

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for January 24, 2011

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

Members in Attendance: Lucy Bisson, Bruce Damon, Paul Robinson, Eric Potvin, and Kevin Morissette

Members Absent: Denis Fortier and Trinh Burpee

Associate Members Present: Michael Marcotte and Sandra Marquis

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

Sandra Marquis was appointed full member for this meeting.

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

- V. **CORRESPONDENCE:** Additional memorandum from Stoneybrook Consultants and letter from Francis Tierney regarding Rainbow Federal Credit Union.

The following motion was made:

MOTION: by **Paul Robinson** to accept the additional memorandum from Stoneybrook Consultants and the letter from Francis Tierney regarding the Rainbow Federal Credit Union. Second by **Bruce Damon**.

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

- VI. **WORKSHOP (5:30-6:30)**

Discussion about winter parking and parking in the downtown.

Dave Jones, Michael Bussiere, Ed Barrett and Mayor Gilbert were present at the workshop to discuss and answer questions from the Planning Board regarding winter parking and winter parking bans. Discussion included lesser parking standards within proximity to municipal parking garages, allowing parking overnight during the summertime, availability of parking in the garages, plowing efforts and parking enforcement.

Michael Marcotte came in at 6:30 and was appointed full member for the meeting.

- VI. **PUBLIC HEARING: (To Begin at 6:30)**

- a. Provide a recommendation to the City Council on a petition submitted by Hope Haven Gospel Mission to conditionally rezone the properties at 49 and

59 Cedar Street from the Riverfront (RF) district to Downtown Residential (DR) to permit shelters as a conditional use.

David read staff comments to the Board.

Lucy asked Pastor McLaughlin if he would like to add any additional information and he stated he has no additional comments but hopes for a favorable outcome. Michael asked if this would be considered spot zoning and David stated no. He stated that conditional rezoning is legal when the underlying uses are similar. He stated if the use of the property is abandoned, it will revert back to the underlying rezoning. Paul stated he heard a rumor that Hope Haven was looking for another site. Pastor stated that they were looking to expand their services but funding was not available. Paul asked if there were times that their facility gets maxed out and Pastor McLaughlin stated yes, at different times of the year. Pastor stated they would like to move their offices and the dining room so they could make room for more beds.

Lucy opened the item up to the public and there were no public comments.

Bruce stated that this area has many different uses and is not clearly defined. He stated there were two businesses in this area, the Passe Temps Club and Lebel's. David stated that RF District allows for many uses. Lebel's would be a non-conforming use and the Club is permitted as a drinking establishment.

Bruce thanked Pastor McLaughlin for all the work they do and was agreeable with the rezoning. All Board members agreed that the rezoning should be approved.

The following motion was made:

MOTION: by **Bruce Damon** to send a favorable recommendation to the City Council for a petition submitted by Hope Haven Gospel Mission to conditionally rezone the properties at 49 and 59 Cedar Street from the Riverfront (RF) District to Downtown Residential (DR) to permit shelters as a conditional use. Second by **Sandra Marquis**.

VOTED: 7-0 (Passed)

- b. Consider a proposal submitted by Stoneybrook Consultants, Inc on behalf of Rainbow Federal Credit Union to redevelop and construct a 21-space parking lot at 187 Oak Street/149 Holland Street.

David read staff memo to the Board.

Mike Gotto stated that the Rainbow Federal Credit Union currently has an eight space parking lot at 149 Holland Street and they have purchased the abutting property at 187 Oak Street. He stated they are now looking to redevelop and construct a 21-space parking lot on both parcels. He showed the Board a map of the new parking lot and showed them where the buffers would be. He stated that Francis Tierney is one of their abutters and he did

not want people walking through his property. He stated that Mr. Tierney is satisfied with the fences that would be installed.

Bruce asked if the fence is put up, who gets the good side and David stated there is no good side requirement. Bruce asked if they could put plantings there. Mike stated they could put plantings but chose to put fencing because plantings may cause shade in winter and the snow will not melt. Michael Marcotte stated that chain link could get damaged in the winter and Mike Gotto stated the existing fence has already been damaged and repaired. Michael Marcotte asked about the parking and if it was not enough. Mike Gotto stated Rainbow has 24 employees and they need room for additional customer parking.

Lucy opened the item up to the public and there was no public comment.

The following motion was made:

MOTION: by **Paul Robinson** to find the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article X, Conditional Uses and Article XIII, Development Review and Standards and to grant approval to Rainbow Federal Credit Union to redevelop and construct a 21-space parking lot at 187 Oak Street/149 Holland Street, subject to the following conditions:

1. The conditional use permit is valid for up to two years from the Board's final date of approval.
2. Buffers are to be shown on the approved site plan in accordance with Article XIII, Section 4 or written waivers are to be provided from the abutting property owner of 157 Holland Street.

Second by **Kevin Morissette**.

VOTED: 6-1-0 (Mike Marcotte, opposed)

VII. OTHER BUSINESS:

- a. Discussion regarding Island Point Joint Development Agreement and recommendation regarding the disposition of city owned land at 6 Mill Street, 7 Mill Street and 7 Mill Street Rear.

Lincoln Jeffers explained to the Board that this project has already been approved by City Council and that he needed to get a recommendation from the Planning Board. Bruce asked why this did not come to us first and Lincoln stated it was a policy decision. Bruce stated this is not the only time this has happened and unfortunately this is an ongoing problem for the Planning Board. Lucy stated that the City keeps giving property away. She stated that this is not equitable for the City. Michael asked how much we would have to pay back. Lincoln stated that Mr. Schott does not have a project for this site yet but offered to prepare the site by building a retaining wall. Lincoln stated that this was a good project for the

City and Mr. Schott. Paul asked if a survey has been done for hazardous materials and Lincoln stated there has been a Phase I done at the Cowan Mill using Brownfield funds. He stated there were two oil tanks buried and they checked on what was inside. Paul asked if Mr. Schott is committed to removing the hazardous waste and Lincoln stated yes. Lucy mentioned the pump station and the overflow discharge issues and Lincoln stated this would be repaired. He stated that Mr. Schott agreed to prepare the site and the City will provide materials. Eric stated his concern that the project did not come before the Planning Board and that there was not enough thought being discussed for this project. Kevin stated he would like to see some green space there also. Lincoln stated there was no firm plan other than the filling and retaining wall. Lucy stated that 10 Mill Street, the substation is a big obstacle and would stick out like a sore thumb. Lincoln stated they are trying to acquire that substation. Bruce stated that the Larrabee Road substation is a much larger substation and would take at least 3 ½ to four years and the Lewiston Loop and this substation are on the back burner. Bruce asked if a Level 1 or Level 2 has been done on 10 Mill Street and Lincoln stated not yet, but CMP would be responsible. Bruce stated that if they are going to use fill at 7 Mill Street they should use debris from Mill #5. Lincoln stated they can only use structural fill, not brick and concrete. Bruce stated that his concern is that they are creating a buildable site and it will be in private hands. He stated the use of the parcel is up in the air. Lucy asked when Mr. Schott takes possession of the property, will he be paying taxes and Lincoln stated yes, it is a taxable property. He stated this is a straight up deal and will be a ready to go site once completed. Lucy stated that 10 Mill Street will still be a big eye sore and when they are ready to build, CMP will still be there. Bruce asked if they would see signalization upgrades in that area and Lincoln stated it would depend on what the use would be. Lincoln stated that the City will still have a good amount of control of what will go in there.

Bruce stated that the Planning Board wants and needs to be included in upcoming projects. If projects are moving forward, Planning Board needs to be in the loop. In the future, we need to be included in the loop for these important project. Sandra stated that Planning Board is not being considered in these projects. Paul asked if there were another group or person that the Board could talk to get information regarding these projects ahead of time. Bruce stated we do not have a sufficient amount of power or authority to force it to happen. He stated that the Planning Board is not being allowed to use their expertise in planning on these projects. Sandra suggested drawing up a letter to present to the City Council. Lucy stated we could bring this up at tomorrow's workshop. Bruce stated he would be willing to bring this up at tomorrow's meeting.

Lucy opened item up to the public and there was no public comment.

The following motion was made:

MOTION: by **Paul Robinson** to send a favorable recommendation to City Council regarding the Island Point Joint Development Agreement and the disposition of city owned land at 6 Mill Street, 7 Mill Street and 7 Mill Street Rear. Second by **Eric Potvin**.

VOTED: **3-2-2 (Kevin Morrisette and Sandy Marquis opposed, Eric Potvin and Bruce Damon, abstained).**

Kevin Morrisette left the meeting at 8:00 p.m.

- b. Discussion regarding joint PB/CC workshop on 1/25/11.

David gave the Board a reminder of the Planning Board/City Council Workshop tomorrow night at 6:00 p.m. to discuss the methadone clinic.

- c. Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

VIII. UNFINISHED BUSINESS:

- a. Discussion of YPLAA Survey.
- b. Discuss proposed open space revisions, consolidation of the SR district, and adoption of the matrix (recommendation to table the matter to future date).

IX. READING OF MINUTES:

The following motion was made:

MOTION: by **Eric Potvin** to accept the January 10, 2011 minutes with changes. Second by **Michael Marcotte**.

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

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

MOTION: by **Bruce Damon** that this meeting adjourns at 8:20 p.m. Second by **Paul Robinson**.

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

The next regularly scheduled meeting is for Monday, February 14, 2011 at 5:30 p.m.

Respectfully Submitted:

Denis E. Fortier, Secretary