

CITY OF LEWISTON
PLANNING BOARD SPECIAL MEETING MINUTES
for November 3, 2008 – Page 1 of 2

ROLL CALL: This meeting was held in the Third Floor Conference Room of City Hall, was called to order at 5:32 p.m., and was chaired by Chairman Stephen Morgan.

- **Members in Attendance:** Stephen Morgan, Jim Horn, Roger Philippon, Jonathan Earle, Lucy Bisson, Denis Fortier, and David Vincent. **Absent:** None.

- **Associate Members Present:** Bruce Damon and Trinh Burpee. **Absent:** None.

- **Staff Present:** Gil Arsenault, Director of Planning and Code Enforcement; David Hediger, City Planner; and Doreen Christ, Administrative Secretary of Planning & Code Enforcement.

HEARING: *A discussion on a possible amendment to Appendix A, Zoning and Land Use Code, to Allow Temporary Housing, such as a Mobile Home, on a Residential Lot during the Reconstruction of Owner-Occupied, One- and Two-Family Dwellings damaged by Fire, etc.* Present at this meeting were *Steve Roy, Kelly Lebel, Nel Roy, Jules Roy, Tom Peters, and Margaret Craven.*

This item was brought to the Board's attention, given the current situation at 665 College Street. On 10/26/08, there was a fire at Steve Roy's home. He now wishes to locate a 12' x 60' (720 SF) mobile home on his property for approximately three months, while he reconstructs the interior of his home gutted by fire. This is considered a temporary housing issue. The ordinance currently does not allow temporary housing.

Roger Philippon arrived at 5:33 p.m.

Distributed at this meeting was language for temporary housing [Appendix A, Article V, Section 3(x)]. Temporary housing would be on lots where there are owner-occupied, single family detached dwellings and owner-occupied, two-family dwellings only.

Bruce Damon arrived at 5:36 p.m.

This item was brought to the Board for comments and concerns to place in a format for a public hearing to initiate an amendment to the code. After the Planning Board's public hearing, this item would then be forwarded as a recommendation to the City Council.

Staff is proposing a permit is needed for 180 days with the possibly of two (2) extensions (not to exceed 90 days), with 30 days to remove the temporary housing, due to completion of the reconstruction. Recreational equipment can currently be placed ten feet (10') from the property line. Temporary housing shall be placed not closer than five feet (5') from a side and rear property line and ten feet (10') from the front property line. The front property line may be reduced by the code enforcement official in order to accommodate the temporary housing. This amendment would apply to all zoning districts. Temporary housing would be in place from 6-9 months only if the conditions are warranted for extensions. Gil Arsenault said that Tom Peters created language for temporary housing. Bruce Damon commented that in arson cases, sometimes there is a period of time that can lapse and that language is needed for a particular period of time. David Hediger stated that in order to get a Certificate of Occupancy, items need to be complete. Gil Arsenault said that you always run a risk of someone taking advantage of a situation. Denis Fortier commented that you cannot envision every possibility when writing up an ordinance. This ordinance would pertain only to homes destroyed by fire, flood, lightning, wind, structural failure, or any other cause. As a result of this special meeting, a public hearing will need to be scheduled for the Planning Board.

Gil Arsenault said that at this meeting, permission needs to be granted to Steve Roy to place a mobile home. Staff does not have the ability to grant this request, it needs to be granted by the Planning Board. There is a Planning Board workshop for November 10, 2008. The next regular Planning Board meeting is scheduled for November 24, 2008, in which a public hearing could be scheduled.

Tom Peters questioned the language distributed at this meeting for Temporary Housing, under paragraph two of the conditions, he questioned the word, "pending". He felt you need more than the word, "pending" to obtain a permit. Tom Peters stated that he does support this amendment. Tom Peters said he does not see this as a problem with the City Councilors as long as the Planning Board is in agreement with it.

David Hediger stated that you have six (6) months to start construction with a building permit and construction must be completed within one year from the date of the issuance of the permit. Tom Peters stated that language needs to be crafted to show that the work is being done. You need a real sense that something is being done here for an extension. He then suggested 45 day review period.

At this point in the meeting, since this was a special public meeting, the roll call was taken by Lucy Bisson.

An amendment can be initiated to the code, if an action is taken. Action can be taken to schedule a public hearing. The following motion was then made.

MOTION: by **Roger Philippon**, that the Planning Board initiate an amendment to Appendix A, Article V, Section 3(1) and Article XI. District Regulations and to schedule it for a public hearing at the Planning Board meeting scheduled for November 24, 2008. Second by **David Vincent**.

VOTED: 7-0 (Passed).

Tom Peters then asked, "What happens to the Roy's in the meantime?" **Steve Roy** and **Nel Roy** said that they have no plans to wait. Gil Arsenault said that there are no plans to remove the mobile home. It is not likely for someone to come forward with a request to remove it. Steve and Nel Roy have communicated with the neighbors and are trying to remain a friendly neighbor.

ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **Jim Horn** that the Planning Board adjourn this meeting at 6:05 p.m. Second by **Denis Fortier**.

VOTED: 7-0 (Passed).

Steve Roy needs to apply for a building permit to renovate his fire-damaged home and for placement of the mobile home. He will also need both plumbing and electrical permits.

Respectfully submitted,

Lucy Bisson, Planning Board Secretary

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