

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for December 11, 2001 - Page 1 of 9**

I. ROLL CALL: This meeting was held in the Third Floor Conference Room of Lewiston City Hall, was called to order at 7:07 p.m., and was chaired by Dennis Mason.

- **Members in Attendance:** Dennis Mason, John Cole, Lewis Zidle, Kristine Kimball, and Rob Robbins.
- **Staff Present:** Gil Arsenault, Deputy Development Director; Lincoln Jeffers, Economic Development Specialist; James Lysen, Planning Director; David Sanborn, Planning Coordinator; and Doreen (Asselin) Christ, Administrative Secretary - Planning Division.
- **Absent:** Roger Lachapelle and Student Member to the Planning Board, Ethan Chittim.

II. ADJUSTMENTS TO THE AGENDA: At the request of Planning Staff to hear Item VI. OTHER BUSINESS: A. New Business: 2. Recommendation for the disposition of Martel School property (permanent easement for 4,300 +/- square feet for the proposed entranceway) related to the W/S Development Associates, LLC East Avenue retail project in conjunction with the FINAL HEARING for the application by W/S Development Associates, LLC.

III. CORRESPONDENCE:

- A. Comment/Response correspondence (23 pages) dated December 11, 2001 from **Tom Gorrill**, P.E., P.T.O.E., President of Gorrill-Palmer Consulting Engineers, Inc. regarding East Avenue;
- B. Comments from Deputy Chief **James Morin** of the Fire Department dated December 7, 2001 in regards to Modified Plans for the Proposed Retail Store on East Avenue;
- C. Planning Board Project Development Review Form from **Dan Goyette**, Public Works Department, dated December 10, 2001 in regards to the East Avenue Retail Project;
- D. Memorandum dated December 11, 2001 from **David Hediger**, Land Use Inspection Office, regarding the East Avenue Project;
- E. Correspondence dated October 22, 2001 from **Norman McGraw** regarding the parcel of land at 64 Maple Street, Lewiston; and
- F. City Council Informational Packet on the Proposed Conservation Easement Area for Garcelon Bog.

The following motion was made.

MOTION: *by John Cole, seconded by Lewis Zidle to accept the above correspondence and place it on file to be read at the appropriate time at this meeting.*

VOTED: 4-0.

Kristine Kimball arrived at 7:10 p.m.

IV. PUBLIC HEARING: *A Public Hearing on proposed amendments to Article IX, Section 3-(9)-a, of the Zoning and Land Use Code, Standards concerning appeals, relative to granting of modifications to space and bulk standards relative to the division of commercial buildings/lots.*

David Sanborn read his memorandum dated December 5, 2001. Included in the Planning Board packets was the proposed amendment to Article IX, Section 3-(9)-a, Standards for Granting Appeals, relative to granting of modifications to space and bulk standards for division of commercial buildings. This amendment was initiated by the Planning Board at the November 27, 2001 Planning Board Meeting. The current language requires that no building be located nearer than 15 feet from the nearest point of any existing principal structure or building on any adjacent lot for both commercial and residential construction,

except for detached, single-family dwellings, which must be located greater than ten (10) feet from the nearest point of any existing principal structure or building on any adjacent lot. It is suggested to keep the requirement for detached, single-family dwellings, and make the current building code requirements apply when determining such minimum separations for other types of structures.

This item was first opened to the Planning Board and then to the public for questions or comments. This item, if approved, would be taken up at the next City Council Meeting. Dennis Mason questioned side setbacks. James Lysen said this is not changing or relaxing the normal setback standards. The intent is to make sure that buildings are not built too close to each other - that there is some separation between buildings when modifications are granted. This item was then opened up to the public for comments. **Ron Bissonnette**, of Isaacson & Raymond was present at this meeting and commented that this is a very nice document and it contains very simple language. This item was then closed to public comment and opened back up to the Planning Board. Planning Staff is comfortable with the current language. The following motion was made.

MOTION: by **Lewis Zidle**, seconded by **John Cole** that the Planning Board send a favorable recommendation to the City Council that they approve the Zoning and Land Use Code change, as it has been submitted.

VOTED: 5-0.

V. FINAL HEARING: A Final Hearing on an application by W/S Development Associates, LLC, to develop a 7.56 acre parcel for two proposed retail buildings totaling 72,540 square feet. The project is also being reviewed under the City's expanded review authority pursuant to MDOT's Traffic Movement Permit process and the City's expanded review authority pursuant to the DEP's Site Location of Development Law. Distributed at this meeting were: 1. A multi-page facsimile (23) pages from **Tom Gorrill** of Gorrill-Palmer Consulting Engineers, Inc. to Planning Director James Lysen dated December 11, 2001 and 2. Letter containing comments from **Jim Morin** of the Fire Department, **Dan Goyette** of the Public Works Department, and **David Hediger** of Code Enforcement.

James Lysen summarized the memorandum prepared by David Sanborn dated December 7, 2001. Revised application material has been submitted for the development of a 7.56-acre parcel for two (2) proposed retail buildings on East Avenue. The proposed development is anticipated to consist of two (2) structures with an approximate area of 72,540 square feet and parking for 328 vehicles. This application was determined to be complete at the last Planning Board Meeting held on November 27, 2001. This new submittal addresses the following concerns that were raised: 1. The landscape plan may not meet the minimum buffer requirements of the code for buffering non-residential uses from neighboring uses (this has been revised showing the project has been brought into compliance); 2. The applicant should consider the possibility of lower light poles along the northern and southern sides of the development to lessen any potential impact to abutting residential properties (the lighting issue has been addressed by **Al Palmer**); 3. Details should be provided on the reduction of noise and visibility of rooftop units as per the rezoning agreement (this will be addressed upon the selection of a tenant); 4. A profile or note should be placed on the Site Plan indicating that the first 100 feet of entrance(s) to the development will not exceed three percent (3%) in grade (notes have been added to the Grading Plan indicating that the entrances grades shall meet City requirements); 5. A statement should be noted on the Site Plan that approval of the development plan and any building permit issued for development within the scope of the Zoning and Land Use Code of the City of Lewiston shall expire after a period of 24 months after the date of approval, if substantial development has not begun, pursuant to Article XIII, Section 11 of the aforementioned code (a note has been added to the Plan); and 6. Comments received from the Public Works and Police Departments indicate that they had no concerns with the application being determined complete (this is addressed in Al Palmer's memorandum concerning the water supply issue and the applicant has suggested a condition of approval.

James Lysen mentioned that these conditions of approval, if the project is approved, should be incorporated on the Plans and listed in the action taken at this meeting.

He added that the water supply issue is still not resolved, that issue being that the current water supply pressure that will be used on site to accommodate both the Fire Department connection and the sprinkler system concurrently. The current water supply in that area uses six inch (6") piping and this project will be using eight inch (8") piping.

On Monday, December 10, 2001 the School Department will be meeting with W/S Development Associates, LLC to finalize a draft agreement of the permanent easement. James Lysen said that his understanding is that negotiations are going well. This will need to be approved by both the School Committee and the City Council sometime in January 2002 and will also become a condition of approval. James Lysen made a correction to the square footage of the easement. It is not 4,300 square feet, it is closer to 7,000 square feet. The 4,300 is based upon usable area. The easement is for 7,000 square feet.

Also included in the Planning Board packets was a facsimile copy of Eaton Traffic Engineering's correspondence regarding the final results of the peer review done by Bill Eaton on behalf of the City of Lewiston. Responses received on this item, from both Tom Gorrill, of Gorrill-Palmer Consulting Engineers, Inc. and the Public Works Department are included in these packets. As part of the Conditional Zoning Agreement, it was required that the developer, at his cost, to have a peer review to be done by another traffic engineer.

James Lysen stated that all materials have been sent to the Maine Department of Environmental Protection (D.E.P.), since the project is also being reviewed under the City's expanded review authority pursuant to MDOT's Traffic Movement Permit process and the City's expanded review authority pursuant to the DEP's Site Location of Development Law. A letter of non-jurisdiction is needed from the State to allow the City of Lewiston to exercise its review authority.

Al Palmer of Gorrill-Palmer Consulting Engineers, Inc. was present at this meeting and began with other non-traffic issues. He said that with the issue on the water connection, they will propose a method of resolution. The high pressure zone is on Pleasant Street. This high pressure zone will eliminate the need for a booster pump to service the building. If connected to the East Avenue system, there would be a need for a private booster station on site to boost the demand. This has been discussed with the Fire Department and **Kevin Gagnon** of Public Works, that if connected to the high pressure system, what affect it might have on other areas of the system. Upon selection of a tenant and specific identification of sprinkler demand, fire-flow calculations will be submitted that will show if the service is taken from Pleasant Street, what that would provide for service on-site or if taken from East Avenue what improvements would be necessary on-site to provide the fire service. This would need to be approved by the Public Works and Fire Departments prior to obtaining a building permit. This building can be serviced from either street - East Avenue or Pleasant Street. Other items for conditions of approval that are non-traffic related include the rooftop units, building elevations, water system connections, the permanent easement with the Martel School property, and the sign-offs from the Maine D.O.T. and D.E.P

Jeremiah Bartlett, also from Gorrill-Palmer Consulting Engineers, Inc., was present at this meeting to provide information on the traffic review. Jeremiah Bartlett summarized the traffic review provided by **Bill Eaton** of Eaton Traffic Engineers. Comment 1 - Re-analyze the intersection of Lisbon Street at East Avenue/Promenade Mall to confirm actual 95th percentile queue lengths. Response: If appropriate, re-stripe Lisbon Street to provide a 200-foot left- turn bay for Lisbon Street eastbound and a 50-foot left-turn bay for Lisbon Street eastbound at Essex Street. Comment 2 - Re-analyze phasing and timing at East Avenue @ Pleasant Street/Bartlett Street to reduce queue on Pleasant Street and elimination of the left turn trap. Response: The revised information shows this being changed. Comment 3 - Pertains to installing a four-(4-) way flashing beacon at the intersection of Pleasant Street @ Webber Street and the monitoring of safety experience for 12 months following installation. Response: After the 12-month period look at the crash

records and additional hazard countermeasures may be considered if the flashing beacons are not effective. Comment 4 - Improve the visibility of traffic signal indications at the intersection of Lisbon Street @ South Avenue by adding additional signal heads closer to street level, use of backplates for existing signal heads or other measures that would improve visibility. Response: A brighter light is needed at that location and a change in phasing. He responded to questions regarding a left-turn only phase of traffic coming from South Avenue stating that this is not necessary, since there is no evidence of left-turn collisions involving this movement. Comment 5 - The intersection of Marston Street is fairly close to the intersection of East Avenue @ Pleasant Street, and may have some visibility problems in terms of drivers recognizing where the intersection is located. Response: There were some measurements done there and found that by shifting the center stripe there further to the south, they would be able to accommodate both the left-turn and a through lane. In fact, further down the street, there are two (2) approach lanes towards East Avenue. Comment 6 - Gorrill-Palmer Consulting Engineers, Inc. has analyzed most of the signalized intersections (all but East Avenue @ Webster Street) in the study area as part of a coordinated traffic signal system. Response: Finalized signal timing and phasing findings shall be provided as part of the construction documents. Comment 7 - On Lisbon Street from East Avenue to Vine Street, an existing safety problem has resulted in Gorrill-Palmer Consulting Engineers, Inc. proposing to mitigate the problem by restricting access to the gas station on the southwest corner of Lisbon/East/Promenade intersection to right turns only. Jeremiah Bartlett said that they recommend the placement of a median. This would still allow full access to the gas station via Vine Street. Currently there is a painted, four foot- (4-) foot wide median there now. To provide a raised median there would prevent the access and deny left-turn movements. Lastly, Jeremiah Bartlett said that a question from Bill Eaton's Staff was in regards to a right-turn only access to East Avenue. This area is anticipated to experience significant delay. This driveway will be beneficial, as it will reduce some of the traffic that would use the existing driveway, which will benefit the school and the secondary driveway will allow truck traffic that proceeds north on East Avenue to use this driveway rather than the main entrance. This would be a benefit to the school.

Dennis Mason then asked if there were any questions from the Planning Board on the traffic items. Dennis Mason then asked Jeremiah Bartlett, "On the intersection of South Avenue and Lisbon Street, with the traffic phasing along Lisbon Street to the left-hand turn, will there be arrows installed?" Jeremiah Bartlett responded that there will be a blinking arrow. Dennis Mason then asked, "With the addition of a left-turning lane from Pleasant to Marston Street, will not require additional pavement?" Jeremiah Bartlett responded, "Correct, the stripe will be moved further to the south and the width would be there from the two (2) lanes.

Bill Eaton of Eaton Traffic Engineering referred to Eaton Traffic Engineering's, "Review of Traffic Impact Study - East Avenue Retail Development" dated December 5, 2001. Bill Eaton said that on the Lisbon Street side, there is not enough storage space for that east-bound, left-turning lane. This shows up in the accident report. If extended, it will not solve that problem. Vine Street would be blocked at times. Signal visibility is a potential problem and he recommended that protected left-turn phases be provided on both Lisbon Street approaches.

Another concern that Bill Eaton had was the intersection on Marston Street and Pleasant Street. This intersection continues to be a problem, as to visibility in terms of the drivers recognizing where the intersection is located. Bill Eaton recommends that the intersections visibility be heightened through landscaping, lighting, signage, or other methods to make it clearly recognizable by approaching drivers. The landscaping at the entrance is good to give the driver plenty of advanced warning. Dennis Mason said that there cannot be any signage until the applicant owns the properties along Marston Street.

Other concerns expressed by neighbors and by Dennis Mason have been left-turns from East Avenue to Bartlett/Pleasant Streets. This is not a high crash area, but there is visibility problems in making left-hand turns from East Avenue. Bill Eaton's response was that by adjusting the phase timing for Pleasant Street to increase green time, could help to ensure that queues do not become a problem. This appears to

work. The applicant does not want a problem.

At this point in the discussion, James Lysen asked Bill Eaton to comment on the protective left-hand turn phase for people turning left onto South Avenue on to Lisbon Street. The Public Works Department is adamant is their comments about this. Bill Eaton responded that left-turns off Lisbon Street onto South Avenue in both directions are very light. He would not normally recommend left-turn phasing, but in this case, there is a very identifiable left-turn accident volume involving westbound Lisbon Street traffic. The addition of protected left-turn phases on Lisbon Street will increase overall delays somewhat, but this should not be significant and may address the left-turn accidents involving westbound Lisbon Street left turns and eastbound Lisbon Street through traffic. With regards to South Avenue, South Avenue has a left-turn volume going on to westbound Lisbon Street. He said that if he was redesigning the City he would recommend putting in a left-turn phasing going south. He said his rule-of-thumb is that once you get up to around 200 left-turning vehicles, you go to a second phase. The applicant is proposing to put left-turning phases on Lisbon Street.

Dennis Mason then referenced the Fire Department's concern that they wanted emergency control of the signals. Jeremiah Bartlett responded that what they are looking for is a pre-emption of the driveway signal. Jeremiah Bartlett said that they have agreed that once that signal is installed, they would allow them the pre-emption signal.

This item was then opened up to the public.

Ray Begin (20 O'Connell Street) was concerned with the left-turning lane into Marston Street and with the corner of Bartlett Street and East Avenue.

Paul Vickerson (10 Pleasant Street) questioned the left-turn lane from Pleasant Street onto Marston Street. That left-turn lane is going to come back 200 feet from the intersection. Can you tell me how long is that left-turn lane or how far back is that going to reach? Jeremiah Bartlett said that that left-turn lane goes back 50 feet. The demand in that location is not that high. Most of the traffic is still coming on to East Avenue. Paul Vickerson said that he is not convinced that 50 feet is going to be enough.

Marc Sirios (10 Pleasant Street) is concerned with the comments made on making the Marston and Pleasant Streets intersection more of a visible intersection.

Kristine Kimball suggested a barricade so that the only entrance is off of East Avenue. Dennis Mason commented that Marston Street is still a public street. Owners with frontage of property along that street have a right to access their property through that public right-of-way. Jeremiah Bartlett said that one (1) issue regarding this site is to disperse the traffic north. One (1) outcome besides the closing of Marston Street, would be for traffic heading towards the site to be westbound.

James Lysen reminded the public and the Board that the Conditional Zoning Agreement prohibits delivery service vehicles from entering on Marston Street. This will be enforced through signage.

There were no further comments from the public. This item was then turned back to the Planning Board for questions, concerns, etc.

John Cole said this project is a very worthy one, but could create a traffic hazard in that area. He feels the risks should be reduced at the intersections. This appears to be the source of a lot of accidents in this area.

Jeremiah Bartlett said that widening would be very difficult for the applicant to do.

John Cole questioned Bill Eaton of whom he considers the expert witness on this project. John Cole asked Bill Eaton, "Is it your view that the developer has made adequate decisions for all types of vehicle movement both into and out of this development?" Bill Eaton said that his comments and recommendations deal with all off-site traffic. The developer has, in essence, agreed to or in view of the fact including the conditions that represent that he is agreeable on all parts, than he said his response is, "Yes". John Cole said that he was going to walk Bill Eaton through the ordinance requirements. He wants to be clear on this. John Cole said that the second point that needs to be covered is that the Planning Board needs to know that

vehicular access to the site will be on roads that have adequate capacity to accommodate the additional traffic generated by the development. John Cole then asked Bill Eaton, "Is it your opinion that access to the site on the roads has adequate capacity to accommodate the additional traffic?" Bill Eaton's response was, "Yes". Another thing that needs to be looked out for is on the intersections on major access routes to the site within ½ mile of any entranceway which are at the level of service C or better prior to the development will function at a minimum level of service B after the development. Bill Eaton responded that he believed they all function at a level service of C and that they will after the development. John Cole then asked, "Do we have any intersection that is servicing at a level of D or lower in this area?" Bill Eaton responded with "Not in the subject area that he can recall". The analysis shows that they all show up in the service level of C or better right now. John Cole went on to say that the code requires the Planning Board to make sure we have to determine that new traffic increases because of this proposed development will not result in unreasonable congestion or unsafe conditions on a road in the vicinity of the proposed development. John Cole then asked, "Is it your opinion that if this development is allowed to go forward, that the increase in traffic will not result in unusual congestion or unsafe conditions in the roads in this area?" Bill Eaton responded that, "It should not result in that". As to safety, it has been looked at and he has reviewed the existing high crash locations in the area and recommended litigation is where litigation is possible. He did say, however, that that does not mean that a high access location is not going to crop up somewhere in this study area next year whether or not development goes in, but insofar as he can tell, based upon all the standard engineering practices, everything should work functionally and safely. Obviously, Bill Eaton said that he has recommended that they monitor the intersection of Webber and Pleasant Streets for one (1) year, to see if that blinker/flasher actually does the job. If that does not, look at putting something else in there besides a traffic signal. John Cole then asked, "In light of what we have heard about Marston Street and the problems with approaching that intersection on Pleasant Street, is that a location where you would recommend placing a flashing yellow light overhead?" Bill Eaton's response was that he usually does not like to recommend putting flashing yellow lights in unless the accidents occurring tells you there is a problem. He thinks they tend to get overused and people tend to start ignoring them as being important. This then causes problems. Bill Eaton mentioned opening up the radius' so that there are easy turns in and easy turns out to make this area clearly visible. This is difficult to say without looking at the Site Plan. He said that the Development Team has a perfectly competent Landscape Architect. John Cole said that he is pretty much convinced that the access points into and out of the site are not going to be a problem now. He feels it will be the intersections that he will have concerns about. John Cole then asked, "In your professional opinion you feel that these concerns have been addressed adequately in this situation?" Bill Eaton's response was, "It works and works to a good satisfactory level of service, at least that intersection does." Bill Eaton said he was not aware, nor was it included in the plan, of the right turn-in and right turn-out. The traffic study assumed that all traffic came out of the main driveway.

Dennis Mason asked, if the crosswalks slow down the traffic? They will increase visibility. The crosswalks on Pleasant Street are not maintained. Kristine Kimball mentioned the need for a dedicated left-hand turn into the development along East Avenue. She also feels that the entrance on Marston Street will cause problems.

John Cole said that Bill Eaton is the Planning Board's expert for purposes of guidance in this area. He said that he accepts his view of this. John Cole said that he cannot substitute his judgement for the kind of evidence that Bill Eaton has offered and presented to use. John Cole went on to say that Bill Eaton has given the Planning Board an indication that this will not produce an unsafe condition to this area and that the area has the adequate capacity to deal with this development. This may not be the capacity that is necessary something that we like. John Cole said that he is not prepared to substitute his subjectives or gut-feelings for this development for evidence that is based on what he thinks is a rational look taken on by Bill Eaton. He said that he accepts their rule of this. Jeremiah Bartlett said that this is a very difficult site to work around.

Tom Gorrill said he gets involved in doing many studies in after-the-fact situations. Tom Gorrill said that today you want connectivity between developments and neighborhoods. Connections are conflict points. In this situation, the overall traffic patterns will be better. These forecasts for the models tend to work. They modeled supermarket/retail scenarios. Saturdays are the peak traffic per hour.

James Lysen said some improvements are off-site and would have to be monitored into the future. Some improvements might have to be done after occupancy of the building and might have to have performance guarantees. Another concern is that if it is an entrance, will people try to make a left-hand turn into the entrance. If it is a right-hand turn only out of the site, that can accommodate truck movement, this is a relevant issue. This is just a thought that if the developer can accept that exit as a right-turn only. This can also be designed so that people cannot make a left-hand turn. Again, James Lysen said that with the right-turn in, there are people that are going to make that sweeping turn. This is in reference to the additional access on to East Avenue. With regards to the right-turn in, in James Lysen's suggestion, that is something that could be re-channelized as a right-turn out only as a condition.

Lewis Zidle mentioned that changes can be made afterward if it is not working too well.

Al Palmer said that the only Performance Guarantee would be for the intersection where the four-(4-) way blinker will be put in, monitoring that, and possibly installation of a full signal, if that monitoring proves that that would be necessary. Bill Eaton commented that they should wait 12 months after it is installed.

Barry Hosmer, the Landscape Architect, was also present at this meeting, however, the Landscape Plan in regards to fencing has not changed at all.

John Corbett, from W/S Development Associates, LLC was present at this meeting. There were no changes.

The following motion was made.

MOTION: *by John Cole, seconded by Lewis Zidle that the Planning Board finds the application meets all the applicable criteria under Article XIII, Section 4 with a special finding that the project meets the criteria under Article XIII, Section 4 (b-e) based on the improvements that will be provided by the applicant; that further the application meets applicable requirements under Article XII, Section 21, Stormwater Management of the Code and that the Planning Board grant final approval to the application, subject to:*

1. *The applicant provide for staff review and approval details documenting reduction of noise and visibility of roof top units in accordance with the Conditional Zoning Agreement prior to obtaining a building permit;*
2. *Upon selection of a tenant, the tenant shall submit to the Planning Board, proposed building elevations prior to obtaining a building permit;*
3. *That final configuration and connection of the public water system be approved by the Public Works Department and Fire Department prior to obtaining a building permit;*
4. *That the applicant receive the necessary permanent easement for the portion of the Martel School property necessary for the entrance off of East Avenue;*
5. *That the project receive all the required sign-offs or permits from the Maine D.E.P. and M.D.O.T.;*
6. *That the applicant provide emergency control of intersection lights installed;*
7. *That the second entrance on East Avenue shall be redesigned to allow exit only and that the plans be revised to effectively prevent entry from East Avenue;*
8. *That the applicant obtain Public Works sign-off on all non-traffic details prior to obtaining a building permit;*

- 9. That all public improvements will be completed prior to occupancy with the exception of improvements, if needed, to the signalization of the intersection at Webber and Pleasant Streets. These proposed improvements will also require a performance guarantee be submitted equal to 125 percent of the expected costs;
- 10. With respect to Article XIII, Section 4(b-e) that the developer be bound to the representation in the letter with attachments sent to Planning Director James Lysen dated December 11, 2001 consistent with and found to be in compliance with those requirements; and
- 11. That the development is subject to the Conditional Zoning Agreement executed between the City of Lewiston and W/S Development Associates, LLC's approval by the City Council, effective November 15, 2001.

VOTED: 5-0.

VI. OTHER BUSINESS:

B. New Business:

- 2. **Recommendation for the disposition of Martel School property (permanent easement for 4,300 +/- square feet for the proposed entranceway) related to W/S Development Associates, LLC East Avenue retail project.** On Monday, December

10, 2001 a Final Meeting was scheduled between W/S Development Associates, LLC and the School Department. The following motion was taken.

MOTION: by **Rob Robbins**, seconded by **Lewis Zidle** that the Planning Board recommends to the City Council and School Committee that the City grant a permanent easement on a portion of the Martel School property to facilitate the proposed entranceway to the East Avenue retail project.

VOTED: 5-0.

- 1. **Request by Norman E. McGraw to acquire the City-owned parcel at 64 Maple Street.** It was Staff's recommendation to hold onto this property, since the City

owns several adjacent properties. The City currently owns all of the property from Norman McGraw's property at 323 Bates Street, from Bates Street to Knox Street, as well as both 57 and 63 Maple Street, across the street. The City should retain this property pursuant to efforts in this area of the downtown to assemble properties in support of housing or other redevelopment efforts. The following motion was then made.

MOTION: by **John Cole**, seconded by **Kristine Kimball** that the Planning Board accept the recommendation made by Planning Staff to retain the property located at 64 Maple Street.

VOTED: 5-0.

B. Old Business:

- 1. **Discussion concerning a fill project at the Stetson Brook Estates Mobile Home Park. This project was tabled at the 08/22/00, 09/25/00, and 11/28/00 Meetings.** James Lysen said that the update on this item is that they

have filed an application with the D.E.P. A discussion will be held when this application is approved.

GARCELON BOG. This item was not listed on the agenda, however, James Lysen, updated the Board. Distributed at this meeting and to be included in the Planning Board packets was the informational packet from the City Council as to what they are doing. This is on the City Council's agenda for their meeting tonight, 12/11/01. They are trying to turn it over to somebody like the Androscoggin Land Trust. There is some public benefit that can be gained by this. There might be the ability for us to do some mitigation for a transportation project, where we can go in and expand the bog wetland area and the areas that are currently not wetland. There are some potentials to use the bog as an economic development tool and environmental protection. James Lysen said the City wants to craft an agreement that will both preserve the bog for its natural resource potential, but also in a way help us do economic development, as well. The City Council will form a study committee and will be looking to this Board for some participation.

VII. READING OF THE MINUTES: *Reading of the minutes from the November 27, 2001 Planning Board Meeting.* Dennis Mason made the following changes to the minutes: 1. On Page No. 1, the last sentence on that page, replace the words, "*audience present*" with the word, "*comment*". 2. On Page No. 2, fifth paragraph from the bottom of the page, last sentence change, "*Trustees of The Franklin Company*" to read, "*Trustees of the Franklin Property Trust*". There being no further changes, the following motion was then made.

MOTION: by **John Cole**, seconded by **Lewis Zidle** to approve the Planning Board Minutes for November 27, 2001, as amended.

VOTED: 5-0.

VIII. ADJOURNMENT: This meeting adjourned at 9:40 p.m. In order to avoid conflict with the City Council schedule, there is one (1) meeting scheduled for January 2002. That meeting is scheduled for Tuesday, January 15, 2002. There is also a Joint Planning Board/School Committee Meeting scheduled for Wednesday, January 30, 2002.

Respectfully submitted,

Dennis R. Mason, Chairman

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