

CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for May 13, 2013

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- I. **ROLL CALL:** The meeting was held in the City Council Chambers of City Hall and was called to order at 5:30 p.m. Chairperson, Bruce Damon, chaired the meeting.

**Members in Attendance:** Bruce Damon, Kevin Morissette, Eric Potvin, Paul Robinson, Walter Hill, Sandra Marquis and Michael Marcotte

**Associate Member Absent:** Paul Madore

**Staff Present:** David Hediger, City Planner and Cathy Lekberg, Administrative Assistant, Economic & Community Development

- II. **ADJUSTMENT TO THE AGENDA:**

- III. **CORRESPONDENCE:** Form Based Codes document from Bates College intern and additional site plans for Dunkin Donuts

The following motion was made:

**MOTION:** by **Paul Robinson** to accept the additional documents submitted.  
Second by **Eric Potvin**.

**VOTED: 6-0 (Passed)**

- IV. **PUBLIC HEARINGS:**

- a) An application submitted by Stoneybrook Consultants on behalf of K.P. Realty, LLC to construct a Dunkin Donuts Shop at 743 Sabattus Street.

The following motion was made:

**MOTION:** by **Michael Marcotte** to consider an application submitted by Stoneybrook Consultants on behalf of K.P. Realty, LLC to construct a Dunkin Donuts Shop at 743 Sabattus Street. Second by **Eric Potvin**.

**VOTED: 6-0 (Passed)**

Mike Gotto of Stoneybrook Consultants gave his presentation on behalf of Kevin Pacheco of K.P. Realty, LLC. He said they were proposing to construct a 2,200 SF Dunkin Donuts Shop at 743 Sabattus Street which included a second story for office space. He said there were two major issues that needed to be addressed and that was traffic and storm water drainage. Various site plans were shown to the Board and Mike Gotto explained how and where the storm water would drain and also explained that a new traffic light would be installed which would be synchronized with the existing lights on Sabattus Street to make the traffic flow smoothly. He said that at peak hours, there would be 297 trips in and out of the Dunkin Donuts.

Bruce asked about the traffic movement permit and Mike Gotto said they have been working on this since December and met in March to review. He

said that MDOT will synchronize the traffic lights at the eight intersections on Sabattus Street so that traffic will move. Paul Robinson asked if Wildwood Drive was the intersection where the traffic light was being installed and Mike Gotto said yes.

Eric asked staff if the application could move forward and David said that staff had six conditions and these should be added to the motion. He also said they are on the same page with the traffic and storm water issues.

Sandy asked about the office space upstairs and Mike Gotto said this would support Kevin Pacheco's operation of several Dunkin Donuts that he operates. She also asked if this space could be leased if not being used by Kevin Pacheco and David said it could be leased as there is adequate parking.

*Walter Hill arrived at the meeting at 5:55 p.m.*

Michael Marcotte asked how many seats are in the Dunkin Donuts and Mike Gotto said there were 28 seats.

**Public Comment:**

Bruce Pelletier of Lewiston said he was concerned about the drainage and runoff from the site to the neighbors and Mike Gotto explained to him how the drainage would work on the site and that it would not affect the neighbors in any way.

Arthur Allard of 15 Wildwood Drive also was concerned about the drainage and said that water backs up onto his driveway already and wanted to know if this would get worse. Mike Gotto said it would not change and explained why. Another concern was the traffic turning on to Wildwood Drive and Mike Gotto explained that the traffic lights would be synchronized so traffic would move smoothly. Arthur said that a drainage pipe into Garcelon Bog has too many weeds that need to be cleaned up and David said he would relay his concern to Public Works.

Paul Landry of Wildwood Drive was concerned about the drive thru and the back up onto Wildwood Drive. He said that people will have to wait a long time at that intersection and will run the yellow light because they are impatient. There would be serious accidents at this intersection. He also said that because people would not want to wait at the light, they would drive down around Wildwood instead. Drainage was also a concern and he thought that this would be a nightmare. Paul Landry said if he was on this Board, he would not favor this project and thought a different location would be better.

Paul Robinson said that Paul Landry's concerns were legitimate and he asked about a right turn lane on Wildwood and Mike Gotto said that the street would not accommodate it.

Eric stated that he trusts the engineers on this project.

### **Public Comment Closed**

Bruce said that these stores do remarkably well. Walter said he agreed with Eric and trusts the engineers on this project and he supports this project because he believes the traffic won't be as bad as people think. Sandy thought the new traffic light would make it easier to exit Wildwood Drive.

The following motion was made:

**MOTION:** by **Paul Robinson** finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Section 4 of the Zoning and Land Use Code and to grant approval to K.P. Realty, LLC to construct a Dunkin Donuts Shop at 743 Sabattus Street subject to any concerns raised by the Planning Board or staff and the following conditions:

1. The applicant will be required to construct the traffic signal installation providing sequenced traffic signal operation prior to receipt of a certificate of occupancy.
2. No building permits or site activity occur until the TMP, schematic, and traffic study have been reviewed to the satisfaction of the City and MDOT.
3. No building permits or site activity occur until revised plans and drainage analysis have been provided to the city's satisfaction.
4. Upon construction activity commencing, weekly erosion control reports are provided to city on the status of the project and any issues or corrections needed or made with respect to erosion control.
5. No building permits or site activity occur until staff's comments in the above referenced memos have been addressed to the city's satisfaction.

Second by **Kevin Morissette**.

**VOTED: 7-0 (Passed)**

- b) Request by the Lewiston School Department for a capital expenditure not included in Lewiston's annual capital program to make baseline safety improvements for the school entrance of Montello Elementary School.

The following motion was made:

**MOTION:** by **Eric Potvin** to consider a request by the Lewiston School Department for a capital expenditure not included in Lewiston's annual capital program. Second by **Walter Hill**.

**VOTED: 7-0 (Passed)**

William Webster, Superintendent of Schools, Elaine Runyon and Joe Perryman were present from the School Department

William explained that because of the Sandy Hook tragedy, the School Department is seeking approval by the Planning Board to fund a capital project that will establish safety features for the entrance at Montello Elementary School. They are before the Board because it is required to get their approval for capital improvements of \$100,000 or more that are not included in the LCIP. The project will renovate the main entrance of Montello Elementary, creating an entrance similar to those at Geiger and Farwell schools. The cost of this project was estimated at \$275,000 and they have four sources of funding that already exist and would be deferred from other projects.

Walter said that he has been to Montello and it was confusing. He thought it was an absolute priority to get this project completed as soon as possible so the entrance will be secure.

Michael Marcotte voiced his financial concerns about the cost of the project and how the funding was identified. He said if it was so important, why was it not on the LCIP. William said that the Sandy Hook tragedy brought it to the forefront. Other schools have an entrance that greets visitors and Montello needs to have the same. He said it should have been done earlier. He also said that this is just an estimate and the project could be lower than \$275,000. Joe Perryman said they are also working with in-house staff on the project. Michael also was concerned that the School Department was borrowing money and letting it sit in contingency. He thought this was poor planning, poor money management and bad for the taxpayers.

Kevin thought it was urgent to do the project because of Sandy Hook. Bruce thought that Montello School is not a good voting place and the Multi-Purpose Center would be a better place for that. He also asked if there would be changes to the footprint of the school and William said no. Security was their highest priority right now.

The following motion was made:

**MOTION:** by **Walter Hill** pursuant to Article VII, Section 4(f) of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration the Lewiston School Department's capital expenditure not included in Lewiston's annual capital program to make baseline safety improvements for the school entrance of Montello Elementary School. Second by **Paul Robinson**.

**VOTED: 7-0 (Passed)**

## V. OTHER BUSINESS:

### a) Summary of Form Based Codes: Bates College Intern

Jedd Countey explained to the Board what Form Based Codes were and how it was different than the regulations that are in effect today. He explained the

positive effects and the negative effects to the Board. Board members thanked him for an informative presentation.

b) Staff update on Comprehensive Plan Process

David said that Bruce and Eric were also serving on the Committee and that the first meeting did not go very well. Technical issues caused lack of communication between the consultants who were not in attendance at the meeting. He said the next meeting will be held on May 15<sup>th</sup> and that Brian, the consultant will be flying in to attend this meeting. He told the Board that the public kickoff meeting which is a City Council workshop will be held on June 4<sup>th</sup>. He also said that the consultants would like to interview the member of the Planning Board one on one and would be scheduling half hour interviews with each of them. On June 20<sup>th</sup> through June 25<sup>th</sup>, the consultants will be using space at 219 Lisbon Street in the downtown so that people can come and talk to them. He said he has plan information listed on the website and also created a Facebook page. He urged the members to get the word out to the public.

Bruce said he was disappointed in the initial meeting and his opinion of the consultants was that they were amateurs. He said they over promise and were totally unprepared for the meeting. Timing was another concern as school vacation would soon be here and Bates College students would not be available to participate in the process. He suggested possibly continuing the process in September so they will have a bigger audience when schools start up again.

c) Any other business Planning Board Members may have related to the duties of the Lewiston Planning Board.

David said that the Lincoln Street Hotel USDA financial guarantee has been held up because it is in the flood zone. Two legal ads needed to be placed before the USDA can sign off on the project.

Bruce brought up the Main Street and Strawberry Avenue project and the fact that MDOT was supposed to replace the 19 street trees. He said they planted shrubs which have all died. There also are two power poles that were put in and have been hit by snowplows. He said that MDOT should be held accountable. David said it would be difficult because they have no landscaping plan. Bruce thought that MDOT should be required to come before the Planning Board for approval of any projects and members should hold them accountable for what they do.

**VI. READING OF MINUTES:** Adoption of the April 22, 2013 minutes

The April 22, 2013 minutes will be adopted at the June 10, 2013 Planning Board Meeting.

VII. **ADJOURNMENT:** The following motion was made to adjourn.

**MOTION:** by **Eric Potvin** that this meeting adjourns at 8:15 p.m. Second by **Walter Hill**.

**VOTED:** 7-0 (Passed).

The next regularly scheduled meeting is for Monday, June 10, 2013 at 5:30 p.m.

Respectfully Submitted:



Paul Robinson Secretary

