

**City of Lewiston  
PLANNING BOARD MEETING  
Minutes of December 10, 1996**

**I. ROLL CALL**

The meeting was called to order at 6:20 P.M..

Members Present: H. Milliken, D. Jacques, L. Zidle, M. Goulet  
T. Peters; H. Skelton came in at 7 PM

Members Absent: D. Theriault

Staff Present: G. Dycio, J. Lysen, D. Ouellette  
E. Friedman

It was decided to discuss some of the components of the comprehensive plan before the regularly scheduled 7 PM meeting (the notices said the meeting would start at 7 PM).

**CULTURE & ARTS**

Harry Milliken reiterated what happened at the last meeting when the board members disagreed on the Cultural and Arts components and had a tie vote. The discussion was on Goal 1 "Effectively integrate the arts into the education process." - Policy 1 "To continue to include the study of the arts as a content area of the core curriculum in pre-kindergarten through adult education."- and Policy 2 "to transform the educational process through the use of the arts." Mr. Lysen said that the language was rephrased in the November 21st change. Mr. Milliken stills feels strongly that it should be the school board's decision whether to add these policies to their core curriculum and have the school committee review the whole cultural plan. Mr. Milliken met City Councilor Scott Lynch at some other time and was asked directly if all the Planning Board would just put in a blurb - one sentence stating that this section was to come in the future during the School Committee's eighteen month process. Mr. Milliken thought that Policy 1 and 2 should be eliminated completely. He further went on to say that if the School Board asks the Planning Board to go in front of them to make any recommendation or work with them, then at that point he felt the Board could present their ideas to them.

Mr. Goulet asked if this part (the small section being studied this evening) of the comp plan will end up with the School Committee anyway. Mr. Milliken stated that they will get the complete cultural and arts plan - the original - and should make their own decision from scratch - without influences from the Planning Board or staff.

Mr. Peters asked how the process was conducted - School Committee forms a plan and the Planning Board then reviews it?

Mr. Lysen answered yes. Further discussion on how this process works went on. Mr. Milliken went on to say that this Board will respect what the School Board offers in their professional opinion and more than likely accept their policies. Mr. Peters wondered if the full plan was sent, or that if the Chair could summarize some of what the concerns were by the Planning Board because a lot of effort and work was put into this plan. Mr. Millikens didn't think the Board should send them any of the Planning Board's

concerns; that the School Committee should have a free reign. That way there would not be any influence from any other Board.

**MOTION:** By Mr. Goulet, seconded by Mr. Peters to eliminate from the Culture & Arts component dated November 21, 1996 Goal 1, Policy 1 and all its strategies; Policy 2 and all its strategies; and amend Goal 1 to have the School Committee review the Cultural Plan during their eighteen-month planning process and consider including, in whole or in part, those recommendations which pertain to education.

**VOTE:** Passed 5 - 0

### **PUBLIC FACILITIES**

Policy 3: Mr. Lysen stated that the reference under Policy 3 already reflected the School committee's planning process.

**MOTION:** T. Peters, seconded by M. Goulet moved that it remains.

**VOTE:** Passed 5-0

### **ECONOMY**

Policy 11, Section D, Page 17: H. Milliken wants "Implement those elements of the Cultural Plan that relate to the economic development and downtown revitalization." language to be softened; the language is too strong.

**MOTION:** By T. Peters, seconded by M. Goulet to soften language in Police 11, Section D, in the Economy Section of the Comp Plan.

**VOTE:** Passed 5 - 0.

### **EDUCATION**

Mr. Lysen said he would review the comp plan to see if education was mentioned in any other section. Mr. Peters asked him to bring it up at the next meeting if it was mentioned anywhere.

### **HOUSING**

Mr. Lysen made reference to both the discussions that occurred before the Planning Board at the last meeting and also with Chairman Andrew Choate of the housing subcommittee. Mr. Choate addressed some of the issues raised by the Planning Board in his letter dated November 21st. They are as follows:

"1. On page 8, on the carry over paragraph from page 7, beginning with the second line, I propose the following: 'While the items cited may be due to overall economic factors, some may be due to other reasons, which the City may or may not be able to influence directly.' The rest of that paragraph and the immediate following paragraph would be thereby stricken.

2. A. On page 6 under 'Other findings of Housing sub-committee,' the second sentence could read as follows: 'Neighborhood associations featuring a wide variety of its residents, young to old, all incomes, men and women, etc., are an effective means to bring all citizens back to caring about each other, to create a sense of "community," as long as their collective views are part of, and respected by, the decision-making process.' the rest of the paragraph would remain the same.

B. Page 10, Recommendations of the Housing Subcommittee, number 2, the first sentence would read as follows: 'The City should continue to encourage the creating of Neighborhood Associates, run by neighborhood residents who are confident that the City's decision-making process will listen to and respect their views.' The rest of that recommendation should remain the same.

3. Page 15, under Policy 1, Strategy 1, the first proposal could be changed to read as follows: 'Continue to allow a wide range of housing types in all appropriate zones in the zoning ordinance, including: single and two-family homes, multi-family housing, mixed use housing, and mobile homes.'"

**MOTION:** by Mr. Goulet, seconded by Mr. Jacques to accept the changes proposed by Andrew Choate.

**VOTE:** Passed 5-0-1  
Mr. Skelton abstained because he arrived in the middle of this discussion.

## **RECREATION AND OPEN SPACE**

Mr. Lysen explained the history behind this lengthy document. Mr. Milliken asked if anyone had comments regarding this component; there were none.

**MOTION:** By Mr. Skelton, seconded by Mr. Peters to accept the draft dated September 24th as written.

**VOTE:** Passed 6-0

At this time, Mr. Lysen read a letter from Mayor Jenkins addressed to Marc Goulet commending him for his fine service on the Planning Board for the past five years. Mr. Milliken also expressed his gratitude on behalf of the Board, and a plaque was presented to Mr. Goulet.

The chair called for a brief recess.

## **II. READING OF THE MINUTES**

**MOTION:** By Mr. Skelton, seconded by Mr. Jacques to accept the minutes of December 3, 1996.

Mr. Peters pointed out that on page 4 , bottom paragraph of the December 3rd minutes should have read that he did indeed believe that there may be an impact on the schools and that it needs to be further investigated.

**VOTE:** Passed 5 -0-1 with the above change. (Mr. Skelton abstained).

Mr. Peters also brought up that there was an omission in the last minutes of November 12th, 1996. Ms. Ouellette pointed out that the omission had now been corrected and that a new copy of the minutes had been signed by Mr. Goulet. The omission was on page 3 just above Roman numeral IV pertaining to action the Board took which instructed staff to look further into two-family dwellings with respect to design standards, ownership, and possible neighborhood approval.

**MOTION:** by Mr. Peters, seconded by Mr. Skelton for the November 12, 1996 minutes to reflect the above changes.

**VOTE:** Passed 6-0

### **III. CORRESPONDENCE**

Correspondence from James Andrews regarding CDBG application process. Mr. Milliken stated that at this time, Mr. Andrews has only received two surveys back from the City Council so he is unable to have the results of the survey back to the Board this evening. Mr. Peters informed the Board that Mr. Andrews was trying to get the results back to the Board as soon as possible and that he would be back in touch with the Board if he had any questions.

No motion or vote taken.

### **IV. REVIEW OF DEVELOPMENT PROPOSALS - FINAL HEARING**

Philip H. Meldrum, on behalf of the President and Trustees of Bates College, has submitted plans for a proposal to demolish the present two-story Maintenance Center and construct a three-story, 90,000 square foot "L" shaped Academic Building with a daylight basement and attached atrium, for classroom and office space. The project had its Pre-Application conference at the October 22nd Planning Board meeting, and the project's application was determined to be complete at the December 3rd Planning Board meeting.

The Planning Staff has reviewed the final plans against the Approval Criteria outlined under Article XIII, Section 4 (a-u) of the Zoning and Land Use Code and finds that, in our opinion, the project meets all of the applicable criteria. Therefore, the Planning Staff recommends that the Board grant final approval to the project with the condition that any concerns raised by the D.E.P. be adequately addressed.

**MOTION:** by Mr. Peters, seconded by Mr. Goulet, that the application of Bates College meets all of the approval criteria under Article XIII, Section 4 and further that the Board grant final approval of the project.

**VOTE:** Passed 5-0-1 (Mr. Skelton abstained because his law firm represents Bates College).

## V. PUBLIC HEARINGS

Continue hearings on the Lewiston Comprehensive Plan.

### LAND USE

Mr. Milliken informed the audience that anything being discussed tonight was only with regards to goals, policies and strategies for the City. He also stated that no decision was going to be made tonight, that no changes were to be made concerning land use code or zoning, and that the Board was only going to recommend making further investigation.

Mr. Lysen informed the audience that the 1988 comprehensive plan was truly a land use document. What had been done in this comprehensive plan process was to take into account the areas of town or issues that have been raised that pertain to land use over the years and to make recommendations concerning them. Those 33 issues have been highlighted on a map that was distributed to the Board with a larger version displayed for the public to view. Out of the 33 issues, there seemed to be three that caused the most controversy. One was to explore the possibility of allowing light industrial uses along the railroad line in the area between Stetson and Merrill Roads. Some of the area is already zoned highway/business. Mr. Lysen stated that the City needs to look into the future and not limit the alternatives for different modes of transportation. The Board is concerned with preserving natural resources, but it also wants to explore the feasibility of a railway in this area for the economic growth of Lewiston. Mr. Lysen again stressed that this was light-industrial usage, not for heavy- industrial usage and would like to preserve the anticipated use of that area.

Mr. Peters read what highway/business zone was according to code. He then read the light-industrial zoning from the code book so that the public would have knowledge of what each zone allowed.

Mr. Milliken again said that all the Board was doing tonight was simply investigating the potential rezoning for that area and that no decision was being made this evening. Mr. Skelton agreed with the suggestions of investigating the rezoning of that area to take advantage of the railroad.

Marcel Morin, a realtor in Lewiston said he has listed Mrs. Polange's property which is in the subject area. Because it is zoned for residential that this property has been on the market for 18-20 years. Stated that there was water, sewer and storm drainage available at the site and that it should be rezoned to light industrial.

Mr. Milliken informed the Board that he had just received a letter from Mr. Morin this evening and asked that it be placed on record.

Mr. Peters asked Mr. Morin if he had anyone look at the property and did not purchase it simply because of its zoning. Mr. Morin said he had two buyers but did not purchase the property because of the problems with the zoning. Mr. Peters asked what type of businesses were looking into the property, but Mr. Morin could not divulge that information except to say that the business is one that would utilize the rail. Mr.

Goulet asked how many jobs this business would create. Mr. Morin answered that one of the purchasers was a developer and the other business would create 15-20 jobs. However, he stressed that he did not want the Board to think that he had committed buyers at this time. The purchasers are looking elsewhere.

April Clark of Lewiston was concerned that this comp plan was a document that would guide the City into creating the zoning for that area after Mr. Milliken's comment that the Board was not here to rezone but rather that the Board was discussing whether it wanted to include this as goal to look at rezoning in the future.

Ivan Boudreau, 132 Stetson Road, Lewiston had concerns regarding the railroad stopping at intersections and blocking traffic in the neighborhood. He also said he felt that the area should be zoned residential and not industrial because the residential area is growing and wanted to know exactly what type of business would be going in that area before the zoning was changed.

Bruce Lepage, Raiche Street, Lewiston made a point that a distribution center would include trucking and this area is remote from the turnpike and would not be easily accessible from that area. He also pointed out that this was not the only area in Lewiston that had access to railway. He said that the City should look into redeveloping the Spring Street area that already had warehouses in the area and was already zoned for that type of business.

Peter Miller of Stetson Road, Lewiston said that he was concerned about the zoning and that he thought the City should do more studies in that area before the zoning was changed. He is not convinced that there is enough evidence that this zoning change would work and does not want businesses in that area and wants it to remain residential.

Mr. Milliken agreed that more studies had to be done and that this would be prioritized after the City Council approves the comp plan. Mr. Goulet asked Mr. Miller if he would have built a house in this area had he known it was industrial. Mr. Miller answered no. Mr. Goulet stated that it was a valuable railway through the City and that it had to be examined to see if it would benefit the City of Lewiston as a whole.

Mr. Lysen stated that zoning was supposed to be anticipatory and that it was clear that the City needed industrial land for future growth. Mr. Peters noted that some neighbors would not mind industries in the area depending on what it was and wondered if re-wording number five and say to research the idea of rezoning in that area to highway business in such a way to complement and not adversely affect the surrounding residential neighborhoods. He added that if it was at least worded that way so that when an industry or business tried to move into their neighborhood that did not compliment the area and/or it adversely affected it, then they would have some sort of recourse. Mr. Milliken noted that it should be left open for investigation and protect existing neighborhoods.

Mr. Milliken asked for a motion to re-word #5 whereas Mr. Skelton and Mr. Peters came up with "Investigate re-zoning of the area along the Maine Central Railroad between Stetson and Merrill Road and doing so without adversely affecting nearby residential neighborhoods." This would then have some sort of recourse for the public.

**MOTION:** by Mr. Skelton, seconded by Mr. Goulet that the above wording be accepted.

**VOTE:** Passed 6-0.

#1- Potential Location for the New Turnpike Exit

Lee Biron of Grove Street voiced his concern regarding the new turnpike exit/entrance on Grove Street. He pointed out that all of the open land is in Sabattus and that this exit would greatly benefit Sabattus rather than Lewiston. He feels Lewiston does not need a second turnpike exit. He also noted that the location where the next turnpike exit was being proposed was zoned as residential and wants to keep that. He was adamant that the City stop wasting money, that the proposed area was not buildable and that there should be further study for the turnpike exit.

Nel Roy of Grove Street pointed out that the Board should look at the overlay map. That the land in question was basically all wetland and that it was not feasible to put an exit in that area. He was also concerned about spending tax money and wants the City accountable for any monies spent.

Mr. Milliken noted that #1 was restricted to the Grove Street area and that this could be re-worded to say investigate the possible location of a second turnpike entrance/exit. Mr. Goulet suggested saying "second locations." Mr. Milliken then added on the second part-explore the land use adjacent to the location for a potential commercial park or light-industrial park. Mr. Skelton suggested that the language say "investigate whether and where to locate a second turnpike exit...."

**MOTION:** by Mr. Goulet, seconded by Mr.Skelton to change #1 to read "investigate the potential need for and location of a new turnpike exit, and look to explore the re-zoning of the areas around the same for use as a commercial or light-industrial park."

**VOTE:** Passed 6-0.

#6 "Use access management, transportation demand management principles and performance based zoning restriction to preserve capacity on the three arterials of Main Street, Sabattus Street and Lisbon Street;" and #9 "Study area between Russell and Montello Street along Main Street for possible less restrictive commercial zoning.

Mr. Lysen explained that the OR zoning allowed professional use and housing. Dr. Bergeron's office brought a focus on the OR zoning along Main Street. He also stated that the City ought to be preserving capacity along our arterial streets, so that there is not a serious congestion situation. Mr. Milliken suggested that the language should be softened and that more research should be done.

Laurie Maloney-Cannan of 21 Brook Avenue, Lewiston stated that she believes in changes as long as it does not cause harm to the residents. She said that there was already a dentist one house away on Brooks Avenue. His business has grown and can no longer utilize his parking lot so his patients' cars are parked on residential street. She also said that there was a new lingerie shop in her neighborhood and was not pleased with this. She further went on to say that the residents have taken Dr.Bergeron to court because of the impact on the neighborhood his business would have because his driveway is on Brooks Avenue. She also stated that she did not want Brooks Street to become a corridor to Main Street. She brought forth two

petitions signed by residents of Brooks who want to keep the neighborhood as an office-residential area and not fully commercial. Petitions were placed on file as a matter of record.

Dr. Roger Bergeron explained the parking problem on the street was because Mr. Cannan had a 200 foot no parking so that the cars are now in front of her home instead of near the dentist's office. He also explained that he offered to put a legal wall between his property and Brooks so that no one else would have access to Brooks Street through his property. He stated that he was in an office/residential area and could legally be there under this zone. He also stated that this area of town was more suitable for businesses and not residential neighborhood because it is a major access road.

Mr. Cannan said that there were sixty-seven homeowners who disagreed with Dr. Bergeron and that he did not think #6 and 9 complimented each other. He stated that Dr. Bergeron will cut trees and that it would ruin the aesthetics. He urged the Planning Board to eliminate #9 from the comp plan because it would have a tremendous impact on the area.

Germaine Martel of Brooks Avenue also stated that it would have an impact on all residential areas.

Mr. Peters agreed that Main Street was terribly congested as it was now. He expressed his concerns regarding Strawberry Avenue turn and also noted that because of all the congestion on Main Street that cars would indeed use side streets to avoid this traffic. Mr. Skelton agreed that the traffic was already very close to its capacity. Mr. Goulet also suggested that there was no need for #9 and that the word "restriction" should be stricken from #6.

**MOTION:** by H. Skelton and seconded by T. Peters to take out #9 altogether and to change #6 to take out the word "restriction" so that it reads "Use access management, transportation demand management principles and performance based zoning to preserve capacity on the three arterials of Main Street, Sabattus Street, and Lisbon Streets."

**VOTE:** Passed 6-0.

#7 "Study existing mobile home park overlay districts for their appropriateness." and #8 "Allow for expansion of existing mobile home parks where appropriate and phasing out of parks which are located in areas with higher and better uses."

Bruce Lepage had a comment regarding mobile home park controls that are now existing and would hate to see them changed. Mr. Milliken said that #7 is a study and not saying that anything is being done. #8 is the second part of that-- the State requires the City to allow for expansion of mobile homes and we want to put them where they would be appropriate. He also told Mr. Lepage that the same regulations that are on the books today would be on the books tomorrow.

Mr. Lysen explained that parks are allowed in areas of the City where they were mobile home park overlay zones; mobile homes may be located on individual lots anywhere in Rural Agricultural District. Again, Mr. Lysen informed Mr. Lepage and the audience that the State requires the City to have a certain amount of land specifically set aside for mobile homes. Mr. Lepage's concern was that the City still continue to use the same regulations as it has in the past and Mr. Milliken assured him that it would. Mr. Milliken asked Mr. Lepage if he had any problems with items 7 and 8 whereas Mr. Lepage answered no, as long as existing



controls are in place.

**MOTION:** by Mr. Goulet, seconded by Mr. Peters to accept #7 as written and to add "that are not appropriate" in #8 to read "Allow for expansion of existing mobile home parts where appropriate and phasing out of parks which are located in areas that are not appropriate."

**VOTE:** Passed 6-0.

Mr. Lysen mentioned that the still valid goals, policies, and strategies contained in the 1988 Comprehensive Plan will be referred to and incorporated into volume 2 of the new plan.

**MOTION:** by Mr. Skelton, seconded by Mr. Zidle that we accept the remaining items in the Proposed Future Land Use Map as written.

**VOTE:** Passed 6-0.

Mr. Milliken discussed minor clarification of issues on the Transportation component. Mr. Peters and Mr. Skelton suggested that perhaps general language could be added that says to essentially improve our arterial roadways and perhaps mention the three major areas: Sabattus Street, Main Street and Lisbon Street.

Mr. Milliken asked Mr. Lysen if this was now ready for final draft. Mr. Lysen said that he would like to have these paginated. Mr. Milliken added that the only thing the Board had left to do was Long Range Planning and to add Education on the bottom in the Table of Content. He also suggested that the following should be added to the Comp Plan: "The School Committee would be developing their goals, policies and strategies over the next eighteen months and will be included in the Comprehensive Plan at a later date."

The first meeting should have the final draft to accept the whole document as a whole and then schedule a presentation to the City Council.

## **VII. ADJOURNMENT:**

**MOTION:** by Mr. Goulet, seconded by Mr. Peters to adjourn at 9:55 p.m.

**VOTE:** Passed 6-0

Respectfully Submitted,

Marc Goulet  
Secretary