

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for September 13, 2004 - Page 1 of 5**

**I. ROLL CALL:** This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 7:04 p.m., and was chaired by Jeffrey Gosselin.

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

**Staff Present:** Gil Arsenault, Director of 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 was the DRAFT Ordinance Pertaining to Development Districts, Appendix A, Zoning and Land Use Code, Article XVI, Development Districts dated September 8, 2004.

The following motion was made.

**MOTION:** by *Lucy Bisson*, seconded by *Tom Truchon* that the above correspondence and Staff comments be placed on file and read at the appropriate time.

**VOTED:** 7-0.

**IV. HEARINGS:**

**A.** *A proposal to subdivide the existing 9.5 acre parcel into five (5) lots for single-family dwellings and a private road for the Gloria Nye Development at 191 Dyer Road.* This project was introduced by Chairman Gosselin. David Hediger referred to the correspondence dated September 7, 2004 from *George Courbron* of SurveyWorks, Inc. on behalf of the applicant *Charles Nye*, requesting the item to be tabled to the next meeting. There was no opposition to tabling from the board or the public, therefore, the following motion was made.

**MOTION:** by *John Butler*, seconded by *Lucy Bisson* that the Planning Board table the proposed five-(5-) lot subdivision with a private court at 191 Dyer Road, the "Gloria Nye Development" to the September 27, 2004 Planning Board Meeting.

**VOTED:** 7-0.

**B.** *A proposal to increase the size of the Southern Gateway Development District described as the area bounded by the beginning of the intersection of Canal Street and Adams Avenue, along Adams Avenue to Bartlett Street, along Bartlett Street to Pine Street, along Pine Street to Park Street, along Park Street to Chestnut Street, along Chestnut Street to Canal Street, and along Canal Street the point of beginning.* At Chairman Gosselin's request, David Hediger summarized his Staff Memorandum dated September 9, 2004.

Lincoln Jeffers explained the expansion further. Issues similar to those within the existing district exist throughout the proposed area as well. The underlying zoning districts include CV, DR, and HB. There will not be any conflict between the goals of the proposed district and the goals of the underlying zones. Gil Arsenault stated that there is no specific mass development plan, however, goals include lowering the crime rates and improving the standard of living in this area that is long overdue for assistance and development. Staff and financial resources are to be concentrated in the proposed area. Tom Peters asked if 25% of the area is blighted and 25% of the area is ripe for redevelopment, then what is the other 50%? Lincoln Jeffers explained the state standard for creation of the district uses the above percentages as minimums, however, there are more than 25% blighted properties and more than 25% of the area is ripe for development.

Tom Peters was concerned that this would drive property values down. Gil Arsenault stated that it is likely that the district will increase property values. Tom Peters disagreed.

This item was opened to the public for those in favor, of which there was none. This item was then opened for those in opposition, which were as follows:

**Denis Theriault**, 23 Marguerette Street, is concerned with eminent domain being used to take his property on the corner of Adams Avenue and Bartlett Street, which has been in his family for generations. If his property was targeted for some larger use, he would expect that the City would work with him and not force him out by eminent domain.

**Rex Thornton**, Metro Real Estate Company of Auburn, owns three (3) buildings within the proposed district. He has long term tenants that are worried about eminent domain and demolition rumors. He said that he always works with the City, but wonders if he should invest in these buildings for maintenance and improvements with the threat of them being taken.

**Dot Treadwell**, Blake Street, asked if this the first public participation meeting? Chairman Gosselin said that this is the first time this Board has reviewed the issue. Not all people in the downtown are transients and she was upset with the newspaper ad for the hearing being on Page 13 of the Lewiston Sun-Journal.

**Jim Parakilis**, 85 Pinewoods Road, said the Board is being asked to approve a plan, but when asked what the plan is, there is no plan. He also said that too much uncertainty is unfair to residents.

**Barbara Renkins**, 217 Blake Street, said she is concerned with the uncertainty of both the Heritage Initiative and the Southern Gateway. She said that she gave Jim Andrews a list of questions about the above and encourages the Board to consider them.

**Tina Bailey**, 101 Birch Street, said that blight has been removed by fire and City demolitions and the property values have increased. The residents of the area are not transients.

**Robert Lyons**, 206 Park Street, said he has heard a lot of stories about a proposed highway. He asked, "Will it affect him on the corner of Maple and Park Streets?" Chairman Gosselin explained that the pictures that we have seen are just a concept and that there are no definite plans. He explained that he is a transient that has settled in Lewiston for about seven (7) years now.

**Richard Billings**, 38 or 39 Knox, said that quite a few people are confused about the Heritage Initiative and there is a list of addresses being circulated listing those that will be destroyed if the road is built. Crime is everywhere, not just in the downtown.

The following general comments were made.

**Peter Scronski**, 2 Howe Street, is from Europe, but now resides here in Lewiston. He sees value in the canals as a focal point for a board walk or park area as he was used to in Europe.

**Kenny Thibodeau**, 46 Knox Street, asked if he can stay where he is? There are no definite plans for the district. This is only a way to target resources.

**Dianne Jusekis**, 39 Knox Street, stated that if this happens, how will people be relocated - vouchers, checks, cash, etc.? She thinks the statistics for the downtown are wrong. Chairman Gosselin explained that the statistics used are believed to be accurate and they may help the City qualify for funding that could not be justified if the statistics were not compiled.

**David Clay**, 73 Pine Street, is a lifetime resident of the City and heard that they might break ground in March. Lincoln Jeffers explained that there is still a public approval process for the CCI project to go through and there is no expected date for the roadway, but the downtown roadways are reaching their maximum capacity.

Gil Arsenault explained that the transportation concerns have been a part of the long-discussed Downtown Master Plan.

**Christine Braderick**, 166 Blake Street, said she is not within the district, but wonders what will be planned for her area. She feels that negative statistics and comments hurt children.

**Rex Thornton**, Metro Real Estate Company, stated that he owns 260 Park Street. Lincoln Jeffers agreed that it was included in the area of the conceptual roadway.

**Peter Coltar**, Auburn, asked about crime studies. Lincoln Jeffers explained the statistics.

**Eddy Greyfox**, 78 Bartlett Street, is concerned citizens network and asked about statistics.

**Claire LePage**, Pine Street is concerned about low income residents, if economic development takes priority.

Eddy Greyfox, 78 Bartlett Street, asked, "Will grant money really be reduced in these areas?" Lincoln Jeffers explained that there will likely be increased funding available in the new district.

The public portion was then closed and brought back to the Board.

Steve Morgan agrees that there should be better maps in the paper. Property values have already gone up from Boston and Portland markets moving north. Many downtown properties are clean and well-kept, but some are not. Maybe Code Enforcement should be even tougher than they are. Many projects are discussed and never happen and this is just a concept. He suggested tabling the issue to be looked at more closely at next meeting.

John Butler asked if the initiative is recommended for council approval, will there still be more public input? The response was, "Yes".

John Racine asked what the total area of the district was? Lincoln Jeffers estimated about 1% of the City land area is served by City infrastructure.

Roger LaChapelle said that there are broad hopeful outcomes in the handout, but no real plan. Lincoln Jeffers agreed that there are many goals and hopeful outcomes, but no specific plan has been set in stone.

Lucy Bisson said first we had the Southern Gateway and now the Heritage Initiative, why? Are there more benefits available? Lincoln Jeffers responded that there most likely will be if the district is established.

Gil Arsenault explained that the alternative is to do nothing and that should not be an option. The district allows resources to be focused within that area.

Tom Peters asked if the district accesses more state or federal funds. Gil Arsenault explained that this is one of the multiple goals. Tom Peters then stated that staff should negotiate with property owners as projects arise and if that does not work then come back to the Board when there is a plan.

Jim Horn asked what powers are expanded? Gil Arsenault and Lincoln Jeffers explained that eminent domain purposes are expanded from the existing public use to include economic development and there will hopefully be access to additional federal monies. Staff and city resources will also be focused. The district enhances Lewiston's ability to be competitive in attracting investment and jobs to the area.

Denis Theriault is frustrated that Staff is asking the Board to make a decision without providing enough information as was done when he was on the Planning Board.

Roger LaChapelle said that he was pleased with Staff's service to the Board, but would like additional information that Staff does not yet have.

The following motion was made.

**MOTION:** by **John Butler**, seconded by **Tom Truchon** that the Planning Board sends a favorable recommendation for the City Council's consideration, the proposed expansion of the Southern Gateway Development District boundaries with more public input.

**VOTED:** 3-4 (Denied).

The following motion was made.

**MOTION:** by **Lucy Bisson**, seconded by **Roger Lachapelle** that the Planning Board sends an unfavorable recommendation for the City Council's consideration, the proposed expansion of the Southern Gateway Development District boundaries.

**VOTED:** 3-3 (Denied).

The following motion was made.

**MOTION:** by **Roger Lachapelle**, seconded by **John Butler** that the Planning Board table the proposed expansion of the Southern Gateway Development District boundaries until the next meeting for more discussion and more information to be available.

**VOTED:** 5-2.

**C. A proposal to develop a 27,508 square foot building for Emergency Vehicles of Maine at 23 Foss Road.** David Hediger summarized his Staff Memorandum dated September 9, 2004. **Mike Gotto** and **Bob Faunce**, from Technical Services, Inc. (TSI) explained the project. Lucy Bisson said that we have Detention Pond #2, where is 1? TSI explained that the numbering is based on watersheds and there was no pond required in Watershed 1. David Hediger and Gil Arsenaault explained that the phasing should have a two- (2-) year approval.

The public portion was opened for those in favor. There were none present and also none present in opposition, therefore, the following motion was made.

**MOTION:** by **Tom Peters**, seconded by **John Butler** that the Planning Board determines the application to develop a 27,508 square foot building for Emergency Vehicles of Maine at 23 Foss Road to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to Emergency Vehicles of Maine, subject to the following conditions recommended by Staff:

1. Police and Fire concerns will be addressed.
2. Install structures for the connection of the existing water and sewer lines to the proposed lines.
3. Extend pavement into the proposed gravel area along the asphalt curbing directing water to "Detention Pond 2".
4. The final Certificate of Occupancy may not be issued for this project until the new cul-de-sac has been constructed to the satisfaction of Public Services.
5. The applicant must request an extension of approval, if Phase Two has not been substantially completed within two (2) years.

**VOTED:** 6-1 (Chairman Gosselin abstained, due to a conflict).

**V. OTHER BUSINESS:**

**A. A discussion about a possible rezoning for United Ambulance, 192 Russell Street.** David Hediger read his Staff Memorandum dated September 9, 2004. The board suggested that Staff consider a larger corridor and staff agreed.

The following motion was made.

**MOTION:** by **Lucy Bisson**, seconded by **John Racine** that the Planning Board directs Staff to consider amending the Zoning Map for the City of Lewiston in the corridor near 338 East Avenue .

**VOTED:** 7-0.

**B. A discussion of frontage definition and the right-of-way provisions relative to subdivisions.** David Hediger introduced the issue. We cannot currently use the frontage ROW provisions within a subdivision. Should we use it as part of subdivisions? It is a good way to make use of rear land. A discussion followed. The Board directed Staff to come up with pro's and cons of amending the definition to allow it to be used within or as part of a subdivision.

**C. Any other business the Planning Board Members may have relating to the duties of the Board.** David Hediger explained the letter from Blanchette Street property owner Mr. Perron and the subdivision that may be proposed shortly.

**VI. READING OF THE MINUTES:** *Reading of the minutes from the August 9, 2004 Planning Board Meeting.*

The following motion was made.

**MOTION:** by **Lucy Bisson**, seconded by **John Butler** that the Planning Board accept the Planning Board Minutes dated August 9, 2004, as amended by Lucy Bisson..

**VOTED:** 7-0.

**VII. ADJOURNMENT:** This meeting adjourned at 9:45 p.m. The next regularly scheduled Planning Board Meeting is for Monday, September 27, 2004.

Respectfully submitted,

Roger Lachapelle,  
Planning Board Member & Secretary

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