

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for December 17, 2002 - Page 1 of 5**

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.

- **Members in Attendance:** Dennis Mason, Robert Connors, Jeffrey Gosselin, Roger Lachapelle, and Lucy Bisson.
- **Members Absent:** John Cole and Robert Robbins.
- **Staff Present:** Gil Arsenault, Deputy Development Director; James Lysen, Planning 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 a sheet of graphics on the Central Maine Medical Center covered walkways submitted by Morris Switzer. The following motion was made.

MOTION: by **Lucy Bisson**, seconded by **Roger Lachapelle** that the Planning Board accept this item, place it on file, and consider it at the appropriate time.

VOTED: 5-0.

Before the remaining agenda items were discussed, James Lysen presented outgoing Planning Board Chair Dennis Mason on behalf of the City a Bradco chair and gave a tribute to Dennis Mason. The chair was inscribed with the City seal, his name, the Board, and his years of service.

The following is a tribute to Dennis Mason from Planning Board Vice Chair John Cole. James Lysen read the letter, as follows.

"It has been my pleasure to serve as a member of the Lewiston Planning Board with Dennis Mason for the past four years. In the past two years, Dennis has ably served as Chairman.

As we all know, the task of the Chair is not an easy one. The Chair must be able to think on his feet and to respond quickly and efficiently at every meeting to the competing positions of staff, applicants, and the general public, all while operating within the complex framework of City ordinance, state law, and the public right to know laws. Dennis has competently discharged this responsibility at each and every meeting which he has chaired and has demonstrated his capacity to be an able arbiter of the many interests which enter into every decision of this Planning Board. He has ably balanced public concerns against private interests, and out meetings under chairmanship have been fair, expeditious, and harmonious. In every case, the public interest has been well served.

It should also be noted that Dennis's able discharge of his responsibilities has at all times been accompanied by his good humor and his spirit of positive undertaking. Under his leadership, the working imperative of this Board has been to find a way to make things happen in an expeditious and positive way. Whether an applicant has secured approval from the Planning Board or has been turned down, Dennis has imparted that this Board has acted responsibly and in a way which is consistent with the best interest of the City of Lewiston. Those who have come before the Board, I think, have come away with the sense that the Planning Board is a fair and positive setting for review of local development and not an obstacle to be overcome along the way to fruition of a new project. This has been possible because of Dennis's many years of experience as a member of this Board and his seasoned sense of the public interest. We will be hard pressed to do as well without him in the future.

Dennis, it has been a pleasure and privilege to work with you, and I wish you great success in all future endeavors. Thank you."

Planning Director James Lysen made the following comments, as to Dennis Mason's departure from the Planning Board. He thanked Dennis Mason for his dedicated service to the City of Lewiston, which includes five years on the Planning Board, two years on the LMRC, and two years on the Board Of Appeals. Dennis was dedicated to service and always came prepared for the meetings, and treated Staff with respect and supported City efforts.

From other Staff Members, they were most impressed with Dennis Mason's leadership. Dennis Mason allowed the citizens to have a voice and be heard, even in some more controversial projects. He helped transform the relationship between Board Members and Staff.

James Lysen stated that although they did not always agree on issues, they respected each others opinion and, in most cases, reached acceptable compromises in resolving issues.

After the above tributes, Dennis Mason said that the Planning Staff has changed a lot in the five (5) years that he has served this Board. Some of the people, i.e. Gil Arsenault, are in slightly different roles. Dennis Mason

said that he has really enjoyed that last two (2) years with the changes that have been made in having the Boards work together. This has made a difference in the City. The City is moving forward in a large part because Staff, the Planning Board, and other City groups are working together, rather than fighting amongst each other. The City is trying to make things happen. In closing, Dennis Mason said that he surely appreciates all of everybody's help.

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

IV. PUBLIC HEARING: Proposal by Richard B. Tonoli to rezone 34 Merrill Road from the Medium Density Residential (MDR) District to the Office Service (OS) District to allow the existing self-storage facility to become a conforming use. At the request of the Planning Board, David Sanborn read his memorandum dated December 13, 2002. This petition was submitted by Richard B. Tonoli to rezone his property at 34 Merrill Road from the Medium Density Residential (MDR) District to the Office Service (OS) District to allow the existing self-storage facility to become a conforming use, allow improvements, and/or future expansion. This project became a non-conforming use when this area was rezoned in 1988.

James Lysen said that this area was subject to some discussions when the Carter's project was approved on Main Street that included a component of self-storage. Because the site was made non-conforming, there can be no expansions of the facility. This was previously Industrially (I) zoned because of the proximity to the railroad tracks. James Lysen said that this corridor will be looked at early next year for some other possible rezonings consistent with the OS District. The OS District, allows not only self-storage facilities, but also light industrial. With some rail access, discussions are being opened up with Guilford about better access along the Maine Central Railroad lines. This is part of the City's Comprehensive Plan to take a look at rail-dependent uses. James Lysen showed this location on mapping presented at the Planning Board.

Present at this meeting was **Robert Faunce**, a local Land Use Planner, on behalf of Richard Tonoli. Robert Faunce stated that the Main Street parcel is almost fully developed. The self-storage facility was constructed in 1987. The main purpose for this rezoning is to make it a legal conforming use.

This item was opened to the public for questions or comments. Since there was no public audience available, the public portion was closed and turned back to the Planning Board for the following discussion and motion.

Dennis Mason said that he is concerned and feels that this is spot zoning of this property and if the City is going to do something more comprehensive in the future. He said his hope is and expectation is that the City needs to do something more comprehensive in the future. Robert Faunce said that this property was rezoned 15 years ago. There has been absolutely no development in that area that requires the MDR zoning. The property contains very poor soils for septic systems. The MDR zoning was wrong. The City has had 15 years to look at this. Richard Tonoli has been sitting on this and needs to be on with his life on this property. This property is adjacent to the railroad tracks. There are still some possibilities for non-residential use. There are some wetlands out back.

Lucy Bisson asked, "What is the City looking to rezone that area as?" James Lysen responded with something like the Office Service (OS) District.

The following motion was made.

MOTION: *by Roger Lachapelle, seconded by Robert Connors that the Planning Board send a favorable recommendation to the City Council to approve the rezoning of 34 Merrill Road from the Medium Density Residential (MDR) District to the Office Service (OS) District to allow the existing self-storage facility to become a conforming use.*

VOTED: 4-0-1 (Gosselin Abstained).

Jeffrey Gosselin rejoined the Planning Board.

V. FINAL HEARINGS:

A. Final Hearing on a Development Review application by David and Jo-Ann Driscoll to create a seven- (7-) lot subdivision named "Rabbit Run" located on 27.8 acres at 220 Randall Road. The reading of the memorandum prepared by David Sanborn dated December 13, 2002 was waived by the Planning Board.

This application was submitted by David and Jo-Ann Driscoll is to create a proposed seven- (7-) lot subdivision on 27.8 acres of land at 220 Randall Road. This property is located in the Neighborhood Conservation "A" (NCA) District. Single-family subdivisions are permitted in this zoning, as a matter-of-right. These proposed lots will not be serviced by public sewerage or water. Each of these lots will have a driveway to provide access with the driveway located next to the lot line with the abutting driveway. The site distance of each lot is 350 feet. The

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minimum lot size is 20,000 square feet with a road frontage of 75 feet.

Arthur Montana, from A.R.C.C. Land Surveyors, was present at this meeting on behalf of David and Jo-Ann Driscoll. Arthur Montana stated that the only change since the last Planning Board meeting was to put the property markers and fine-tune it.

MOTION: by *Lucy Bisson*, seconded by *Jeffrey Gosselin* that the Planning Board grant final approval to the application for David and Jo-Ann Driscoll at 220 Randall Road.

VOTED: 5-0.

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

B. Final Hearing on a Development Review application for a minor amendment to the Central Maine Medical Center Campus Plan to include sidewalks, canopies, and landscaping improvements at the recently relocated entrance on High Street. At the request of the Planning Board, David Sanborn read his memorandum dated December 13, 2002. Present at this meeting was *Norm Chamberlain* from Taylor Engineering Associates, who is assisting Morris Switzer (the project architect) on behalf of Central Maine Medical Center. Also present was *Pat DeFilipp* from Central Maine Medical Center (CMMC). The minor amendments to the Campus Plan includes providing sidewalks, canopies, and landscaping along the recently relocated High Street, rebuilding of a portion of a sidewalk along Hammond Street, and the addition of landscaping, also along Hammond Street. There are several waivers, which include parcel, easements, traffic analysis, drainage calculations, water supply, and financial capacity, since this is a modification of an existing plan.

Norm Chamberlain gave a presentation. First, he showed the new medical office complex, which was approved about 18 months ago. About a year ago, the High Street relocation and parking garage was approved. This work is now complete. This package is to take a closer look at the landscaping and traffic circulation on what is going to be the new entrance to the hospital. The emergency department had to be moved back to where it used to be. The entrance where the emergency department used to be is only for ambulances. The major features of this are going to be the new entrance, which is a cul-de-sac (loop) for drive-ins and drop-offs. Patients/visitors will go into the new entrance, go through a portion of the new building, and end up at the elevators. Pavers, granite curbing, and sidewalks will go in this area, be adjacent to each other, but at the same level. This will delineate parking/driving areas from standing areas. The pavers will make it so that you can drive there, but it will direct people through the loop rather than to the emergency area. This will allow the fire trucks to go through and make the turn. The radii do meet the requirements, as expressed by the Fire Department on their review form. The fire department sprinkler connection will be landscaped and will meet their criteria (also listed in their memorandum dated 12/10/02. This area is depicted on the map in green color. The area between the new hospital building and 76 High Street will have a garden with stone, and a little river to look at. This is now in the preliminary stage. There would be several floors of rooms overlooking this area. A new parking lot will be added where the construction trailers currently are located over by the Arbor House. The little house next to Advantage Gas will be taken down. This used to be parking for employees. Hammond Street will be opened up with a little entrance to provide for better circulation. There is a lot of employee parking in the basement of the parking garage over across Main Street. It is very easy to find a parking space. The parking garage is about 25 percent full. The corner is to be re-landscaped and the entrance reconfigured to the parking lot to line up with the new entrance.

One of the biggest features of this whole plan was getting pedestrians from the parking garage into the main entrance. This proposal includes having covered walkways. You will then be able to walk from the parking garage down to the main entrance without getting wet.

Public Works is requesting that a 13-1/2 foot clearance be provided for maintenance vehicles. Norm Chamberlain has not yet been able to speak to them about why they wanted this, therefore, he is requesting a conditional approval, based on satisfying the Public Works Department on this issue. This has actually been moved back from the edge of the sidewalk. There is a hydrant located there that they did not want to move. There will be some green esplanade between the covered sidewalk and the curb. Norm Chamberlain said that the Public Works Department had comments on other details, but he does not foresee any problems with those which pertained to catch basins and paving.

The goal is to get people from cutting through 12 High Street. This is a big complex. There are a tremendous amount of handicap spaces. They are providing more handicap than the ADA requires.

Pat DeFilipp stated that the emergency entrance was too congested. There will be a separate bank of elevators to get to the new medical office complex. He said that they did not want to mix ambulances and drive-up traffic. This is similar to the entrance at Maine Medical Center. They also use pavers to direct the traffic. This keeps the traffic and ambulances separated. Pat DeFilipp said there will be reserved parking for 76 High Street. CMMC would like to eventually add on the parking garage and maybe relocate the helicopter on its roof. Pat DeFilipp said that the covered

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walkways will be lit at night and safe to walk in.

Dennis Mason stated that signage is lacking from Hammond Street. There is a lot of signage from Main Street

in. The signage goes with the new design. There will be light poles down the center island of High Street. Landscaping will be done this spring along both sides of High Street. At the request of Robert Connors, clarification was made as to the ambulatory emergency entrance. The fountain area is the ambulatory emergency entrance.

There being no further questions or comments from the Planning Board and no public audience available, the following motion was made.

MOTION: by **Robert Connors**, seconded by **Lucy Bisson** that the Planning Board approve the Central Maine Medical Center Campus Plan, as submitted, with the condition that Central Maine Medical Center meet the Fire Departments Criteria No. 2 on the memorandum from Peter Morrell dated December 10, 2002 as to vegetation adjacent to the fire department's sprinkler connection; the Public Works concerns that are enumerated by Dan Goyette in his memorandum dated December 10, 2002; and that the Public Works Department and the Planning Division concern on the requirement with regard to construction and the design of the canopy be met.

VOTED: 4-0-1 (Gosselin Abstained).

Jeffrey Gosselin rejoined the Planning Board on the remainder of the agenda items.

VI. OTHER BUSINESS:

A. Maine Affordable Housing Network. James Lysen stated that after review of the letter included in the Planning Board packets dated November 7, 2002 from Nancy E. Fritz, Chair of the Maine Affordable Housing Networks, it makes sense for her group to first meet with the Housing Task Force, which is staffed by James Andrews, the Community Development Director. Dennis Mason stated that the Planning Board has been supportive to affordable housing. They have allowed re-use of the downtown with affordable housing. James Lysen said that it is clear that we need to promote mixed-age, mixed-income housing. Jeffrey Gosselin asked James Lysen to define affordable housing. James Lysen said that affordable housing is that you need housing at all price ranges. Affordable housing is housing that can be accessed by persons with 80 percent of the median income in the City, which is based on a certain ratio of how much you put towards your housing with a family of three (3) or four (4). Jeffrey Gosselin stated that this may realistically mean a lower price and lower level of housing than in the southern part of the state. There is a need to attract jobs to afford to pay for the housing. The hospital will have an impact on the market because it will require people to have housing 15 minutes away for the new Cardiac Care Center. In closing this brief discussion, James Lysen said that he would suggest that they set up a meeting with the Housing Committee and then, if further down the road the Maine Affordable Housing Network would like to talk with the Planning Board, one (1) could be set up. The Board agreed.

B. Discussion concerning possible change to the Planning Board Meeting night schedule. John Cole spoke to James Lysen on this matter and said that he would like the schedule to remain as is, however, if it is to be changed, Monday night would be the better night. Jeffrey Gosselin said that he prefers Mondays also. James Lysen read City Administrator James Bennett's e-mailed letter dated December 16, 2002. It basically states in this letter that he would like to have these meetings televised. Currently, with the Tuesday night meeting schedule, it will conflict with the Tuesday night City Council Workshops of which he also wants televised. If changed to Monday night, the packets will need to be delivered earlier. They could be sent out on Thursdays instead of Fridays. As of January 2003, with the addition of two (2) associate members, there will be a total of nine (9) members on this Board. Dennis Mason suggested the first and third Monday or Wednesday of each month. These meetings need to be scheduled in order to be televised and to get actions to the City Council and notices out to the public on time. The best day that was agreed on was the first and third Mondays of each month. It was then agreed to schedule only one meeting per month for both January and February 2003 because of holidays and to schedule the meetings for Mondays. Therefore, the following is a three- (3-) month schedule for the Planning Board Meetings: Monday, January 6, 2002 (organizational meeting where votes are taken as to who will be the next Chair, Vice Chair, and Secretary of the Board FY2003). At that meeting there will be two (2) alternates and another Board Member replacing Dennis Mason. It was also agreed that the February Meeting is for Monday, February 3, 2003 and from there on after, the Planning Board meeting schedule for the first and third Monday will start with March, which will be March 3 and 17th. The following motion was made.

MOTION: by **Lucy Bisson**, seconded by **Jeffrey Gosselin** that the Planning Board Meeting schedule be changed from the 2nd and 4th Tuesdays to the 1st and 3rd Mondays of each month, as previously discussed..

VOTED: 4-1-0 (Mason Opposed).

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C. Proposed Development Review streamlining. James Lysen said that he hopes to have a proposal ready by the end of the month to be ready for January 2003. The focus will include requiring only one (1) meeting before the Planning Board for development review. Once an application is determined complete, within 30 days, the project

gets approval. Once the application is determined to be complete a notice will be sent to the abutters. This will give Staff time to get all the information out to each department, receive comments, and get those comments to the applicants. Most issues will or can be resolved before the meeting. James Lysen said that he expects that the Board would, at that meeting, confirm: 1. The waiver checklist; 2. Determine the application complete; and 3. Based on that complete application, that it meets all the approval criteria. This can all be accomplished in one (1) night. James Lysen stated that work is also being done on some street standards and Planned Unit Development.

D. Proposed Planning Board Workshop - Maine Municipal Association. Once the two (2), new associate members and a Board Member replacing Dennis Mason are in place, a training session/workshop will need to be scheduled for January or February of 2003 with the MMA. The possible workshop dates are either January 27, 2003 or February 24, 2003.

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 November 19th and 20th, 2002 Planning Board Meetings. The following minor changes were made to the minutes for November 19, 2002 by Lucy Bisson: A. On Page No. 1, Item IV. Public Hearing, third paragraph, seventh line, delete the word, "little" and replace it with the word, "few". Also on the same page and Item IV, fourth paragraph, fourth line, delete the words, "and no approval plan for that area.". B. On Page No. 2, Item IV, third paragraph, second line, add an "s" to the word, "area". In the fifth paragraph, first line, delete the word, "there". On the second line of this same paragraph, change the word, "vacancies" to read, "vacant". In the sixth paragraph, third line, delete the words, "petitions that have been entered" and replace them with the word, "conditions". On this same line, add the word, "has" between the words, "development" and "been". C. On Page No. 3, first full paragraph, eighth line, add the word, "it" after the word, "discontinued". In the second full paragraph, third line, delete the words, "and that it". D. On Page No. 4, third motion, bold both persons names listed in the motion. There were no changes made to the Planning Board Minutes for November 25, 2002. The following motion was made.

MOTION: by **Lucy Bisson**, seconded by **Roger Lachapelle** to approve the Planning Board Minutes for November 19, 2002, as amended, and the Planning Board Minutes for November 25, 2002, as submitted.

VOTED: 5-0.

Before this meeting adjourned, Roger Lachapelle commented that he really enjoyed coming to the meetings, which were chaired by Dennis Mason. Robert Connors also complimented Dennis Mason on the knowledge he possesses and keeping the meetings going.

VIII. ADJOURNMENT: There was no vote or action taken on adjournment. This meeting adjourned at 8:34 p.m. The next regular Planning Board Meeting is scheduled for Monday, January 6, 2003.

Respectfully submitted,

Dennis R. Mason,
Planning Board Chair

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