

**CITY OF LEWISTON
PLANNING BOARD MEETING
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I. ROLL CALL:

This meeting was called to order at 7:02 P.M. and chaired by Harry Milliken.

Members in Attendance: Tom Peters, Denis Theriault, Harold Skelton, Harry Milliken, Lewis Zidle, and Mark Paradis.

Staff Present: James Lysen, Dan Stevenson, and Doreen Asselin.

II. READING OF THE MINUTES:

Minutes of July 21, 1998. There was a brief discussion by Denis Theriault on how the Minutes should be worded and possibly getting them in to him at an earlier time so that he can have time to review them before the next Planning Board meeting. Also, Tom Peters suggested trying to summarize the discussions and to highlight the person responding.

MOTION: by T. Peters, seconded by D. Theriault to accept the minutes of July 21, 1998 with modifications and to be placed on file.

VOTE: 6-0.

III. CORRESPONDENCE:

Correspondence consisting of a memorandum dated August 18, 1998 from Gil Arsenault referencing 426 Lisbon Street and 237 Park Street.

MOTION: by D. Theriault, seconded by H. Skelton to accept the memorandum and place it on file with the appropriate acquisition of city property part and to be read at the appropriate time.

VOTE: 6-0.

IV OTHER BUSINESS:

A. New Business:

1. *Draft - Downtown Parking Study Presentation by LACTS Director, Jeremy Evans*

This presentation was presented by **Jeremy Evans**. His presentation was presented by walking through the Draft Report and referring to specific pages. The study area includes parking problems on on-street locations and at the municipal parking facilities, including all the parking facilities

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and the Bates Mill Complex, and what some of the existing and future issues might be. He interviewed a number of people concerned (15) about downtown parking issues and other issues and what their suggestions and comments might be about the downtown parking problem. The area was surveyed to look at parking supply, parking demand, violation rates, parking time limits, and parking ticket spaces.

On the very first page of the table of contents, this report was divided up into existing conditions, looking at both the current parking supply as well as the parking demand, the future parking demand, and several recommendations (long-term and short-term). This draft document was opened to suggestions and to point out anything that is missing, errors, etc. He stated that parking problems are a good thing, because it should be expected to have parking problems because of the high density of the area in successful downtowns and not having enough land. We are more dependent on automobiles to get us around town. Downtowns have a hard time adjusting to that. Most downtowns now have the use of a lot of parking garages. This study area is done in an outline. Most of the significant facilities in this area are municipal areas (Centreville garage and the Bates Mill Complex). In reference to Page 10, there are a total of 1,840 parking spaces in downtown Lewiston. He then showed a map of the metered spaces where there are various time restrictions or other restrictions. Most of the parking when you get further away from the core area is unrestricted parking. There is a pretty good idea of the number of parking spaces in downtown and we actually surveyed all of them and we can say that overall it is clear that parking for the overall areas of the downtown is not the problem. There are real troubled spots. There is a lot of activity and a lot of parking ticket violations and on the next map (Page No. 13) it indicates the highest rate of parking violations, which are (lower Lisbon Street/Park Street corridors). This is where the highest parking demand is where most of the activity is and not a lot of available land to fill parking there. There are no large blocks of unused land that can be tapped into for parking. Long-term parkers are parking in longer than designated areas. In non-metered spaces it is very hard to monitor, regulate, and enforce. The overtime metered parking ticket is a \$2.00 fine. This is a very low rate and may not be the deterrent. You can get away with parking there most of the day, but to legally pay for parking space it is cheaper than getting a ticket. The other issue associated with that is the low rate of collection, it is extremely low with only a 20% rate of collection over time. Most rates of collection in other cities are 50 percent. There is not enough enforcement to collect on parking tickets. The overuse of the short-term parking space by long-term parkers takes up the spaces available for businesses. It is more difficult to attract customers, due to the parking spaces. There is a good

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indication of where off-street parking spaces would be needed - lower Lisbon Street is one of the most densely populated areas. The utilization of off-street facilities, which are the parking lots and the Centreville garage. Based on expectations for increased the number of spaces in the Park Street lot and for the addition of new monthly passes and permits in the garage, utilization in the near future of about 75 or 85 percent. That indicates an adequate supply (not an oversupply) where demand is meeting supply. There will not be a lot of excess parking spaces available to accommodate parking. The parking supply at Bates Mill was also looked at (Page No. 17). There is an over capacity situation there at the Bates Mill, based on the current tenant structure and on the expectation of staffing. This is a current problem where utilization exceeds actual supply and it is operating at full capacity.

T. Peters - With Telemark/Peoples Heritage Bank, there were a number of spaces reserved. With the hiring of part-time employees, this space is filled up. This was an appropriate size lot for the number of spaces needed, but now it has expanded beyond with the part-timers. Telemark is getting into the same situation as well. It is adequate right now, but something needs to be done.

J. Evans - The temporary staff has changed the parking requirements.

T. Peters - The Bates Mill project is being developed without providing adequate parking. It was developed, based on the parking that was anticipated and needed by the tenants and their expectations were low because they have hired more people. Now we are trying to scramble to find more places for those folks. Lack of parking is a symptom of success in marketing space.

J. Evans - The parking in front of Mills Nos. 1 and 2 is retail and other uses that have a variable parking demand. What retail demand should be, based on national averages. When we are looking a demand, we are looking at and not particularly related to the number of employees at Bates Mill, but also the demand of retail, which is in far excessive, as we all know. Restaurants fill up parking spaces. If retail is not as successful, in that of attracting customers, there is less of a demand for parking spaces and less of a parking problem. This was not fully accounted for either, which is the demand of the retail or future retail or other service-type employers. There is now going to be a discussion on the future parking demand. One of the things that we do not know well is the current relationship in the downtown in general. We do

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not have a good assessment of the total employment of the downtown, vacancy rate, the usage of the building, etc. Some studies have been done in part of the downtown study. We are looking at what that supply of office space is, who is using the space, and what their intention is. We do need a real good rough estimate of that. What we do know now is what the current demand and the current level of occupancy is of filling people, the way that it is used, and what they will be used for in the future. Whenever you do any future estimate of any parking plan, it is partly dependent on what the activity is going to be. Some of the estimates in this report are based on rough guesses, such as the lower Lisbon Street corridor/Chestnut Street and that there are about 375,000 sq. ft. of vacant office space in this area. If that is fully occupied, you can expect an additional demand for that of about 350 cars. In the Bates Mill area (Page No. 23), what we tried to estimate what, if everything was developed, what the parking demand might be? Based on this, parking demand if fully developed - overall parking in the downtown would more than double. And, in supply parking for this additional demand, we are dealing with over 40 acres of land, therefore there is an enormous demand of land that we do not have available. You would then be using up all the available land. Land that you may not want to use up with parking. Demand is very high and your choices are either you build parking garages or you park people off sites. We estimate the parking demand of 3,688 spaces, which is pretty significant. One of the things that was looked at was the types of Development that are in there now, what some of those projections are, and, again the national averages of what the parking demand is. Primarily most of this is office tenancy. The above figure was for Building No. 5, which has been discussed as a Convention Center location. That assumes that it is not a Convention Center, but in fact office development. When you look at the square footage of office development, there is a greater parking demand than a convention center would have when fully occupied, i.e., that would be for long-term (all-day) parking. This is a quick run down of existing/future parking. There are a number of recommendations (Page Nos. 24-32). There are 28 recommendations (short-term improvement - less than one year/intermediate improvement - 1-5 years/long-term improvement - over 5 years).

The table presented in the front of these documents is the executive summary that summarizes these recommendations, as follows:

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Summarized recommendations. A couple of these recommendations are recently obvious, such as the restructuring of the Park Street lot. This would increase the municipal lot by 35 spaces. This is also under LCIP in fall for this parking lot? - **D. Theriault.** Yes - **J. Lysen.**

- b. Prohibited. Ideal supply for short-term parking = on-street parking. Four (4) or more hours find off-street parking.
- c. The City could restrict parking on Canal Street. Use of Bates Mill facility. Long-term parking filled up by 7:30 a.m. in the morning. Free parking all day. - **J. Lysen.** Long-term parking. Restrict 1-2 hours, depending on how far down the street. **T. Peters** - Where will people go? Centreville Garage - **J. Evans.** Demand pushing supply. **H. Milliken** - suggested two (2) hours, due to walking distance. **D. Theriault** - City of Lewiston personnel. 75 spaces - where did they go? Park Street lot. Employees cannot park in the garage unless each employee pays for the parking themselves. - **J. Lysen.**
- d. Page 26.
- e. Adequacy of parking in front of mill. Restrict parking to two (2) hours. Contracts with Telemark on parking - **T. Peters.** Certain rights on certain spaces. - **T. Peters.** Make recommendation with the use of stickers for their spaces. - **T. Peters.**

H. Milliken recommended summarizing some of the recommendations, but not all of the 28 listed.

Parking meters should be retained in high density parking areas, and removed from low density areas. There is only one (1) city as low as Lewiston (\$2.00) for lower overtime parking fees. The only other city in the United States that had a parking fee lower than Lewiston's is in the State of Texas. (Refer to Item No. 7 in Draft Study.) Parking meters/stickers usually indicates a failure of the city to provide parking. If the City develops properly, no meters/stickers should be needed - **T. Peters.** Concern noted in recommendations - **J. Evans.** Difficult to ensure that there is short-term parking available to customers of businesses. Easier for the police to monitor. Need for off-street parking. In core areas, more off-street parking areas (refer to Item No. 19). Need 1-3 small parking lots.

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Suggested that a code change be considered - **T. Peters**. Is this in any of your recommendations? - **T. Peters**. Required because of not adequate parking. Not in recommendations. No available parking. Would force changes. As redeveloped in modern world. - **J. Lysen**. Certain distance within parking garage/lot. Was adequate parking. Now the parking lot is filling up. We need to provide parking in downtown. - **J. Lysen**. Change code so development must include parking. - **T. Peters**. This study was well-timed. Have numbers to back up the need for parking. - **J. Lysen**. We need to create new space. Parking lot study done for the Library. - **H. Milliken**. Got calculations to make spaces. Cannot change formulas to look good on paper. - **H. Milliken**. Promises have never been kept regarding parking spaces being provided. - **T. Peters**. It never happened. Forced to do it by code. - **T. Peters**. Conclusion is that we are approaching capacity. - **H. Skelton**. \$2.00 is cheap parking for the whole day. - **H. Skelton**. Theoretically can get more than one (1) ticket. Canal Street parking - look at the whole parking problem. - **T. Peters**. **D. Theriault** - (Page 22) not approve, depending on the future of Bates Mill. (Page 32 reference). How much of these recommendations are tied with the Community Development Grant? Short-term definitely worthwhile. Do not want tied to grant. - **D. Theriault**. Parking very high on radar scene. - **J. Lysen**. Concerned with the Convention Center on grant money. - **D. Theriault**. 1,100 spaces for Mill No. 5. LCIP Engineering Study for garage (Structural Problem) - was it budgeted - **D. Theriault**. Has the Lewiston Police Department looked at these recommendations? - **D. Theriault**. The flow of traffic on Canal Street study, etc. New District Court - available/not available. Where is parking available? - **T. Peters**. In the core area somehow. - **J. Evans**. New District Court downtown area? Take part of parking lot? - **T. Peters**. This is the opportune time to address. Capacity above and beyond for District Court. - **J. Lysen**. If you are going to do a garage - do it right. - **J. Lysen**.

This discussion was then turned to the public for their comments.

Jane Willette - \$9 Million Convention Center? \$8.4 Million of taxpayers money has already been tied up in the Bates Mill Complex project. The taxpayers will need to decide.

Jeff Baril - Has anybody ever suggested decking over the existing parking lot and making it a second or third floor to develop parking? He stressed the need for parking to get people into the City. Nobody will develop unless we get parking. Parking garages are more elaborate and more expensive

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\$4,000.00 to \$17,000.00 per space to build. The L.L. Bean garage - what was the price tag? - **D. Theriault**. The answer being in the lower range of \$4,000.00 per space. People's Heritage Bank's parking with lease for the parking garage, just for construction. Most parking garages are about \$75.00 per month in order to have cost recovery. Nobody will not making money on a building a parking garage.

This discussion was then turned to the Board for any further comments of questions.

Just a draft? - **D. Theriault**. Are you looking to create a final draft for a presentation to the City Council? - **D. Theriault**. It is up to the City, but the Board is interested in seeing the LPD's input into that.

2. *Petition to Amend the Zoning and Land Use Code Concerning Modifications*

Received the first petition with ten (10) signatures. After verifying with the City Clerk's office, only five (5) of those signatures were from registered voters. Resubmitted another ten (10) signatures - all registered voters. The petition is now valid. Requirement for maintenance agreement - the requirement is up to the Board to make a determination as to the maintenance agreement. The Public Hearing is scheduled for the next Planning Board meeting, which is September 8, 1998.

Amendments from the Board of Appeals? - **H. Milliken**.

How does this affect the changes that we made in the Appeals Board? Does this made an amendment to the Appeals Board in order to waiver some of these modifications? - **H Milliken**. The difference was that it did not touch setbacks. These modifications amendments to modifications allow up to 50 percent of setback, only if your are not making the setback any worse than the existing. The situation at WCBB is that they had a building with the existing foundation involved was closer than 25 percent closer to the modification close to the road. They might even go straight up. In other cases, if you go straight up, you do that right at the property lines, if necessary. These changes basically allow up to 50 percent of the front setback, only if you are not breaking the setback requirements and you are allowing somebody to go vertically up or down. This goes along with the original modifications or modification amendments. We anticipated that this would have been dealt

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with earlier. - **J. Lysen**. Did this go to the Zoning Board? - **D. Theriault**. This was just a small encroachment on front of WCBB, and if this type of thing were to pass would the encroachment to the entire length be guarded? - **T. Peters**. There was only one spot with a problem? - **T. Peters**. If something like this passed, not specifically for this case, would it allow the 50 percent for the whole space, regardless of where the little encroachment was? - **T. Peters**. It would allow only if the existing building is encroaching. - **J. Lysen**. In other words, they could go up, but not across. If they have three feet of front yard encroachment and they want to add on to the building, they could add on going three feet up. Rather than cut back on the second story addition, if you allow for these modifications to occur up to 50 percent (not any closer than that) to allow them to expansion vertically. Anybody who have an existing building that does not meet part of the setbacks would be allowed to vertically expand as long as they are not worsening the existing conditions and were to stay within the existing encroachment or meet the 25 percent standard. Anybody can get a modification for 25 percent. The new standards say you can go between 25 to 50 percent on the sides and rear. Right now in some locations you can go 100 percent. In this situation, just this corner exceeded 25 percent. - **J. Lysen**.

MOTION: by T. Peters, seconded by D. Theriault to schedule for a Public Hearing on the next available Planning Board Meeting, which is scheduled for September 8, 1998.

VOTE: 6-0.

3. *Recommendation to the City Council on the Sale of Property at 426 Lisbon Street/237 Park Street*

H. Milliken stated that this is a conflict in his case since *Marcel Morin* is a personal friend of his and that he has no investment in this. **D. Theriault** said that this would not be a problem. Would you be able to recommend not buying it? **H. Milliken**'s answer to this was "Yes".

Jim Andrews' response to this location was read by **J. Lysen**. It was stated that the above property is a "Gateway" location to the revitalization of City efforts. Funds totaling \$110,000.00 - \$70,000.00 in CGBC and. \$40,000.00 in housing zone (where this property is in). Staff under recommendation be pro-active. Major activity. New definition to this

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area of town. Have the City to take a look at it. This is a "Gateway" to the City. Who owns property at the corner of Lisbon/Birch Streets? - **H. Milliken**. The answer was Food Bank parking. Own vacant area - City. The corner of Lisbon/Birch Streets attempting to be sold. Corner of Maple/Park Streets - do we own property? Yes.

Reviewed input from the Police and Fire Departments. What would the City do and what is the purpose of acquiring? **J. Lysen** responded that it would be for the redevelopment of the City. The city should be aggressive on property maintenance codes.

D. Theriault supports purchasing as a "Gateway" to the City. It would set tone to the appeal of the City. Make changes to the City's appearance. Put some control on the entrance area appeal.

H. Skelton - Offers to purchase. What point would you see purchase price? Do not necessarily have to hold on to the property, as stated by **D. Theriault**. Set pattern on how the "Gateway" will look - **D. Theriault**. **T. Peters** response was, do not buy unless you have a reason to develop it. He also went on to say that you need an overall plan. Do you want only part of the property, all, etc.? Do not piecemeal. You need a plan for the area. Buy all properties that you want.

H. Milliken stated that the City already owns part of the property, a 35 foot lot. Tear down. That is property you see when you come to Lewiston. He would like a motion to recommend to the City Council to purchase as a plan to improve the Gateway to the City.

L. Zidle questioned as to whether the City is in a position to purchase this property? Will it be a "Gateway" to the City.

Walt Pelletier is a part owner of this property in question and is retiring. He would like to give the first option to the City of Lewiston to purchase this property. He stated, what do people see downtown - empty buildings, etc. If you want it, I will sell it. If you don't, then I will sell it privately!

Parking is an issue. - **T. Peters**. Is it the City's encumbrance to purchase? - **L. Zidle**. **D. Theriault** then stated that it is premature to purchase this property without having a game plan. **T. Peters** then stated that you would purchase the property if it fits into a plan that makes sense.

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It was then decided by the Board to table this item and look at it again. The City has 30 days to look at it. If **Walt Pelletier** can sell it for a better offer beforehand, then do it. The City needs to look at this more closely. **T. Peters** - stated that the City should not just purchase property for the sake of purchasing without a plan.

It was then decided that **Walt Pelletier** put this property on the market and that the Staff will make a presentation of a plan, which will be due at the October 13, 1998 meeting. Look at total plan package.

MOTION: by T. Peters, seconded by D. Theriault to table this item and for the Staff to make a presentation of a plan, which will be due at the October 13, 1998 meeting.

VOTE: 6-0.

4. *Discussion of Possible Re-zoning Near 41 Walnut Street*

This discussion was in response to **Jeff Baril**'s intensification form. He has acquired property at 35-37 Pierce/Walnut Streets. This includes a multi-family being demolished. **Jeff Baril** has plans to relocate a bar/grille into this space (41 Walnut Street). NCB does not permit this.

It is a non-conforming use. Land use inventory in area. He would like to explore options from the Board. **Jeff Baril** has indicated that there is potential and the need for business in this area. Development options. **D. Theriault** asked whether **Jeff Baril** would be operating. **Jeff Baril** then introduced himself and responded that he was employed by the City of Lewiston as a Police Officer. He has acquired this property and questioned how he can make this property work for him? He has plans to tear down the apartment building (with one-bedroom apartments and a small bar), which faces decay and is located on Pierce/Walnut Streets. He would like to renovate the old cobbleshop to a new place for the bar/grille business for **Dolores LeBlanc** of Dels and Deck. He would like to tear down this eyesore building to create 18-20 parking spaces in the lot. This building is vacant, except for the bar is still running out of this building. He would like to move her over to the new space (41 Walnut Street). This would require moving her business over a foot into the 41 Walnut Street space. **D. Theriault** questioned what type of bar/grille business is this? **Jeff Baril** stated that **Dolores LeBlanc** would come to him if she had a problem. There has not been any problems in the past. **Jeff Baril** stated that he would be

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accomplishing two things: a) tearing down an eyesore building, and b) adding parking space to the downtown. He also mentioned that there are 30 vacant buildings in this area. **Jeff Baril**'s suggestion was to change zoning in the whole area and to get some business into town. He stated that he is trying to make a effort, but needs **Del**'s income to make a profit. He also mentioned that there is a 30 percent vacancy rate downtown. **H. Skelton** stated that he is in support of this project. This would consistute spot zoning. Does Walnut Street deserve to be a commercial corner? Would this promote stability? Buildings would be coming down. **H. Skelton** mentioned considering looking at the possibility of commercial zoning for this area. **H. Milliken** questioned if this area is part of the empowerment zone. If so, would it be part of the empowerment grant? **Jeff Baril** went on to say that there is a lot of transition in this area. He is willing to do what he has to to get this done. He stated that anything would be an improvement to this area. **D. Theriault** asked what would be his time-frame? **Jeff Baril** answered that he is dealing with the financing and that he needs to show that it is going to happen before getting funds. He did explain that it would be a local bar. Parking would be an asset and that he would leave the parking lot open during the day. Everybody is trying to survive.

J. Lysen said that it would create more jobs and distribute the population. You need a game plan. What can you do if it is in the empowerment zone? You would be expanding the OR zoning. CB in area. Can do a land use inventory of Walnut Street. **J. Lysen** responded that you cannot spot zone this area. He will plan to give a presentation from the Planning Board, but it will take some time. This presentation is scheduled for the first meeting in October (October 3, 1998). **J. Lysen** stated that it would be easier to add to the NCB zoning.

This may get recommended to the City Council and may get continued and could run into November 1998. **Jeff Baril** said that he would wait to see that the Staff comes up with. He feels he is making change for the positive.

H. Skelton dismissed himself and left this meeting at 9:35 p.m.

5. *Superior Court Order on Petitioner's Rule 80B Appeal [Laurie A. Maloney (f/k/a Cannan), et al v. City of Lewiston and Roger L. Bergeron]*

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H. Milliken stated that there was a meeting between Dan Knowlton, Gil Arsenault, and himself. It was a very good meeting. The result is that the neighbors are not planning to appeal this.

6. *Correspondence from Robert F. Faunce regarding Chestnut Hill Estates*

No comments - information only.

7. *Peggy Rotundo on the School Committee (Not Listed On Agenda)*

There was a very brief discussion (discussed between Item Nos. 3 and 4 on the Agenda) regarding the School Committee in reference to a meeting held between **Jim Lysen**, **Leon Levesque**, and **Peggy Rotundo**. Undertaking of strategic planning on Community Block. She thanked everyone for their patience. **Jim Lysen** will be helping on the plan. She also needs representation from the Board. She needs someone to sit on the Board. Comprehensive plan, LCIP, etc. When will the meetings begin? **D. Theriault** responded that the meetings will begin in September and that it will be a year-long project. **P. Rotundo** stated that the work will be done by January. At the end of this short discussion **H. Milliken** recommended keeping in touch with **J. Lysen**.

B. Old Business:

1. *Proposed Amendments to the Zoning and Land Use Code Concerning Stormwater Management and Erosion Sedimentation Control*

Scott Williams of the DEP on Water Quality will be present at the scheduled September 8, 1998 Planning Board meeting to discuss this issue. Board to schedule for the September 22, 1998 meeting to adopt for Council.

2. *Empowerment Zone/Enterprise Community (EZ/EC) Process - Update*

No updates. The only discussion was that there were recommendations coming in from the Sub-committees. The question asked was, do you want to look at preliminary or final recommendations? Reviewing pieces. Can the Board act on part? The answer being no. There is a need to review first. The Sub-committee goes to the Steering Committee and then start reviewing.

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3. *Review and Discussion of the Applicability of the Bates Mill Complex/Municipal Buildings and Facilities for Development Review (continued from 2/24/98)*

H. Milliken stated that he does not want to get into the legality of the Review Authority. The Planning Board has the authority to write procedures. He suggested writing a draft outline of how to deal with the building and then it will become part of the City's policy. Concern under minor developments. **Bob Mulready** has agreed (municipal authority). Land Use Code - the purpose is for private. Add the word, "public", to code to include all buildings. There is a need to appoint two (2) council members. **D. Theriault** appoint **H. Milliken** to move forward with this. It was decided to look for two (2) additional members of the City Council. They have from 30-60 days to find somebody.

4. *Comprehensive Plan Update:*

No comments.

V. ADJOURNMENT:

This Planning Board meeting adjourned at 9:38 P.M.

MOTION: by L. Zidle, seconded by D. Theriault to adjourn the meeting.

VOTE: 5-0.

Respectfully submitted

Denis Theriault
Secretary

dma