

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for November 25, 2013

- 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 Present: Paul Madore and Matthew Mastrogiacomo

Staff Present: David Hediger, City Planner, Gil Arsenault, Director of Planning & Code and Cathy Lekberg, Administrative Assistant, Economic & Community Development

- II. **ADJUSTMENT TO THE AGENDA:** None

- III. **CORRESPONDENCE:** None

IV. **PUBLIC HEARINGS:**

- a) An application submitted by Gorrill-Palmer Consulting Engineers, Inc. on behalf of HRES Investments 2, LLC to construct a Family Dollar Store with a 34 space parking lot at 964 Sabattus Street.

The following motion was made:

MOTION: by **Walter Hill** to consider an application submitted by Gorrill-Palmer Consulting Engineers, Inc. on behalf of HRES Investments 2, LLC. to construct a Family Dollar Store with a 34 space parking lot at 964 Sabattus Street. Second by **Paul Robinson.**

VOTED: 7-0 (Passed).

David read staff comments to the Board.

Douglas Reynolds of Gorrill-Palmer Consulting Engineers, Inc. gave a brief explanation of the plans to build an 8,020 SF Family Dollar store on 1.2 acre parcel which was purchased from Rodolphe Grenier by HRES Investments for Family Dollar Stores. He said there is an additional 11.2 acres of land remaining and this could possibly be developed at a later time. He explained that the loading area was in the rear of the building and the utilities were underground on North Temple Street and that all required codes and regulations by City staff have addressed.

Board members were concerned about congestion in that area and asked about exiting and entering the site, truck delivery times, and because of the heavy traffic they also questioned whether or not a traffic light was needed. Doug said that these issues have all been addressed by them to the satisfaction of City staff and the City's traffic peer traffic engineer.

Kevin commented about the form based codes and he thought that the building should be closer to the road rather than having large parking area in front and Michael agreed. Michael asked if more development could be done in that area and David said yes, but to do this, they would be required to come before to the Planning Board again for approval.

Public Comment: - In Favor

Roger Cadrin said he owns Twin City Cleaners across the street. He said he was in favor of the new store, but was concerned about the cars coming in and out of the alley next to his business. He says cars already cut across his property.

Gerry Rioux of 28 North Temple Street also said he was not opposed to the project but was concerned about the storm water runoff from the store, the additional traffic and trash concerns.

Public Comment Closed

David told Gerry Rioux that public works would be doing some repairs to the stormwater system and that both public works and the applicant have taken that into consideration.

Kathleen Hess of HRES Investments said that Family Dollar's dumpster would be completely enclosed and trash would not be seen.

It was thought by some members that this was not a good location for the store, but Bruce as chairperson, explained that the store meets all of the land and zoning requirements for that district and it is not in the Board's purview to judge whether there may be a better location..

The following motion was made:

MOTION: by **Paul Robinson** finds that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article VII, Section 4(k), Article IX, Section 3(9), and Article XIII, Section 4 of the Zoning and Land Use Code and to grant approval to HRES Investments 2, LLC to construct a Family Dollar Store with a 34 space parking lot at 964 Sabattus (subject to any concerns raised by the Planning Board or staff) and subject to the following conditions:

1. Prior to a certificate of occupancy being issued, documentation regarding the maintenance and upkeep of the stormwater system pursuant to Lewiston MS4 stormwater requirement contain in Article XII, Section 15e(3) must be provided to the City.
2. The side setback modification is granted for the concrete pad to house HVAC units approximately 15.5 feet from the side property line.

3. Prior to a certification of occupancy being issued, evidence must be provided to the City that cross easements have been established and recorded so future development of the remaining land abutting the Family Dollar will have the ability to use the Sabattus Street and North Temple driveways for access.

Second by **Walter Hill**

VOTED: 7-0 (Passed).

V. OTHER BUSINESS:

- a) Disposition of City Property: 7 Bartlett Street, 68 Jones Avenue, 11 Walker Avenue

David explained that these three properties were acquired because of unpaid taxes and that the City would like to sell these them.

Michael brought up the fact that four years ago, Bates Mill #5 did not come before the Planning Board and City Council decided to send out RFP's for contractors. There was a Performance Bond issued and when the project did not go through, the City lost \$84,000 in taxpayer's money. He could not understand how the City Administrator, the Finance Director and the Economic Director could have missed this. Paul Robinson said he also remember this as being a last ditch effort to try and save Bates Mill #5 and that the contractor was from Boston, MA.

Michael wanted more information regarding what the properties would be used for and David said they would have to go through the RFP process to get that information. He said they could include this in their recommendation. Members all agreed they would like to see the RFP's before making a recommendation.

The following motion was made:

MOTION: by **Walter Hill** to table this item at this time. Second by **Sandy Marquis.**

VOTED: 7-0 (Passed).

The following motion was made:

MOTION: by **Michael Marcotte** to reserve a recommendation for the disposition until the Planning Board has an opportunity to review the RFP's submitted by formal bid on the following properties: 7 Bartlett Street, 68 Jones Avenue and 11 Walker Avenue. Second by **Kevin Morissette.**

VOTED: 7-0 (Passed).

b) Chicken Ordinance Discussion

David showed the Board a colored map that showed the following:

- Green: Where chickens are allowed at this time
- Red: Properties with 10,000 SF of land
- Yellow: Properties with 20,000 SF of land

After a straw vote on whether or not to add additional areas for raising chickens, the Board decided to make the following motion.

The following motion was made:

MOTION: by **Walter Hill** to take no action at this time with respect to drafting and adopting an ordinance regulating the keeping of chickens. Second by **Paul Robinson**.

VOTED: 5-2 (Passed)
Eric Potvin and Kevin Morissette Opposed

c) Discussion of Drinking Establishments

The following motion was made:

MOTION: by **Eric Potvin** to table this item until the next meeting. Second by **Walter Hill**.

VOTED: 7-0 (Passed)

d) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

Walter Hill mentioned that there was a dangerous situation out on Deer Road in front of Carolina's Daycare and that cars were parking out there making it difficult for two cars to pass through. Gil said he would let Dave Chick at the Police Department know about it.

VI. OLD BUSINESS:

a) Update on Riverfront Plan

David explained that they completed value engineering with the contractor, Pratt Construction and the bid went from \$583,815 down to \$489,919. He said that the Pedestrian bridge is under construction at the entrance of Simard Payne Park. He also said that DEP has approved the overlooks and that there would be a joint Lewiston/Auburn RFP for the purchase of wayfinding signs.

b) Update on Comprehensive Plan

David said that a draft of the Comprehensive Plan has been completed and the Committee met last week to view it. He said there will be two more

meetings scheduled for revisions of the plan and public process will start in January or February of next year.

Bruce said he was impressed with the original draft and thought it was very different than other plans, but also said it does need some clean up.

VII. READING OF MINUTES: Adoption of the September 30, 2013 Minutes

The following motion was made:

MOTION: by **Paul Robinson** to accept the September 30, 2013 as presented
Second by **Walter Hill**.

VOTED: **6-0-1 (Passed).**
Michael Marcotte Abstained

VIII. ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **Sandra Marquis** that this meeting adjourn at 8:05 p.m. Second
by **Eric Potvin**.

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

The next regularly scheduled meeting is for Monday, December 9, 2013 at
5:30 p.m.

Respectfully Submitted:

Paul Robinson Secretary