

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for March 22, 2004 - Page 1 of 5**

I. ROLL CALL: This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 7:00 p.m. and was chaired by Jeffrey Gosselin.

- **Members in Attendance:** Roger Lachapelle, Jeffrey Gosselin, Lucy Bisson, John Racine, Tom Truchon, Jim Horn, John Butler, Stephen Morgan and new Associate Member Tom Peters.

- **Member Absent:** Roger Lachapelle.

- **Staff Present:** David Hediger, City Planner, Eric Cousens, Land Use Inspection Officer, Lincoln Jeffers, Deputy Director of Economic and Community Development and James Bennett, City Administrator

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

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: None.

Chairman Gosselin appointed Steve Morgan as a voting member due to Roger Lachapelle's absence.

IV. HEARINGS:

A. FY2005 Lewiston Capital Improvement Program (LCIP). City Administrator James Bennett made the following presentation. Mr. Bennett explained the agenda, services and necessary funding. He then explained the tax reform options of last year and this year. The Palesky proposal leaves Lewiston with \$3.1 million +/- to fund police, fire, schools, the Public Works, the Public Services, and City Hall, but the current level of service costs \$28 million +/- . If the Palesky proposal passes, FY2005 would be about phasing out services and cuts would be implemented in FY2006. Mr. Bennett indicated that funding for economic development would still be necessary to increase the tax base - this would be the only way to increase property tax revenues.

Chairman Gosselin asked the Board for any questions.

John Butler asked Mr. Bennett for clarification of some numbers in Section 4 of the LCIP document. Mr. Bennett explained that the difference between the tax revenues and the implied tax revenue based on the percentage of total assessed value of all property within the city was comprised of TIF's, tax exemptions, and tax sheltering.

Chairman Gosselin asked what other large cities are saying about the Palesky proposal. Mr. Bennett explained that if all other options/groups could come together in compromise for a single alternative to Palesky, there would be a greater chance of defeating the Palesky proposal. He then explained that city officials are at a disadvantage in swaying public sentiment against the Palesky proposal and lose credibility because of the direct impact on their jobs/paycheck.

Tom Peters asked how much the LCIP document will change if the Palesky proposal passes? Mr. Bennett explained that there will be some changes, however, there are also many obligations that cannot be changed in FY2005. Mr. Peters stated that the Planning Board's recommendations would likely change if the Palesky proposal passes.

The public portion was opened and then closed without any comment.

John Butler asked what MMA is doing about this? Mr. Bennett said that early efforts have fallen apart, but MMA is now focusing on a small homegrown neighborhood ground game in support of the MMA Option 1A.

Jim Bennett stated that there will be no tax dollars used to fund the Colisee, Bates Mill exit strategy, or the Southern Gateway Project. There will likely be an increase in the tax rate next year.

The following motion was made.

MOTION: by **Steve Morgan**, seconded by **Lucy Bisson** that the Planning Board send a favorable recommendation to the City Council on the FY2005 Lewiston Capital Improvement Program (LCIP) and that the Planning Board should be consulted on expenses of over 100K or if the LCIP changes significantly.

VOTED: 7-0.

B. A proposal to construct a 50' x 100' commercial building and parking lot for an automobile radiator repair shop located at 1522 Lisbon Street. David Hediger read the Staff comments. Lincoln Jeffers explained that this is the result of about 10 months of work and introduced **Mr. Ernest Ray** (the contractor) and **Mike Gotto**, TSI as project representatives. Chairman Gosselin asked where the stockade fence will go and Mr. Jeffers explained.

The Board had no further questions at this time. This item was then opened to public to speak in support and then closed without comment.

This item was then opened to Public for opposition or general comments.

Nancy Chasse, 17 Drew Street asked where along her property the fence would be and how tall? She might prefer a staggered row of evergreens. She and her husband, **Dan Chasse**, then expressed concerns about the sewer system and street flooding that has been a problem in the past. The existing drainage swale allows drainage from Phillips Elmet to run along the property line to Drew Street and Mr. Chasse must maintain and snow blow the drainage way to prevent backup. Mr. Gotto explained that the existing swale will not be blocked and Public Works/Services is making improvements to the system in that area to address existing problems.

Maurice LaPlante, 27 Drew Street asked about the flow of traffic. Mike Gotto explained that most deliveries come in flatbed or box trucks and there should only be about one (1) tractor trailer a year. He also explained that the site is designed to accommodate this. Mr. Laplante raised concerns about Karen's Driving School using the parking lot for their parking. David Hediger explained that it will be an enforcement issue, if the business starts using Drew Street for parking.

Martha Catevenis, 10 Goddard Road asked why it would not be addressed by the Planning Board. David Hediger explained that the driving school should have enough parking on their site and that if they do start using Drew Street for parking, it will be an enforcement issue, unrelated to the project being reviewed tonight.

The Public portion was then closed and brought back to the Board.

Tom Peters asked about trees, instead of the fence. Mike Gotto stated that trees are an option. Mr. Peters also thought trees may help prevent erosion as the K values for erodability of the site were high. Mike Gotto explained that there is an erosion and sedimentation control plan for the site that will address the erosion concerns.

Tom Peters asked why the 25% modification of setbacks is necessary. Mike Gotto explained that the traffic flow and the ability to maneuver large trucks required additional space in the parking area.

John Butler asked if the potentially drastic tax reform could cause the sewer improvements to be removed from the LCIP and prevent the needed repairs. Lincoln Jeffers and Jim Bennett explained that the necessary repairs have already been funded and will be in progress by June.

John Racine asked if there are any chemical licenses required for disposal. John Butler explained that generally businesses like this will contract with a company like "Safe Handling" to dispose of fluids that cannot be disposed of on site, anti-freeze, etc. Jim Bennett explained that the City is giving Lincoln Street Radiator \$25,000 as part of their relocation to improve equipment and comply with new regulations.

Jim Horn remarked that the City repairs “might” improve the drainage situation as said by Staff, but what if they do not? What will be done if the repairs do not fix the problem? Jim Bennett explained that the project is not making the drainage worse and the water and sewer improvements can only make the situation better.

Tom Peters asked if the proposed 63% impervious area will increase the likelihood of flooding? Mike Gotto explained the stormwater plan.

MOTION: by **John Butler**, seconded by **Lucy Bisson** that the Planning Board determines the application for the automobile radiator repair shop (Lincoln Street Radiator) at 1522 Lisbon Street to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to the City of Lewiston, subject to the following conditions:

1. That there be a treeline buffer placed that is equal to or greater than a fence and
2. The proposed stormwater improvements are made by Public Works.

VOTED: 7-0.

C. A proposal to construct a dry goods warehouse for the Wal-Mart Mechanized Distribution Center located at 239 Goddard Road. David Hediger read the Staff comments. Lincoln Jeffers introduced **Kenny Houghton**, from Carter Burgess Inc. Mr. Houghton explained the project.

John Butler showed a map from the neighborhood meeting and acknowledged that traffic issues may arise during construction and they must be ready to deal with them.

Noise from construction activity is limited to between the hours of 7:00 a.m. and 7:00 p.m.

This item was opened to the public in support or general comments and then closed without comment.

This item was then opened to opposition.

Martha Catevenis, 10 Goddard Road is concerned that contractors and their local employees will travel on Goddard Road during construction and that not all of them will use Exit 13. She also feels that the Alfred Plourde Parkway is dangerously curvy and that roads like this are usually old existing roads, but the City built this one.

Lorraine Roberge was concerned about improvements to Goddard Road. Turning lanes will be added as well as a light at Exit 13.

The Public portion was closed and brought back to the Board.

John Racine asked what improvements will be made to Exit 13. David Hediger explained that there will be widening and turning lanes added to the exits and lanes added to the Alfred Plourde Parkway for turning onto the southbound on ramp.

Tom Peters asked if Wal-Marts original approval will expire this year if substantial construction has not begun. **Kenney Houghton** stated that his understanding was that the changes to the Alfred Plourde Parkway were the substantial beginning.

Tom Truchon asked about a possible turnpike exit on Goddard Road. Lincoln Jeffers explained that one (1) option being looked at is a ½ exit that would have a northbound exit and a southbound entrance off of Goddard Road.

Jim Horn asked if the Board could limit construction activity and noise. The code limits both to between 7:00 a.m. and 7:00 p.m.

MOTION: by **Lucy Bisson**, seconded by **Tom Truchon** that the Planning Board determines the application for the dry goods warehouse for the Wal-Mart Mechanized Distribution Center at 239 Goddard Road to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to Wal-Mart Stores East, LP, subject to the following condition - that the applicant receive DEP approval.

VOTED: 7-0.

D. A proposal to create a three- (3-) lot subdivision, with a total area of approximately 17 acres, owned by Schott Realty, Inc. located at 56 Strawberry Avenue. Chairman Gosselin introduced the project and recused himself due to a conflict. Lucy Bisson will chair this hearing. David Hediger read the Staff comments and introduced **Art Montana**, ARCC Land Surveyors. Mr. Montana gave a background on the project.

John Racine asked what Lot 2 would be used for. **Alan Hahnel**, Schott Realty, stated that a national bakery distribution company wishes to establish themselves in Lewiston. The company would come to the Board for development review if they decide to locate here.

Steve Morgan asked if there is a contract for the sale. Mr. Hahnel said there is a Purchase and Sale Agreement.

This item was opened to the public in favor, opposition, or comments.

Jeff Cooper, Tri-County Mental Health Services, welcomes the new neighbor, if they should choose to locate there. One question that he raises is the potential worsening of the traffic problem. David Hediger explained that traffic will be reviewed if someone proposes a development at the site.

MOTION: by **John Butler**, seconded by **John Racine** that the Planning Board determines the application for the creation of a three- (3-) lot subdivision owned by Schott Realty, Inc. at 56 Strawberry Avenue to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Sections 4 and 5 of the Zoning and Land Use Code; and grants approval to Schott Realty, Inc.

VOTED: 7-0.

Jim Horn asked if the increased traffic could trigger the need for improvements that may limit development of the site. David Hediger stated that there is that possibility.

V. OTHER BUSINESS:

A. A discussion on Tim Dubuc's Conditional Rezoning. David Hediger updated the Board on the City Council's passage of the conditional rezoning. The Council put a 36-month expiration on the conditional rezoning, if substantial construction has not begun. A Board discussion followed.

B. A discussion on the Planning Board's summer schedule. Limiting of the meetings to one (1) per month in July and August was discussed.

C. Any other business Planning Board Members may have relating to the duties of the City of Lewiston Planning Board. Steve Morgan suggested that there be a laser pointer available for presentations so both the Board and the public have views of the maps/site plans. Jim Horn said that he could bring one (1) of the many he has confiscated from students.

VI. READING OF THE MINUTES: Reading of the minutes from the February 23, 2004 and March 8, 2004 Planning Board Meetings.

February 23, 2004: The following motion was made.

MOTION: by **Lucy Bisson**, seconded by **John Racine** to approve the minutes with the following change: On Page No. 2, Paragraph C to read proposal to....eliminate UE zone...

VOTED: 6-0-1 (Tom Truchon Abstained).

March 8, 2004: The following motion was made.

MOTION: by **Lucy Bisson**, seconded by **John Racine** to approve the minutes with the following change: On Page No. 2, second to last line, that staff.

VOTED: 7-0.

VII. ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **John Butler**, seconded by **Steve Morgan** that the Planning Board adjourn this meeting at 9:25 p.m.

VOTED: 7-0.

The next regularly scheduled Planning Board Meeting is for Monday, April 12, 2004.

Respectfully submitted,

Roger Lachapelle
City of Lewiston Planning Board Member and Secretary

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