

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for February 9, 2004 - Page 1 of 4**

I. ROLL CALL: This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 7 p.m. and was chaired by Jeffrey Gosselin.

- **Members in Attendance:** Jeffrey Gosselin, Lucy Bisson, Tom Truchon, Jim Horn, John Butler, and Stephen Morgan.

- **Members Absent:** Roger Lachapelle and John Racine.

- **Staff Present:** Gil Arsenault, Director - Planning & Code Enforcement; David Hediger, City Planner; Eric Cousens, Land Use Inspection Officer; and Lincoln Jeffers, Deputy Director of Economic and Community Development.

- **Student Member Present:** Wade Morgan.

Chairman Gosselin appointed both associate members present to full voting members.

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: None.

VI. HEARING: *A proposed Conditional Rezoning of 121 East Avenue, 6 and 8 Malo Street from Office Residential (OR) and Neighborhood Conservation "A" (NCA) Districts to the Community Business (CB) District (continued from the January 26, 2004 Planning Board Meeting).* Chairman Gosselin requested the staff comments be read. David Hediger read the staff comments dated 2/5/04. Lincoln Jeffers was then asked if he would like to speak. Jeffers explained further and handed out a zone comparison showing uses allowed in the OR and CB districts. He explained the housing and office uses that the current zoning permits and then presented a conceptual site plan of an 80-120 room hotel on the site. A feasibility study would determine where, in this range, the final proposal would be for total rooms. Both driveway design and signage would encourage right turns onto Malo Street for people leaving the site. Tim Dubuc then took over and explained that the CB District has a 10 foot yard requirement, but he is proposing to maintain double this requirement with a yard/buffer along the NCA properties of 20 feet. This buffer area would include a berm, fence, and evergreen trees in whatever combination the particular abutter prefers. A sidewalk to improve pedestrian traffic would also be created on Malo Street with land donated to the City by Tim Dubuc.

Chairman Gosselin then explained the review process and acknowledged that this is not development review and asked where a restaurant might be located. Tim Dubuc explained that the restaurant would be in the hotel building.

Steve Morgan suggested considering making Malo Street a one-way street.

Jim Horn asked about curb cuts before and after. Tim Dubuc explained that three exist now and this would be reduced to two, with only one remaining on East Avenue.

The meeting was opened to the public. The following spoke in support of the proposal:

Bert Michaud, 81 East Avenue, supports the rezoning as a good thing for the future of Lewiston.

Dianne Dubois, 71 East Avenue, is excited about the project.

Al Silva, 832 College Road, supports the proposal.

Pam Morin, 86 Grove Street, Sabattus, Maine, suggested closing Malo Street to prevent traffic from the hotel from entering the neighborhoods. She supports the project.

Don Dubuc, Minot Maine, used to live at 121 East Avenue and stated that the new hotel in Auburn is near the YMCA. He stated that Lewiston needs this type of development.

Carol Dionne, 62 Boston Avenue, explained that her son is getting married and she had to go to Poland Spring to get a block of rooms for the wedding. The hotel on East Avenue would have been more convenient and she also would like to see new restaurants in Lewiston.

The following spoke against the proposal:

Roger Plourde, 45 Pearl Street, asked who is interested in the site? He has not heard of any specific company looking at the site and would like to know. Mr. Plourde feels that the zoning should be looked at after a specific project is being proposed. T. Dubuc stated that the company wishes to remain anonymous at this time.

Mark Lavertue, 23 Pearl Street, handed written concerns to the board and explained that current zoning allows many uses that would negatively impact neighbors, but allowing a hotel and bar would endanger children. A hotel would provide a place for drug dealers, transients, child molesters and drinking within close proximity to a school and the YWCA and this is unacceptable.

Leo Baillargeon, 29 Pearl Street, believes that people will use Malo, Pearl, and Stevens Streets to avoid traffic on East Avenue. This additional traffic will endanger children.

Leo Baillargeon, 29 Pearl Street, asked John Butler if he remembers how many years did it take for the school board to get a light at the high school on East Avenue. He responded, "ten (10) years".

Raymond Fournier, 18 Malo Street, asked how long is the approval good for. Gil Arsenault explained that rezoning does not generally have an expiration, however, development review approval does.

Barbara Fournier, 18 Malo Street, asked where fencing would be placed along her property line, and why is the entire property plowed this winter? T. Dubuc responded that it would be within the proposed 20' buffer area. He decided to plow the property for reasons other than the possible development.

Leo Baillargeon, 29 Pearl Street, asked if there would be another meeting before construction. The response was, "Yes, the project would have to come back to the Planning Board for development review, which would be a public meeting".

Barbara Fournier, 18 Malo Street, does not want Malo Street blocked off.

Karen Kay, 19 Malo Street, wants Malo Street to be more pedestrian-friendly. It is a narrow road with no sidewalks.

Roger Plourde, 45 Pearl Street, repeated his concerns.

Sandra Wagner, 21 Pearl Street, asked how the Board could consider a new hotel when area hotels are at only a 60 % occupancy on average. Tim Dubuc responded that this would be looked at during the feasibility study.

The public portion was closed and opened back up to the board for discussion.

Tom Truchon asked about the current occupancy of 121 East Avenue. Tim Dubuc responded that there are 12 beds at Mom and Dad's Guest House and they are full all the time.

John Butler asked when the project would break ground? The response was, at the earliest, it would be late summer. John Butler then asked why we would have an expiration date if the zoning change is appropriate now, why would that change? Gil Arsenault stated that development review has a two-year expiration and the conditional rezoning generally does not have an expiration if the property is used in conformance with the approval.

Lucy Bisson is against having an expiration and Jim Horn agrees that giving it an expiration date is like second guessing their own consideration.

Lucy Bisson understands the negative feelings toward change, but currently allowed uses would have the same impacts. Traffic will be discussed during development review, but she feels the use is appropriate.

John Butler made a motion to approve the conditional rezoning ,but it was not seconded at this time.

Jim Horn does not think the expansion into the NCA zoned portion of the property is appropriate.

Chairman Gosselin appreciates the quiet neighborhood, but East Avenue is already a busy street that will become busier. Drainage will be a concern during development review.

Tom Truchon is comfortable with the rezoning, but development review will be difficult.

Lucy Bisson stated that buffers will be looked at during development review.

Lincoln Jeffers explained that he spoke with the potential developer and he would like to work with neighbors on the buffers, however, the project must also remain feasible.

Jim Horn stated that our forefathers made a portion of the property NCA and we should not change that tonight. Mr. Horn feels that homes would generate more tax dollars than parking lots and that a hotel should be near the street. Lincoln Jeffers responded that 6 and 8 Malo Street are already zoned OR and that generally moderate homes cost the City more than they generate in taxes and a \$4 million hotel would generate \$110,000 in taxes.

Steve Morgan asked why the hotel and parking could not be near East Avenue. Lincoln Jeffers replied that topography would prohibit location near the street.

Gildace Arsenault stated that if the project was not proposed, that staff would recommend including the entire parcel in the OR District. David Hediger agreed that eliminating split zones will be a goal of the rezoning of the City being considered over the coming months.

Lucy Bisson asked when the NCA line was drawn? Gildace Arsenault explained that the current code is from 1988, however, the Malo and Pearl Street properties were zoned residential previously.

Jim Horn feels that there will be a traffic congestion problem on East Avenue if the hotel is constructed. Lincoln Jeffers explained that traffic from a hotel generally comes and goes over time and does not generate a high number of trips in any given hour.

Steve Morgan stated that traffic is a problem in front of the high school.

John Butler stated that East Avenue is no longer residential and has become a major corridor.

Steve Morgan asked if Shaws has had negative impacts on traffic. Negatives have been minimal and impacts have, for the most part, been positive.

MOTION: by **John Butler**, seconded by **Lucy Bisson** that the Planning Board favorably recommends to the City Council to conditionally rezone 121 East Avenue, 6 and 8 Malo Street from the Office Residential (OR) and Neighborhood Conservation "A" (NCA) Districts to the Community Business (CB) District.

VOTED: 5-1 (Jim Horn was opposed).

V. OTHER BUSINESS: 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 January 26, 2004 Planning Board Meeting.

MOTION: by **Lucy Bisson**, seconded by **John Butler** that the Planning Board accept the Planning Board Minutes for January 26, 2004, with the following changes:

1. *Page No. 4, comments by Mr. Wagner, change the first wording of “homes” to read, “home’s”;*
2. *Page No. 4, under the listing for the items of correspondence and before the motion was taken, correct the spelling of “Sarah Conry” in Item 1 to read, “Sarah Conroy”; and*
3. *Page No. 5, second motion, Item 1 delete the second set of words, “for the”. This was printed twice. Also on Page No. 5, same motion, Item 2, change the spelling of “Item” to read, “Item”.*

VOTED: 6-0.

VIII. ADJOURNMENT: There was no action or vote taken to adjourn this meeting, however, the next regular scheduled Planning Board Meeting is for Monday, February 23, 2004.

Respectfully submitted,

Lucy Bisson
City of Lewiston - Planning Board Member & Secretary

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