

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for October 26, 1999 - Page 1 of 8**

I. ROLL CALL:

This meeting was called to order at 7:05 p.m. and chaired by Harry Milliken.

Members In Attendance: Rob Robbins, Tom Peters, John Cole, Harry Milliken, Lewis Zidle, Mark Paradis, and Dennis Mason.

M.D.R.T.F. Member In Attendance: Joyce Bilodeau.

Staff Present: James Lysen, Planning Director; James Fortune, Planning Coordinator; Gil Arsenault, Deputy Development Director, Gregory Mitchell, Director of Development; and Doreen Asselin, Administrative Assistant.

II. CORRESPONDENCE: The following correspondence were distributed at this meeting:

A. Downtown Master Plan (Eight-Page Document); B. District Map; C. Summary of Salient Facts and Conclusions for 10 Ash Street; D. Correspondence dated October 22, 1999 from Neal Specialty Compounding LLC; and E. Property Acquisition/Disposition Review Forms for 84 Lisbon Street from Jim Andrews, Community Development Director, and Norman Beauparlant, City of Lewiston Purchasing Agent.

MOTION: by **Tom Peters**, seconded by **Dennis Mason** that this correspondence be accepted, as submitted, and placed on file.

VOTED: 6-0.

III. PUBLIC HEARING - (Downtown Master Plan) Review and Recommendation to the City Council to Adopt the Downtown Master Plan and to Make it a Component of the City's Comprehensive Plan.

Jim Lysen read his memorandum dated October 22, 1999. Presentations were made to the Planning Board on this Plan at their July 20, 1999 Meeting and the October 12, 1999 Meeting by both the consultant team, RKG Associates, and the Task Force Members and Staff. Jim Lysen then referred to the handout of the Downtown Master Plan, which is an eight- (8-) page executive summary. The color copies were distributed at this meeting. This executive summary contains all of the recommended overall actions and the District-Specific Actions of the Plan. Jim Lysen also described the District Map. He said that there are established goals for each district. There are 11 goals and 24 recommended overall actions. Jim Lysen said that the eight- (8-) page executive summary of the Downtown Master Plan will be distributed to a wide audience and that this document will serve as a guide for the general public.

Lewis Zidle arrived at this meeting at 7:15 p.m.

Again, Jim Lysen restated that there were endless, long meetings put into the making of this Plan. The goals section has been broken up into short term (1-2 years) and medium to long term (3+ years).

Joyce Bilodeau said she was present at this meeting to answer any questions that may be raised. She briefly described some of the recommended overall actions below.

Tom Peters made reference to Action No. 3, which is to hire an experienced senior level Downtown Development Manager (DDMgr) to function as staff to the MDRTF. Joyce Bilodeau mentioned that she will be helping to implement this plan. She said that this Plan needs to be implemented to help keep the Bates Mill going. The Lewiston Mill Redevelopment Corporation (LMRC) are in their Strategic Planning process, which ties into Action No. 2. Action No. 2 is to consider expanding the role of the LMRC to include all of downtown. The Development Manager would work for this or a similar entity. The LMRC could possibly be renamed the Lewiston Downtown Development Corporation. Also, consider designating the entire downtown a TIF district. Tom Peters said that the LMRC does not have working capital. He said that there should be some sort of policy determined on this person. Also, Tom Peters said that the goal of the LMRC is to put the LMRC out of business. Someone needs to keep everything in focus.

Parking is an issue. Action No. 13 is to evaluate the feasibility of a trolley system versus new parking garages.

Dennis Mason questioned sharing the cost of demolition with building owners. Action No. 5 is to establish a matching City grant program for building improvements.

This meeting was opened to the public. There being no comments, this item was then turned back to the Planning Board for a recommendation. This will be going back to the City Council at their meeting of November 9, 1999.

Tom Peters commended Joyce Bilodeau and all of the MDRTF Members for this well-thought out and excellent plan.

MOTION: by Tom Peters, seconded by John Cole that the Planning Board sends a favorable recommendation to the City Council to adopt the Downtown Master Plan and to make it a component of the City's overall Comprehensive Plan. Furthermore, to communicate to the City Council the critical need to hire, as soon as possible, a Downtown Development Manager (see Recommended Overall Action No. 3) to make sure the plan is implemented and that the necessary funds be allocated to properly market and develop downtown properties (see Recommended Overall Action Nos. 5 and 6).

VOTED: 7-0.

The following items are listed in the order that they were presented, which is out of sequence to the listing on the agenda. The next item discussed, was:

V. OTHER BUSINESS:

A. New Business:

2. *Request for a Diminimus Change on the Location of the Proposed Butler Brothers Building at 2001 Lisbon Road.*

John Cole stepped down from the Planning Board on this item.

Jim Fortune read his memorandum dated October 21, 1999.

This item was presented by Ken Lamoreaux, of The Sheridan Corporation. In summary, The Sheridan Corporation, on behalf of Butler Brothers, is seeking approval for a “diminimus” change to their site plan, which was previously approved September 30, 1999 for the construction of a 53,900 square foot warehouse and offices at 2001 Lisbon Road. The necessary changes reflect the need to adjust the building location due to ledge found during construction preparation. The following changes have been made to the previously approved plan, which are: a. The building location and the related parking and loading pavement have moved 40 feet to the east and 13 feet to the south; b. Seven (7) pole lights have been added to the parking lots as well as to the Lisbon Road and to the entry drive; c. As per the agreement with CMP on October 12, 1999, the overhead electric service has been relocated; d. Foundation drains were added along the building footers on the north and the west sides; and e. The Lisbon Road entry drive pitch will be single sloped to the building side and 325 feet of Cape Cod asphalt curb was added to the down slope side. Ken Lamoreaux said that basically the building has been slide over and down. The road has not moved one inch (1"). The wetland area is intact. There will be no further disturbances or impact to wetland areas by the adjustment in building location and, therefore, both the DEP Wetland Alteration permit and Army Corps permit are included in the Planning Board packets. Ken Lamoreaux described the lighting, which is shown on the plan. The lighting is angled to poles and then underground. He said that this was a Central Maine Power Company (CMP Co.) decision, not The Sheridan Corporations.

Dennis Mason referenced the third paragraph of the correspondence dated October 21, 1999 from The Sheridan Corporation. In this paragraph it states that the area available for future building expansion has been reconfigured a second time in this plan. This reconfigured area will prevent any future expansion of the building impacting the conservation buffer. It also states that any future expansion would be subject to City review. This was brought to the Planning Board to recommend that the Board authorize the Chair to sign the revised mylar reflecting the above changes. The following motion was made.

MOTION: by Tom Peters, seconded by Rob Robbins that the Planning Board finds that the revised plan is a “diminimus” change and authorizes the Planning Board Chair to sign the revised mylar for the Butler Brothers Warehouse and Office facility at 2001 Lisbon Road.

VOTED: 6-0-1 (Cole).

John Cole rejoined the Planning Board.

Ten (10) minute recess from 8:00 - 8:10 p.m. for the Planning Board Chair to sign mylars.

1. *Municipal Acquisition of Properties - 10 Ash Street, 84 Lisbon Street, and 408 Canal Street.*

It was suggested that each item be dealt with separately, therefore, there are separate motions for each.

Jim Fortune read his memorandum dated October 20, 1999.

408 Canal Street. This property is being offered to the City by the Good Shepard Food Bank “as is”. The letter from JoAnn Pike, Executive Director, of the Good Shepard Food Bank, dated September 9, 1999, outlines the offer to the City. This property is located in the Urban Enterprise (UE) District. It has 2,600 square feet, plus or minus, or .06 acres and 25 feet of frontage on Canal Street. The recommendation in the Downtown Master Plan states that the City should consider the acquisition of the Food Bank property to assemble with other properties in order to improve gateway entrance and improve development. There was some concern expressed as to the title. It was questioned, “What is meant by clear title?” Jim Fortune will check on the title. The statement was made that this building needs to be demolished. 410 Canal Street is the abutting property and is Franklin Company property. The City owns the building at 410 Canal Street, but the land is owned by the Franklin Company. It was mentioned that the record should reflect that this property is 408 Canal Street, not 410 Canal Street.

MOTION: by Tom Peters, seconded by Lewis Zidle to send a favorable recommendation to the City Council to acquire the property at 408 Canal Street with the understanding that there is a clear title to the property and with a finding that the acquisition is consistent with both the City’s Comprehensive Plan and the new Downtown Master Plan.

VOTED: 7-0.

Rob Robbins stepped down from the Planning Board .

84 Lisbon Street. This property is being offered to the City by the owner of 84 Lisbon Street for a sum not to exceed \$135,000.00. This property is located directly across from the planned District Court location on Lisbon Street. The building on this site is vacant. The estimated market value is \$132,000.00 “as-is”. The assessed value is \$113,800.00. This will add an additional 80 x 25 feet back to the alleyway. The plan is to demolish the structure and combine the lot with the Ward Brothers and Maynard Shoe sites and redevelop the entire site as open space. The abutting building will need to be refaced. Gil Arsenault said that with the costs of acquisition and demolition of 84 Lisbon Street along with renovations to the common wall of the property, this would exceed \$200,000.00. This property is located in the Downtown Business (D) District. The Police, Fire, and Public Works Departments

had no concerns with this property. John Cole mentioned that the option should be extended for 12 months and then reconsider the option. The following motion was then made on this property.

MOTION: by Tom Peters, seconded by Mark Paradis to send a recommendation to the City Council not to acquire the property at 84 Lisbon Street at this time, but to extend the option on the property for an additional period not to exceed 12 months, in order to explore how this property may be impacted by the design and development of the proposed District Court and related open spaces, and what impact the proposed park may have on adjacent properties and public ways, including this property.

VOTED: 6-0-1 (Robbins).

Rob Robbins rejoined the Planning Board.

10 Ash Street. The City could purchase the property and demolish the existing building, which would free up space for the proposed Canal Street parking adjacent to the courthouse area. This property is also in the Downtown Business (D) District. Both the Police and Fire Departments had no concerns with this property. Reference was made to the Property Acquisition/Disposition Review Form from Chris Branch of the Public Works Department. His comment was, "Discontinuance of alley may be a problem due to required sign off by abutters." Jim Lysen said that this piece of property was crucial to the Courthouse project. There can be connections to buildings. The estimated market value is \$83,500.00, "as-is". The following motion was made on this property.

MOTION: by John Cole, seconded by To Peters to send a favorable recommendation to the City Council to acquire the property at 10 Ash Street with a finding that the acquisition is consistent with both the City's Comprehensive Plan and the new Downtown Master Plan.

VOTED: 7-0.

3. *Neal Specialty Compounding, LLC - 258 Goddard Road, Lot G, South Park Subdivision.*

John Cole stepped down from the Planning Board.

Jim Fortune read his memorandum dated October 21, 1999. In summary, Neal Specialty Compounding is requesting re-approval of the original site plan, which was approved by the Planning Board on July 20, 1999 for a manufacturing facility at 258 Goddard Road, Lot G, South Park Subdivision. At the Planning Board's August 31, 1999, the Planning Board approved a "diminimus" change to the site plan which then allowed both phases to go forward and an adjustment to the building location. The Planning Board Chair has not signed a mylar for this project and the developer would now like to have the original mylar signed with Phase I of

the 8,000 square foot building and associated parking in the original location. Gil Arsenault commented that the site will need to be cleaned up and vegetated. It is, therefore, being requested to re-approve the original site plan and authorize the Planning Board Chair to sign the mylar reflecting the original approval of July 20, 1999. Tom Peters mentioned that a time should be given as to when it is appropriate to sign off. The original mylar was submitted at this meeting. The following motion was made.

MOTION: by Dennis Mason, seconded by Lewis Zidle that the Planning Board re-approves the original site plan for Neal Specialty Compounding, LLC and authorizes the Planning Board Chair to sign the mylar (which will be submitted within the next 30 days) reflecting the original approval of July 20, 1999 for the construction of Phase I of an 8,000 square foot manufacturing facility located at 258 Goddard Road, Lot G in the South Park Subdivision.

VOTED: 6-0-1 (Cole).

4. *Appointment of Planning Board Representatives to the Lewiston Capital Improvement Program (LCIP) and the Community Development Block Grant (CDBG) Program Review Committee.*

- LCIP. Mark Paradis has been appointed again this year.

- CDBG - This process starts in February 2000. A notice will be given when the process will be starting. Both Tom Peters and Rob Robbins have been appointed.

B. Old Business:

It was requested by Tom Peters of the Planning Board to remove Item No. 4 (Legal Opinion on LMRC Corporate vs. Municipal Status) from further agendas.

Harry Milliken requested that issues relating to Item No. 10 (Lot Configuration) be taken care of before he leaves the Planning Board this year. His last Planning Board Meeting is scheduled for December 14, 1999. Jim Lysen responded that information will be compiled and will be available at the Tuesday, November 9, 1999 Planning Board Meeting.

Also requested to be included and added to the agenda was the update on the Bates College Campus Plan.

V. **READING OF THE MINUTES:**

- A. *Draft Minutes of Planning Board Meeting Held on September 9, 1999.*

MOTION: by Dennis Mason, seconded by Lewis Zidle to approve the Planning Board Minutes of September 9, 1999, as submitted, and place them on file.

VOTED: 7-0.

- B. *Draft Minutes of Planning Board Meeting Held on September 16, 1999* - Dennis Mason requested that the Board postpone the reading of the minutes for September 16, 1999. These minutes will be resubmitted with the new copies containing changes made by the Planning Board Secretary, Dennis Mason.
- C. *Draft Minutes of Planning Board Meeting Held on September 30, 1999* - In the motion made on Page No. 2, the last sentence should read, “*other related facilities*”.
- MOTION:** by Dennis Mason, seconded by Mark Paradis to approve the Planning Board Minutes of September 30, 1999, as amended, and place them on file.
- VOTED:** 7-0.
- D. *Draft Minutes of Planning Board Meeting Held on October 12, 1999* - There was one (1) minor change made to these minutes. On Page No. One, Item No. III. Public Hearing, first paragraph, fifth line, delete the word, “*to*”.
- MOTION:** by Rob Robbins, seconded by Lewis Zidle to approve the Planning Board Minutes of October 12, 1999, as amended, and place them on file.
- VOTED:** 5-0-2 (Peters & Cole Abstained).

IV. WORKSHOP (Continued from October 12, 1999 Planning Board Meeting) - Discussion of Proposed Amendments to the Urban Enterprise (UE) and Downtown Business (D) Districts including Permitted and Conditional Uses, Space and Bulk Standards, and Required Review Processes.

Jim Lysen did not read his memorandum dated October 20, 1999, due to lack of time. He quickly discussed the colored district map distributed at this meeting which depicted yellow as the Downtown Residential District, green as the Centreville District, red as the Mill District, and blue as the Riverfront District.

At the request of the Planning Board Members, at their October 12, 1999 meeting, Staff prepared the above mentioned district map and the matrix, which was included in the Planning Board packets. At the October 12, 1999 workshop, discussed was possible rezoning and amendments to the Zoning and Land Use Code for the Urban Enterprise (UE), Downtown Business (D), and portions of the Neighborhood Conservation “B” (NCB) Districts adjacent to the downtown area. The purpose of the amendments will be to provide flexibility in the application of space and bulk standards, land use regulations, and review processes in the downtown districts in order to encourage the improvement, reuse, and redevelopment of this area of the city with appropriate development standards. The Planning Board was asked to consider possible new zoning district boundaries, permitted uses in existing and potentially new districts along with appropriate development and design standards. The Planning Board, at the October 12, 1999 meeting, instructed Planning Board Staff to continue working on the matrix and to provide a copy of this matrix to the Downtown Task Force.

The map, as mentioned earlier, shows the potential boundaries of proposed new districts or sub-districts that could be created downtown. The boundaries on this map follow those outlined in the Downtown Master Plan. The proposed Mill District would cover the Mill redevelopment area between Canal Street on the east and Lincoln Street on the west. It would also include a portion of the Western Gateway - south of Main Street and the portion of the Southern Gateway area where the

Lewiston Bleachery and the City's Public Works Garage are located - south and east of Willow Street.

Each of these proposed new zoning sub-districts were discussed. Jim Lysen said that the Riverfront District is not an industrial area any longer. The Riverfront District should attract people from the NCB area. The Mill District is mostly the UE District, i.e. LePage Bakeries, Androscoggin Mill, and the Bates Mill. The Centreville District is one (1) component of the Downtown Master Plan. There is the potential for a lot of redevelopment in this area. Included in the Downtown Residential District are three (3) zoning districts, which include: Neighborhood Conservation "B" (NCB), a pocket of Highway Business (HB), some Office-Residential (OR) along Pine Street, and some Community Business (CB).

The Planning Board will now begin to show, on the matrix, what uses should be permitted in the new districts that are consistent with the MDRTF, Master Plan, and Comprehensive Plan recommendations and present these at the October 26, 1999 Planning Board Meeting. Issues regarding other changes to development standards for the proposed districts will be discussed at another meeting. All this information will be shared with the MDRTF Members. They will be receiving the new maps containing the rezoning lines and the matrix. Reference was then made to the matrix prepared by Jim Fortune. There were four (4) districts presented: UE, D, NCB, and OR Districts. The next step is space and bulk standards. Tom Peters did suggest that on the next updated matrix to include the titles on each page of the matrix for ease in reading. It was then suggested, by Harry Milliken, that the Planning Board Members take the matrix home and check off what they want in what use in order for the Planning Staff and Members to get together and form a consensus as to what would be best in these areas for allowable or conditional uses. Recommendations are needed from both Staff and Planning Board Members. This needs to be presented to the MDRTF in order for the MDRTF to give the Planning Board direction.

After this discussion, Harry Milliken commented to Planning Board Staff that the first draft of the map and matrix was great.

In closing this discussion, the Planning Board Meeting to be held on November 9, 1999 will begin at 6:30 p.m. At this meeting, a formal recommendation will be made to go to the City Council on this topic to be presented at their December 14, 1999 City Council Meeting.

VI. ADJOURNMENT - The following motion was made to adjourn.

MOTION: by John Cole, seconded by Dennis Mason to adjourn this meeting at 9:45 p.m.

VOTED: 7-0.

Respectfully submitted,

Dennis Mason, Secretary

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