

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for May 23, 2000 - Page 1 of 10**

- I. ROLL CALL:** This meeting was called to order at 7:05 p.m. and chaired by Dennis Mason
- **Members In Attendance:** Muriel Minkowsky, Dennis Mason, Tom Peters, Lewis Zidle, and Rob Robbins.
 - **Staff Present:** Gil Arsenault, Deputy Development Director; James Lysen, Planning Director; James Fortune, Planning Coordinator; and Doreen Asselin, Administrative Secretary.
 - **Members Absent:** John Cole and Mark Paradis.

II. READING OF THE MINUTES: *Draft of the Minutes from the May 9, 2000 Planning Board Meeting.*

The following changes were made to the minutes by **Muriel Minkowsky**:

- On Page No. 2, Item IV, Public Hearings, third paragraph, seventh line, add another zero to the amount of square footage to then total "400,000".
- On Page No. 6, fifth paragraph, first sentence, delete the word, "was" and replace with the word, "has".
- On Page No. 9, third paragraph under Item No. 7, second line, delete the word, "as" and replace with the word, "us".
- Also on Page No. 9, the first paragraph after the motion, first sentence, delete the word, "is" and replace with the word, "it".

The following changes were made to the minutes by **Dennis Mason**:

- On Page No. 2, delete the reference to the change made by Muriel Minkowsky. This was previously mentioned.
- On Page No. 3, fifth paragraph, last line, delete the words, "River Road", and replace with the words, "Goddard Road". In this same sentence delete the word, "security" and replace with the word, "safety".
- Also on Page No. 3, last paragraph, sixth sentence, delete the word, "preview" and replace with the word, "purview".
- On Page No. 4, the paragraph beginning with the name, Lorraine Roberge, fourth line, delete the word, "went" and replace with the word, "when".
- On Page No. 5, first paragraph, second line, end the sentence at the word, "re-zoning" and delete the rest of the sentence.
- On Page No. 5, Item No. B., second paragraph, place a comma after the word, "item" and continue the sentence to read, "except for the petitioners."
- On Page No. 9, Item No. 7, third paragraph, second line, delete the word, "to".

MOTION: by **Lewis Zidle**, seconded by **Rob Robbins** to approve the Planning Board Minutes for May 9, 2000, as amended, and place them on file.

VOTED: 5-0.

III. CORRESPONDENCE:

- A. Letter from Tri-County Mental Health Service to Planning Board Chair Tom Peters, concerning the Planning Board's recommendation, and**
- B. Letter from Jim Andrews, Community Development, concerning a new HUD program called "Good Neighbor" and how it may impact 103 Ash Street.**

Also included as Item C was a letter dated May 23, 2000, prepared by **James Lysen**, Planning Director to **Jeff Madore**, Director, at the Maine Department of Environmental Protection (DEP) in reference to the Bates College Athletic Facilities in Lewiston, Maine (this item was distributed at this meeting).

The following motion was made to include all three (3) items listed above.

MOTION: by **Rob Robbins**, seconded by **Lewis Zidle** that the Planning Board moves that this correspondence be accepted and made part of the record.

VOTED: 5-0.

IV. FINAL HEARINGS:

A. Final Hearing concerning the proposed Bates College Athletic Facilities (Track & Field and Softball Fields), Russell Street/LaFayette Street. This project consists of an oval track and field facility with an eight-lane biradial track with a ten-lane straightaway to be finished with a synthetic surface. The field would be built to accommodate various sports events, including soccer, field hockey, lacrosse, football, and rugby. Also being proposed is a permanent bleacher system with a fully-equipped press box, which would be located on the southwest side of the track and extend along the ten-lane straightaway. Other event areas include a long jump area along Russell Street and shot-put areas near LaFayette Street. Wright-Pierce Engineering are the engineers involved with this project.

The other phase will include a practice field and parking lot located near Campus and Central Avenues. This project would add a large ballfield for practice and scrimmage games and would include a scoreboard and adjacent parking. Additional parking would also be added for the John Bertram Hall at this location. Kleinschmidt Associates is handling this part of the project and **Herb Doten** was present at this meeting.

Bob Bremm from Bates College, Director of Physical Plant, was present at this meeting. He did a brief presentation as to the location of the areas affected on a map. He showed the location on a map of both LaFayette and Russell Streets. This proposal will clean up the area. They are proposing to build a state-of-the-art NCAA qualified track and interior. Part of the field will be a soccer field. Next to this is an existing soccer field that will be converted to a softball field. This needs to be done at the existing softball field has been dislocated because of the new tennis court area. On the corner of Campus Avenue and Central Avenue is Bates College's JV dorm court. Next to that is an existing, natural playing field. This field is proposed in the Master Plan. The astroturf field will give Bates College a state-of-the-art field for both field hockey and football and can also be used as a multi-purpose field because it can be used for extended periods of the day.

Next, **Doug Rice** from Wright-Pierce, a Professional Engineer and the Project Engineer for this project described the technical aspects. This project is bordered by Campus and Central Avenues and Russell and LaFayette Streets. **Doug Rice** said that this is approximately a 36-acre lot and the improvements that are proposed cover parts of ten (10) acres. A portion of this lot on the corner of Russell Street is Bates College parking, a gravel parking lot, and a portion of it is used for materials storage. There is a home and garage on this lot that will be removed and the driveway cut off down to the right-of-way. The track surface will be constructed on the corner of Russell and LaFayette Streets. This is a proposed 400-meter track. The parking that was displaced by this end of the track will be made up along the entrance road to the maintenance facility. One of the concerns was the tractor trailer traffic coming in off of Russell Street. This will be improving the turning situation there by keeping the traffic moving in one direction and to replace the parking in that area. In addition, the Fire Chief and Police Department both requested that an emergency access be provided to the rear of both grandstands. This has been provided and was shown to the Planning Board on the map provided. The grandstands will provide seating for 1,500 people and will be used for seasonal use. Therefore, in the winter time this area will not be plowed or sanded. The softball field is going in the area to the south of the track/soccer field. This is currently the athletic field. The improvements there will be an in-field, a backstop, and a couple of dug-outs. The existing under drain system, sprinkler system, etc. will remain intact with some alterations done to it. The underlying infrastructure will remain intact. The field will be spray-irrigated and will become a natural turf field. The drainage for that area will be handled with a drain throughout the inner portion of the track, as shown to Planning Board on the map presented. The drainage will drain to eight (8) catch basins, which will go to four (4) main catch basins. These four (4) main catch basins are a portion of the storm water detention system, which is subsurface of the 48 inch diameter that will control the 12 inch

outlet pipe to the existing branch from here to Jepson Brook. As to screening, on the revised landscaping it shows shade trees that will be placed along Russell and LaFayette Streets, as requested by the Review Committee. This will happen when this project takes place. This begins on either side of the easement that provides utilities for St. Mary's Complex and the trees will be spaced with 60 foot, 2-1/2 inch caliber-type, shade trees to be planted when the improvements to Russell Street take place. Along LaFayette Street and up to just past the parking area, Bates College is proposing to relocate the fence (6' high, chain-link fence with a slate material in it for screening), which is approximately one (1) year old. The existing street trees along this point will not be disturbed at this time. At some point, the fence will be changed from the six foot (6') high, chain-link fence to a three foot (3') high vinyl-coated fence. This is to prevent people from driving onto that track surface. This is a high-quality track surface. At this time-frame, the plan is showing three foot (3') high, modular retaining walls at either end to help break the grade between the grade of the track and Russell Street. The grading of the track is approximately six feet (6') higher than Russell Street and then it slopes down. On the inside of this fence, Bates College is proposing Evergreen-type shrubs to be placed along the Russell Street side. The reason for choosing the Evergreens for the lower height is to protect the subbase material on this very expensive track surface. There will be some screening placed along this area to help with wind conditions. This track, once completed, will meet NCAA regulations. The hammer to the discus throw will be toward the St. Mary's Complex, so that there will be limited damage to the softball outfield. The long triple jump will be out towards the roadway. This will take place in the in-field of the soccer field. The runway will be across the track. There will be a net six- (6-) car parking loss along Campus Avenue. The existing drainage pattern heading towards Campus Avenue had some issues as to capacity and storm drainage. With the in-field, it will be to collect storm drainage from that surface to a subsurface drainage system. The storm drainage has been redirected from this overtaxed system to relieve some pressure from that system and added it to the detention facility. This will now discharge to the north to the brook on that side. There will be a six foot (6') high chain-link fence with two lighting poles on each side of the field to provide 50 foot candles of light, which is the required lighting for lacrosse during the evening. The parking will be reconfigured with a three- (3-) car parking loss over what exists there today. The loss will be made up in the existing tennis court area along Central Avenue with a net gain of 15 parking spaces for the project overall. This is the least expensive alternative without creating additional impervious surface. There will be a couple of lights put around this proposed parking area. The existing large trees along Campus Avenue will remain. The driveway off of Campus Avenue will be removed. The new access to this new parking area will be shifted slightly north of where it is now on Central Avenue.

Tom Peters asked, "Are any homes affected by lights?" **Bob Bremm** responded that there will be no impact. The question was asked if in the lower track there would be any problems with LaFayette parking? **Bob Bremm** responded that there will be a light parking load. He said he does not anticipate any problems with parking. **Muriel Minkowsky** asked if there would be an impact in the Central Avenue area while having additional parking in the tennis court area. **Bob Bremm** responded that there will be no impact on Central Avenue.

Rob Robbins asked if there were any written comments received from Public Works. **Jim Lysen** responded that there were no concerns. **Jim Fortune** also photocopied and distributed the Planning Board Project Review Form signed by **Michael Paradis** of the Public Works Department showing no concerns.

Jim Lysen went over the meeting he had earlier this morning with the Department of Environmental Protection (DEP). The new athletic field is over ten (10) acres in size. At this meeting there are two (2) major issues that need to be resolved concerning this project. These issues are listed as: 1. How to deal with the project if the proposed non-revegetated area causes the campus-wide non-revegetated area to exceed the 7-acre threshold, and 2. Storm water quality issues raised by the project. These issues are mentioned in **Jim Lysen's** correspondence dated May 23, 2000 (placed in the Correspondence Section on the agenda and accepted

earlier as part of the record). This correspondence was faxed to **Jeff Madore**, Director, at the DEP Bureau of Land & Water Quality. With respect to the second issue, both Wright-Pierce and Bates College will be working on a response to the DEP concerning this. With respect to Issue No. 1, **Jim Lysen** said that on behalf of the City of Lewiston, he respectfully requests that the Department of Environmental Protection (DEP) determines that this "application for a modification to a development" may be adequately reviewed by the City of Lewiston through our municipal review of development authority. **Jim Lysen** felt that, most likely, the DEP will grant the City of Lewiston the ability to review this project. The DEP had no concerns. No permits will be issued. The fields need to be stable for Fall 2000 use. Also mentioned was Jepson Brook, as to quantity - how much flows and removal of suspended solids.

This application meets all the requirements for local and DEP review. The DEP can determine if this project should be approved as a modification to development. That could also be a condition of the Planning Board's approval as well. There are no problems with conditional approval. No permits can be pulled on the project until a letter of non-jurisdiction or a letter is received from the DEP saying that they have approved this project. This is not a case-by-case basis.

There were no comments from the public on the remaining portion and, therefore, this item was closed to the public and turned back to the Planning Board.

Doug Rice said that requirements can be met without any issues. He does not anticipate any changes to the plan.

Dennis Mason questioned, "What is the parking requirement for this project?" **Jim Lysen** responded that it is characterized by how the site is to be used. There is no net increase. Central Avenue will have 15 parking spaces added at the tennis court location. There will also be a 1,500 seat grandstand. There will not be any new uses added, just relocating on site. The soccer field is moving 100 yards. Spectators will be present on Saturdays. Any NCAA event will need to be controlled by the facility. The Physical Plant has sufficient parking.

Jim Lysen read the definition on residential colleges under Section CDA 131.

Peter Fackler, from Bates College, was also present at this meeting. He said that the college would be responsible in providing adequate/sufficient parking for any NCAA events.

Doug Rice mentioned that a note shall be placed on the revised drawing on the upper portion that no trees are to be planted until after the Russell Street improvements are complete.

The City needs to assist along Central Avenue. **Tom Peters** suggested that both Bates College and the City should be working together on that. This is a community issue. **Tom Peters** said that if there is anything that Bates College needs from the City, then they should let the City know. **Tom Peters** said that it would be helpful if the City knows what the Bates College community needs. **Bob Bremm** mentioned that Bates College wants to be involved to be a part of the process for Russell Street.

Tom Peters mentioned conducting a forum on issues, such as to zoning and land use, transportation, the downtown re-zoning, the Russell Street corridor, connection to Lewiston's downtown, strengthening ties to inner City and the college, etc. **Tom Peters** said that he was willing to assist **Peter Fackler** in a forum on these issues. **Peter Fackler** had mentioned at an earlier meeting that there will be a forum. **Tom Peters** re-affirmed that there could be a forum and then requested that if **Peter Fackler** would like to do something like that to give him a call at his office and he will coordinate this with **Jim Lysen**.

MOTION: by **Rob Robbins**, seconded by **Lewis Zidle** that the Planning Board determines the application and Site Plan on the proposed Bates College Athletic Facilities (Track & Field and Softball Fields) on Russell Street/LaFayette Street is complete and grants conditional final approval, subject either to a letter from the DEP waiving jurisdiction or indicating that the modification has been reviewed and approved by the DEP as to the water quality issues.

VOTED: 5-0.

B. Final Hearing concerning the proposed Bates Mill Courtyard Project, Bates Mill, and Parking Garage (Platz Associates). The reading of the memorandum prepared by **James Fortune** was waived on this project.

Steve Myers from Platz Associates did a brief overview. He said that this has already been agreed to and discussed. He said that these are the design concepts, the vision, and the idea. What needs to be done now is the construction documents, which need to go out to bid. He went on to say that there has been a little bit of changes between the vision and what is actually being built. Basically, what it is, is that there is a ramp up the side of the building for handicap access. The lights have been relocated a little bit differently as to how they are shown on his rendering. He showed where the lighting will be placed on the rendering. There will also be some accent lighting to the plants.

Dennis Mason asked if the lighting was similar to the lighting at Railroad Park? **Steve Myers** responded that the lighting is not similar to the lighting at the Railroad Park. Railroad Park has round globes. He said that they are not round. He will be bringing an example of the lamp to the next LMRC Board Meeting, which is now scheduled for Thursday, June 22, 2000.

It is being noted in these minutes, that there was no audience from the public in attendance at this meeting to make any comments on this item.

Another minor change is that the landscaping is more detailed around the plants.

Jim Lysen mentioned that Public Works requested that the storm drainage line to which the proposed catch basins tie into be adequately sized to handle the additional flows from the roof drains. This will require the 12 inch line to be increased to 15 inches and this change should be made a condition of approval. **Steve Myers** went on to say that there will be four (4) catch basins in the Courtyard area to connect to the storm drain line in Mill Street. He said that they will be stubbing off into the alley between Mill Nos. 1, 2, and 3 so that they can connect from the roof drains in Mill Nos. 1 and 2. These plans have not been finalized yet and they are not part of this project. The calculations are being done on what it will take. They are shown as a 12 inch line, but may have to go up to 15 inch lines. He said that they are currently awaiting these calculations from Public Works. He suggested that the condition should be based upon what Public Works determines it to be. **Steve Myers** then referenced this item on Drawing No. C21, revised May 16, 2000.

MOTION: by **Rob Robbins**, seconded by **Muriel Minkowsky** that the Planning Board grants the waivers and modifications requested in this application for the Bates Mill Courtyard Project, Bates Mill, and Parking Garage; determines the application and Site Plan for the Bates Mill Complex Courtyard complete; and grants final approval to this project requiring a new fire hydrant on Mill Street, as required by the Fire Department, that fire lane access be maintained, and, if required by the Public Works Department, that the 12 inch storm drainage line be increased to 15 inches.

VOTED: 5-0.

C. Final Hearing concerning the proposed Site Plan Amendments for Rooper's Redemption Center and Convenience Store, 794 Sabattus Street. **Steve Roop** was present at this meeting. He briefly outlined the changes and the reasons why they were done. **Steve Roop** said that he has already spoken with **Gil Arsenault**, **Mike Paradis**, and **Chris Branch**. In the original plan stated for the drive-

through, they were concerned with curb cuts. In the original drawing, it went around and back through. He said

that the problem with this was that this is a very small lot to begin with. The way the traffic flows on Sabattus Street, there was no way that this was going to work. He said that he is purchasing the NAPA property also and has put a deposit down. He also said that the Purchase and Sale has been signed. The bank has loaned this contingent on the Planning Board recommendations. They are changing the original curb cut. The original curb cut was pretty much in front of the building. It will be moved over so that it will not be in front of the building where there is going to be free-flowing traffic. **Steve Roop** said that much of his redemption business will be moving over to the NAPA building. This will clear up a lot of the traffic. The drive-through entrance will be changed. The original plan had closed off the entrance to Cumberland Farms. This would have been impossible with some serious back-up of traffic on Sabattus Street. The Pete's Seafood building is coming down within the next few months. The impervious is going to be pretty much the same. The drainage is all graded down and going back into a vegetated area. The only concern that Public Works had was with the catch basin and where the drainage is going. This is still less drainage than was already existing. They are going to grade it down to get as much drainage as possible. The biggest thing was the drive-through change. They are not adding another curb cut, just keeping the curb cut open.

Muriel Minkowsky said that this really improves this area. She said that the only thing she was concerned about was the corner where the light is. **Steve Roop** agreed that this is a congested area. **Steve Roop** said that this will actually help this area more, after watching the busiest points of traffic, than before. There will now be two (2) exits and a little more time to exit. **Muriel Minkowsky** asked if the lights could be adjusted.

Steve Roop then mentioned that he is in receipt of a letter from the State of Maine which states that there is going to be a turning lane all the way to Russell Street added on to Sabattus Street. This will not affect this project since, there is already a turning lane that goes down to Old Greene Road. **Steve Roop** stated that fifty feet (50') will be needed for a two-way, left-hand turn.

Steve Roop noted that the only other adjustment is in reference to the parking spaces. He went on to say that they are compact spaces and that he does not like that. With all the added parking that he will have, he said that they will have diagonal parking spaces. He said that he may lose a total of 2-3 spaces, but this will make the flow of traffic much easier. The diagonal parking will be pointing in the right direction. This will be a one-(1-) way in this direction. This parking will be his redemption business parking.

There will be no access off of Old Greene Road at this time. There is an access off of Montello Street to the NAPA building. The NAPA building has been vacant since last fall.

Jim Lysen said that this project (the Pete's Seafood building) is considered a non-intensification and would not be applicable for review. This property is in the Highway Business (HB) zone. The shaded area on the map shown to the Planning Board depicts curbing, which is a sidewalk (raised curbing) to keep vehicles from parking in that area.

Steve Roop said that there will be signage, i.e. a yield sign will be placed on the exit.

Dennis Mason questioned the Fire Department's request to move the dumpster. The dumpster is two (2) feet off. The dumpster needs to be moved two feet (2') away from the building. **Jim Fortune** said that the location of the dumpster will need to be specified on the plan. **Gil Arsenault** said that in respect to the dumpster, Site Design Guidelines require that the dumpster needs to be screened. In addition, **Gil Arsenault** mentioned that Brent Street should be eliminated from the plan, therefore, taken off, since it has been vacated. The Utility Easement Plan should reflect the City of Lewiston's easement for water and sewer lines that are under the building on this property.

Muriel Minkowsky questioned if there will be lighting out back. **Steve Roop** showed the Planning Board where the lighting will be placed out back and where it already is. **Steve Roop** said that the lighting does not

affect residents at all. **Jim Fortune** said that the location of the lighting also needs to be shown on the plan.

Steve Roop said that he is proposing to have two (2) poles put in for lighting. This will be a well lighted area. **Gil Arsenault** also said that the lighting needs to be shielded lighting and that this should be on the plan also. Also mentioned was that if some of the parking is changed to angled parking, this would need to be shown as well as the access aisle in a one-way direction. **Dennis Mason** asked **Jim Lysen** to provide **Steve Roop** with a note listing the items to be shown on the plan. The following motion was then made.

MOTION: by **Rob Robbins**, seconded by **Muriel Minkowsky** that the Planning Board grants the requested waivers and modifications to the application requirements for the proposed Site Plan Amendments for the Rooper's Redemption Center and Convenience Store at 794 Sabattus Street; determines the application and Site Plan for the redesign of the drive-through and expanded parking to be complete; and grants final approval to this project, subject to the following conditions:

1. That the relocation of the dumpster be a minimum of ten feet (10') from the building;
2. That the plan reflects the dumpster being properly screened;
3. That the notation showing the "proposed Brent Street" be eliminated from the plan, since it has been officially vacated;
4. That the plan reflect the City of Lewiston's easement for water and sewer lines under the building;
5. That the lighting proposed be properly shielded and their location be shown on the plan; and
6. That, if some of the parking is changed to angled parking, this needs to be shown as well as the access aisle in a one-way direction on the plan.

VOTED: 4-0-1 (Peters).

After the motion was made, **Steve Roop** said that he expects this project to be completed by the next two (2) months.

V. OTHER BUSINESS:

A. New Business:

1. *Review a proposal to amend Article XI, Section 5 of the Zoning and Land Use Code, to allow family day care homes as a permitted use in the Neighborhood Conservation "A" (NCA) District.* **Jim Fortune** read his memorandum dated May 18, 2000. This memorandum states that **Rita** and **Raymond Gagnon** operate a family day care home with ten (10) children at 491 Pleasant Street. This property is located in the Neighborhood Conservation "A" (NCA) District, which currently permits six (2), plus two (2) after school children within a family day care home. This daycare is grand fathered for ten (10) children. **Rita Gagnon** would like to add two (2) more children to her day care. **Rita Gagnon** has the opportunity to care for up to two (2) additional children in her home and would like to amend the code to permit this. Planning Board Staff recommended that **Rita Gagnon** petition the Planning Board to amend the use regulations for the NCA District to allow family day care homes with up to twelve (12) children as a conditional use within this district. **Rita Gagnon** would like the Planning Board to consider scheduling this proposal for a Public Hearing.

Dennis Mason made a correction to 491 Pleasant Street. This should read 241 Pleasant Street.

Present at this meeting were both **Rita** and **Raymond Gagnon** and **Rita's** helper, **Carmen**. **Rita Gagnon** said that she is currently licensed for eight (8), plus two (2). She has been licensed for 23 years by the state. She said that she is looking at expanding her day care and that she has never had any complaints from her neighbors. She currently has two (2) of her grand kids in her daycare. Her husband is disabled and this is her only source of income. There is a demand for day care. If this is changed to a conditional use within this district, she may be allowed up to 12 children. Children that are school age are included. If your own children are preschool, they count. If they are not preschool they do not count as to staffing.

Gil Arsenault said that this is an appropriate use, where there is no increase in traffic. The

Neighborhood Conservation "B" District (NCB) covers the downtown residential neighborhoods. The NCA is much more restrictive. **Tom Peters** asked if there are any other areas that the Planning Board should be looking at? The response was that this is the only zone that is this restrictive. It was agreed to leave the current wording and add as a conditional use. **Tom Peters** described that the plus two (2) means after school children.

Dennis Mason asked why and when the code was changed? **Gil Arsenault** responded that this occurred a couple of years ago and made reference to several day cares in the Pettingill School area. In particular, **Jaime Bolduc's** day care (Lever's Day Care), as to when this day care had five (5) centers open in different locations, not run out of a residence, but a leased home. This day care is now consolidated to one center on Mollison Way. **Gil Arsenault** said that this meeting concerning the Pettingill School area got pretty vocal and that **Frank Kelly** got involved, since constituents were calling him. At that time, there was also another day care operating illegally in the Highway Business (HB) District. This was just a moment in time that this was a big issue, but it is pretty much gone. **Tom Peters** added that people brought their children to a specific day care who wanted their children to go to a specific school. **Jim Lysen** said that these changes are liberalized everywhere else in this City.

Dennis Mason requested minutes from that meeting to understand why that Planning Board wanted it this way. He needs something to justify that the Planning Board can do this. He requested that they be placed in the next Planning Board packet for June 13, 2000.

MOTION: by **Tom Peters**, seconded by **Lewis Zidle** to schedule the Amendment to Article XI of the Zoning and Land Use Code to allow family day care homes as a conditional use in the Neighborhood Conservation "A" District for a Public Hearing on June 13, 2000.

VOTED: 5-0.

2. *Discuss possible revisions to the proposal concerning Demolition Delay provisions for Significant Buildings and Structures, Article XV of the Zoning and Land Use Code, and possibly rescheduling the Public Hearing from June 13, 2000 to June 27, 2000.* **Tom Peters** mentioned that there have been more changes made. He has not seen the revised changes. He was supposed to be sending a letter to the City Councilors including properties with potential revisions. **Tom Peters** had mentioned to **Jim Lysen** that he needs time to review the changes. **Jim Lysen** said that most of the changes are housekeeping issues. However, during Planning Board Staff's review as far as jurisdiction, the amount of buildings being covered he felt was to large and that it was necessary to bring back those changes to the Historic Preservation Review Board. They are the Board who authored the amendment. He said he was hoping to reach a consensus on that and that the next Historic Preservation Review Board meeting is scheduled for June 8, 2000. They will be in final form prior to the June 13, 2000 Planning Board Meeting.

Jim Lysen also made reference to the letter that was mailed out along with the new Design Manual to all the owners of historic properties within the City that have been designated. **Tom Peters** mentioned that there may be some issues associated with the content of the new Design Manual. **Jim Lysen** said that the new Design Manual will be distributed to the Planning Board Members for the June 13, 2000 Planning Board Meeting.

MOTION: by **Lewis Zidle**, seconded by **Rob Robbins** that the Public Hearing on Demolition Delay Provisions

for Significant Buildings and Structures, Article XV of the Zoning and Land Use Code be rescheduled for June 27, 2000.

VOTED: 5-0.

3. Review the proposed amendments to Article II of the Zoning and Land Use Code concerning definitions for mixed use structures and frontage. Included in the Planning Board packets were two (2) proposed amendments. The first one (1) was an amendment to the definition of *mixed-use structures*, which would modify the definition to allow one (1) or more dwelling units within a structure containing non-residential space. The amendment is to clarify this definition in our Code. This was previously scheduled for a Public Hearing on June 13, 2000. The other amendment is a modification to the definition of *frontage*. This proposal was prompted by the Maine Supreme Court decision concerning Perkins v. Ogunquit. This was in respect to frontage requirements in municipal codes. The proposal addresses the issue of noncontiguous frontage. **Jim Lysen** mentioned that these are mostly housekeeping issues. The following motion was made.

MOTION: by **Lewis Zidle**, seconded by **Rob Robbins** to schedule the proposed amendments to Article II of the Zoning and Land Use Code concerning definitions for *mixed use structures* and *frontage* for a Public Hearing on June 13, 2000.

VOTED: 5-0.

After this motion was made and before Item No. 4, the correspondence item pertaining to property acquisition of 103 Ash Street was discussed. This property has a condemnation notice from Code Enforcement. HUD has agreed to sell this lot to the City and is processing the proper forms. In the correspondence from **Jim Andrews**, Community Development Director, he made reference to a map. This map was not included in the Planning Board packets. In order for HUD to react on this property, they need an action from the Planning Board.

According to **Jim Andrews** correspondence, the U.S. Department of Housing and Development (HUD) has initiated a new program called, "Good Neighbor". A component of this program is to allow cities to buy HUD properties for \$1.00. These properties are deemed unfit for habitation and cost prohibited to repair. Upon this determination by HUD, the building is demolished at no cost to the City. The remaining lot is then sold to the City for \$1.00.

The initial use, if purchased under this new program for \$1.00, would be to have green space and possibly a pocket park on the vacant lot. This is consistent with the Downtown Master Plan. The following action was taken on this property.

MOTION: by **Tom Peters**, seconded by **Muriel Minkowsky** that the Planning Board sends a favorable recommendation to the City Council to acquire and proceed with the property located at 103 Ash Street.

VOTED: 5-0.

4. Summer Schedule for Planning Board Meetings. It was agreed to go ahead with the June 13 and 27, 2000 Planning Board Meetings, as scheduled. There may be a meeting scheduled for July 2000, which will be based on need. **Gil Arsenault** mentioned that **Steve Myers** of Platz Associates said that the Bates Mill Parking Garage item could be ready for a July 2000 Meeting. If there is a need for a meeting in July, it will need to be tentatively scheduled for July 18, 2000. There will be only one (1) meeting tentatively scheduled for August 2000 and this will be determined as to the schedule for the City Council Meeting, which may be August 22, 2000. The meeting schedule will then be back on a regular schedule in September 2000.

5. Discussion concerning a proposal to change the Planning Board regular meeting

schedule to the first and third Wednesday of each month, starting in January

2001. If the Planning Board Meetings are rescheduled to the first and third Wednesday of each month, this would give Staff more time to get packets together to include information from the Planning Board Meeting for the City Council. This would void Planning Board and City Council meeting conflicts. If it works for the Planning Board, it would work for everybody else. **Gil Arsenault** mentioned that the Board of Appeals has a light schedule. Switching this schedule would conflict with **Dennis Mason**. As for now, the Planning Board will continue to be scheduled for every second and fourth Tuesday. If Planning Board Staff can come up with any new ideas, then this can be brought back to the Planning Board at the new Board Meeting held in January 2001 to look at this again. In conclusion, this item will now be taken off any future agendas.

6. LMRC Review, Planning Board Chair. **Tom Peters** said that he will be leaving the Planning Board after December and he is the representative to the LMRC Board. Whoever will be taking over this position will need to attend and go to a number of meetings to get up to speed on what is going on. Someone needs to go to these meetings with him to see what is happening and then **Tom Peters** can fill them in. Someone needs to know the history of Bates Mill. The LMRC Board Meetings are usually Thursday Meetings from 3:30-5:00 p.m. Someone is needed that is going to have a least one (1) more year. **Tom Peters** said that whoever does this should have some idea of what is going on in the City and knowledge of the City. **Dennis Mason** said that he is interested. **Tom Peters** will get back to **Dennis Mason** as to when the next scheduled LMRC Board Meeting is.

7. No Name Pond Watershed Plan Update. **John Cole**, who is the representative to the No Name Pond Watershed Plan, was not present at this meeting. There was no update at this time.

The items placed under Old Business will be discussed at the upcoming June 13, 2000 Planning Board Meeting.

Before adjourning, **Dennis Mason** briefly mentioned that the Planning Board is invited to a Public Meeting on Thursday, June 1, 2000, at 7:30 p.m. on environmental impact studies for the Grove Street Connector issue. Prior to that, there will be a light supper starting at 6:30 p.m. The information can be obtained through the Public Works Department. **Dennis Mason** said that they have talked about everything from punching out roads to Sabattus Street where the self-storage facility will be located and adding a road from where the old drive-in used to be through that area to Bob's Discount and connecting up with the exit from that direction.

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

MOTION: by **Tom Peters**, seconded by **Dennis Mason** to adjourn this meeting at 9:22 p.m.

VOTED: 5-0.

Respectfully submitted,

Mark Paradis, Secretary

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