

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for December 13, 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, Jim Horn, Tom Truchon, John Racine, John Butler, Stephen Morgan, and Tom Peters.

Members Absent: Roger Lachapelle

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: Staff Memorandum from David Hediger.

IV. HEARING:

A. A proposal by the Stanton Bird Club to construct a nature center, parking area, and related improvements at the Thorncrag Bird Sanctuary at 354 Montello Street. David Hediger summarized his Staff Memorandum dated December 13, 2004. Chairman Gosselin asked if the applicant would like to speak in support of the project. **Tom Robustelli**, 529 East Ave, steward of the preserve, explained the purpose of the project is to provide parking and make the park accessible to the public. The club has been door-to-door actively seeking neighbors input. This project has been split into two (2) phases, due to financial capacity and fund raising - Phase 1 the parking and Phase 2 the visitor center.

John Racine asked what the existing hours of operation are. Mr. Robustelli deferred the question to other club members.

This item was opened to the public for those in favor.

Mike Gotto, TSI, Inc. explained that the hours of operation have typically been from dawn till dusk, but they do not want to limit the hours because it may be possible to have a board meeting at night at the visitor center or a moonlight walk through the park. The hours could be any time, 24 hours a day, seven (7) days a week. Mike also noted that then DEP has confirmed that they will be able to issue a Permit-By-Rule for the wetland alterations, as shown on the plan.

Tom Peters, asked why the proposed location was chosen rather than further into the park. Mike Gotto responded that several alternatives were considered, however, this proposal minimizes impacts to the property and the driveway grades meet city standards.

Susan Hayward, 107 Nichols Street, sanctuary steward, stated that the proposed location minimizes impacts to the sanctuary.

Tom Peters asked if lighting is proposed and what is the nature of the lighting. Mike Gotto said that lighting will be installed, but the lighting will be designed to fit the environment and he thinks commercial aluminum pole lighting will be avoided and wood poles may be used.

John Racine asked about the time-frame for construction. Mike Gotto responded that the plan is to build the parking next year and the visitor center will be as funding permits.

John Butler asked about the two- (2-) year extension of approval for the Conditional Use Permit being requested by the applicant. David Hediger explained the codes allowance for an extension from six (6) months to up to two (2) years.

Tom Peters recalled a retail aspect of the visitor center from a former proposal and asked if this proposal includes a retail space. Mike Gotto responded that a small retail space of approximately 100 SF is proposed to sell sanctuary related items including hats, shirts, maps, and compass, etc. Mr. Peters was concerned that the retail aspect could be expanded.

Dan Marquis, Essex Street, explained that the retail area would only be open when a volunteer was available to staff the area. This would generally be limited to during the hours of 9:00 A.M. - 7:00 P.M.

The following motion was made.

MOTION: by **John Butler**, seconded by **John Racine** that the Planning Board determines the application to construct a nature center, parking area, and related improvements at the Thorncrag Bird Sanctuary at 354 Montello 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, Sections 4 and 5 of the Zoning and Land Use Code; and grants approval to the Stanton Bird Club, with a conditional use permit extension for up to 2-years, subject to the following conditions recommended by Staff:

1. A Conditional Use Permit be valid for two (2) years.
2. Required DEP approvals be obtained prior to the issuance of building permits.
3. Financial capacity be demonstrated to Planning & Code Enforcement prior to the start of each phase.

VOTED: 7-0 (Passed).

V. OTHER BUSINESS:

A. A request to schedule a proposed amendment to the Historic Preservation Review Board (H.P.R.B.) Guidelines for Article XV, Significant Buildings and Districts of the Zoning and Land Use Code. David Hediger explained the need for changes.

The following motion was made.

MOTION: by **Lucy Bisson**, seconded by **John Butler** that the Planning Board initiate an amendment to the Historic Preservation Review Board (H.P.R.B.) Guidelines for Article XV, Significant Buildings and Districts of the Zoning and Land Use Code.

VOTED: 7-0 (Passed).

B. Update on the City Council action regarding the proposed amendment to the Planning Board powers and duties. The board discussed the request of the council to have a joint meeting regarding this issue. Tom Peters raised a concern that because the Planning Board passed a motion to send a negative recommendation to the Council at a noticed public hearing, the only way to change that recommendation is to have another noticed public hearing on the matter and for one (1) of the members who voted for the negative recommendation to change their minds and bring it up for reconsideration. Mr. Peters further stated that he optioned that the motion could not be changed at a joint City Council/Planning Board workshop.

Jeffrey Gosselin suggested that both the Planning Board and the City Council met jointly twice a year.

C. Request by Staff to hold a workshop on January 10, 2004 to discuss zoning. The workshop will begin at 5:00 p.m., and may precede a 7:00 p.m. meeting. The workshop will be held even if there is no meeting.

D. Invitation from Bates College to attend a Master Plan meeting on January 13, 2004. A discussion followed.

E. Vacancies on the Planning Board. Tom Peters recommended that Steve Morgan be elevated to full voting member in Lucy's absence. The Board agreed. Chairman Gosselin thanked Lucy Bisson for her service on behalf of the Board and invited her back on January 24, 2005 for a formal recognition of her service. It was requested that the Board's recommendation be forwarded to the Mayor.

F. Any other business the Planning Board Members may have relating to the duties of the Board. Steve Morgan explained that Student Member Wade Morgan will be absent for a couple of months, due to an evening job. He may also have another conflict when Lacrosse season starts and might ultimately have to forfeit his position. The Board welcomed Wade to remain on the Board and asked Staff to look into a student appointment..

VI. READING OF THE MINUTES: *Reading of the Draft Minutes for November 22, 2004.* The following motion was made.

MOTION: *by Lucy Bisson, seconded by Tom Truchon that the Planning Board accept the Planning Board Minutes dated November 22, 2004, as submitted.*

VOTED: *7-0 (Passed).*

VII. ADJOURNMENT: This meeting adjourned at 8:03 p.m. The next regularly scheduled Planning Board Meeting is for Monday, January 24, 2005.

Respectfully submitted,

Roger Lachapelle,
Planning Board Member & Secretary

DMC:dmc

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