III. CORRESPONDENCE:** Distributed at this meeting were the draft minutes from February 9, 2004.

**VI. HEARINGS:**

**A. A proposed amendment to the sign ordinance to allow ground signs on an adjacent, off-premise easement.** David Hediger read the Staff comments. **Bob Faunce** from Technical Services, Inc. (TSI) explained the need for the change. Roger LaChapelle asked what the maximum allowed square footage would be. Gil Arsenault explained that it would be 168 square feet with each side being counted as separate square footage for the purpose of determining total square footage.

The public portion was opened and closed without comment.

Chairman Gosselin asked if the property owner, whose land is crossed by the easement, would have to give written permission. Bob Faunce explained that the easement must specifically grant the right to place signage.

**MOTION:** *by Stephen Morgan, seconded by Roger Lachapelle that the Planning Board send a favorable recommendation to the City Council on the amendment to the City of Lewiston's Zoning and Land Use Code concerning the sign ordinance to allow ground signs on an adjacent, off-premise easement.*

**VOTED:** 6-0.

**B. A proposed amendment to the definition of adult business establishments and eating and drinking establishments.** David Hediger read the Staff comments for Items B, C, and D. Roger Lachapelle asked for information on the locational criteria. David Hediger explained the code sections in question. David Hediger then clarified the difference between adult amusement and adult business. A Class A lounge is an adult business establishment because they exclude minors and/or do not serve full course meals at all hours of operation. Dancing and special amusement permits were also discussed.

This item was opened for the public portion.

**Richard Spiro**, owner of 37 Lisbon Street explained that he would like to open a restaurant and possibly restrict minors from entering for certain evening hours. He was made aware that this would classify him as an adult business establishment and make him subject to the locational criteria. The public portion was then closed.

Jim Horn asked what happens to an existing adult business establishment if a church moves in within 300 feet. Gil Arsenault replied that the business would be grandfathered.

**MOTION:** by **Lucy Bisson**, seconded by **Roger Lachapelle** that the Planning Board send a favorable recommendation to the City Council on the amendment to the City of Lewiston's Zoning and Land Use Code concerning the definition of adult business establishments and eating and drinking establishments.

**VOTED:** 6-0.

**C. A proposed amendment to the locational criteria for adult business establishments in the Centreville (CV) District.** Lucy Bisson asked how the proposed change would effect halls, as discussed in the Planning Board/City Council workshop. David Hediger explained that it would not. Chairman Gosselin asked if the 7,500 SF clause affects any district other than the Centreville? The response was that not if the proposal to eliminate adult business establishments from the Urban Enterprises (UE) Zoning District passes. Chairman Gosselin asked why the 300 feet and 500 feet locational criteria were put in place. Gil Arsenault explained that there were too many bars in the area without any real investment. Mr. Gosselin stated that we should not prevent a well-intended restaurant from moving into the downtown because a marginal facility is already there.

The public portion was opened.

City Councilor, **Mark Paradis**, 144 River Road. The 7,500 SF exemption allows a business willing to make a substantial investment into their building to be exempt from the criteria. 300 feet locational criteria prevents the unwanted densities of the past and is a wise thing to do. Mr. Paradis acknowledged that we may need to change this down the road, but recommends leaving it the way it is for now. The public portion was then closed

Jim Horn feels that the 7,500 SF requirement is discriminatory to those with limited financial means.

Chairman Gosselin stated that we are trying to generate foot traffic in the CV district and these businesses would do that after 5:00 p.m. Roger Lachapelle agreed that discouraging quality establishments was not a good idea and does it make sense that we cannot have 5 small adult businesses within 300', but we can have 10 large ones.

Stephen Morgan stated that 5,000 SF is still difficult for a small business owner. He would like to see the minimum square footage requirement eliminated and three (3) adult businesses allowed within 300'.

**MOTION:** by **Stephen Morgan**, seconded by **Jim Horn** that the Planning Board send a favorable recommendation to the City Council on the amendment to the City of Lewiston's Zoning and Land Use Code concerning the locational criteria for adult business establishments in the Centreville (CV) District. The board recommends that the density be changed to three (3) per 300' and that 7,500 SF be changed to a 5,000 SF exemption from the locational criteria.

**VOTED:** 5-1.

**D. A proposed amendment to prohibit adult business establishments in the Urban Enterprise (UE) District and adult amusement establishments in the Centreville (CV) District.** Lucy Bisson asked why this is being looked at. David Hediger explained that there are other zones where adult business establishments are permitted. The location of the Urban Enterprise (UE) zone throughout the City was then looked at.

The public portion was opened, then closed without comment.

Discussion by the board followed. The question, why would we want adult amusement and not adult business establishments in the UE was raised?

**MOTION:** by **John Racine**, seconded by **Lucy Bisson** that the Planning Board send a favorable recommendation to the City Council on the amendment to the City of Lewiston's Zoning and Land Use Code on the amendment to prohibit adult business establishments and adult amusement establishments in the Urban Enterprise (UE) District and adult amusement establishments in the Centreville (CV) District.

**VOTED:** 6-0.

**V. OTHER BUSINESS:** 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 February 9, 2004 Planning Board Meeting.* These minutes will be continued to the March 22, 2003 Planning Board Meeting.

**VII. ADJOURNMENT:** The following motion was made to adjourn.

**MOTION:** by **Lucy Bisson**, seconded by **John Racine** that the Planning Board adjourn this meeting at 8:50 p.m.

**VOTED:** 6-0.

The next regularly scheduled Planning Board Meeting is for Monday, March 8, 2004.

Respectfully submitted,

Roger Lachapelle  
City of Lewiston Planning Board Member and Secretary