

**CITY OF LEWISTON
PLANNING BOARD MEETING
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I. ROLL CALL:

This meeting was called to order at 7:04 P.M. and chaired by Harry Milliken.

Members in Attendance: Tom Peters, Denis Theriault, Harold Skelton, Harry Milliken, Lewis Zidle, Mark Paradis, and Dennis Mason.

Staff Present: James Lysen, Dan Stevenson, and Doreen Asselin.

Others Present: Gil Arsenault and John Bott.

- **Dennis Mason** was welcomed to the Planning Board by the Chairman and the other Board Members.

II. READING OF THE MINUTES:

August 18, 1998

The minutes dated for the August 18, 1998 meeting were read and reviewed at this meeting, and accepted to be placed on record once all the changes are incorporated in the document.

MOTION: by **H. Skelton**, seconded by **L. Zidle** to accept and place on record the minutes of August 18, 1998 to include all changes.

VOTE: 6-1 (Abstained - Mason).

September 8, 1998

The minutes dated for the September 8, 1998 meeting were also read and reviewed at this same meeting and accepted to be placed on record once all the changes are incorporated in the document.

MOTION: by **H. Skelton**, seconded by **T. Peters** to accept and place on record the minutes of September 8, 1998 to include all changes.

VOTE: 6-1 (Abstained - Mason).

At this meeting **T. Peters** mentioned he would like a formatting change to the minutes to not only include the highlighted name, but to have the highlighted name set off with bullets.

Also stated by **D. Theriault** was that the paper record is the most important record of the meeting, since the paper record becomes a permanent record (the tapes and cassettes are only good for a short period of time.)

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III. CORRESPONDENCE:

There was no correspondence presented at this meeting.

IV. REVIEW OF *EMPOWER LEWISTON!* STRATEGIC PLAN AND FORWARDING RECOMMENDATION TO THE CITY COUNCIL

This discussion was presented by the Co-chairs of *Empower Lewiston!*, which are, as follows: Larry Marcoux (United Way), Dennis Mason (New Planning Board Member), and John Bott (Grant Coordinator - City of Lewiston)

This item is being brought forward for a recommendation from the Planning Board according to the Zoning and Land Use Code, Appendix A, Article VII, Section 4 (b) to the City Council to approve the submission of this application to the U.S. Department of Agriculture for the Empowerment Zone before the October 9, 1998 deadline for which this application is due.

The following is a brief description of the process and to bring everybody up-to-date on the process.

Larry Marcoux - The *Empower Lewiston!* is a five- (5-) month community-driven planning effort, which could result in \$40 million dollars in federal support and financial assistance granted to the City of Lewiston in a ten- (10-) year period. This process has involved over 1,300 participants, involving over 65 organizations. It is an opportunity to develop a plan and process. Larry Marcoux went on to say that he was born, raised, and educated in Lewiston for the past 48 years. He is proud to be a citizen. He believes that this was totally community-driven and designed. He commended the City Hall Staff for all their time, resources, and expertise involved in this project. He did go on to say that this is a community-driven project, not a City Hall project. He stated that, "a community is built one citizen at a time". He said that over 300 surveys have been filled in by citizens writing in their thoughts. This was recently adopted by the 25-member *Empower Lewiston!* Steering Committee. This includes five (5) project committees, which were created during the planning process and will remain to implement the goals and strategies contained in the plan and to benchmark and evaluate the process, outputs, and outcomes of the Strategic Plan. He also mentioned that many things have come out of this process.

Dennis Mason - While on the Board, Dennis stated that there has been numerous meetings and discussions on various projects and that the end result is on the last page of the packet - \$40 Million Grant Program *Empower Lewiston!*.

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This program is designed to improve the lives and well-being of our residents - the people of the City of Lewiston. There will be further development as the ten (10) years goes on.

Presented before you is a two- (2-) year plan, which is discussed on the last page of the document presented. Much time and effort has been spent on how best to spend funds. This grant, if chosen, will be set up as a non-profit organization, which will allow us to gain matching funds from foundations outside. This will allow us the greatest chance to get funding from other sources. There are two census tracts involved (201 and 204). These census tracts suffer from pervasive poverty, unemployment, and distress and have poverty rates of 47 and 34 percent. They are considered the most blighted areas in a region that is experiencing a moderate growth.

Denis Theriault - D. Theriault asked the following question. With this Grant itself, guidelines from the federal government dictate that you have to get community members on a board that will designate how it will be spent?

Dennis Mason - In answer to the above question, his answer was that "there are no goals or specifics that say that how many people on this empowerment board need to be residents. It has been done in various cities in different ways anywhere from not being residents to the board having a higher percentage. You need community participation.

Harry Milliken - His response was that there were a lot of people who had volunteered. He stated that his concern was that we would have a better chance of obtaining this if there is actually more regular citizens who are organizing this, not just municipal officials involved.

John Bott - J. Bott replied that there is not a single City Staff member on the Steering Committee. This is totally community-driven to achieve changes that this will provide. Lewiston is seeking to become New England's first Rural Empowerment Zone (EZ). He stated that the City has applied once before in 1994, but was not selected. However, the City of Lewiston did become one of only two "Champion Community" designations in New England. He feels that this will transform Lewiston's downtown, riverfront, and Western Maine areas. He said that *Empower Lewiston!* is a single-entity of its' own. He also stated that the City does need to have a role and that the process is not dictated by the City.

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Dennis Mason - D. Mason stated that the process is that if the Grant is approved, the Steering Committee will re-convene and name 21 members, which includes the Mayor, a representative from the City Council, two (2) members of the Project Committee, four (4) residents of each census tracts, and one (1) from the Finance Committee. They will set up the by-laws of the entity.

Denis Theriault - Is this the packet that the City Council will receive and vote on? **J. Lysen** answered, "yes". They do not actually get a final draft of the Grant itself? - **D. Theriault**.

J. Lysen - Basically, what we are looking for from the Board and Council is a recommendation and authorization to submit this application, based upon the two-year budget. This is a proposed governance project. The federal moneys will net new money into the community. This will give us the ability to leverage money. With this, it will give us \$80 to \$100 million worth of work.

D. Theriault - The two-year budget presented tonight, is that all that is requested out of the Grant, is to give the first two-year profile and that the rest of the money, there is no profile? Years 2, 3, 4, and 5, whatever the board decides, becomes a high priority?

John Bott - That is correct. This budget is helpful. We had to submit a two-year budget based on \$8 million. That is what this is. This will then determine the changes in the plan as to where the money will be allocated.

Denis Theriault - There are a lot of expenditures for Bates Mill parking. Questioned if part of the grant money would be going for Bates Mill parking?

John Bott - J. Bott responded that it is one of the economic priorities proposed.

Denis Theriault - D. Theriault's concern is that the inner city and other parts of the city receive the money. He does not want to see the Grant to be a back door to the Bates Mill.

T. Peters - Does this mean that Phase II we are using the same categories and that the numbers may switch or change, as to years 2 and 3 and so forth? The numbers would be allocated differently. All of the things on Phase I grant could be completed, done. Phase II could be a whole different approach that the community might develop and it might not have anything to do with this.

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J. Lysen - There are 60 projects/strategies. We are looking for between 27 and 30 in the first two years in a row. This is only two year only federal money.

Dennis Mason - D. Mason said that the Steering Committee will set up procedures and set goals for matching funds (i.e. the citizen's need of more police officers).

Tom Peters - T. Peters stated that you may not want to continue through the remaining years after Year 2, using the expanded number of police officers, as an example. This needs to remain community-based.

Harry Milliken response was that he thinks that this would be a big benefit to the downtown, if approved.

Larry Marcoux then stated that throwing money at a problem will not help. He then replied that he would not have participated, if this was not for the community. He said that this would be a major boost to the United Way. If accepted, both international and national representatives (i.e. Kellogg, etc.) representative will be invited to a conference that will lead to the 1999 tour of Lewiston. Part of this conference will then lead to this coming March/April 1999 to actually be given a tour of Lewiston, so that they can see for themselves the opportunities for their community investment.

Tom Peters - This is the future infrastructure of the city. He stated that it would be great to get it. He also stated that if they can help by giving a recommendation or on anything else that they certainly would. It is our community too. He is recommending that this is forwarded to the City Council with a formal letter written from the Board to be included in the packet to go to Washington D.C. saying what a wonderful job, etc. or even a letter from the Chair (with help in drafting the letter from both J. Lysen and D. Asselin). He would like a vote as to a recommendation and a letter.

John Bott - This is a 200-page, two-volume application. He welcomes a letter from the Planning Board saying what a unique approach and a breath of fresh air this is. This would endorse the concept and support it. It is one more thing to give us momentum to become an Empowerment Zone.

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MOTION: by H. Skelton, seconded by M. Paradis to send a positive recommendation from the Board to the City Council to approve submission of an application to the U.S. Department of Agriculture for Empowerment Zone designation and, also, for the Chair to write a support letter for the application to be included in the submission to Washington D.C.

VOTED: 7-0.

V. PUBLIC HEARING (Continued from the September 8, 1998 Meeting)

A. *Proposed Amendment to the Zoning and Land Use Code Concerning Modifications*

This item was presented by **Gil Arsenault**. He referenced the memo included in the Planning Board documents. No language in modifications with respect to limitations. This was discussed with the Board of Appeals at their September 16, 1998 meeting. There is no real problem or need for this. The Board of Appeals were unanimous in their thoughts of not going beyond the 25-30 percent that is currently allowed. There are no ideas above or beyond what was suggested, therefore presenting a negative recommendation.

Harry Milliken then mentioned that this was brought up mainly because of two issues - WCBB and a zoning change made city-wide. This could create more of a problem as far as widening of streets. He went on to say that the WCBB wall is coming down and is not structurally sound to hold a second floor. It will now be in conformance. He also said that both issues need to be kept separate.

Harry Skelton questioned the housekeeping aspects?

Gil Arsenault responded that it is covered on the second page of Section 11.

James Lysen stated that also on the second page of the Zoning and Land Use Code, under Section 3, Procedure, second paragraph, line 6 should read Article IX, Section 3.

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Gil Arsenault then concluded the conversation on this topic saying that the Board of Appeals were against this with no support at all and that this was brought on by a petition to continue to the City Council.

MOTION: by **H. Skelton**, seconded by **D. Theriault** to send a negative recommendation concerning the proposed changes to the front setback modification requirements under Article XI, Section 3 (10-11); and to send a favorable recommendation on the Staff-suggested proposed amendments with respect to the need for an easement/maintenance agreement under Article IX, Section 3 (11), and the housekeeping issue under Article XIII, Section 3(c).

VOTED: 7-0 (Motion Passed)

VI. OTHER BUSINESS

A. New Business:

1. *Year 2000 (Y2K) Status - ("Millenium Bug") - Update from Peter Bassett, Data Processing Manager, on the City's Effort Toward Compliance*

James Lysen was the presenter on this topic of discussion. He read the memo from Peter Bassett. The report is still under draft and review.

Harry Milliken - We did get something in our packets, but this is not a presentation. A presentation should be made to the City Council first.

James Lysen responded that there was no plan for a presentation. This is just an update from Peter Bassett. This is in response to a request to explore this issue.

Denis Theriault was in agreement that he was not looking for a report, since he was the person who had this included on the agenda for this meeting. He responded that he was just looking for an update. Also, **D. Theriault** discussed posting the agenda's and minutes on the City's Web site.

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Harry Milliken said that he would like a presentation. He also stated that the agenda should be posted on the Web page.

Denis Theriault replied that there is a need for more information to be available for the public and the Web site is appropriate.

B. Old Business:

There was no update on the items listed under Old Business. **James Lysen** did mention that the hold-up on Item No. 1, Proposed Amendment to the Zoning and Land Use Code Concerning Stormwater Management and Erosion Sedimentation Control was due to the fact that the person working on this document had returned back to school. She was hired as an intern. **D. Theriault** reminded **J. Lysen** that this has a January 1, 1999 deadline or review goes to the authority of the state.

CMMC heliport service is scheduled for the October 13, 1998 Planning Board meeting.

Also mentioned was the review authority (who has the review authority on minor buildings - 5,000 SF?). **H. Skelton** questioned is there really a big difference in the staff member's position between public process and private process? **T. Peters** - A conflict of interest does exist. They tend to look the other way.

D. Theriault - If the City Council wants it to fly, it will fly and God help the Staff Member that gets in the way. **D. Theriault** explained the conflict issue, as follows:

The Planning Board should review all municipal projects, including minor below 5,000 square feet.

Supporting Information: If a Planning Board member reviewing a current 5,000 square foot and above project becomes a City Employee during his term, he would have to resign his Board position. You cannot be a Board Member and hold a job with the City. It would be a conflict. The rules governing conflicts or the review criteria does not change below 5,000 square feet. If the Planning Board currently would review below 5,000 square feet and a Board Member became a City Employee, he would have

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to resign, because a conflict would be created. This argument meets the test supporting Planning Board review of all municipal projects.

H. Milliken - What direction would the Board want to give D. Theriault and H. Milliken at this point? What kind of work from the Sub-committee to bring back to this Board? The review authority for minor municipal projects is the Planning Board with no reflections on staff.

Still need a member for Ward 3. The decision is up to the Mayor. Can get applications from the Staff. These applications should be filed in the City Clerk's office.

Also mentioned was the fact that **T. Peters** would not be able to attend the LMRC meeting scheduled for September 24, 1998. He needed somebody to cover for him.

It was also requested to get members and their addresses to the new Planning Board member - Dennis Mason.

VII. ADJOURNMENT:

This Planning Board meeting adjourned at 8:55 P.M.

MOTION: by **D. Theriault**, seconded by **L. Zidle** to adjourn this meeting.

VOTED: 7-0.

Respectfully submitted,

Denis Theriault
Secretary

DMA:dma

