

City of Lewiston
PLANNING BOARD MEETING
Minutes of August 6, 1996

Since a quorum was not present at 7:30PM when this evening's meeting was started, it was decided to go to the public hearing portion of the Comprehensive Plan Update and to then resume with the scheduled Planning Board meeting once a quorum was obtained.

Mr. Lysen started the hearing by reviewing the Cultural Plan component of the update. He then introduced Richard Willing, the incoming director of LA Arts and Rolf Olsen, the outgoing director.

Mr. Willing gave an overview of the arts community, the approximately 70 volunteers who worked on the Cultural Plan subcommittee and how LA Arts interacted in the process. Referenced was *100 Best Art Towns in America* and the fact that Lewiston was among the 100 town/cities listed.

Extensive discussion ensued over whether specific agencies/organizations should be listed under the "Responsibility" section following each component such as LA Arts, Horizons 55, etc. Bernie Carpenter suggested changing the listing to a more generic "partnering with". Board requested that specific agency names be removed from this section.

Regarding Policy 2 of the Cultural Plan, discussion ensued over "one class per day per student". Concern was expressed over how much time this would take out of the daily scheduling of students. Chairman Milliken requested that the school board be given the opportunity to review this draft for their input.

Regarding establishing RLF's for artists, clarification was requested regarding financial incentives. Mr. Olsen stated that the school board would not direct this effort and this would not create a separate arrangement.

Discussion then returned back to the school board's involvement in decision making as well as those components which involved the school in other ways such as the "one class per day per student". Extensive discussion centered on whether the Comp Plan had the right/authority/responsibility to involve the school department without their input. General board and audience consensus was that the school board should be approached for input and subsequently delete or define school responsibility before draft goes before the City Council. Chairman Milliken directed the recording secretary Christina Revell to contact Tom Shannon of the school board to set up a meeting date when the Planning Board, Comp Committee, City Council, if they wish, and the school board could get together to discuss those components of the Comp Plan which reference school involvement. Milliken requested that school board members be sent a draft copy of this evening's minutes as well as copies of those Comp Plan components that reference school involvement. **Councilor Frank Kelly** concurred with the board's concerns and Milliken's intent to pursue further.

Ron Gene, 27 Crane Ave. stated that he felt LA Arts offers little to him as a citizen as far as their scheduled events. Mr. Gene believes that LA Arts should improve their own program before they approach the school board with any advice/recommendations on how the school board should structure their student programs. On a side note, Mr. Lysen informed that only parts of the already established Cultural Plan will become part of the Comp Plan. It was then noted that Policy 1 and 2, as well as Policy 3 of Public Service and Facilities will be put on hold until the school board meeting. It was suggested and so noted that if the school committee was unable to respond in a timely fashion it will be requested that they entertain the Planning Board's request on their own scheduled agenda at the school committee's next meeting.

David Chittim/No Name Pond Road requested that reference to "LA Arts" be changed to read "local arts agency" in the possible event that LA Arts is dissolved. The Board so noted this request.

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It was requested that implementation dates be kept specific through entire Plan. The Board so noted this request.

Board member Goulet has joined the meeting creating a forum. Accordingly, Chairman has called the Planning Board meeting to order.

I. ROLL CALL

The meeting was called to order at 8:35PM

Members present: H. Milliken, D. Theriault, T. Peters,
M. Goulet

Members absent: L. Zidle, D. Jacques, H. Skelton

Staff present: J. Lysen, G. Dycio, C. Revell
G. Arsenault

II. READING OF THE MINUTES

Mr. Theriault questioned the lack of detail in the minutes requesting that they be reviewed for omission of quotes. He then stated that since written minutes were retained indefinitely by the City Clerk's office he preferred that the minutes be more detailed.

MOTION: By Mr. Peters, seconded by Mr. Goulet to table the minutes of July 16, 1996 until the meeting of August 27, 1996.

VOTE: Passed 4 - 0

Chairman Milliken will speak with the city clerk to determine the best way to record Planning Board minutes.

V. REVIEW OF DEVELOPMENT PROPOSALS - FINAL HEARING

A. Peoples Heritage - Parking Lot Expansion (2-8 Atlantis Way)

Mr. Dycio advised that Claire Betze, of Woodard & Curran, on behalf of Peoples Heritage Bank, has submitted plans for a proposal to expand an existing parking lot by creating thirty-five (35) additional parking spaces. The area under consideration is located in the Industrial (I) District and the parking lot expansion is for an existing auxiliary business establishment, located on Lot #6 of the South Lewiston Industrial Park. The proposed parking area encroaches onto the abutting property (Lot #14) which is also owned by the applicant. As outlined under Article XIII, Section 3 (l)(7) of the Zoning and Land Use Code the proposal is defined as a minor amendment and therefore only requires one meeting before the Planning Board. Pursuant to Article XIII, Section 3 (h)(5), the applicant is requesting a modification and a number of non-applicable status requests to the application requirements listed under Section 3(h)(1-4). Upon review of the requests Staff finds that, in our opinion, they are justified and recommends that the Board grant them. The Planning Staff has reviewed the proposed plans and has no concerns at this time. Copies of the plan have been forwarded to the Police, Fire and Public Works Departments for their review and comments. However, as of the date of this

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memo Staff has not received any comments. The Planning Staff will forward comments to the Board as soon as they are received. Staff has reviewed the proposed plans against the approval criteria listed under Article XIII, Section 4 (a–u) and finds that, in our opinion, the plans meet all of the applicable criteria. Therefore, the Planning Staff recommends that the Planning Board grant final approval to the project with the condition that any concerns raised by the Police, Fire or Public Works Departments be adequately addressed prior to the issuance of a building permit.

Ms. Betze was present and summarized the project. Chairman Milliken opened the meeting to the public. **Mr. Gene Ron / 27 Crane Ave.** asked for and received clarification of the exact location of the project. Milliken subsequently closed the meeting after receiving no other input.

MOTION: By Mr. Theriault, seconded by Mr. Goulet that the requested waivers of submission requirements by Peoples Heritage 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.

VOTE: Passed 4 - 0

MOTION: By Mr. Theriault, seconded by Mr. Goulet that the Board find that the application of Peoples Heritage meets all of the approval criteria under Article XIII, Section 4 and further that the Board grant final approval to the project.

VOTE: Passed 4 - 0

VI. OTHER BUSINESS

- A. Discussion of possible Zoning and Land Use Code amendment or amendment to the Official Zoning Map relative to the land areas surrounding the Lisbon Street and East Avenue intersection, and scheduling of a Public Hearing for August 27, 1996

Mr. Lysen discussed how this proposal came before the Board and the need to subsequently amend the business district to allow for warehousing by extending the HB zone into the CB zone at the Shaw's Plaza and to then look at less restrictive zoning in these two zones. Mr. Arsenault referred to a T.I.F. for the Promenade Mall to finance an already existing use which is currently contrary to code. It was determined that further CB expansion was not feasible. Mr. Lysen then suggested looking at the specific request as a rezoning proposal and then proceeding from there.

MOTION: By Mr. Peters, seconded by Mr. Theriault to schedule a public hearing on August 27, 1996 for a rezoning request for the land areas surrounding the Lisbon Street and East Avenue intersection.

VOTE: Passed 3 - 0 - 1 (Mr. Goulet abstained due to professional conflict.)

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Marcel Morin requested clarification on the proposal and then recommended that the lot be set deep enough to accommodate business. Mr. Peters then requested that Mr. Morin advise staff if he feels there are any other areas that should also be rezoned along with this area.

At 9:00PM Chairman Milliken called for a five minute recess.

At 9:20PM the meeting was resumed with extensive discussion regarding scheduling restraints, making deadlines and still having ample time to review the Comp draft before it goes to Council. The following schedule was agreed upon to address these concerns: August 15th @ 5:30PM (This is the originally scheduled wrap up followed by a cookout celebration. The Board will use this opportunity to hold a more formal public hearing.); August 20th @ 6PM at City Hall; August 27th (This is a regularly scheduled Planning Board meeting, however the public hearing portion will start at 6PM and then be resumed if needed after the Planning Board agenda.); September 10th @ 6PM; September 17th Plan to be presented to City Council.

At this point the Comp Plan public hearing resumed with Attorney Andrew Choate presenting the Housing component. Mr. Choate was the chair of this subcommittee along with 12 to 15 active members. This component is focused on providing "...safe, decent, clean, affordable housing to all along with the opportunity to live where citizens choose to live as well as improve and expand neighborhood associations. Clarification was given to Policy No. 2 with states "...with real authority to change..". Choate explained this was meant only to "empower" the neighborhoods to prompt change for the positive.

Mr. Arsenault noted that the subcommittee did a good job however, should be more generic in those areas that reference Lewiston Housing Authority. **Lorraine Coumo** took exception to Policy 1, Section D and feels that "..expansion by L.H.A." should be struck and just leave the word "expansion". Mr. Peters agreed, also echoing Mr. Arsenault's sentiments that this should be left generic to encourage private landowners and to then add "to work with private sector, developers, landowners"; also add "private, not-for-profit". **Mr. Gene** took exception to Policy 1, Section D, Subsection 1 regarding rental assistance. Believes it should set time limits and requested that the following wording should be added: "..with appropriate guidelines and limitations". **Bob Foss** added that he feels the government does not do a good review and believes that the City should not give away any more tax base.

It was noted that the City should maintain an inventory of available housing, subsequent demands for apartments, etc. Mr. Lysen advised that an inventory was done in conjunction with last year's CDBG application. Mr. Goulet requested that under Section J of Policy 1 be added "...to review inventories and make recommendations".

III. CORRESPONDENCE

MOTION: By Mr. Theriault, seconded by Mr. Peters to accept the following items of correspondence and place on file:

- * Letter from G. Dycio to G. Bourassa, Maine Forest Service dtd 7/22/96;
- * letter from G. Bourassa to G. Dycio dtd 7/26/96.

VOTE: Passed 4 - 0

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VI. OTHER BUSINESS

None.

VII. ADJOURNMENT

MOTION: By Mr. Peters, seconded by Mr. Skelton to adjourn at 10:05PM.

VOTE: Passed 5 - 0

Respectfully submitted,

Marc Goulet
Secretary