

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for December 12, 2005 - Page 1 of 7**

**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, Stephen Morgan, John Racine, and Tom Truchon

S **Members Absent:** Roger Lachapelle, Jim Horn, and Jonathan Earle.

S **Associate Member Present:** Tom Peters.

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

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

**III. CORRESPONDENCE:** Staff Memorandum from David Hediger, City Planner dated November 10, 2005 and the following items distributed at this meeting: 1. Planning Board Development Review form from Janice Patterson, Lewiston Public Works Department dated December 9, 2005 in regards to the Blackberry Knoll Subdivision at 1046 Main Street; 2. Memorandum from Richard Burnham, City Engineer dated December 9, 2005 in regards to the Bates College Dining Facility and Walk; 3. Planning Board Development Review form from David Chick, Lewiston Police Department dated October 25, 2005 in regards to Riverbend Commons at 307 Cotton Road; 4. Correspondence with attachments from Michel Lajoie, Lewiston Fire Department dated November 1, 2005 in regards to Riverbend Commons at 307 Cotton Road; and 5. Draft Planning Board Meeting Minutes for October 24, 2005.

The following motion was made.

**MOTION:** by *Thomas Peters*, second by *Stephen Morgan* that the Planning Board accept the above items, place them on record, and read them at the appropriate time.

**VOTED:** 5-0 (Passed).

**IV. HEARINGS:**

A. *A proposal for a four- (4-) lot residential subdivision located at 1046 Main Street (Blackberry Knoll Subdivision).* This item was previously tabled from the October 24, 2005 and the November 14, 2005 meetings so that revisions could be made.

David Hediger summarized this portion of his Staff Memorandum dated December 8, 2005. The proposal is for a four- (4-) lot residential subdivision located at 1046 Main Street, which is split-zoned. The front portion (1.03 acres) is conditionally rezoned as the Highway Business (HB) District, while the remaining rear portion (1.26 acres) is zoned the Neighborhood Conservation "A" (NCA) District. The front portion of this property is occupied by "Down The Road Motors" (used cars). Access to the proposed four (4) lots is off of a proposed City street (Quinn's Way). A Traffic Movement Permit is not required for this project. A Permit-By-Rule will be required from the DEP for purposes of stormwater. This subdivision will be serviced by public water and sewer and all electrical utilities will be located above ground.

Present at this meeting was *Art Colvin* from Associated Design Partners, Inc. on behalf of *Robert Coulombe*. Art Colvin did not have anything to add to the presentation to the Board, however, he did state that the conditions listed by Staff could easily be addressed.

Jeffrey Gosselin opened the public portion for those in support.

**Robert Coulombe**, property owner, was present. He stated that the plan is to put the land to use, instead of just paying property taxes on it. He will provide low income houses ranging from \$140,000-\$160,000.

This item was then opened to the public for those in opposition or for comments. There were none, therefore, this item was brought back to the Board. The Board agreed that the conditions were appropriate, as listed in the Staff memorandum and will be incorporated into the motion, as follows.

The following motion was made.

**MOTION:** *by John Racine, second by Tom Truchon that the Planning Board determines the application for the Blackberry Knoll Subdivision (a four-lot residential subdivision) at 1046 Main 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 Robert Coulombe, subject to the following conditions:*

1. *That the Subdivision Plans must be signed and sealed by a professional land surveyor prior to being released by the City.*
2. *A note be added to the plan indicating that approval of the development shall expire after a period of 24 months, if substantial development has not begun and that extensions of approval may be requested at least 60 days prior to the time of expiration.*
3. *A note be added to the plan indicating that “no lot or parcel of land may be conveyed, and that no permit may be issued for any building or other permanent structure within the development until the completion of the street grading, paving, storm drainage, utilities, and other similar improvements as specified in the plan; and the acceptance of any public improvements by the City”.*
4. *A Permit-By-Rule from the DEP for purposes of stormwater must be obtained prior to the approved Site Plan being released by the City.*
5. *A note is added to the plan indicating street lights will be installed to Public Services and the Public Works satisfaction at the intersection of Quinn’s Way and Main Street and at the cul-de-sac.*
6. *The applicant must provide evidences from a financial institution or other source demonstrating that they have adequate resources to complete the proposed development to Staff’s satisfaction prior to the approved Site Plan being released by the City.*
7. *A signature block is added to the Site Plan for the chair of the Planning Board’s signature.*

**VOTED:** 5-0 (Passed).

**Jeffrey Gosselin appointed John Racine as Chair and recused himself from Item IV. Hearings, Sub-Items B. and C.**

**B.** *A proposal to construct a 47,800 square foot dining facility on Central Avenue and a proposed to remove a portion of Andrews Road located on the campus of Bates College for pedestrian use.* David Hediger summarized this portion of his Staff Memorandum dated December 8, 2005.

Bates College has submitted their application to construct a 47,800 SF, two- (2-) story dining facility on Central Avenue and, also, a proposal to remove a portion of Andrews Road located on the campus of Bates College for pedestrian use. Also included in the submission for the dining facility is a proposal for the construction of a 70-space parking lot adjacent to Merrill Gym with access to Campus Avenue.

All of the proposed improvements are located within the Institutional Office (IO) District. Bates College's campus consists of 81 acres and over 7 acres of impervious area. At the request of the City of Lewiston and Bates College, the DEP is allowing the City to review these improvements under its delegated review authority. The DEP has also authorized the City of Lewiston to issue the Stormwater Permit for the proposed improvements.

The dining facility will be constructed adjacent to the Alumni Gym and Garcelon Field. This area is currently a small grassed area, 24 parking spaces, and a pedestrian path. The dining facility will have capacity for 1,700 students. To make up for this lost parking, a 70-space parking lot is proposed adjacent to Merrill Gym, which currently consists of mostly a vegetated area. Vehicle access to this parking lot will be from the entrance off Russell Street and an existing driveway being widened for two- (2-) way traffic from Campus Avenue. The purpose of the transformation for the proposed Bike Walk is to provide more pedestrian-oriented outdoor space with limited vehicular access, new landscaping, and paving features.

Present at this meeting were **Bob Bremm**, **Paul Farnsworth**, and **John Cole** (Attorney) from Bates College and **Tracy Gangi and Steve Casentini** from Sasaki Associates, Inc.

Bates College is looking for two (2) separate motions – one for The Commons (the new, 47,800 SF dining facility) and the Bike Walk.

Bob Bremm explained the Bates College Master Plan.

Steve Casatini gave an orientation and summary of the dining facility proposal.

**Bob Faunce**, Planner/Consultant, summarized the need for the new facility, parking, and the speed table. He further explained the Bates Walk. Andrews Road will become a one- (1-) way for emergency and service vehicles and pedestrians.

John Racine asked for more information on the location of Andrews Road.

John Racine then asked for public input for those in favor of this project. There were none present. He then asked the public for those in opposition.

**Mark Duchette**, owner of Russell Street Variety, complained of running a variety store similar to his and his concern that Bates College pays no taxes on their profits. He said that he is working with state representatives to pass a law that would prevent this. John Racine explained to Mark Duchette that the Board has no purview over what products are sold on the campus. Bob Bremm explained that the "Den" will move from the existing facility to the new one (1), providing similar services.

There, being no further concerns or comments for those in opposition, this item was then brought back to the Board for the following discussion.

Tom Peters stated that he is concerned with the crosswalk, due to the condition of Central Avenue. He said that in order to add a crosswalk, the street should be repaired. When the road is repaired, the City should then install the crosswalk. He is proposing that the road is repaired before the speed table is installed. Bob Faunce said that Bates College is willing to pay for it or install a cobble crosswalk.

The timetable to start this project is for late next summer and it would be open in January 2008.

The following motions were made – first on the dining facility (The Commons) and the proposed 70-space parking lot adjacent to Merrill Gym on Central Avenue.

**MOTION:** *by Stephen Morgan, second by Tom Peters that the Planning Board determines the application for a 47,800 SF, 2-story dining facility and parking on Central Avenue 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 Bates College, subject to the following conditions:*

1. That all the applicable Site Plans be stamped by a Professional Engineer.
2. A note be added to the plan indicating that approval of the development shall expire after a period of 24 months, if substantial development has not begun and that extensions of approval may be requested at least 60 days prior to the time of expiration.
3. The construction of a raised crosswalk is subject to approval from Public Services, Public Works, and the Lewiston Police Department.
4. That Bates College inquire at Public Services for a paving schedule.
5. That a signature block is added to the Site Plan for the chair of the Planning Board's signature.
6. That prior to the release of any approved signed mylars, DEP's approval must be obtained for the City's delegated review of the proposed improvements.

**VOTED:** 4-0 (Passed - Jeffrey Gosselin Recused).

The second motion was made pertaining to the Bike Walk on Andrews Road.

**MOTION:** by **Stephen Morgan**, second by **Tom Peters** that the Planning Board determines the application for removal of a portion of Andrews Road for pedestrian use 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 Bates College.

**VOTED:** 4-0 (Passed - Jeffrey Gosselin Recused).

**C. A proposal to develop a 19-lot, single-family lot cluster subdivision at 307 Cotton Road (Riverbend Commons).** This application was previously withdrawn from the November 14, 2005 meeting so that the applicant could work with Planning & Code Enforcement staff on a possible amendment to the Zoning and Land Use Ordinance regarding minimum lot area and net lot area computations. Since meeting with Staff, the applicant has delineated the areas on the proposed lots that contain sustained slopes of greater than 25 percent and recalculated the net lot area for each lot.

David Hediger summarized this portion of his Staff Memorandum dated December 8, 2005.

Technical Services, Inc. on behalf of Riverbend Development Associates has submitted an application to develop a 19-lot, single-family lot cluster subdivision at 307 Cotton Road. This parcel is located in the Rural Agricultural (RA) District. Cluster developments are permitted in this type of District. This parcel is 57.1 acres in size and is being purchased from William Skelton.

This project is subject to the City of Lewiston's delegated review authority from the DEP to review this project.

Access to these 19 lots will be from a proposed City street (Commons Way). A Traffic Movement Permit is not required for this project. If the applicant submits a Performance Guarantee, the lots in this subdivision may be sold and Building Permits obtained, however, no Certificates of Occupancy can be issued until the road is accepted by the City of Lewiston. This subdivision will be serviced by private water and sewer. Adequate water is available in this area. An NRPA Permit from the DEP is required, since there are 12,534 SF of wetland area impacts. There is a total of 3.1 acres of open space, which will be maintained by a Homeowners Association, who will enforce proposed covenants within the development. This subdivision is limited to single-family homes, constructed to a minimum size of 1,500 SF for a one-story structure or 2,000 SF, if two stories.

The Fire Department has expressed concerns with this subdivision because of its rural location and the lack of a reliable water supply.

Present at this meeting were **Mike Gotto** and **Chris Branch** from Technical Services, Inc. on behalf of the owner, Riverbend Development Associates.

Tom Peters asked about public vs. private roads and the ability to build the street after the Building Permits are issued, but that the Certificate of Occupancy cannot be issued until the road is accepted by the City of Lewiston. On behalf of the applicant, Chris Branch, further explained this

project. The applicant had no concerns with the conditions proposed by Staff. Tom Truchon asked about new residents complaining about dairy farm smells. Most people understand the aspect of a farm and that the open space is preserved by farms. If they do not like the smell, then they can move out.

This item was then opened to the public or for those in opposition or with concerns, as follows.

**Laura Williams**, 397 Cotton Road, was concerned about the high-end housing at \$150,000. She said that \$150,000 is not really high-end. \$150,000 plus land will add up to \$275,000 and up homes. She said that she also has concerns with drainage and puddling in the road, the intersection of Commons Way and Cotton Road being dangerous, public access to the river, allowing security risks into the formerly-isolated farmland, and with children using her driveway.

Chris Branch located Commons Way to meet the site distance requirements and said that it exceeds the requirements. He also said that if there is a drainage concern, then he is not aware of it.

Mike Gotto explained that the property line is 1,500-1,700 feet from this subdivision. The common area is not public, however, it is for the 19 lot owners. The access road will be gated.

**Rick Belanger**, 262 Cotton Road, said that he has concerns and that he would prefer to not have this development, but it is not his land. He stated that the applicant had been good to work with.

The following motion was made.

**MOTION:** by **Tom Truchon**, second by **Tom Peters** that the Planning Board determines the to develop a 19-lot, single-family lot cluster subdivision at 307 Cotton Road (Riverbend Commons 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, 5, and 7 of the Zoning and Land Use Code; and grants approval to Riverbend Development Associates, subject to the following conditions:

1. That a note be added to the plan indicating that "no lot or parcel of land may be conveyed, and that no permit may be issued for any building or other permanent structure within the development until the completion of the street grading, paving, storm drainage, utilities, and other similar improvements as specified in the plan; and the acceptance of any public improvements by the City".
2. The DEP must issue a NRPA Permit prior to the approved Site Plans being released by the City of Lewiston.
3. That the revised plans are submitted to show the exact location of any stream within the subdivision.

**VOTED:** 4-0 (Passed-Jeffrey Gosselin Recused).

**Jeffrey Gosselin resumed as Chair of the Board for the remainder of the items listed on the agenda.**

**V. OTHER BUSINESS:**

**A. Extension of approval – 25 Forrestal Street.** David Hediger explained this portion of his Staff Memorandum dated December 8, 2005

This extension of approval was requested by **Ken Lamoreau**, from The Sheridan Corporation on behalf of the Lewiston Development Corporation. This request is for a two- (2-) year extension of approval for the construction of a 48,000 SF light industrial/warehouse structure. There was no public audience present on this item, therefore, the following motion was made.

**MOTION:** by **Tom Peters**, second by **Tom Truchon** that the Planning Board grant a two- (2-) year extension to the Lewiston Development Corporation for the construction of a 48,000 SF light industrial/warehouse structure at 25 Forrestal Street.

**VOTED:** 5-0 (Passed).

**B. De minimus change – Darcy Drive-Phase II Subdivision.** David Hediger explained this item to the Board and stated that Staff supports this request.

Present at this meeting on behalf Maine Source was **Arthur Montana**, Land Surveyor from A.R.C.C. Land Surveying, Inc. He added to David Hediger’s explanation. As outlined in his correspondence to the Board dated 11/29/2005, there are three (3) changes to the original plan, as follows: 1. Karen Street has been changed to Shannon Street. 2. The location of the property line between Lot Nos. 7 and 8 has been relocated to increase the area of Lot No. 7 and decrease the area of Lot No. 8. 3. The building restrictions on Lot Nos. 6, 7, and 8 have been reduced from 35 feet to 10 from the centerline of the C.M.P. Company’s easement to provide for more useable space.

There being no public audience present, the following motion was made.

**MOTION:** by **Tom Peters**, second by **Stephen Morgan** that the Planning Board approves the change to the Darcy Drive-Phase II Subdivision as being de minimus in accordance with Article XIII, Section 3(K) of the Zoning and Land Use Code.

**VOTED:** 4-0-1 (Jeffrey Gosselin - Abstained).

**C. De minimus change – Second Revision of Fireslate Place Subdivision.** David Hediger explained this item to the Board and stated that Staff supports this request.

Present at this meeting on behalf of the Hamel Road Corporation was **Arthur Montana**, Land Surveyor from A.R.C.C. Land Surveying, Inc. He added to David Hediger’s explanation. As outlined in his correspondence to the Board dated 11/29/2005, there are two (2) changes to the second revision, as follows: 1. A 1.30 acre parcel on the northwesterly side of Fireslate Place at Old Farm Road is to be conveyed to the owner of the land northwesterly. 2. The number of lots will be reduced from five (5) to three (3). There being no public audience present, the following motion was made.

**MOTION:** by **Tom Peters**, second by **Tom Truchon** that the Planning Board approves the change to the Second Revision of the Fireslate Place Subdivision as being de minimus in accordance with Article XIII, Section 3(K) of the Zoning and Land Use Code.

**VOTED:** 5-0 (Passed).

**D. Disposition of 24 Walnut Street.** David Hediger summarized this portion of his Staff Memorandum dated December 8, 2005. This request was brought to this Board by **James Bennett**, City Administrator, for the possible disposition of City-owned land. Paul Allen, 138 Blake Street, is interested in acquiring this lot. This lot abuts his land at 138 Blake Street and 20 Walnut Street. This vacant lot is located in the Downtown Residential (DR) District. This property was tax-acquired in 2000. There being no further discussion, the following motion was made.

**MOTION:** by **Tom Peters**, second by **Tom Truchon** that the Planning Board send a favorable recommendation to the City Council for their consideration on the disposition of 24 Walnut Street.

**VOTED:** 5-0 (Passed).

**E. Request to the Planning Board to initiate an amendment to the flood plain ordinance.**

David Hediger explained this portion of his Staff Memorandum dated December 8, 2005.

Staff is requesting the Board to direct Staff to prepare an amendment to Lewiston’s flood plain ordinance. This is due in part to a number of revisions per FEMA and the State being made since the City last adopted changes in 1990. This amendment would make Lewiston’s ordinance consistent with both the State and FEMA guidelines. There, being no discussion, the following motion was made.

**MOTION:** by **Jeffrey Gosselin**, second by **Tom Peters** that Planning Board directs Staff to prepare an amendment to Lewiston’s flood plain ordinance.

**VOTED:** 5-0 (Passed).

**F. A discussion on Citizen Board & Committee Openings for January 2006.** This item was briefly discussed. With Board Member Roger Lachapelle’s term expiring in January 2006, there is a need for one (1) new Board Member. Also, there is a vacancy for one (1) Associate Member. No action was necessary on this item.

**G.** *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:** *Draft Minutes for September 12, 2005, October 3, 2005, October 24, 2005, and November 14, 2005.*

The following motion was made.

**MOTION:** *by Tom Peters, second by Stephen Morgan that the Planning Board approve the Planning Board Minutes dated September 12, 2005, October 3, 2005, and November 14, 2005, as submitted.*

**VOTED:** *5-0 (Passed).*

No action was taken on the Draft Minutes for October 24, 2005, since they will be distributed at the next meeting. These minutes will be placed on the agenda listing for the January 9, 2006 meeting.

**VII. ADJOURNMENT:**

The following motion was made to adjourn this meeting.

**MOTION:** *by Tom Peters, second by Tom Truchon to adjourn this meeting.*

**VOTED:** *5-0 (Passed).*

The next regularly scheduled Planning Board Meeting is for Monday, January 9, 2006.

Respectfully submitted,

Stephen Morgan,  
Planning Board Member & Secretary

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