

City of Lewiston
PLANNING BOARD MEETING
MINUTES OF JANUARY 23, 1996

I. ROLL CALL

- A. Members Present: Denis Theriault, Harry Milliken, David Jacques,
Harold Skelton, Marc Goulet, Tom Peters, Lew Zidle
- B. Staff Present: Steven H. Levesque, Director of Development
James J. Lysen, Planning Director
James Andrews, Community Development Director
Christina Revell, Recording Secretary

II. READING OF THE MINUTES

MOTION: By Mr. Skelton, seconded by Mr. Goulet to approve the minutes of January 9, 1996 and place on file.

VOTE: Passed 7 - 0

III. CORRESPONDENCE

MOTION: By Mr. Skelton, seconded by Mr. Jacques to accept the memo from Police Chief Kelly, dated 1/19/96, regarding library parking and place on file.

VOTE: Passed 7 - 0

MOTION: By Mr. Skelton, seconded by Mr. Jacques to accept the memo from Denis Theriault, dated 1/23/96, regarding verification of City Council action regarding Lewiston Library expansion and place on file.

VOTE: Passed 7 - 0

MOTION: By Mr. Skelton, seconded by Mr. Jacques to accept the letter from City Administrator Robert Mulready addressed to Planning Board Chairman Milliken, dated 1/12/96, regarding the Proposed FY97 Capital Program and place on file; to accept the letter from City Administrator Robert Mulready addressed to Finance Committee Chairman Provencher, Jr., dated 1/12/96, regarding the Proposed FY97 Capital Program and place on file.

VOTE: Passed 7 - 0

IV. REVIEW OF DEVELOPMENT PROPOSALS - FINAL HEARING

- A. Lewiston Public Library Expansion (Park and Lisbon Streets)

Mr. Lysen advised that the City of Lewiston has submitted plans for a proposal to construct a 4,32 square foot, three-story addition to the existing library, and a 1,470 square foot, two-story connector over the Park Street Alley. The proposal also includes the renovation of 19,304 square feet (four stories) of the Pilsbury Block. Mr. Lysen continued by stating the importance of the library to the downtown noting that a library visit is usually part of a larger trip to the downtown area by patrons. Also mentioned was the fact that usage of the proposed new facilities would most likely occur after hours and that the Bates Mill revitalization project will most likely create additional parking.

General discussion ensued at which point Mr. Theriault's letter concerning responsibility of the Planning Board to review this proposal was reviewed. Mr.

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Theriault expressed concern that his unanswered questions may affect important decisions on this expansion. Mr. Theriault then referred to a copy of the deed in his position noting that the Pilsbury Building was purchased on September 5, 1995 by the City as an assumed HUD mortgage.

Mr. Skelton questioned why, if both buildings are exempt from development review, the project is before the Planning Board; Mr. Skelton feels that the Board does not have jurisdiction. Mr. Levesque stated that the City Council felt that because this is a project in the downtown, that regardless of what the Code says, they wanted a "heightened awareness of the project and they did not want the private sector thinking that the City is doing things differently. Mr. Levesque also noted that there is a standing policy in the Development Department that municipal projects are reviewed by the appropriate body as well and this is why the library project is before the Planning Board. Once again, Mr. Skelton responded that he does not know if the Planning Board has jurisdiction to review this particular project, whether or not it is the City's policy. Mr. Levesque responded, "Technically you are correct." Mr. Theriault stated that last year during the LCIP process at which time funding for this proposed expansion was voted on, the Planning Board was promised that they would have sufficient time to review the project and would be allowed to have meaningful input. Mr. Theriault believes that this promise was never realized. Mr. Lysen responded that the project was now in front of the Board to fulfill that promise.

Mr. Levesque reviewed how bids were received for this project.

Mr. LaRochelle presented his "shadow findings" accompanied by photographs. He noted that the summer sun was high enough not be affected by the proposed expansion, however, the winter sun will be blocked for approximately one hour from entering the alley way and shining on Mr. Laskoff's building. Mr. Laskoff stated that he finds the potential loss of light offensive, noted that he will lose some of his trees due to construction and finished by stating that "there are better places and better uses for the money".

Chairman Milliken opened and then subsequently closed the public hearing portion of the meeting after receiving no input from the meeting attendees.

Mr. Levesque referenced a parking study which was done during a mid-week period approximately a year ago noting that the bulk of library parking would occur during the end of day or during the evening. Mr. Levesque stated that the basement would not be used for a separate meeting room. At this point Mr. Theriault requested that the Board take a five minute recess. Chairman Milliken denied the request. Before making the following motion, Mr. Skelton once again stated, "If we don't have jurisdiction our vote is invalid".

MOTION: By Mr. Skelton, seconded by Mr. Peters that the requested waivers of submission requirements by the Lewiston Public Library Expansion be granted because of the size of the project and the circumstances of the site such requirements would not be applicable or would be an unnecessary burden upon the applicant and that such waivers do not adversely affect the abutting landowners or the general health, safety and welfare of the City; and, that the Board find that the application of the Lewiston Public Library meets all of the approval criteria under Article XIII, Section 4 and further that the Board grant final approval to the project.

VOTE: Passed 5 - 0 - 2 (Mr. Theriault and Mr. Zidle abstained.)

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V. OTHER BUSINESS

A. Scheduling of Public Hearing for Dyer Road Rezoning

MOTION: By Mr. Skelton, seconded by Mr. Goulet to schedule public hearing on February 13, 1996 for the Dyer Road Rezoning.

VOTE: Passed 7 - 0

C. Scheduling of Public Hearing for Thorncrag Rezoning

Mr. Lysen reviewed how the Michaud property was acquired by the Stanton Bird Club to increase utilization and accessibility to Thorncrag. Dr. Nadeau informed the Board that Thorncrag is the largest bird sanctuary preserve in the Northeast.

MOTION: By Mr. Skelton, seconded by Mr. Theriault to schedule a public hearing on February 13, 1996 for the proposed Thorncrag Rezoning.

B. Scheduling of Public Hearings for FY97 CDBG Presentations

Mr. Andrews presented schedule changes due to requests for extensions noting that it would be acceptable to go into the month of March if necessary.

MOTION: By Mr. Skelton, seconded by Mr. Theriault to accept the CDBG schedule as presented.

VOTE: Passed 7 - 0

D. Scheduling of Public Hearing for FY97 LCIP

Mr. Lysen informed the Board that they must act on the LCIP presentation four and one half months before the end of the fiscal year.

MOTION: By Mr. Skelton, seconded by Mr. Theriault to hold a workshop on February 13, 1996 starting at 5:30PM to review the LCIP before beginning the regularly scheduled Planning Board Meeting that same night at 7PM, continue the workshop during the evening's meeting, and if necessary, continue the workshop on February 15, 1996.

VOTE: Passed 7 - 0

At this point Mr. Theriault requested that the recording secretary compile a schedule of planned meetings with start times and then indicating which would involve LCIP, CDBG and regularly scheduled Planning Board meetings.

E. Comp Plan Update Re: Preliminary Citizen Survey Results

Mr. Lysen advised the Board that the next Comp Plan Committee meeting will be on January 31st and that he will provide the Planning Board with the final results when available.

F. Land Policy Forum on Interactive T.V.

Mr. Lysen informed the Board of a series of land policy forum meetings which will be held in Turner. Registration is \$100.00 for 3 participants and that a minimum of 7 participants are needed for one site. The scheduled times are the third Saturday of

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February through June and will be held from 1PM to 4PM. Mr. Lysen will circulate a sign up sheet at the next scheduled Planning Board meeting at which time Board members can express their interest in attending. Mr. Goulet and Mr. Theriault indicated their interest in attending.

G. Discussion of future joint meetings and workshops with City Council

Mr. Lysen informed the Board that they are not a policy making entity such as City Council except when it comes to development review.

Authority of the Planning Board was discussed extensively between members at which time Mr. Theriault suggested a workshop for new members to bring them up to speed with policy and procedure.

MOTION: By Mr. Theriault, seconded by Mr. Skelton that City Administrator Robert Mulready arrange a meeting between the Planning Board and city attorney Bob Hark to be held sometime in March for approximately three to four hours at which time the Land Use Code and Planning Board jurisdiction will be discussed.

VOTE: Passed 7 - 0

MOTION: By Mr. Skelton, seconded by Mr. Goulet that Planning Staff start the process to initiate a Code Amendment to Article 8, Section I, to include public buildings and municipal property in the review process.

VOTE: Passed 7 - 0

MOTION: By Mr. Theriault, seconded by Mr. Skelton to forward the memo from Mr. Theriault dated 1/23/96, addressed to the Planning Board regarding verification of City Council action regarding Lewiston Library Expansion to city administrator Robert Mulready to then be forwarded to Attorney Bob Hark for review and comment.

VOTE: Passed 7 - 0

MOTION: By Mr. Theriault, seconded by Mr. Skelton to adjourn the meeting at 8:55PM.

VOTE: Passed 7 - 0

Respectfully submitted,

Marc Goulet,
Secretary