

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for July 12, 2004 - Page 1 of 3**

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:**, Jeffrey Gosselin, Lucy Bisson, Tom Truchon, Jim Horn, John Butler, Stephen Morgan, and Thomas Peters.

Members Absent: Roger Lachapelle and John Racine

- **Staff Present:** David Hediger, City Planner and Eric Cousens, Land Use Inspection Officer.

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

II. ADJUSTMENTS TO THE AGENDA: None.

III. CORRESPONDENCE: Distributed at this meeting were the following items: A. Signature Page to the application for Northeast Bank, 500 Canal Street; B. An e-mail from Mark Paradis to David Hediger dated July 11, 2004 regarding Northeast Bank, 500 Canal Street; and C. Draft Planning Board Meeting Minutes for June 28, 2004.

The following motion was made.

MOTION: by **Tom Peters**, seconded by **Lucy Bisson** that the above correspondence and Staff comments be placed on file and read at the appropriate time.

VOTED: 7-0.

IV. HEARINGS:

A. A proposal to construct a four- (4-) story, 27,456 SF, office building at 500 Canal Street.

At the request of the Chairman, David Hediger presented a summarization of his memorandum dated July 8, 2004. Lucy Bisson asked what the circles shown on the site plan are and **Michael Couture**, explained that they are trees. John Butler asked if this structure is part of the Heritage Initiative. David Hediger explained the location on the Heritage Initiative map. John Butler asked if monies have already been promised for this project and David Hediger explained how the project is connected to the Joint Development Agreement.

Chairman Gosselin opened the public portion for those in favor, of which there were none. There was also no opposition or general comments, therefore, the public portion was closed and this item was brought back to the Board.

David Hediger explained City Councilor Paradis' concerns with sight distance, as expressed in hid e-mail dated July 11, 2004 and placed on record as correspondence. If there is any change to the sight distance, it will be improved.

The following motion was made.

MOTION: by **Tom Peters**, seconded by **John Butler** that the Planning Board determines the application for the Northeast Bank at 500 Canal 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 the transfer of ownership and clearing of the title to the real estate occur prior to the commencement of construction.
2. Maintenance and easement agreements shall be recorded and submitted to Staff's satisfaction prior to commencement of construction.

VOTED: 7-0 .

B. *A petition to amend the Zoning and Land Use Code to permit off-street parking located within five hundred (500) feet of a principal building or use in a non-residential zoning district as an accessory use.* David Hediger gave a brief summary of his memorandum dated July 8, 2004. Chairman Gosselin introduced the project, recused himself, and appointed Lucy Bisson to chair the hearing. **Mike Gotto** of Technical Services, Inc. was introduced as the project representative.

Chairwoman Bisson opened the public portion for those in favor. **Roland Girardin** of 32 Chadbourne Road spoke in favor of the project. This item was then opened to the public for those opposed or for general comments. There was none, therefore, this item was brought back to the Board. Tom Peters asked how Staff arrived at the 500' proximity requirement. David Hediger explained that the code currently allows for parking to be provided within 500 feet along normal paths of travel in other areas. Tom Peters stated that it is important to note that this is not "as the crow flies" but is along streets using crosswalks along the normal path of pedestrian travel. Jim Horn asked who would be liable for injuries on the R.O.W. David Hediger explained that the City would require a release from liability.

MOTION: *by John Butler, seconded by Stephen Morgan that the Planning Board send a favorable recommendation to the City Council to amend the Zoning and Land Use Code to permit off-street parking located within five hundred (500) feet of a principal building or use in a non-residential zoning district as an accessory use.*

VOTED: *6-0 (Jeffrey Gosselin was recused from the hearing, due to a conflict).*

V. OTHER BUSINESS:

A. *Update on Landscaping Plan for Lot Nos. 4 and 5 - Discovery Drive.* Jeffrey Gosselin re-took his position as Chairman. David Hediger provided an update on the on-going negotiations. **Lorraine Roberge**, 299 River Road explained that the agreement is not complete on paper. David Hediger explained that the project is still out to bid, but is not at a close yet. **Roger Roberge** of the same address said that they are not seeing eye-to-eye with the City on the quantity of plantings. Mr. Roberge would like 40+ evergreens and 8-10 deciduous trees and the City is proposing in the area of 25 trees. Chairman Gosselin recused himself as a motion was being discussed and he had a conflict. Lucy Bisson re-took the chair. Tom Peters suggested scheduling a hearing as a drop dead date for negotiations, after which the Planning Board will make a decision.

MOTION: *by Tom Peters, seconded by John Butler that the Planning Board schedule a hearing on this matter for August 9, 2004.*

VOTED: *6-0 (Jeffrey Gosselin recused himself from the hearing, due to a conflict).*

B. *Any other business the Planning Board Members may have relating to the duties of the Board.* Discussion followed on projects or items that require both Planning Board and City Council approvals. Even if the council reviews them first, they are often still subject to PB approval. Members of the board indicated that they felt left out of that process and that their review was being circumvented. John Butler stated that he did not want to be a rubber stamp group. The board and the city as a whole needs to make sure the prescribed policy is followed. A request was made that staff go to City Administrator Jim Bennet and ask that the PB be included in the review team and function as they should.

VI. READING OF THE MINUTES: *Reading of the minutes from the June 14, 2004 and June 28, 2004 meetings.*

- **JUNE 14, 2004:**

The following motion was made:

MOTION: *by Lucy Bisson, seconded by Stephen Morgan that the Planning Board accept the Planning Board Minutes dated June 14, 2004, as submitted.*

VOTED: 7-0.

JUNE 28, 2004: Since the DRAFT Minutes were distributed at this meeting for a review, they will be read and taken up at the next meeting. No action was taken at this meeting.

VII. ADJOURNMENT: This meeting adjourned at 7:47 p.m. The next regularly scheduled Planning Board Meeting is for Monday, August 9, 2004.

Respectfully submitted,

Roger Lachapelle,
Planning Board Member & Secretary

DMC:dmc

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