

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for February 26, 2002 - Page 1 of 4**

- I. ROLL CALL:** This meeting was held in the City Council Chambers of Lewiston City Hall, was called to order at 7:06 p.m., and was chaired by Dennis Mason.
- **Members in Attendance:** Dennis Mason, Roger Lachapelle, Rob Robbins, Kristine Kimball, Robert Connors, and Jeffrey Gosselin.
 - **Member(s) Absent:** John Cole.
 - **Staff Present:** Gil Arsenault, Deputy Development Director; Lincoln Jeffers, Business Development Manager; James Lysen, Planning Director.; David Sanborn, Planning Coordinator; and Doreen Christ, Administrative Secretary-Planning Division.
 - **Student Members Absent:** Ethan Chittim and Jen Robustelli.
 - **Others Present:** Special recognition was given to City Councilor Mark Paradis (Ward 6).

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: None.

IV. PUBLIC HEARINGS: *A. A Public Hearing on the rezoning of property located on the east side of River Road in conjunction with the proposed Wal-Mart Distribution Center and B. A Public Hearing on proposed amendments to the Industrial (I) Zoning District to better protect neighboring residential uses.* Lincoln Jeffers read his memorandum dated February 21, 2002. There are three (3) phases proposed for this project. This Public Hearing is for Phase I and requests two (2) separate actions - the first action is to rezone 290 to 324 River Road from the Rural Agricultural (RA) District to the Industrial (I) District and the second phase is to rezone 326-424 River Road from the Rural Agricultural (RA) District to the Industrial (I) District. The second action requested is for the Public Hearing to create front yard buffering requirements for the development of industrial land across the street from residential uses that are in residential districts. The code amendment shows the change in the minimum front yard from 20 feet to 25 feet. After the overview, this item was then opened to the public. The following concerns were expressed on numerous occasions during this hearing.

- **Roger Roberge (299 River Road & owner of Provencher's Landscaping)** stated that he lives across from the Alfred Plourde Parkway and questioned how many trucks will be entering this site? Lincoln Jeffers response was 900 truck trips per day, which equates to approximately 450 trucks. Mr. Roberge distributed and read his memorandum dated February 26, 2002 to the Planning Board. This item will be included in the Planning Board packet to be kept on record for reference.
- **Peter Grenier (401 River Road)** stated that the new entrance is bad for the neighbors. It is elevated above the homes. He said he would like this reconfigured away from residential homes. He wants 150 feet of the RA District retained for buffers in Phase I. Lincoln Jeffers commented that this will not significantly change the suggested design. Mr. Grenier stated that there is 300 acres of land available for industrial use.
- **Bonnie Babb (287 River Road)** owns the house across the street. Her comment to the Board was, "Don't put in my front yard what you would not want in yours." Her concern was noise and pollution being created from the trucks.
- **John Racine (289 River Road)** commented on the new access road for the new City Pit. He stated concerns with noise and pollution created from the additional traffic. He also stated that he feels the City does not have anything against them, however, does not want his quality of life destroyed. He is seriously thinking of selling their home and moving. Mr. Racine also referenced investment. He asked, "Why can't the City purchase our residential properties?" He said, "We cannot fight City Hall or Wal-Mart."

- **Lorraine Roberge** also said that she is concerned with her property valuation and requested that the Board keep 150 feet of the RA District. Mrs. Roberge asked, "Has a contract been signed?" Lincoln Jeffers responded that a Memorandum of Understanding (MOU) has been signed. Next, Mrs. Roberge asked, "What will this do to our tax base? I am anticipating a tax cut."
- **Mark Paradis (144 River Road and City Councilor for Ward 6)** said that he agrees with the 150 feet being kept in the RA District, but suggested redirecting the truck traffic with employee traffic.
- **Norm Lamie (a Lewiston resident, Lorraine Roberge's brother, and a Professional Engineer)** was present at this meeting. He stated that he worked for the City for 12 years and asked, "What is the minimal amount of area to be zoned Industrial?" The response was that Wal-Mart will own all the way back to the road. He then asked, "What could you do with Lot No. 8?" He went on to say that the 150 foot RA District would stop owners from putting in businesses.

This item was then closed to the public and turned back to the Planning Board for the following discussion.

Mike Gotto (from Technical Services, Inc.) was present at this meeting and made a presentation. He said that he has spent a lot of time on commercial development. He stated that development has not happened in Lewiston largely because of changes in regulations, specifically wetland law. Land costs in Lewiston are low, but development costs are high. He then showed the different color-coded land-use constraints presented on his plan for an area of approximately 450 acres adjacent to the Alfred Plourde Parkway and River Road. He said that on this site about 75 acres are wetlands, 125 acres are steep slopes, and 157 acres are ledge. These conditions severely limit development potential of this land area.

Roger Lachapelle asked if it would be possible for the neighbors to sit down with Wal-Mart and tell them what they would want? Lincoln Jeffers said that they do want to minimize impacts to the residents.

The cemetery is being made non-conforming, is under City ownership, and is not going to be affected or relocated.

Dennis Mason stated that there are four (4) options for the Planning Board, which are as follows: 1. A straight rezoning; 2. Leave 150' as the RA District; 3. 100' setback and 50' front yard; or 4. Table this item regarding the changes of zoning for Phase I.

James Lysen said that the Planning Board could go for the increased buffer scheduled for Phase II. The following motions were made.

MOTION: by **Rob Robbins**, seconded by **Kristine Kimball** that the Planning Board table the Public Hearing on the rezoning of property located on the east side of River Road in conjunction with the proposed Wal-Mart Distribution Center until the March 12, 2002 Planning Board Meeting.

VOTED: 4-1-1 (Gosselin/Lachapelle).

MOTION: by **Roger Lachapelle**, seconded by **Robert Connors** to table the Public Hearing on the proposed Amendments to the Industrial (I) District to better protect neighboring residential uses until the March 12, 2002 Planning Board Meeting.

VOTED: 6-0.

V. **FINAL HEARING: A Final Hearing on an application by A.R.C.C. Land Surveyors, on behalf of Royal Flooring Company, Inc. to create a new, 40,000 square foot lot from existing Lot No. 23 at 789 Webster Street in the Lewiston Industrial Park.** Arthur Montana, of A.R.C.C. Land Surveyors, was present at this meeting on behalf of Royal Flooring Company, Inc. He did a very brief presentation. The following motion ensued.

MOTION: by **Robert Connors**, seconded by **Roger Lachapelle** that the application for Royal Flooring Company, Inc., 789 Webster Street in the Lewiston Ind. Park meets all the applicable criteria under Article XIII, Section 4, of Appendix A, Zoning and Land Use Code, and that final approval be granted.

VOTED: 6-0.

VI. **OTHER BUSINESS: A. New Business: 1. A discussion and possible initiation of Phase II & III rezoning of property located on the east side of River Road from the Rural Agricultural (RA) to the Industrial (I) District.** The proposed rezoning includes the land on the east side of River Road from 326 River Road to the midpoint of the CMP easement that is adjacent to the Solid Waste Transfer Facility. The Development Department recommends: a. To increase the front setback from 50 to 100 feet; b. To increase the front yard from 20 to 50' and apply buffering standards; and c. To limit commercial access points along River Road within the area proposed for rezoning. This will add increased buffering and create limitations on access. From Ray Martel's property down, there are no access points. James Lysen said the intent is to minimize traffic impacts and he informed the residents present that the best place for their input on traffic is the MDOT Scoping Session Meeting. Mike Gotto also stated to the residents in attendance that this is where it would be their time to tell the developers what they feel. Dennis Mason said that the Planning Board does not tell the City where to place a road.

The following motion was made:

MOTION: by **Roger Lachapelle**, seconded by **Rob Robbins** to schedule, as a Public Hearing, the rezoning of both Phases I & II from the RA to the I District for the March 12, 2002 Planning Board Meeting.

VOTED: 6-0.

The changes to be made to the I District itself, will be kept separate, as suggested by Jeff Gosselin. There will be no access restrictions to Phase I.

Roger Lachapelle stated that he wants to know information 5-10 years down the road and what the long-term impacts the rezoning will have. Dennis Mason then asked, pertaining to Phase I, "Do we want to allow another access point along this point?" The only addition is 150 feet. The following motions were made to include Item No. (2) a. and b. of "Appendix A, Zoning and Land Use Code, Article XI. District Regulations, Section 15. Industrial (I) District, Page No. 3, which states the minimum front setback for all uses is 100 feet and the minimum front yard for all uses is 50 feet and the Industrial (I) District that affects Phase II, as Public Hearings.

MOTION: by **Rob Robbins**, seconded by **Roger Lachapelle** to schedule Item No. (2) a. and b. for a Public Hearing at the March 12, 2002 Planning Board Meeting.

VOTED: 6-0.

MOTION: by **Jeffrey Gosselin**, seconded by **Rob Robbins** to schedule the Industrial (I) District that affects Phase II for a Public Hearing at the March 12, 2002 Planning Board Meeting.

VOTED: 6-0.

2. A discussion and possible initiation of amendments in conjunction with the proposal by **Donald Touissant** to amend the Zoning and Land Use Code by adding mixed-use structures as a permitted use in the Highway Business District. (Scheduled for a Public Hearing at the March 12, 2002 Planning Board Meeting.) James Lysen stated that **Donald Touissant**'s (not present at this meeting) proposal is to add mixed-use structures to the HB as a permitted use. It is Staff's suggestion to amend Donald Touissant's proposal by adding, "involving the adaptive reuse of an existing building" to the mixed-use structure use category for the HB District only. The following motion was made.

MOTION: by **Robert Connors**, seconded by **Kristine Kimball** to schedule the proposal by Donald Touissant to amend the Zoning and Land Use Code by adding mixed-use structures involving the HB as a permitted use in the Highway Business (HB) District for a Public Hearing on March 12, 2002.

VOTED: 6-0.

VII. READING OF THE MINUTES: Draft minutes from the February 12, 2002 Planning Board.

MOTION: by **Robert Connors**, seconded by **Kristine Kimball** to accept the Planning Board Minutes for February 12, 2002, as submitted.

VOTED: 4-0-2 (Lachapelle/Robbins).

VIII. ADJOURNMENT: This meeting adjourned at 10:06 p.m. The next regularly scheduled meeting is Tuesday, March 12, 2002.

Respectfully submitted,

Kristine Kimball, Planning Board Member & Secretary

DMC:dmc

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