

**CITY OF LEWISTON
PLANNING BOARD MEETING
Minutes for March 24, 1998**

6:00PM - WORKSHOP

Workshop started at 6:05 PM.

Re: Community Development Block Grant (CDBG) - Requests for Funding

Jim Andrews told the Board that this year's process for the grants had a committee which included Planning Board members. Funding requests presented to the Board were what was recommended by the committee. Jim Andrews asked for a special meeting date for the CDBG. He also noted a change on page two, downtown street rehab and Kennedy Park. He said he would like to put \$15,000 in downtown street rehabilitation from the Kennedy Park fund – downtown street rehab would then total \$35,000, Kennedy Park would not have a grant this year. H. Milliken said there should be additional money under CD Administration. Jim Andrews went on to explain the criteria used by the committee. T. Peters discussed the public hearing process. H. Milliken said he would like to limit the presentations to five minutes if an agency wanted to speak before the Board. There was no need for a full presentation since the Board had received their requests in writing. Jim Andrews would like to schedule a meeting before the 14th of April - he said he would like the first public hearing scheduled for next Thursday (4/2/09) with the second meeting scheduled for the 14th. He said there may not need to be a second meeting, but by putting this first meeting earlier, it would give everyone plenty of time if necessary.

MOTION: by H. Skelton, seconded by T. Peters to schedule a Public Hearing set for April 2, 1997 at 6 PM.

VOTE: 5-0.

Discussion: Jim Andrews will draft a letter for the agencies. T. Peters asked that the secretary have a sheet ready for that evening so that agencies could sign in and the chair could hear the agencies in order.

Recessed at 6:30 PM.

REGULARLY SCHEDULED MEETING - Resumed at 7 PM

I ROLL CALL

Members Present: Harry Milliken, Tom Peters, Denis Theriault, Mark Paradis, Harold Skelton.

Members Absent: Lew Zidle, Daniel Knowlton, Student Members Shaad Masood and Robinson Sawyer.

Staff Present: James Lysen, George Dycio, Diane Ouellette, Gil Arsenault (Peter Crichton & Jim Andrews for workshop only).

At this time H. Milliken presented George Dycio a plaque for his nine years of service for the City. H. Milliken, T. Peters and D. Theriault all commended Mr. Dycio for his invaluable knowledge, expertise and

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service to the City. It was expressed that he will be missed by the Board. Mr. Dycio accepted a position with the Town of Windham and this was his last Planning Board meeting.

II READING OF THE MINUTES

Minutes of March 10, 1998

The Board was presented a correction of pages 10-11 this evening.

MOTION: by H. Skelton, seconded D. Theriault to accept the minutes as written and place on file.

VOTE: 5-0.

Discussion: J. Lysen pointed out that the unidentified gentleman from the audience on page eight was Louis Perron of 183 Merrill Road, Lewiston. H. Milliken also said that the minutes of March 10, 1998 needed to be amended regarding the lots on Fireslate Place. H. Milliken said in the discussion of Item 8, Lot 4 was discussed as well as Lot 1. Motion only reflects that Lot 4 was recommended to be offered for sale through open bid process and not Lots 1, 1A, 2, 2A and 3, 3a which in February were combined into one lot called Lot 1. Lot 1 is on the east side of Fireslate Place and contains the asbestos cells. T. Peters said the City Council already sold the lots to the abutters.

MOTION: by T. Peters, seconded by M. Paradis to amend his previous motion to add Lot 1 to the recommendation to Sell lot 4, both in Fireslate Place Subdivision in an open bid process and reflect that change.

VOTE: 5-0.

III CORRESPONDENCE

-Letter from Juliet T. Browne, Verrill and Dana, regarding the Maritimes & Northeast Pipeline project.

-Letter from Gerry Raymond dated March 24, 1998.

MOTION: by T. Peters, seconded by H. Skelton to accept the above correspondence and be read at the appropriate time.

VOTE: 5-0.

IV PUBLIC HEARINGS

A. Proposed Amendments to the Zoning and Land Use Code

1) Re: Proposal to rezone properties, located along East Avenue, between Webster Street and Sabattus Street, from a Neighborhood Conservation "A" (NCA) District to an Office-Residential (OR) District.

Staff presented a proposed amendment to the Zoning and Land Use Code, Article V, Section 1,

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Office Map of the City of Lewiston, where properties located along East Avenue between Webster and Sabattus Street would be rezoned from a Neighborhood Conservation "A" (NCA) District to an Office-Residential (OR) District. J. Lysen said that currently all properties are zoned NCA and the primary use is multi-family homes; strictly residential. He noted that historically there was a variety store at the corner of Greene and East Avenue, but that use was abandoned. He explained that the store had been grandfathered, but if the use is abandoned for two years, then the owner loses the grandfathering. He noted that there have been uses in that building since the variety store, but none of the uses ever got permits, so they were operating illegally. The Verreaults wanted to put a beauty parlor in the store and brought this before the Board of Appeals and lost by a 4-3 vote which could have established a non-conforming use in that space. Although the timing for the rezoning was due to the Verreaults' problem, this area of East Avenue was going to be looked at for rezoning through the Comprehensive Plan. J. Lysen said he did not anticipate redevelopment of this area to be all commercial. All single-family homes would still be permitted in that area as well as multi-family homes. It would allow the transition of some of those spaces into professional offices, business offices - but not all of the properties could because of parking issues. The rezoning proposal is for one lot deep for this whole area. Office-Residential is the most restrictive non-residential zoning area. It allows for the transition of older multi-family housing into low intensity commercial uses - professional offices, no retail allowed. Mr. Lysen said taxes should not change since they are based on use, not what is allowed in the zone. J. Lysen said he thought the rezoning would add value to houses in that area.

T. Peters asked what other businesses can the OR district have. The list did not include beauty parlors and it was noted that the Verreaults would still have to come before the Board to get a conditional use permit for this business.

J. Lysen said when properties go from residential to commercial, they will require development review to make sure it meets code. They will go through a process, notify abutters, it does not happen as a matter of right. Commercial use requires a buffer - neighbors have a right to request a buffer between them and the commercial property if they want one.

Open to the public.

Councilor Paul Samson, 133 Webster Street. Mr. Samson said the Verreaults live in his ward. They have had a store in that area for 30 some odd years; it was vacant for three months. Someone ran a karate school in it. Mr. Samson said this person called the City and asked if they needed a permit, they were told they didn't because they were grandfathered under the Verreaults. He said a cleaning outfit came in after the karate school left. They assumed they were grandfathered because the karate school was grandfathered. The Verreaults came down to city hall to request a permit for a beauty shop and were denied. He said there was a definite lack of communication and that it was not the Verreaults fault. They were told earlier the Karate school and cleaning business did not need a permit because they were not selling food.

J. Lysen said it was determined during the Board of Appeals process that those uses were not legally established. H. Skelton said the question tonight is whether this is viable to rezone. The Board of Appeals denied the Verreaults and that cannot be undone by the Planning Board. D. Theriault asked if there was a vote to have the planning board become the petitioner. He noted that the Code is very specific that we have to take a vote on this, or have a petition in order to

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bring this forward -- it cannot just be placed on the agenda. D. Theriault said he would like to see in the past minutes where the Planning Board initiated this action. T. Peters said the Board voted to set it for public hearing, but it is not in the minutes that we were becoming the petitioner. T. Peters suggested that perhaps this should be made clearer when setting items for a public hearing that the Planning was initiation the action. H. Milliken said this was also one of the items in the Comprehensive Plan goals.

Rene Gosselin, 192 Webster Street - corner of Webster and East Avenue. He asked how this would affect his property. H. Milliken said he is already zoned OR on his property so this would not affect him. The next property down is the beginning of what the Board was considering tonight.

T. Peters asked if there was a formal process from staff regarding permits. Gil Arsenault, said the Verreaults do not remember whom they spoke to, but his advice to citizens is to make the request in writing. T. Peters suggested that Gil Arsenault might want to make it a formal policy that request be put in writing. Mr. Arsenault said that was not necessarily user friendly. J. Lysen said that for the last four years, Planning has had an intensification form. He said he researched the store's history and found no permits issued although he could recall uses in the store. In order to be grandfathered, it has to be a legally established use. Certainly the Verreaults had no intentions of abandoning that use, but legally, they lost the grandfathering.

Norm Verreault said when the store closed, he came up to get a permit upstairs. He said people know him upstairs; saw the secretary, and asked about the karate school. He said his place was grandfathered. He told the owner of the karate school to call and was told he didn't need a permit. Mr. Verreault said he believed the karate school owner. D. Theriault said a ruling was made by the Appeals Board and cannot be overturned by the Planning Board. Right now all the Planning Board can do is to rezone the area - this would help the Verreaults. He asked if anyone in the audience had a negative opinion on this rezoning. H. Skelton also requested the public's opinions whether this area should stay NCR or be rezoned to OR. Paul Samson said he knew the City had sent notification to people - he asked if this would go before the Council. Mr. Lysen said yes. He also asked if the Council will notify these people again by mail. Some of his constituents have a difficult time reading and understanding the little cards sent. He asked if Planning could send notices to these people. J. Lysen said staff sent out a copy of the legal notice of the changes, the amendment in proper form, the map showing the area that is being considered, and the two pages of the code explaining the zone. Mr. Samson's main concern was that he wanted people, especially the elderly, to fully understand this rezoning. He requested that Planning Staff send another notice to all affected by this rezoning prior to the City Council meeting.

T. Peters said that Mr. Raymond had not received notification. Louis Perron said there was nobody here tonight who opposed this. Don Legrange said he did not care that the Verreaults wanted a business on the corner of Greene and East Avenue, however he was concerned about changing the whole neighborhood to OR. He lives right next door and is opposed to the rezoning. H. Skelton asked why and Mr. Legrange said he was comfortable with the way things are today. Richard Poulin, 179 East Avenue - said some of the businesses that could be there are low-impact. He asked what was the conditional use of a hospital. J. Lysen explained about conditional uses and does not anticipate a hospital going into this area. Mr. Legrange said to accommodate the traffic on East Avenue, there should be four lanes. He expressed concerns that

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business would increase traffic in that area. He also had a concern that the rezoning would increase his property taxes. H. Skelton agreed that East Avenue is a high traffic area and because of that traffic, is becoming less and less residential. Mr. Skelton asked if he would rather see the area strictly residential fashion. Mr. Legrange said he would like to leave the zoning the way it is because of traffic problems. T. Peters said if it was rezoned to OR, then a traffic study would be necessary if there were new, larger businesses. He noted there was a Rite-aid going at the end of that street. T. Peters said he understands that taxes are based on how it is used and not how it is zoned. Mr. Verreault said he bought his property in 1957, it used to be a quiet street, a nice neighborhood to bring up children. Today there are rents empty there because of the traffic. People with young families will not buy or rent on East Avenue. He would not buy there today if he had young children. T. Peters said Mr. Raymond opposes the rezoning because he feels it is a reactionary rezoning. T. Peters said if Mr. Raymond had known that it was on the comprehensive plan scheduled for review, then he thought Mr. Raymond would understand. Mr. Arsenault said that he shared that information with Mr. Raymond.

Public hearing closed.

MOTION: by H. Skelton, seconded by D. Theriault to send a favorable recommendation to the City Council to amend Article IV, Establishment of Districts, Section 1, Zoning Map of Appendix A - Zoning & Land Use Code in order to rezone properties along East Avenue Between Webster Street and Sabattus Street from Neighborhood Conservation "A" (NCA) District to an Office-Residential (OR) District and further move that staff issue a public notice to all abutters notifying them of the public hearing scheduled for April 7th at the City Council.

Discussions: D. Theriault said it was the best thing to do for the people in that area. Based on code, if someone wants to expand, there are a lot of hoops for someone to jump through before it impacts their neighbors. H. Skelton agreed. T. Peters noted that Mr. Raymond walked in at this time and asked if he wanted to comment. Mr. Raymond said his letter was sufficient.

VOTE: 5-0.

2) Re: Proposal to rezone properties located at 6 thru 14 and 7 thru 17 Riley Street from a Highway Business (HB) District to a Neighborhood Conservation "A" (NCA) District.

J. Lysen explained that this area is zoned Highway business - request here is to go back at least to the properties in the corner from HB to NCA. Gil Arsenault said that this would protect the owners to reduce some of the set back requirements. D. Theriault asked about one of the lines on the map.

Open to the public: Don Christianson 15 Riley Street - got a permit from the City for a garage. Because of the zoning, he had to go back thirty feet. Only businesses there are on Sabattus Street. T. Peters asked if this was in the comprehensive plan schedule. J. Lysen said this was brought to the Board because of Mr. Christianson's request. T. Peters said he was concerned that this is reactionary and doesn't want the public to get this perception. H. Milliken said that the Board gave staff direction when it accepted the comprehensive plan. H. Milliken said he and J.

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Lysen spoke today about meeting with City Council and Planning Board - fifth Tuesday. There is a need for better communications between the Board and Council. J. Lysen said if the Planning Board and Council come together to create a schedule, it could avoid problems down the road.

Closed to the public. H. Milliken ask if the 1988 Land Use plan was still in effect. He said he thought once the new plan was accepted there would not be references back to 1988 plan. D. Theriault said the language in the new Comprehensive Plan says the old plan is still an integral part of this present one.

MOTION: by H. Skelton, seconded by T. Peters to send a favorable recommendation to the City Council to amend Article IV, Establishment of Districts, Section 1, Zoning Map of Appendix A - Zoning & Land Use Code in order to rezone properties located at 6through 14 and 7 through 17 Riley Street from Highway Business (HB) District to a Neighborhood Conservation "A" (NCA) District.

VOTE: 5-0.

V REVIEW OF DEVELOPMENT PROPOSALS - FINAL HEARING

A. Department of Labor Office Building - Mollison Way

James Day has submitted plans for a proposal to construct a 20,000 square foot (125' x 160') single-story office building with associated parking on Lot #30 of the Spare-Time Recreation Subdivision.

Pursuant to Article XIII, Section 3(h)(5), the applicant is requesting some relief from the application requirements listed under Section 3(h)(1-4). A non-applicable status request to State approval/permits has been requested and Staff found the request justified and should be granted. Planning staff has reviewed the project's application for completeness and found it to be complete. Site plans have been reviewed and staff had no concerns. Police and Fire Departments had no concerns. However the Public Works Department had a number of concerns and the applicant has since addressed those to their satisfaction. Staff also reviewed the plans against the approval Criteria outlined under Article XIII, Section 4(1-u) and found the plans met all of the applicable criteria.

Jim Day was present. D. Theriault said Public Works suggested to back fill one of the sewer lines. He voiced Public Work's concerns regarding possible structural problems in the future should the building be located over that or near it. Jim Day said he believed the line was down the parking lot. One option would be to back fill it or remove it. Mr. Day said he would be happy to do whatever Public Works recommended.

After further examining the plans, Jim Day said this line is actually the line that is underneath the building. It is an extension of the line from Medaphis, rerouting the majority of the line, this line will be pulled up. There is an intention to use some of the line in front of the building, but everything under the proposed building will be pulled out.

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MOTION: by D. Theriault, seconded by H. Skelton that the requested waivers of submission requirements by James Day be granted 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: 5-0.

MOTION: by, D. Theriault seconded by H. Skelton that the Board finds the application of James Day meets all of the approval criteria under Article XIII, Section 4 and Article XIII, Section 5 and further that the Board grants final approval to the project.

VOTE: 5-0.

B. West View Bluffs - Revision V - West View Drive

Chuck R. Starbird has submitted plans for a proposal to amend an approved subdivision where the designated picnic area within the open space will be eliminated, two catch basins and one culvert will be eliminated, storm water drainage routes will be altered, and two proposed street lights will be eliminated.

Pursuant to Article XIII, Section 3 (h)(5), the applicant requested a waiver and a number of non-applicable status requests to the application requirements listed under Section 3 (h)(1-4). It was staff's opinion that the request for a waiver on the location/type of exterior lighting should not be granted due to the fact that street lights are required for both private and public streets, however, Staff found that the non-applicable status requests are justified and recommended that the Board grant them.

Staff found the project's application complete, however, regarding the traffic lights, staff discussed the applicant's request to eliminate the two proposed street lights with the City Engineer and Public Works Director and they both concurred with staff that they should not be eliminated due to safety concerns. In addition, Article XII, Section 18, *Improvement Standards*, subsection (7), *Street Lighting*, states that "Any project involving the construction of a new public street or private road shall install street lighting at the developer's expense. This lighting shall conform to the standards of Central Maine Power Company and the Department of Public Works." Therefore, staff recommends that this request not be granted.

Plans were submitted to the Police, Fire and Public Works Department and there were no concerns other than Public Works's concern regarding the proposed elimination of two street lights. Staff further reviewed the plans against the Approval Criteria outlined under Article XIII, Section 4(a-u) and found the plans met all of the applicable criteria. Staff recommended that the Planning Board grant final approval to the project with the condition that the two (2) proposed street lights not be eliminated. Kevin Clark from TSI said that after the comments from Public works, the street lights will not be eliminated. H. Milliken asked where the catch basins were that Mr. Clark proposed to be removed. Mr. Clark explained to the Board where the catch basins were and the culverts that were to be added. H. Milliken had concerns about the plans being

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registered at the Registry of Deeds without the requested changes shown on them. H. Milliken said any changes need to come back before the Planning Board for signature. Discussion regarding pipeline in that area. Mr. Clark said the mobile pipeline was shown on the plan.

Open to public -- James Pietrowicz of 14 Westview Drive, Lewiston wanted to know what brought the changes and why the Planning Board would amend an already approved plan that took away the draining that was proposed. He asked where the water was going to flow. He said there is enough drainage coming down the street, and Chuck Starbird has not finished work on the other side of the street. There are no ditches - no place for the rain to go. Mr. Clark said it was his understanding that water was going to drain in a specific area. Gil Arsenault said this plan was approved under the old code. He said he has received complaints from people. D. Theriault remembers reviewing that project and certain things were supposed to be implemented such as an association. That has not materialized. He said he did not feel comfortable pursuing another area to add on to the problem. T. Peters said the Board should take a really hard look at this site and get a checklist of things that need to get fixed. D. Theriault said he is concerned about drainage change at the top of the hill and that the engineer for this project does not know that there are no ditches to accommodate the change in drainage he is requesting. Gil Arsenault suggested that the Board could table this issue and he, Jim Lysen and the City Engineer could do an on-site inspection. Gil said the drainage system out there does not work, it is flawed – this design is supposed to be a fix. J. Lysen said this is revision number five. H. Skelton said he wants to hear from someone with solid professional qualifications that this system will work. T. Peters wants the weight of the Board so that whatever is not fixed out there is fixed. D. Theriault said the Board would feel comfortable with Gil putting the necessary people together to review this. Once Gil is comfortable, then the Board would certainly be more comfortable. Gil said he will make arrangements to have engineering take a look at the site. H. Milliken suggested members of the Board take a look at it also. Theresa Pietrowicz of 14 West View Bluff said she was concerned because these things were supposed to be complete and asked why houses were still being built without permits. She stated that her house was built without a permit. D. Theriault asked if there was an association. She said yes, she paid \$300, but doesn't know what's become of it. D. Theriault said that part of the approval of this plan was that an association be put in place. T. Peters would like other neighbors to be notified. H. Milliken asked if permits had been issued. Mr. Arsenault said they had in the past and asked that no others be given until this is cleared up.

Closed to public.

MOTION: by D. Theriault , seconded by H. Skelton to table the West View Bluff Revision V and to have code enforcement at the designated future meeting, along with an on-site inspection by Planning Board members and have staff ready to answer questions the people have in this area.

VOTE: 5-0

Tabled until April 14th. Walk through by staff and Planning Board members on April 14th at 6 PM. Staff is to notify the abutters of that meeting.

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VI OTHER BUSINESS

A. New Business:

1. Water's Edge Subdivision - discussion of proposed amendments.

J. Lysen - Roger Richard was present and asked for an amendment to his subdivision. When it was approved by the Board originally, Mr. Richard had wanted to build only high-end homes in that subdivision so he self-imposed a deed restriction. He came before the Board to amend this restrictions and be allowed to put in double-wide mobile homes and manufactured homes. He explained to the Board that this self-imposed restriction was costing him money because he could not sell the lots with these restrictions. He does not want to make a mobile home park, doesn't want to sell exclusively to mobile home, but he does want them allowed in that area. J. Lysen said that Mr. Richard also has a large open space that he wanted to deed over to the City. Attorney Bissonnette has forwarded a letter to Attorney Hark to interpret the code with respect to that. If the City receives positive information from the attorney and the City wishes to accept that land, then this will tie into Mr. Richard's amendment to the subdivision. He further went on to state that this subdivision is zoned in Rural Agricultural and if he had not imposed these deed restrictions, mobile homes would be allowed as a matter of right. Mr. Lysen said Mr. Richard offered to grant the City an easement to establish a community septic system to homes adjacent to the Pond Mr. Lysen said that the road in Mr. Richard's subdivision will be built to public standards. D. Theriault asked what the City was asking Attorney Hark to do. Mr. Lysen said the letter from Attorney Bissonnette concerning his interpretation "can the open space land be deeded to the City." D. Theriault said he understood a cluster development had to be in possession of open space. Mr. Lysen said that was what he had asked Attorney Hark to interpret. D. Theriault said he thought clustering also required an association to be in control of the land. Mr. Lysen said that was what he was asking Attorney Hark. Mr. Lysen said it was 23 acres of open space adjacent to No Name Pond and allow public access. Mr. Milliken also said that he understood code to say that the open space had to be with the subdivision. Mr. Milliken said it was his personal opinion that the City owns enough land. Mr. Richard said there were mobile homes in the area around his subdivision and that he was not changing the size of the lots. D. Theriault asked what staff's opinion was regarding the open space. Mr. Lysen said he would defer to the City Attorney, it was not clear at this time. D. Theriault said he understood that staff had a difference of opinion. Mr. Richard said by giving this open space to the City, the public would have access to the Pond. They do not have access now. It would also give them access to the boat launch, the beach and included with that 23 acres would be a park for the general public. D. Theriault said he would wait for a legal opinion from the City Attorney. H. Skelton agreed the Board should wait for the City Attorney's opinion. He said he had a concern with amending this subdivision because it is a very different development than what was originally approved by the Board. D. Theriault explained to Mr. Richard that the Planning Board did not have a right to supersede the code. J. Lysen said he should receive Attorney Hark's opinion by the end of the week. H. Milliken asked for the opinion to be sent to the Board members as soon as staff receives it.

B. Old Business:

1. Review and discussion of the applicability of the Bates Mill Complex/Municipal Buildings & Facilities for Development Review.

H. Milliken passed out what he put together in 1996 regarding the Planning Board's authority

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and what was sent to MMA at that time. He said he listed different areas in the code where the Board does have review authority and asked for the Board's input. D. Theriault said he is certain the Board does have review and that all city buildings are part of the comprehensive plan. D. Theriault also said there is no specific language in the Zoning and Land Use Code stating that the Planning Board does not review public buildings. He said it was not right to assume that the Board's review authority stops at public buildings. T. Peters said the LMRC would like to have meeting with the Planning Board. T. Peters also suggested that the Board meet with City Council to discuss this issue and get it resolved. D. Theriault said he didn't want to end up with Planning Board against staff in regards to whether the Board has review authority or whether the Board is going too far in looking at this issue. He said the reason he feels this way is because se of what he heard the other day while standing in the hallway while staff was having a meeting. He said he overheard J. Lysen say at that staff meeting that the Planning Board was expanding their view a little too far. He said he was uncomfortable with that comment. J. Lysen said his statement was that this Board has looked at their purview a lot more than other Boards. T. Peters asked again if this Board could have a meeting with the City Council and have a frank discussion about this issue. H. Milliken said he would like the Board to review the information that he handed out earlier and have them pass along their comments. H. Milliken said he would like to have the relationship improve between City Council and Planning Board and would like a workshop with them. H. Skelton said he would like to see the Board act on these various items and get them off the agenda-- the agenda is becoming overwhelming. He also agreed that the Board should speak with the City Council. T. Peters suggested maybe an independent attorney's opinion would be helpful, then if this attorney agreed with Attorney Hark, the Board should take another look at it; if he disagreed, then the Board would have something to "hang its hat on." H. Milliken said the Board may have to do that.

2. Scheduling of a workshop to discuss the Maritimes & Northeast Pipeline proposal with the applicant.

J. Lysen said it is scheduled for the 28th. There is some confusion with respect to purview - not subject to municipal review according to the pipeline's attorney. D. Theriault asked if the attorney could show the Board where in the law the attorney gets this opinion. H. Milliken said we ought to apply for intervener status. H. Milliken asked about the optical line..Gil said they went through the Board of Appeals. T. Peters said intervener status will just gives the Board information.

3. Review and discussion of proposed amendments to the Zoning and Land Use Code regarding the standards for granting appeals (modifications), and scheduling of a Public Hearing.

J. Lysen request is with the City Attorney, Gil is meeting him tomorrow.

4. Review and discussion of a possible rezoning, from Suburban Residential (SR) District to Neighborhood Conservation "A" (NCA) District, in the Montello Street and Hogan Road area, and scheduling of a Public Hearing.

Scheduled a meeting for April 14, 1998.

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5. Update on the status of property located at 18 Fireslate Place.

D. Theriault still waiting for the documentation from DEP stating that the parcel of land is now free of hazardous materials.

6. Proposed (Paper) Streets:

Staff is working on the maps and hopes to get the first series of public hearings scheduled for April 14th.

7. Comprehensive Plan Update:

J. Lysen said there was nothing new on this item. D. Theriault asked when the implementation schedule deadline was –he thought it was April 1st, one year after the adoption of the plan. J. Lysen said he would check back on that. H. Milliken asked staff to send out a second notice to the School Board regarding their section in the Comp Plan.

8. Proposed process to keep Planning Board informed on State & Local road improvements affecting development. Nothing to update.

9. Update on the proposed MDOT improvements on Sabattus Street between Campus Avenue and the Maine Family Credit Union.

J. Lysen said at the last LACTS meeting there was a request for a work program for 98-99. Public Works put in a request for a study from Pond Road to East Avenue. J. Lysen made a request to extend that to Campus Avenue. This should be done by July, 1999. Also asked that traffic counters be put in.

10. Report and discussion on the Urban Enterprise District and allowed uses within the downtown area. Nothing to update.

C. Board of Appeals - Development Review Committee - Historic Preservation Review Board - State & Local Road Improvement Updates.

Discussion: D. Theriault asked about the water study in Androscoggin River. J. Lysen said it's a service learning project in geology that Bates College students were doing. D. Theriault asked if it would come in front of the Board on development related issues. J. Lysen said no, this was simply a learning project the college was conducting on its own.

VII ADJOURNMENT

MOTION: by T. Peters, seconded by D. Theriault to adjourn the meeting.

VOTE: 5-0.

Meeting adjourned at 9:50 PM.

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Respectfully submitted,

Denis Theriault
Secretary

dlo