

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for April 25, 2005 - Page 1 of 4**

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, John Racine, Tom Truchon, Jim Horn and Tom Peters.

Members Absent: Stephen Morgan

Staff Present: David Hediger, City Planner and Eric Cousens, Land Use Inspection Officer.

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

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: The following were items of correspondence: 1. A Staff Memorandum from David Hediger dated April 21, 2005 and 2. A letter from Carol A. Fuller, P.E., at AVCOG dated April 25, 2005, requesting that the Board consider a “de minimus” change to the Lewiston Landfill Facility Plan to add a household hazardous waste facility.

The following motion was made.

MOTION: by **Tom Peters**, seconded by **Tom Truchon** that the Planning Board place the above correspondence on file to be read at the appropriate time.

VOTED: 6-0 (Passed).

IV. HEARING: An Amendment to the College Green Subdivision to create eleven (11), single-family house lots at 775 College Street. Chairman Gosselin recused himself from this item due to a work related conflict and appointed Roger Lachapelle as acting Chair. David Hediger summarized his memorandum dated April 21, 2005. **Mike Gotto** provided additional information at Chairman Lachapelle’s request. Draft association documents for the maintenance of the road were presented.

Chairman Lachapelle opened the hearing to the public. There were none in favor and none opposed, therefore, the public portion was closed and brought back to the Board.

Tom Peters asked if underground utilities would be used? Mike Gotto explained that it was considered, but found to be cost-prohibited. Mike Gotto explained that there will be more than the required 5,500 SF of upland, useable open space, but the exact square footage is not available yet. David Hediger explained the codes requirements.

Tom Truchon asked how the developer demonstrates that there is sufficient water available for the wells. Mike Gotto said that he generally talks with a well driller that is familiar with the area and gets a written statement from the individual.

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

MOTION: by **John Racine**, seconded by **Jim Horn** that the Planning Board determines the application to amend the College Green Subdivision to create eleven (11), single-family house lots at 775 College Street to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Sections 4 and 5 of the Zoning and Land Use Code; and grants approval to D.M. Development, Inc. subject to the following conditions:

1. That the Plan be revised to show the minimum required 5,500 square feet of open space not containing wetlands; This space is to be kept forever wild.
2. That notes are added to the Plan referring to ownership of the open space, that the area remains permanently as open space, and that the open space area be labeled, "Reserved for recreation and/or conservation purposes";
3. That the applicant provide pre- and post-flows for the entire site and that the Point -Of-Interest (POI) is defined and calculated for Stetson Brook at its confluence with the Androscoggin River;
4. That the Plan show the test pit location for all eleven (11) lots;
5. That the applicant provide a statement indicating sufficient water is available for the subdivision; and
6. That the Driveway Maintenance Covenants are revised to reflect the proposed additional lots and private road, and state, "No City services will be provided along the private portion of Bowdoin Drive".

VOTED: 5-0 (Passed).

V. OTHER BUSINESS:

A. Disposition of City-owned land at 389 Webber Avenue. Chairman Gosselin resumed his role as Chairperson. David Hediger explained the proposal and that the land purchased for the reservoir was not entirely needed. Public Services has agreed that selling the proposed portions of land back to Mr. Latulippe is acceptable. **Mr. Latulippe** agreed with Tom Peters that the original sale was an agreed upon price between Mr. Latulippe and the City and was not Eminent Domain. Tom Peters was concerned about 25' wide lots being grandfathered. Mr. Latulippe explained that he will be making lots that have at least 100' of frontage. Mr. Peters asked if the City will ever need this land. David Hediger explained that the consensus is "no", and the sale to Mr. Latulippe will allow him to loop the road and water and avoid dead ends at the suggestion of Public Works, the Police, and Fire Departments. Concerns about not offering the land to the public and the highest bidder were discussed. The Board agreed that the land should be offered to the former owner. Tom Peters suggested that the land be appraised and that the developer pay market value for it as the City did in the original purchase.

The following motion was made.

MOTION: by **Tom Peters**, seconded by **Roger Lachapelle** that the Planning Board send a favorable recommendation to the City Council for their consideration, the disposition of Lot Nos. 65,-67 and 142-144 along with a portion of the proposed Brackett Street Right-Of-Way (ROW), as shown on the Webber Avenue Subdivision Plan at 389 Webber Avenue with the condition that the land be appraised and the developer pay fair market value for the portion he is purchasing, as determined by the appraisal.

VOTED: 4-2 (Passed). (Chairman Gosselin and Roger Lachapelle agreed that the city should dispose of the property, but voted against the motion because they disagree with requiring an appraisal.)

B. Acquisition of 250 Blake Street (St. Dom's). David Hediger introduced the item and **Jim Andrews**, Director of Economic and Community Development explained further. Mr. Andrews explained that there is some interest in the property, but it is too early to disclose that information publicly. The City purchasing this property is seen to be a catalyst for development in the area. Roger Lachapelle asked why the assessment of this property is so low?

Tom Peters asked what it would cost to demolish the structure? Mr. Andrews indicated that it could cost \$500,000-\$750,000 to demolish the building, but this is not part of the plan at this time. Tom Peters explained that paying \$200,000 for a building that could cost \$750,000 to demolish and lose the back taxes, is pushing a million dollar cost to the City with no specific plans or information to support such an expense. This does not seem like a good deal for the City on the face of it, maybe more information would change that, but that information is not currently available.

City Councilor Mark Paradis suggested that it only makes sense to buy it, if it will be torn down. The City should not be a landlord in the sense of the Bates Mill. Mr. Paradis supports the City's purchase of the building and emphasized that this a key property for development in the area.

Chairman Gosselin would also like more information on the plans for the building before recommending that the City purchase it.

Jim Andrews explained that the Board's recommendation to purchase the property does not mean that the City will purchase and demolish the building, but that the City may exercise their option on the property.

John Racine commended the economic development that we have seen recently and agrees that the City is moving in the right direction, but how can we spend this much without any specific information to justify the expense.

Tom Peters said he does not mean to second guess Mr. Paradis or the Council, but he agrees with the other Board members that there is no compelling reason to buy the property for 200k, lose 20k in back taxes and spend 750k on demolition of the property for a piece of raw land.

The following motion was made.

MOTION: by **Tom Peters**, seconded by **Tom Truchon** that the Planning Board send an **unfavorable** recommendation to the City Council to acquire the property at 250 Bates Street (St. Dom's). Due to the price being excessive, 750k demolition costs that are likely to be required, 20k in lost property taxes adding up to nearly 1 million dollars in costs without any concrete evidence that this is a good investment. The comprehensive plan does not support it. Maybe additional information would change that, but it is currently unavailable.

VOTED: 6-0 (Negative recommendation).

C. De minimus change request to the Maple Ridge Subdivision, Third Revision. David Hediger explained.

The following motion was made.

MOTION: by **Tom Peters**, seconded by **Roger Lachapelle** that the Planning Board determines the application submitted by Dolard and David Gendron on their proposed amendment to the Maple Ridge Subdivision (Third Revision) be approved as a "De minimus" change, in accordance with Article XIII, Section 3 (k) of the City of Lewiston Zoning and Land Use Code.

VOTED: 5-0-1 (Passed).

Roger Lachapelle initiated a discussion of the planning Boards role in the checks-and-balance system of making good decisions for City residents.

D. Any other business the Planning Board Members may have relating to the duties of the Board. A "De minimus Change" at the Lewiston Solid Waste Facility to add a household hazardous waste collection facility. David Hediger explained. The Board agreed that it was appropriate for Staff to process the request as a "de minimus" change.

VI. READING OF THE MINUTES: *Reading of the Draft Minutes for April 25, 2005.*

The following motion was made.

MOTION: by **Tom Truchon**, seconded by **Roger Lachapelle** that the Planning Board accept the Planning Board Minutes dated March 28, 2005 and April 11, 2005, as submitted.

VOTED: 6-0 (*Passed*).

VII. ADJOURNMENT: This meeting adjourned at 8:25 p.m. The next regularly scheduled Planning Board Meeting is for Monday, May 9, 2005.

Respectfully submitted,

Roger Lachapelle,
Planning Board Member & Acting Secretary

DMC:dmc

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