

City of Lewiston
PLANNING BOARD MEETING
Minutes of October 8, 1996

I. ROLL CALL

The meeting was called to order at 7:05 PM.

Members Present: H. Milliken, T. Peters, D. Theriault, H. Skelton, M. Goulet,
D. Jacques, L. Zidle

Staff Present: G. Dycio, G. Arsenault, A. Metivier

II. READING OF THE MINUTES

Mr. Peters stated that the minutes of September 24, 1996 should have stated that the change to the September 10th minutes was that "any contact by the press to staff should be dealt with through the minutes, if ratified, if not the request should go to chair." Mr. Milliken asked Mr. Peters if he had stated that the handout by Bob Faunce would be provided to the City Council when he presented his proposal. Mr. Peters stated no and requested that the minutes be changed to state that the handout will be provided to the City Council for the proposal. Mr. Peters also stated that the minutes should have stated that the language he provided to the Board regarding Natural Resources should be placed in the Economy section the way it was presented by him. Mr. Theriault stated that the issue regarding contact by the press should be placed in the procedure manual. Mr. Dycio stated that it would be forwarded at the Planning Board organizational meeting.

MOTION: By Mr. Skelton, seconded by Mr. Peters to accept the minutes of August 20, 1996 and September 24, 1996 with modifications.

VOTE: Passed 7 -0

III. CORRESPONDENCE

MOTION: By Peters, seconded by Mr. Theriault to accept the following two pieces of correspondence and place on file:

1. Memo to Mr. Mulready regarding Request for Funding from the Planning Board.
2. Memo from Deputy Chief, James Morin regarding Gendron and Gendron Office/Shop Facility.

VOTE: Passed 7 -0

At this time Mr. Milliken stated that the agenda would be changed and Other Business would be discussed before the review of the final hearings.

IV. OTHER BUSINESS

A. Discussion regarding the FY 98 C.D.B.G process.

Jim Andrews, Community Development Director, stated that the C.D. staff is trying to get more lead time on sending out packets to providers this year. He stated that he was interested in setting up a workshop with the Planning Board to discuss the issues brought up by the Board in the past. He stated that if there are changes they would go to the City Council in November and stated that the target date to send out the packets to providers is the week of November 21st. He stated that this would give them almost a full two months to complete their packets.

Mr. Andrews also referenced the Grantee Performance Report and stated that this should be the last one in this form. Stating that after this year it will all be computerized. Mr. Andrews stated that this was a mandate from HUD. He stated that it is a pleasure to work with the Planning Board on these issues and get their input. He suggested that a workshop be held with the Planning Board or a sub committee to discuss issues of the C.D.B.G. process. Mr. Theriault stated that last year it had been brought up that site visits with agencies could be done and he wanted to know if this was still a possibility. Mr. Andrews stated yes and stated that the process could be set up at the workshop. Mr. Theriault asked about a general newspaper article asking for different ideas or input and asked if Mr. Andrews was the contact person. Mr. Andrews stated yes. Mr. Peters asked if the Board would be reviewing Competitive criteria. Mr. Andrews stated that it could be reviewed and stated that it was blessed by the Council two years ago so any changes would have to go to them. Mr. Peters stated that he would like to be involved in the process.

Mr. Milliken asked when the Board wanted the workshop. Mr. Peters, Mr. Theriault and Mr. Skelton volunteered to meet with Mr. Andrews before the Planning Board meeting to discuss some issues on October 15 at 1:30 in Meeting Room "A". It was decided that the workshop will be held on October 22 at 6:00.

V. REVIEW OF DEVELOPMENT PROPOSALS - FINAL HEARING

A. CMMC- High Street Improvements

Cynthia P. Orcutt, of Orcutt Associates, on behalf of Central Maine Medical Center, has submitted plans for a proposal to amend two approved plans where improvements to the High Street area are being proposed in order to improve the safety of pedestrians and vehicles moving between the existing parking lots and parking garage and the Hospital and Medical Office buildings located on High Street (see attached cover letters dated August 13, 1996 and September 24, 1996 from Cynthia Orcutt).

As outlined under Article XIII, Section 3 (l)(7) of the Zoning and Land Use Code the project is defined as a minor amendment and therefore only requires one meeting before the Planning Board. In addition, the applicant received a D.E.P. Department Order on October 14, 1993 for the Medical Office Building, located at 12 High Street. As such, the project will need to be reviewed by the D.E.P. as a minor amendment to an approved plan. The Planning Staff has submitted the proposed amendment to D.E.P. for review and comments.

Pursuant to Article XIII, Section 3 (h)(5), the applicant is requesting two modifications and a number of

non-applicable status requests to the application requirements listed under Section 3 (h)(1-4). Upon review of the requests Staff has some minor concerns. The requested non-applicable status request for State Approvals/Permits should not be granted since the proposed amendment will require D.E.P. review. Also, the non-applicable status request for a traffic study should not be granted as Staff has requested that a traffic study be submitted since the applicant has proposed stop signs on High Street.

The Planning Staff has reviewed the proposed plans and has no concerns at this time. Staff has also reviewed the information regarding traffic issues and pedestrian movements in the vicinity of the parking lots and medical office building (MOB) and submits the following comments:

- 1) The memo from Don Leaver to Cynthia Orcutt discusses the rationale for renovations to High Street. In one memo, only two injuries have been documented by the hospital, both of which appear to be caused by patients being startled by fast moving traffic. None of the documented injuries were caused by direct patient/vehicle contact, and one incident may have been due to ice conditions even though the injured party felt that it was not the case. A second memo states that these two patients hurried to cross the street and fell on their own. In Staff's opinion, the hospital does not appear to have made its case since there have been two reported injuries in a one year period out of 1,229,685 pedestrians accessing the medical office building during this time period.
- 2) The traffic study states that "High Street does not exhibit characteristics of a[n] accident deficient location.". Under the Assessment of Multi-way Stop Signs section of the study three (3) specific conditions need to be met before installation of Multi-way stop signs is warranted. The study finds that upon review of these conditions the warrants are not met. The study does recommend that the existing 15 MPH speed limit be enforced.
- 3) The traffic study states that "several strategies are being implemented that will have a positive effect on conditions along High Street." and the expected improvement benefits are then summarized. The study does not recommend a Multi-way stop sign as one of the improvements. The Planning Staff concurs with the proposed recommendations and the findings that, if implemented, these improvements will help calm the current vehicular speeds.
- 4) Staff has also reviewed the article in the June, 1996 issue of the ITE Journal and finds that within Table 4 stop signs are listed as one method of reducing accidents. However, since the traffic study states that accident warrants have not been met, Staff finds that, in our opinion, the case for adding stop signs to create a four-way stop has not been made. Staff suggests that the recommendations for traffic calming, as stated in the traffic study, be implemented.

Copies of the plans and related information have been forwarded to the Police, Fire and Public Works Departments for their review and comments. Although the Fire Department has no concerns with the proposed plans, the Police and Public Works Departments have expressed some concerns (see attached comments). Although the Police Chief states that he does not oppose the proposed improvements, he clearly states that "stop signs are not & should not be used as speed control devices.". The Public Works Department also shares the concern regarding the proposed four-way stop intersection. The Public Works Director states that this proposal is unacceptable, that the traffic analysis finds that it is not warranted, and that the proposal is a break from standard design practices.

The Planning Staff has reviewed the plans against the Approval Criteria outlined under Article XIII, Section 4 (a-u) and finds that, in our opinion, the project meets all of the applicable criteria. However, based on the traffic study Staff cannot make a finding that the addition of stop signs on High Street is warranted. Since the applicant wishes to pursue this design, the Planning Board cannot approve the addition of stop signs as depicted on the plans. This proposal will require City Council action. Therefore, the Planning Staff recommends that the Planning Board grant approval to the project with the following conditions:

- 1) That the proposed stop signs be brought before the City Council for approval;
- 2) That the D.E.P. approve the project as proposed; and
- 3) That any changes requested by the D.E.P. or the City Council be brought before the Planning Board for re-approval.

Bill Horton stated that their major focus of the hospital was customer service and stated that High Street was developed to create an environment in which they could provide exceptional service. He stated that the exterior grounds, including parking lots need improvements in order provide good service and safety.

Cynthia Orcutt, landscape architect of Orcutt Associates gave presentation. She stated that the improvements to High Street are aimed at improving both pedestrian and vehicular safety in that area. She presented a drawing of existing conditions. She stated that almost all of the offices, hospital and emergency buildings are on the south side of High Street and almost all of the parking is on the north side of High Street therefore clients must cross High Street to get to any of the buildings. She stated that the major problem is vehicular traffic on High Street which is a straight wide road. The second problem is the blind corner when you turn away from Main Street on to High Street she stated that this was the major area of conflict because cars are coming from all different directions and not at a T intersection. The pedestrian movement adds to this problem. She stated that there are approximately 3,400 pedestrians a day crossing back and forth which adds significantly to the problem. There are also nine different crosswalks and no sidewalks on High Street which makes it very confusing for cars. She further stated that the pedestrians are usually either elderly, are on crutches or disoriented and maybe not thinking clearly and really aren't alert. She stated that a lot of people have complained and that there have been some incidents reported.

Ms. Orcutt then presented the proposed improvements. She stated that this proposal aims to protect both vehicles and pedestrians. The first proposal is to place medians in the road which will create two 14 foot travel lanes. She stated that they will also move the entrance to the parking garage further down High Street and the road off High Street down into lower parking lot will be a one way. This will provide T intersections for all cars. They are also proposing stop signs when entering on High Street from Main Street at the blind curve. She stated that the design with the proposed stop signs will go to the City Council and that this is not on the plan they are presenting to the Planning Board. She stated that if the City Council approves the stop signs they will be come back to the Planning Board for re-approval.

Ms. Orcutt stated that they will eliminate the nine crosswalks and make four crosswalks. A crosswalk from parking garage to 76 High Street will be provided. There will also be a pathway from parking lot to the emergency building which will provide a route of travel. Benches will also be provided along both sides in a few spots for people to stop and rest. She stated that the medians will also provide point of refuge. The crosswalks in the troublesome intersection have also been consolidated to a 10 foot wide crosswalk. Further the crosswalks will be distinguishable by color or by brick.

Mr. Peters asked if CMMC owns the property after the blind curve. Ms. Orcutt stated that they own the property from Main Street on. Mr. Peters asked why CMMC does not make all of High Street parking loop the road behind it.

Mr. Goulet asked why medians do not have to be reviewed by the City Council but stop signs do, and asked who would maintain these medians. Mr. Horton stated that the medians would be maintained by CMMC. Mr. Goulet asked if it would state on the plan that the medians will be maintained by CMMC. Mr. Horton stated it would. Mr. Theriault asked if CMMC had considered abandoning the street. Mr. Horton stated it has been talked about but he does not know that they would want to change the traffic pattern that drastically at this time. Mr. Theriault stated that in his opinion the four way stop is greatly needed. Mr.

Milliken stated that the problem he sees is that they will be putting islands on an approved city street and he is surprised that they do not have to go before the City Council to get approval. Mr. Theriault asked if Chris Branch had problems with it. Mr. Dycio stated that Mr. Branch's only concern with the islands is that they should not have any deadly fixed objects on them. He stated Public Works did not have any concerns besides the stop signs. Mr. Theriault stated that he would like the Planning Board to review the stop signs because the code states that they do have the health, safety and welfare of the people within their jurisdiction when reviewing a plan. Mr. Dycio stated that the code of ordinances stated that stop signs are dictated by the Council and they have authority over city streets. Discussion continued regarding stop signs.

Mr. Arsenaault asked if the crosswalk near the blind corner could be placed diagonally to eliminate the curb cuts. Ms. Orcutt stated that a four way stop at one location allows all cars to stop at the same place and look before proceeding. Mr. Dycio stated that the Fire Department was concerned with getting to the siamese connection. He stated that the Police Department does not oppose the project but states that stop signs should not be used as traffic control devices.

Mr. Skelton asked that if medians were used to provide protection should there be an object on them to provide protection. Ms. Orcutt stated that the curb would provide protection because it would cause the car to veer if hit. Mr. Peters asked if a stop sign would be placed on an incline which may cause problems in the winter. Ms. Orcutt stated that there is a slight incline but not enough to cause a problem. Mr. Peters asked if there was sufficient distance between the blind curve and Main Street for people to see others stopped at the stop sign. Ms. Orcutt answered yes and stated that a Stop Ahead sign would be provided.

Discussion ensued regarding approving the plan without stop signs. Mr. Peters suggested asked if it could be approved with the stop signs so they would not have to come back to the Planning Board for re-approval. Mr. Dycio stated that approving the plan with stop signs would be going against Public Works recommendation. Mr. Theriault asked if the Planning Board could make a strong recommendation that stop signs be placed. Mr. Dycio stated that it could only be a strong recommendation. Mr. Milliken stated that it could be put in there as a suggestion.

MOTION: by Mr. Peters, seconded by Mr. Theriault that the requested waivers of submission requirements, by Central Maine Medical Center be granted except for C9 and 4E, because of the size of the project and the circumstances of the site such requirements would not be applicable or would be an unnecessary burden upon the applicant and that such waivers do not adversely affect the abutting landowners or the general health, safety and welfare of the city.

VOTE: Passed 6-0-1 (H. Skelton abstained)

MOTION: by Mr. Theriault, seconded by Mr. Goulet to find the application of Central Maine Medical Center meets all of the approval criteria under Article XIII, Section 4 and further that the Board grant final approval to the project with the following conditions:

1. That the proposed stop signs be brought before the City Council for approval.
2. That the D.E.P. approve the project as proposed
3. That any changes requested by the D.E.P. or the City Council be brought before the Planning Board for re-approval.

4. That CMMC be responsible for the maintenance and repair of the proposed landscaped islands including snow removal during winter months.

The Planning Board further stated that they wanted to send a favorable recommendation to the City Council that the proposed stop signs be given strong consideration due to the uniqueness of the situation found on High Street and to promote the health, safety and general welfare of the citizens of Lewiston.

VOTE: Passed 6-0-1 (Mr. Skelton abstained)

B. Gendron & Gendron Office/Shop Facility - (Lot #19 of South Park - Alfred Plourde Parkway)

Richard A. Plourde, on behalf of Gendron & Gendron, has submitted plans for a proposal to construct a 15,540 square foot, single-story building to be used as a shop/garage and an office. The area under consideration is located in the Industrial (I) District where building and construction contractors are permitted as a matter of right.

The project had its Pre-Application conference at the September 24th Planning Board meeting at which time the applicant asked the Board to review the project's application for completeness. Upon review of the application the Board found that it was substantially complete and scheduled the project for a Final Hearing.

The Planning Staff has reviewed the revised plans and the supporting information and finds that all of Staff's concerns have been addressed. Copies of the revised plans have been sent to the Public Works Department for their review and comments (see comments from Public Works). The Fire Department has also been sent a copy of the revised plans, and they will forward their comments to Staff prior to the meeting. In discussions with the Fire Department representative indicate that they do not have any major concerns at this time.

The Planning Staff has reviewed the plans against the Approval Criteria outlined under Article XIII, Section 4 (a-u) and finds that, in our opinion, the project meets all of the applicable criteria. Therefore, Staff recommends that the Board grant final approval to the project with the following conditions;

- 1) That any concerns raised by the Fire Department be adequately addressed prior to the issuance of building permits;
- 2) That the plans be reviewed and approved by the South Park Development Corporation, and any changes be brought back to the Planning Board for approval; and
- 3) That no permits be issued for the project until such time that the emergency access roadway servicing the K.T.I. facility is fully constructed and approved.

Mr. Dycio stated that the Fire Department had no major concerns except that the storage of combustible materials must be licensed and recorded.

Mr. Leo Larochelle, engineer stated that this is the most logical project he has worked on given Gendron & Gendron's current location and where they are proposing to move to. Mr. Gendron stated that he met with Chris Branch about the roadway and that he is all set with it. Mr. Dycio stated that there will be a new roadway for the Fire Department before the project is completed. Mr. Theriault stated that the concern of the Fire Department should be listed and not kept open ended. Mr. Dycio stated that at the time that he did

the memo he did not know what the concern would be. Mr. Larochelle stated that the two issues were the K.T. I. access roadway and the storage of combustible materials. Mr. Theriault stated that these concerns should be stated in the future.

MOTION: by Mr. Skelton, seconded by Mr. Theriault to find that the application of Gendron & Gendron meets all of the approval criteria under Article XIII, Section 4 and further that the Board grant final approval to the project with the following conditions:

- 1) That Fire Department concern about the storage of combustible liquids be adequately addressed prior to the issuance of building permits;
- 2) That the plans be reviewed and approved by the South Park Development Corporation, and any changes be brought back to the Planning Board for approval; and
- 3) That no permits be issued for the project until such time that the emergency access roadway servicing the K.T.I. facility is fully constructed and approved.

VOTE: Passed 7-0

Discussion began about the status of the Day Care issues. Mr. Dycio stated that Staff is going over the issues now, and is preparing a map of Day Care Centers and Group Child Cares. He stated that this map will be presented to the Board at the October 22 meeting. He also stated that Staff will contact the superintendent to discuss the policy of allowing students to attend schools in their Day Care's District. Mr. Arsenault stated that they wanted to find out the rules of the policy and what is going on as well as how many exceptions have been allowed in the past.

Mr. Milliken stated that a memo was sent to Mr. Mulready in regards to the motion made on September 10th requesting the city to fund an independent company to survey the city for future industrial and commercial land. He stated that he met with Mr. Mulready on Monday night and stated that Mr. Mulready will suggest to the City Council that they have Bob Faunce survey the Grove Street area and look at feasibility of Industrial land in that area. He was also going to try to call Mr. Faunce to try to get an estimate on the cost of surveying the city. Mr. Arsenault apologized that the letter was not written on Mr. Milliken behalf. Mr. Milliken stated that on September 10th it was voted on and again on September 24 and Mr. Lysen had volunteered to draft it up.

VI. PUBLIC HEARING

A. Review the draft update of Lewiston's Comprehensive Plan

Mr. Milliken stated that he has not seen any review sections on Downtown, Land Use and Long-Range Planning. He stated that the only thing he has seen for Long-Range Planning is one page from the July 10 meeting which goes from page 74 to 81, but hasn't seen what was in between.

Mr. Theriault stated that he spoke with Mr. DeVecchio at the State Planning Office and he stated that he has not yet taken a look at the Comprehensive Plan. Mr. Theriault stated that he told him the Planning Board was making considerable revisions to the Comp. Plan and therefore he felt it would be useless for him to review the copy as he has it now. He stated that after he gets an updated copy he will have a review

of it within four to six weeks. Mr. DelVecchio also stated to Mr. Theriault that his major concern will be that there are goals, policies and strategies that have long term goals and that they are interacting and supporting each other.

Mr. Dycio asked if when they do have a complete Comp. Plan will the Board want the State to make recommendations and comments prior to making the recommendation to the City Council. Mr. Theriault stated yes that it is important and part of the criteria. Mr. Arsenault stated that the City Council only has one meeting in November and one in December so given their schedule 4-6 weeks would have past before there is any final action taken.

Mr. Milliken stated that the only section that had been reviewed for the second time was Economy. Mr. Peters asked if it would be reviewed again to look at the changes regarding Natural Resources. Mr. Milliken stated that we can go back and revisit those items later. Mr. Milliken told Mr. Dycio that the Board had requested copies of the L/A Development Strategy and wanted to know if he could get those for the next meeting. Mr. Milliken stated that Mr. Peters section on Natural resources needed to be placed in the Economy section. Mr. Peters stated that he wanted the language in Economy to be the language he presented to the Board. Mr. Skelton stated that he wanted to know where it was going to be placed because he wanted to make sure that it is readdressed because he feels that language is inappropriate anywhere in the Comp. Plan. Mr. Milliken stated that he also wanted to revisit Policy 11 d of the Economy section.

Discussion began on Public Services and Facilities. The following changes suggested by the Board:

- Mr. Theriault stated that he had a problem with using maximizing storage and maximizing the capacity and thought it should be changed to make more efficient. Discussion ensued regarding adding a new policy. It was agreed upon to add a new Policy 6 which would state "Implement incentives for water and sewer conservation" the strategies would be: A. Residential Incentives etc.. B. Commercial Incentives etc.. C. Industrial Incentives etc...
- In Policy 7 strategy C should be eliminated because it is redundant with the new policy that will be added.
- The word "proper" will be placed before financing on all strategies regarding the LCIP.
- The word "try" in Policy 10 Strategy B will be deleted so that it states "Work to exceed the state goal of 50% recycling."
- Policy 11 will be changed to "Develop a program for collecting and recycling wastes from all multi-family dwellings and limited commercial buildings." Also include Public Works and the City Council under Responsibility.
- Add Strategy B under Policy 12 which would state "Amend Appendix A, Article XIII, Section 2 of the Zoning and Land Use Code to expand the applicability section to encompass municipal buildings and facilities as being applicable for Development Review."

Discussion began on Historic Preservation. The following changes were suggested by the Board:

- Change Goal 3 to state "Enhance the image of Lewiston and its proud heritage by improving the gateways to the City, enhancing the visual quality of the riverfront and the canal system, and fostering the continued conversion of vacant space to productive reuses that will contribute to the revitalization of the entire Downtown and City."
- Change the word "significant" in Goal 5 to "unnecessary ."

- Delete all of Goal 6.
- Policy 1 Strategy A first narrative should be changed to "Explore designating the Lewiston Mill System"
- Change Policy 1 Strategy B first narrative to "Transform the Downtown into a unique cultural and business district."
- Change Policy 1 Strategy C to "Enhance the image of Lewiston." And change first narrative of Strategy C to "Create landscaped open space in residential areas such as those along Canal and Oxford Streets."
- Delete both narratives 3 & 4 under Policy 1 Strategy C.
- Delete Strategy E under Policy 1 or place in Downtown Section.
- Delete Strategy F under Policy 1 or place in Downtown Section.
- Change Strategy H under Policy 1 to state "Continue to systematically inventory historic properties throughout the City, utilizing preservation grant monies to assist the City in the process."
- Change Strategy I under Policy 1 to state "Identify archaeological resources throughout the City utilizing preservation grant monies to assist the City in the process, where appropriate."

VII. ADJOURNMENT

MOTION: by Mr. Skelton, seconded Mr. Peters to adjourn at 9:55 PM.

VOTE: Passed 7-0

Respectfully Submitted,

Marc Goulet
Secretary