

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for November 19, 2002 - Page 1 of 4**

I. ROLL CALL: This meeting was held in the City Council Chambers, was called to order at 7:00 p.m., and was chaired by Dennis Mason. Before the Roll Call, Dennis Mason introduced and welcomed new Planning Board Member, Lucy Bisson.

- **Members in Attendance:** Dennis Mason, John Cole, Rob Robbins, Robert Connors, Jeffrey Gosselin, and new Planning Board Member Lucy Bisson.

- **Member Absent:** Roger Lachapelle.

- **Staff Present:** Gil Arsenaault, Deputy Development Director; Lincoln Jeffers, Business Development Manager; James Lysen, Planning Director; James Andrews, Community Development Director; David Sanborn, Planning Coordinator; and Doreen Christ, Administrative Secretary-Planning Division.

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: Distributed at this meeting was the Property Acquisition/Disposition Review Form from Peter Morrell, Inspector/Investigator, of the Lewiston Fire Department dated November 15, 2002 stating no concerns with the property acquisition of 28 & 29 Lincoln Street. The following motion was made:

MOTION: *by Robert Connors, seconded by Lucy Bisson to accept this item of correspondence, place it on record, and be read at the appropriate time.*

VOTED: 6-0.

Jeffrey Gosselin recused himself from the Planning Board on this item.

IV. PUBLIC HEARING: *A proposal by Robert Foss, Stetson Brook Estates, to place a Mobile Home Park Overlay District on his property adjacent to the Stetson Brook Mobile Home Park located at 70 Lessard Street, that is currently in the Community Business (CB) District.* David Sanborn read his memorandum dated November 15, 2002. Robert Foss of Stetson Brook Estates, Inc. has submitted an application to amend the Zoning and Land Use Code by placing a Mobile Home Overlay District (MHOD) on 14 acres of his property, located southeast of the existing park. The Stetson Brook Mobile Home Park is permitted for 85 mobile homes, which are mostly single-wide homes. This proposal is to add 25 additional lots to accommodate double-wide homes in this newly-rezoned area. If more than 40 homes are added, a second means of vehicle egress would need to be created.

James Lysen showed the location of the current Stetson Brook Mobile Home park, the area requested to extend the MHOD, and the area of the previously approved fill project on his mapping. This is the first step in this process. The MHOD is the proper zoning to allow for an expansion of the park. James Lysen stated that issues presented to him pertained to distances from existing streets (which is 800 feet from College Street and about 1,000 feet from Stetson Road), that the brook area is subject to some flood plain regulations, which will limit the development and access somewhat. If and when the mobile home park exceeds 125 units, there will be a need for a second means of egress.

Dick Trafton, a lawyer from Trafton & Matzen on behalf of Stetson Brook Estates, Inc. was present at this meeting. He prepared the documentation included in the Planning Board packets, which included six (6) references in particular to the housing component of the City's Comprehensive Plan that speaks about providing affordable housing. He stated that the Community Business (CB) District is not appropriate for this area. The area in question is bounded almost on two (2) sides by Stetson Brook. There is no commercial development northerly of Stetson Brook. He further stated that double-wide homes are the more popular homes and is double the width of a single-wide. Approximately 80 percent of all mobile homes installed in the United States today are double-wides. There are very few sites available in Lewiston for double-wide homes. This is not a major expansion of the park and does not trigger the need for a second means of egress. This project will extend Alpha Street parallel to Stetson Brook and towards College Street. This will be more than a quarter of a mile away from College Street. Dick Trafton stated that this is simply asking this Board to recognize there is a need for this type of housing, that is double-wide lots within a mobile home park to provide affordable housing, which is a goal of the City's Comprehensive Plan.

This item was opened to the public. It was asked if the landfill was found to be contrary to EPA standards and if it was corrected? Dennis Mason responded that it was corrected. Also questioned was the piece of property that was set aside for a playground use and if it had been developed? James Lysen responded that this is not a development review proposal. Dick Trafton stated that there has been talk about an athletic field. A comment was made regarding that mobile homes give the illusion of being a good investment for people, which in reality there is a very limited return when you need to sell them. This is not a sound investment for everyone. It was requested that when notices are sent

out to include a mapping of the area.

Bruce Lepage (14 Raiche Street) commented that he suspects that this expansion will be done over a period of time. He stated that he is curious about the market and said that if single-wides are more appropriate for the market, would Mr. Foss be allowed to develop single-wides in this area? He asked, "If you can fit in 25 double-wides, what would that relate to in terms of single-wides?" How would this impact the area? He also had an issue with the second means of egress. He said his understanding of this area is that it is pretty much landlocked. "What is the proposed plan, if there isn't one, maybe there should be." "Where would that second means of egress be?" Dennis Mason stated that there is a minimum of 6,500 square feet per dwelling unit. Dennis Mason commented that this is just a rezoning. Dick Trafton said that there is no requirement at this point that a plan be submitted for development for the next two (2) to three (3) phases. Bruce Lepage then asked if this is presented and done by piece meal, than Robert Foss can then expand as a matter-of-right. Dennis Mason said that that is true, but with the requirement that he comes to this Board for approval of the development plan. Bruce Lepage said that he personally counted 66 lots with mobile homes. There are many vacant lots (approximately 22).

James Andrews arrived at 7:25 p.m.

James Lysen stated that mobile homes, by nature, can be moved at any time. James Lysen stated that there are topographical issues in some of the areas that would make it difficult to develop. This is not a conditional rezoning, it is just an expansion. If and when 40 units are exceeded, a second means of egress would be needed. Bruce Lepage said why can't he use what he already has? There are already nine (9) double-wides in this area. There appears to be room for some additional ones. Why can't he complete this and then move on and look at another possibility?

The public portion was then closed and turned back to the Planning Board for further discussion and a motion.

John Cole stated that he does not see any evidence of demand for this type of housing in Lewiston and commented in regards to only 66 sites being filled with many vacancies. He then asked Dick Trafton to comment on the demand. Mr. Trafton responded that the lots that are vacant are not set up for double-wide homes and that all three (3) mobile home parks owned by Robert Foss are all mostly for single-wides. There is a continuing demand for double-wides. The goal of Country Lane Estates, which owns the three (3) parks, is to expand into double-wides. The single-wide lots are designed for 6,500 square feet. The lots for double-wides would be from 8,000 to 9,000 square feet in size. The vacancies are due to low interest rates and housing costs go down, people move out or place them on their own property. When interest rates climb, then fewer people can afford to pay for their lot, as well as their own home.

Rob Robbins requested a follow-up to the playground area. He asked, "Was this required in connection with the original project or was it discussed as a possibility?" James Lysen said that the fill project was graded for a future recreational area. John Cole asked if all the conditions for this development had been satisfied. The response was, "Yes". There were no further comments, therefore the following motion was made:

MOTION: by **John Cole**, seconded by **Rob Robbins** that the Planning Board send a favorable recommendation to the City Council to add a Mobile Home Park Overlay District to the section of the property at 70 Lessard Street that is currently in the Community Business (CB) District.

VOTED: 5-0-1 (Gosselin Abstained).

This item will have its first hearing at the City Council Meeting on December 10, 2002 and the second hearing will be held at the first City Council Meeting in January 2003.

Jeffrey Gosselin rejoined the Planning Board.

V. PRE-APPLICATION AND DETERMINATION OF COMPLETENESS HEARINGS:

A. A Pre-Application and Determination of Completeness Hearing on a minor subdivision proposal by Wal-Mart Stores East, L.P., located on Alfred A. Plourde Parkway near River Road in conjunction with the Wal-Mart Distribution Center project. James Lysen read his memorandum dated November 14, 2002 and showed the location of the project and relocation of the Alfred A. Plourde Parkway on the mapping entitled, "Final Subdivision Plan". The proposed property transfers of land owned by Gendron & Gendron has triggered the need for subdivision approval, which it is very important for the closing of the real estate transfers to be completed by the end of November 2002.

The subdivision involves three (3) parcels, which are: 1. Parcel 9A-1, totaling 3.19 acres - located on the east side of the relocated Alfred A. Plourde Parkway; 2. Parcel 9A-2, totaling 4.44 acres-located on the west side of the relocated Alfred A. Plourde Parkway; and Parcel 9B, totaling 30 square feet-near the intersection of Alfred A. Plourde Parkway and its proposed relocation onto land being transferred from Gendron & Gendron, Inc. to the City of Lewiston. The final hearing has been noticed and has been scheduled for Monday, November 25, 2002. This was brought to the Planning Board on the strict interpretation of the law, which may require a subdivision. There are a lot of things already

in place, but the lawyers feel that the subdivision process should be dealt with as well.

Mike Gotto, from Technical Services, Inc. explained the lots. The Gendron & Gendron, Inc. parcel is Lot No. 9 and consists of ten (10) acres. This project started about a year and a half ago about the same time that the subdivision statute exempted 40-acre lots and today it does not. If this deal had been closed before September, this item would not have had to have been brought back to this Board. This is a \$40 million project and the lawyers want to make sure everything is correct, so that nobody will question it. The intention was to convey a ten- (10-) acre parcel, but because of the new road, it was divided into 9A-1 (Parcel 1), 9A-2 (Parcel 2- two lots), and the remaining land would be the third lot, which creates a subdivision. The existing road comes right down through this, but the City has conditionally discontinued it. It will be there until the new road is built. They have to close by November 26, 2002. Parcel 9B is 30.5 square feet. This was identified on an earlier survey done 1996. The Board also needs to know that that road is there, however, it needs to be created. Under the statute, Mike Gotto said that there is a way to exempt this road. Plans will be submitted to the Board on the road in January 2003. The remaining land of Gendron still needs to be shown. Any future development on Parcel 1 (Lot 9A-1 - owned by Wal*Mart) would need to come back before this Board. John Cole asked if the entire parcel is in the same zone? Mike Gotto responded with "Yes, is all the Industrial (I) District."

Roger & Lorraine Roberge (299 River Road) were present at this meeting. The question was asked if the remaining land will be divided again in Alfred A. Plourde Parkway. Mike Gotto said that this will be divided again into Alfred Plourde Business Park. Dennis Mason said that the 200-acre piece would have to come back to the Planning Board.

Mike Gotto stated that the City has the Purchase & Sale Agreement. Dennis Mason stated that he is concerned that if this falls apart, then Gendron & Gendron will be left with a subdivision on his land. James Lysen stated that this project can be approved, based on the Purchase & Sale Agreement. James Lysen stated that Gendron & Gendron can dissolve this subdivision. Rob Robbins asked, "What are the tax considerations that require that this be done by November 26, 2002?" Mike Gotto responded that it has something to do exchanges that Gendron & Gendron and Gendron Realty have been doing. Mike Gotto feels that the only thing that might not be done by the 30th would be the City parcels because there are easement issues with Central Maine Power Company and this may take a couple of weeks. Under the approvals, there is a Standard Condition that this be done within a 24-month period. After further discussion, the following motion was made:

MOTION: by **Jeffrey Gosselin**, seconded by **Lucy Bisson** that the Planning Board accepts the application for Wal*Mart Stores, East, L.P., Alfred A. Plourde Parkway near River Road to be complete, grants the modification and waiver requests, and schedules a Final Hearing, at a Special Planning Board Meeting on Monday, November 25, 2002.

VOTED: 6-0.

At the Planning Board's request, the Purchase & Sale Agreement will be included in the Planning Board packets for the Special Planning Board Meeting to be held on Monday, November 25, 2002.

B. A Pre-Application and Determination of Completeness Hearing concerning an application by David and Jo-Ann Driscoll to create a proposed seven (7) lot subdivision located on 27.8 acres at 220 Randall Road. **Arthur Montana** was present at this meeting on behalf of David and Jo-Ann Driscoll. David Sanborn read his memorandum dated November 15, 2002. This item is a seven- (7-) lot subdivision on 20.78 acres of land located at 220 Randall Road, which is in the Neighborhood Conservation "A" (NCA) District. This property is located just before Pond Road where it used to be a farm. Arthur Montana briefly described the property. These seven (7) proposed lots, will be subdivided into approximately three (3) acres each and will not be serviced by public sewerage or water. The driveways will be a minimum of three (3) percent.

This item was opened to the public.

Bruce Collette (231 Randall Road) was concerned with the minimum three percent and street lighting, since he lives right across the street.

After a review by Environmental Science, Inc. (ESI), their findings indicate that each lot has suitable soil for such systems. Included in the packets was a letter from Hodgdon Well Drilling indicating that they foresee no problems with providing water for each single-family home. This letter satisfies David Hediger's (Code Enforcement) concerns regarding sufficient water supply. This area is all wooded with wetlands in the rear. The minimum lot size in this district required for lots not serviced by public sewerage is 20,000 square feet with a minimum required road frontage of 75 feet.

This is a request for a modification and a waiver of the performance guarantee, traffic analysis, and cost estimate because there are no public improvements. There is no requirement to add street lights. There is a note on the plan concerning erosion measures. After further discussion, the following motion was made:

MOTION: by **John Cole**, seconded by **Rob Robbins** that the Planning Board grant the required modification/waiver requests, that this application by David and Jo-Ann Driscoll, 220

Randall Road be determined to be complete, and scheduled for a Final Hearing at the December 17, 2002 Planning Board Meeting.

VOTED: 6-0.

After the above motion, Arthur Montana asked if there is a need to submit 15 more plans for the Final Hearing, since the only change is to take out the word, "Preliminary". It was requested by Planning Board Chair that the existing plans be retained for the Final Hearing.

VI. OTHER BUSINESS:

A. CDBG process update. This item was presented by James Andrews, Community Development Director on the Planning Board's role in the CDBG process. This was brought to the Planning Board concerning changes to the CDBG Program Citizen Participation Plan, which is to simply change the name to the CDBG Committee. The CDBG Committee will hold the Public Meetings and then they will go to the City Council to a Public Hearing. This will not eliminate the Planning Board from any planning process, such as the Consolidation Plan Process. This will be done on a five- (5-) year basis. On a year-to-year basis, it will be in the hands of the CDBG Committee. There were no comments. The following motion was made:

MOTION: *by Jeffrey Gosselin, seconded by John Cole that the Planning Board supports changes to the Community Development Block Grant (CDBG) process concerning the Planning Board, as submitted, and sending a report of this action to both the City Council and City Administrator.*

VOTED: 6-0.

B. Vincent Fruit Acquisition - 28 & 29 Lincoln Street. Lincoln Jeffers did a brief summary of this item. He stated that the City of Lewiston is reaching an Agreement with the property owner to buy these two (2) parcels. The City has agreed to lease this back to Vincent Fruit for four (4) years. They will continue to operate there, but will not have any debt service. The City is moving forward with the Bates Mill plans. The City will own 28-29 Lincoln Street. This opens up options for the City. The combined purchase price for the two (2) properties is \$220,000. The seller has agreed to having the relocation assistance included in that purchase price. Lincoln Jeffers stated that an appraisal was done for this acquisition. Vincent Fruit is not required to relocate in the City and will not be relocating for four (4) years.

The following motion was made:

MOTION: *by Robert Connors, seconded by Lucy Bisson that the Planning Board send a favorable recommendation to the City Council that the City of Lewiston proceed with the acquisition of the Vincent Fruit property at 28 and 29 Lincoln Street.*

VOTED: 6-0.

C. 10 Ash Street temporary parking lot. This lot was where the old bowling alley was located, the City acquired this lot and basically, due to the construction of the Park Street Parking Lot, additional parking spaces were needed. Public Works stated that this would be a mess if a surface is not put down before it is graded. A layer of black top has been put on it. This item was brought to the Planning Board to inform the members as an update. No action is necessary. This project will be designed with curbing and landscaping and will come back before the Staff Review Committee (S.R.C.) for development review.

D. Special meeting to accommodate Wal*Mart Distribution Center project (11/25/02). This Special Meeting has been scheduled as a Final Hearing on Monday, November 25, 2002 at 7:00 p.m. on the First Floor in the City Council Chambers.

E. Any other business Planning Board Members may have relating to the duties of the City of Lewiston Planning Board. None.

VII. READING OF THE MINUTES: Reading of the minutes from the 10/29/02 Planning Board Meeting.

MOTION: *by Jeffrey Gosselin, seconded by John Cole to approve the Planning Board Minutes for October 29, 2002, as submitted.*

VOTED: 5-0-1 (Bisson Abstained - Not present at that meeting).

VIII. ADJOURNMENT: This meeting adjourned at 8:30 p.m.

Respectfully submitted,

Dennis R. Mason, Planning Board Chair

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