

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for July 25, 2000 - Page 1 of 11**

- I. ROLL CALL:** This meeting was called to order at 7:08 p.m. and chaired by Tom Peters.
- **Members In Attendance:** Muriel Minkowsky, Rob Robbins, John Cole, Tom Peters, Lewis Zidle, Mark Paradis, and Dennis Mason.
 - **Staff Present:** Gil Arsenault, Deputy Development Director; James Lysen, Planning Director; James Fortune, Planning Coordinator; and Doreen Asselin, Administrative Secretary.
- II. READING OF THE MINUTES:** *Draft of the Minutes from the June 13, 2000 and June 27, 2000 Planning Board Meetings.* Due to the amount of items to be covered on the agenda, Tom Peters postponed both sets of minutes for later in the evening.
- III. CORRESPONDENCE:** The following motion was made on these items of correspondence:
- A. One (1) letter from the last Planning Board Meeting of June 27, 2000 from Dan Dumont, President of Armand's Auto Body, Inc. dated June 27, 2000 in reference to the downtown rezoning;
 - B. A letter from Bob Faunce, with attachments, dated July 12, 2000 in reference to Stetson Brook Pines;
 - C. A letter from Arthur Montana of A.R.C.C. Land Surveyors, Inc. dated July 25, 2000 in reference to the fill project at Stetson Brook Mobile Home Park on Lessard Street (this letter is requesting that the item be tabled until the August 22, 2000 Planning Board Meeting) (distributed at this meeting);
 - D. Police Department Project Review Form on the District Court project, 71 Lisbon Street;
 - E. Various supporting documents regarding Stetson Brook Estates, College Road; and
 - F. The Notification of Development Review Public Hearing Form in regards to the fill project at the Stetson Brook Mobile Home Park on Milo Street (this item was requested to be tabled until the August 22, 2000 Planning Board Meeting).

MOTION: by **Dennis Mason**, seconded by **Mark Paradis** that the Planning Board place the above items of correspondence on file to be read at the appropriate time.

VOTED: 6-0.

Tom Peters mentioned that the Final Hearing for Item D. on the agenda (Determination of Completeness and Final Hearing concerning a fill project at the Stetson Brook Mobile Home Park) has been requested to be tabled until the August 22, 2000 Planning Board Meeting. It was unanimously agreed to table this item. Tom Peters then reminded the other Planning Board Members to keep their information on this item, so that it will not have to be resubmitted for the next meeting.

IV. PUBLIC HEARINGS:

A. Continue Public Hearing on a proposal to amend Article XV, Significant Buildings and Structures, of the Zoning and Land Use Code, by adopting Demolition Delay Provisions.

This item is a continuation from the Planning Board Public Hearing of June 27, 2000. Jim Lysen presented this item and read his memorandum dated July 18, 2000. In an early mailing in the Planning Board packets, were the revised amendments to Article XV, Significant Buildings and Structures, of the Zoning and Land Use Code. The revised language reflects changes that were supported by the Historic Preservation Review Board at their meeting of July 13, 2000, in response to issues that were raised at the June 27, 2000 Planning Board Public Hearing. The proposal was also discussed at the July 10, 2000 Downtown Advisory Board Meeting. Also included in the early mailing was the letter from William Clifford, Chairman of the Historic Preservation Review Board, dated July 18, 2000. As mentioned in Jim Lysen's memorandum and William Clifford's letter, there were three (3) issues covered in the mailing. The motion by the Historic Preservation Review Board was: 1. to change the delay period from 120 to 90 days; 2. to eliminate the requirement for the owner to offer the building or structure for sale; 3. to clarify what is meant by 7 "important portions or

features thereof”.

These three (3) issues are broken down as follows. The first issue was with respect to the length of demolition delay. The former language provided for a 120-day delay period. The Downtown Advisory Board felt this period was too long and suggested reducing it to 60 days. Historic Preservation Review Board Members felt that 60 days was not adequate to accomplish all the preservation objectives within the demolition delay period. The Board agreed to a reduction of 90 days.

The second issue was with respect to the requirement for owners to offer their building or structure for sale. After a lengthy discussion, the Historic Preservation Review Board supported amendments to the proposal which removed the requirement and the proposed language no longer requires the offer to sell.

The third issue was with respect as to how to define what is a significant or important “portion thereof” of an historic building or structure. An amendment was made to Section 5(d)(3)d1, which states “Applicants applying for the demolition or removal of designated historic or contributing buildings, or important portions or features thereof (see Section 4(a) through (d) of this Article to determine the importance of building features,”...).

There were also several housekeeping changes, including correcting typographical errors and other errors such as the name of the Maine Historic Preservation Commission. Also, applications for Certificate of Appropriateness should be submitted to the Planning Director rather than a Code Enforcement Official, which is the process that is typically followed and consistent with other provisions within the ordinance.

At this meeting there were several Historic Preservation Review Board Members present along with Dana Vaillancourt from the Maine Historic Preservation Commission.

John Cole arrived at this meeting at 7:17 p.m.

Tom Peters opened the hearing to the public and asked to hear comments from the proponents which are as follows.

- ***Phil Isaacson (from Isaacson & Raymond, P.A.)***. Phil Isaacson is a member of the Advisory Board of the Maine Historic Preservation Commission and a long-time resident of Lewiston, where he resides at 2 Benson Street. He said that splendid buildings in Lewiston are being strip-mined. He wrote several books on the aesthetics of architecture. One (1) of his books was published in England. He made reference to the Continental Mill in his book. One of his books is titled, “The Mills & Factories of New England”. Another he made reference to is titled, “The Run of the Mill”. That book is on the textile mills of New England. He said that there is a full page on the Continental Mill tower. This used to be the most distinguished tower in the City, and it has been lost. He said that this ordinance would help prevent another tragedy. He said that sometimes the cost of the destruction turns out to be more than preservation. There are tax credits that are available from the I.R.S. to pay taxes with this money. He said the amendment to the state constitution last November was to lower tax valuation on historic buildings. This ordinance will protect historic buildings and identify Lewiston as a progressive community. He is in support of this proposal and urges the Planning Board to pass this ordinance.

- ***Dana Vaillancourt (he is the C.L.G. Coordinator for the Maine Historic Preservation Commission)***. Dana Vaillancourt distributed a sheet titled, “Comments on Lewiston’s Proposed Demolition Delay Ordinance” to the Planning Board Members. He then read his comments. In summary, he said that Lewiston’s historic buildings define and enhance the unique character of the community. He said that demolition of significant buildings or contributing architectural features is final and can negatively affect the unique character and resources of a community. A demolition delay ordinance would provide a review procedure that will require a delay in the demolition of historically significant buildings. He went on to say that this Demolition Delay ordinance provides community-wide protection, enabling the local historic preservation commission to protect buildings in their community of historical or architectural significance. He stated other communities in Maine with demolition delay provisions in their ordinances include Bangor, Castine, Hampden, Saco, and Cape Elizabeth. He is in support of this ordinance, too.

- ***Marilyn Hirschler (a member of the Historic Preservation Review Board)***, stated that Lewiston has lost 12 important buildings. The identify of the City is important. She is in support of this ordinance and urges the Planning Board to support it.

- **David Cole (a member of the Historic Preservation Review Board)**, stated that owners already do not have a right to do what they want with their property. There are a whole variety of restrictions on property in force already. This ordinance will protect the value of living in this City.

- **Douglas Hodgkin (a member of the Historic Preservation Review Board)** said that he is the seventh generation of Hodgkins to reside in Lewiston. He is concerned with the historical heritage. He values the rights of owners, but there is a need to balance competing values. He lives in the Neighborhood Conservation "A" (NCA) District where there are a number of restrictions on what he can and cannot do with his property. There are all kinds of restrictions on private property, which are quite valuable in protecting qualities of life and the integrity of the neighborhoods. This is only a delay, while attempts are made to find alternatives to demolition of historic buildings. To add new properties that would be covered by this ordinance would require a review of each individual property to justify protection under this ordinance. This is just the initiation of the process. Ultimately adding additional buildings would require an amendment to the ordinance and must go through this Planning Board and then through the City Council. The historic value of property must be very well documented. He urges the Planning Board to support this amendment.

- **Eric Hirschler (a private citizen)**. He said that he has a certain identify with the City. He feels that the City is slowly eroding. He would like to see the request for delay as a leverage. He is in support of this ordinance.

Tom Peters then entertained questions about this ordinance.

- **Norm Rousseau (4 Clearwater Avenue)**. He said that he is all for historic preservation. The revised ordinance changes were viewed again by Jim Lysen, i.e from 120 to 90 days, offer to sell (satisfy a notice requirement, no requirements to sell, and the owner can make a case), and what part of a structure (how to go through the process to warrant Demolition Delay ordinance. Norm Rousseau brought up the Pilsbury Block and the Trolley Medical Building. He said nothing historical about these two (2) buildings was preserved. The City itself is not preserving the historical heritage of buildings.

Gil Arsenault said that he has a comment/question. He applauds the changes the Historic Preservation Review Board and Staff's efforts that have been made on this ordinance. He made reference to Certificate of Appropriateness under Section 5 on Page 7 of the ordinance. He said he had to read this a couple of times to understand it and comprehend what the changes were and what was being revised. He said his first question is with the Certificate of Appropriateness. He said he is assuming with the Certificate of Appropriateness that it is simply dealing with the properties listed under Section 6, which are the historic districts in contributing buildings of our historic districts. He asked if this was correct? Jim Lysen's response was, "Yes". Gil Arsenault went on to say so, we are not looking at properties that are on the national register but have not been put on the local register (Page No. 7). Jim Lysen said that this is in the Certificate of Appropriateness for alterations of buildings. Gil Arsenault said that it may be easier for the public to use this if a specific reference is made to Section 6. Tom Peters said that this would apply to those listed on Pages 14-16 and 17. Jim Lysen added that these are the properties that the Certificate of Appropriateness applies to as to any change in the exterior appearance of a designated historic structure or contributing structure within a designated historic district. Tom Peters said that these properties are only listed on the local register. Jim Lysen said that the Demolition Delay provisions will pick up the five (5) or so that are not listed on the local register.

Gil Arsenault's other question was that he is assuming that the Mill System is in the historic district. In Section 6 of the code, there is mention of historic districts. He said it does not specifically mention the Mill System. His question was, "Are the Mill Systems going to be part of the historic district?" Jim Lysen's response was that that may or may not in the future become an historic district. Gil Arsenault then stated that at this point in time a Certificate of Appropriateness for property in the Mill System is not needed. Jim Lysen's response was, "That is correct." Gil Arsenault said that essentially the Historical Preservation Review Board will need to issue a Certificate of Appropriateness in order to remove a building, which is in Section 6. Buildings within Russell Wright's plan would require a delay. Gil Arsenault said that it would be desirable if these buildings were listed in Section 6. The deviation is that a Certificate of Appropriateness will be needed for nationally registered properties. It would also be desirable to have a list of that too.

- **Bob Gladu (Grove Street).** He said that he wanted to mention that he is not against historic preservation. He said that in reference to the expansion to government, that there are too many ordinances. Businessmen do not want to wait 90 days for a decision. He made reference to Building No. 8 of the Bates Mill Complex. He said that \$25,000 was spent for Michel Patrie to do photographs before demolition. He said not exactly every building owner can afford this. It is just another form of taxation. He suggested putting the burden of costs for photos, etc. under the historic society. As with significant buildings, he questioned whether they belong there or not.

This item was then closed to the public and turned back to the Planning Board.

Dennis Mason asked, "Do we have a copy of the original map by Russell Wright?" Jim Lysen's response was, "Yes, in the Comprehensive Plan." Dennis Mason then stated that all the buildings mentioned in Section 6 will be covered under Section 5 for Certificates of Appropriateness. This includes all the buildings in Part 3 of Section 6, which includes the Continental Mill. Jim Lysen said those in Section 6 that are designated locally. Those currently have to get a Certificate of Appropriateness for any alterations to the building itself. Those are being included in the Demolition Delay provisions and the other buildings discussed earlier. Jim Lysen said that what Gil Arsenault wanted to see was addresses of those buildings included in the ordinance. Jim Lysen then suggested that they not be included in Section 6, but in another section, such as Section 7, which clearly lists these buildings.

Dennis Mason questioned what the difference is between the definitions of contributing structures, other important buildings, and significant structures and districts. Jim Lysen's response was that currently under the present code there are buildings that have been determined to be significant. This is just the language that this present code uses. Significant buildings have a jurisdictional issue. There are historic districts that have been designated two (2) of those. One is the Lisbon Street Commercial Street between Cedar and Chestnut Streets on the west side of the street. There are contributing buildings within that district. Those contributing buildings within that district are subject to the current preservation ordinance. That is why when there is other language it had to be called important buildings or structures and that is consistent with the preservation index that Russell Wright produced and has been made part of the Comprehensive Plan. The definitions are provided in the Code on Page No. 2. The Mill System designations were done by Christopher Closs, a preservation consultant back in the early 1990's. Dennis Mason said that he would like to see the words, "Significant Structures" throughout Section 6. It is very clear to him what contributing structures are.

Other changes or issues mentioned by the Planning Board Members were:

John Cole mentioned that the word, "or" shall be placed between the a.b. c. or d. listing to Item No. 2., Demolition delay.

Rob Robbins questioned time constraints, as to going from 120-60 days and settling for 90 days. Jim Lysen said that this can be modified and brought back.

Muriel Minkowsky said that the buildings do need to be preserved and that these buildings will be decided on a case-by-case basis.

Tom Peters suggested that on Page No. 4, under (e) Administration. strike out the words, "of development".

Dennis Mason referred to Page No. 5, Section 3. Designation of structures and districts for preservation and conservation, under (a) (2) delete the word, "six" and number (6), and put in place the word, "ten".

Also on Page No. 5, Tom Peters questioned (b)(1)c. Interior and exterior photographs of the structure, illustrating significant details. Jim Lysen said that the interior of buildings is usually not reviewed (very rarely). Usually it is just the exterior. This is usually the exterior appearance of the building that is looked at. On Page No. 6, Item (3), Tom Peters asked, "Who is required to pay for the notice?" Tom Peters said that it is rare for the City to pay for it. The City would pay for it, if it is initiated on behalf of the Planning Board or the City Council. Jim Lysen's response was that typically it is the applicant who pays for development review before coming to Planning Board or the Development Review Committee and it would be the same for this process. Also on Page No. 6, Item (c)(2), Tom Peters questioned, "Failure of the board to issue its report constitutes a denial of the designation of the proposed historic structure or district. "Is there any reason why this would constitute a denial?" Jim Lysen said that this is a request and if you do not respond within 30 days, it is a denial. Again on Page No. 6, Tom

Peters said that under Item (d), fourth line, change the word, “may” and replace it with the word, “shall”.

On Page No. 8, Tom Peters questioned what is an “integral exterior decorative element?” Dana Vaillancourt said that is it a character-defining feature that makes a building eligible (i.e. a tower). This is better described on Page No. 2, as stated by James Lysen. Tom Peters suggested that this gets changed to “interior and exterior architectural features”. Another issue Tom Peters had on Page No. 8 are under Item (d) as to why code enforcement official was struck out. Gil Arsenault said that that was his decision and that it was basically made to be easier from a customer-service standpoint. Actually, Gil Arsenault said that this should be changed to read “planning director with a copy to the code enforcement official.

Other changes made to Page No. 8 include under Item (d)(1), sixth line, after the word application, add the words, “after a hearing”. Tom Peters questioned, “Are we freezing some buildings so that they cannot be changed?” Dana Vaillancourt responded, “Yes and that these are national standards too.” Also under Item (d)(3), third sentence, strike out the word, “shall” and replace this word with the word, “must”.

Changes to be made on Page No. 11 are under Item d. 1.a. after the word building, add the words, “or important portion or feature thereof”. Also under Item d.1.b. place a semi-colon after the word, “district”, delete the word, “and” and replace it with the word, “or”.

The following changes were made to Page No. 12. Under Item 2. between c. and d. place the word, “or”. Dennis Mason made the following change under Item 3, tenth line, after the words c and d, add the word, “above”.

On Page No. 17, the reference to 21 Mill Street (Cowan Mill) shall be deleted and changed to read, “2 Mill Street”.

It was also requested to strike out the buildings that do not exist in Section 6.

Tom Peters asked, “Is the City going to have to go through this same process, same routine, in reference to the Bates Mill and Libbey Mill?” Jim Lysen responded with, “Yes”.

The public portion was then closed and turned back to the Planning Board. It was then asked if the City Council should be asked to consider these changes. The following motion was made.

MOTION: by **John Cole**, seconded by **Mark Paradis** that the Planning Board adopts the Demolition Delay ordinance and asks the City Council to consider the administrative/detail changes and adopt the approved Demolition Delay ordinance.

Before this motion was voted on, City Council President, Joyce Bilodeau was present at this meeting and asked what her response to this was. She then said that the City Council has no time to shift through each one of the points made. She would like to see a completed recommendation. Tom Peters then suggested that the above mentioned highlighted changes be made, adopted, and then sent to the City Council. Nothing has changed the substance of the ordinance. The following motion was then made.

MOTION: by **Tom Peters**, seconded by **Mark Paradis** to table Article XV, Significant Buildings and Structures, of the Zoning and Land Use Code, to the August 22, 2000 Planning Board Meeting to finalize with changes and let the Planning Board look at once again and then send it off to the City Council.

VOTED: 6-0-1 (Mason Abstained).

There was a five- (5-) minute recess from 9:05-9:10 p.m.

B. *Continue Public Hearing on a proposal to amend the Zoning and Land Use Code to rezone portions of the downtown area by creating four (4) new zoning districts; Riverfront (RF); Downtown-Residential (DR); Centreville (CV); and Mill (M), and adopt new use regulations and space and bulk standards for the proposed zoning districts.* Jim Lysen presented this item. The following is an overview of Jim Lysen’s memorandum dated July 19, 2000. This item was brought back to the Downtown Advisory Board. The Downtown Advisory Board concurred with

rezoning process. The Downtown Advisory Board also re-affirmed their recommendation to rezone the area around the Sabattus/College/Oak Street area to Option A, Downtown-Residential District, instead of Option B, Centreville District. With respect to the other Option A, to either keep the Riverfront District intact or to amend portions of the proposed Riverfront District, including the Continental Mill, to the Mill District, the Downtown Advisory Board unanimously voted to keep the Riverfront District intact, but to send a recommendation to the City Council for them to initiate a proposal to conditionally rezone the Continental Mill property to the Mill District. The Downtown Advisory Board expressed some concerns with the density bonus provisions within the Downtown-Residential and the Riverfront Districts standards, which reduces the minimum lot area per dwelling unit from 1,500 square feet to 1,000 square feet, if 25 percent or more of the units are reserved for low to moderate housing. These density bonus provisions were intended only for new construction and not for conversion or changes to existing residential structures. The purposes of these provisions is to implement recommendations to promote mixed-age, mixed-income housing within the downtown. The Downtown Advisory Board strongly recommended that Staff pursue the creation of design review standards specifically geared toward downtown development, for both commercial and residential development. The purpose of these standards would be to assure the City that whatever development takes place will be done in a way that is consistent with the recommendations of the Downtown Master Plan and is of a quality that will further efforts in downtown revitalization.

The Bates College forum will be on September 12, 2000.

The proposal to extend the Downtown-Residential District includes the area on Sabattus Street where the bike shop and C&G Supply are. Adult business establishments would be made non-conforming. The gas station located in this area is non-conforming in both Districts. The Downtown-Residential District does not include adult business establishments.

There are two (2) options for the Riverfront District. These options are Option "A" - Riverfront District and Option "B" - Mill District. It is proposed to conditionally place the Continental Mill property, only, within the Mill District. There is limited industrial space in this City. There is not much of a difference between the Mill District and the Urban Enterprise (UE) District. It was mentioned why change the UE District at all. The UE District includes the Pepperell and Bleachery areas.

This item was then opened to the public.

- **Gert Chasse (11 White Street)**. In reference to the Downtown-Residential District, does this include Nomar Court. The response was, "Yes". She also questioned the presentation with Bates College. Jim Lysen re-affirmed that this is not a presentation, but a dialogue between Bates College and citizens. This meeting will be on September 12, 2000 and will be a forum.

- **Bob Gladu (Grove Street)**. Bob Gladu said that it has been between 11 and 12 years since a rezoning has taken place. He stated to do it once and do it right. He would like to have spot-zoning done away with. He said that the year 2000 is the right year to do this. He also stated that everything is over-regulated, zoning, etc. He said that no reasonable businessman wants to come to Lewiston. It takes too long to get through the process. He feels that Main Street, Sabattus Street, and Lisbon Street should be zoned the Industrial (I) District or business commercial or something else. Bob Gladu's property is on the corner of Beech Street and Oxford Street - Gladu Roofing.

- **Mark Goulet**. His main concern is with the Downtown-Residential zone abutting Sabattus Street. He questioned the area currently zoned Downtown (yellow-hatched area) with the proposal to rezone this area to the Downtown-Residential District, which is a mixed-use zone (a much more open zone). He said he has a problem with the Downtown-Residential District abutting Sabattus Street. His suggestion is that this area be left as Downtown commercial. Dennis Mason stated that the biggest differences are the setbacks and lot sizes between the Downtown and Downtown-Residential zoning. The reason for this change is in reference to space and bulk standards. Mark Goulet suggested opening up the yellow-hatched area as much as you can and to not make it any more restrictive than it already is.

- **Craig Decker (6 White Street)**. He questioned why the proposed line went to Nomar Court. Jim Lysen said that they were trying to use common sense on lot sizes. Dennis Mason said that most of the properties in this area are commercial, not residential properties. Dennis Mason suggested and said, that in his opinion, to down-zone this area to the Neighborhood Conservation "A" (NCA) District, that would mean

that every single commercial property on Sabattus Street would be non-conforming. Craig Decker also asked

in reference to the Bates College forum, if they could meet before the new academic year? Tom Peters responded that the President of Bates College is committed to the date of September 12, 2000.

- **Len Tracy (represents the Continental Mill)**. He said that he has no problem with the rezoning proposal as to the Riverfront District. The Mill District is consistent with what is in there now. He said that everything has worked out well with Staff. He is in agreement that Conditional rezoning should occur with the City on the Continental Mill.

- **Bob Gladu, Jr. (Owner of Gladu Roofing on Oxford Street)**. He has issues with the Riverfront rezoning. He gets the impression that they should get out of this area. This is restricting his growth by placing Gladu Roofing in this proposed rezoned area. He said he thinks Lincoln Street should be made an Urban Enterprise (UE) District. This area is proposed to be rezoned to the Riverfront District. By making this a residential/recreational zone, this will eliminate a lot of commercial and building infrastructure there and Bob Gladu, Jr.'s possibility for future development. He suggested that the lower Canal be used as a cut-off for the Riverfront District. He said he would also like to be in that hatched area, but he does not feel that is the intent.

After the above comments, this item was then closed to the public.

On Page No. 4 of the Ordinance Pertaining to the City of Lewiston Zoning and Land Use Code, under Spaces and bulk standards, the maximum lot would be impervious surface ratio under the Riverfront and Downtown-Residential District. Dennis Mason said that most areas have a decreasing ratio.

There are no strict recommendations on time-lines for the Conditional rezoning of the Continental Mill. They looked at the unique nature of the Continental Mill.

The following motion was made.

MOTION: by **Dennis Mason**, seconded by **Rob Robbins** that the Planning Board recommends to the City Council to approve the rezoning for the yellow and red-hatched area (Sabattus and College Street) to be zoned the Downtown-Residential District, that the Riverfront District stays as is, and that the Planning Board initiates a proposal to Conditionally rezone the Continental Mill property to the Mill District.

VOTED: 7-0.

After this motion was made, Bob Gladu said that he does not want to be associated as a failure with the Bates Mill. He wants to be in the Urban Enterprise (UE) District.

V. FINAL HEARINGS:

A. Final Hearing concerning a site plan for the proposed Sabattus Street Self-Storage Facility, 1434 Sabattus Street. Jim Fortune gave a brief outline of the memorandum that he prepared, dated July 19, 2000. At the June 27, 2000 Planning Board meeting, the Planning Board made a determination of completeness concerning this item. Also several issues were raised by the Public Works Department with respect to storm water management, wetland delineation, and the lack of a sufficient boundary line. The Planning Board Staff, at that meeting, also noted that the proposed setbacks were not clearly shown on the Plan and that a Maintenance Agreement may be needed with the neighboring property owner(s) due to a possible setback reduction of more than 50 percent for the right side lot boundary. In this submission, the documentation to address these concerns has been submitted. A revised storm water management plan and the revised Site Plan (showing left and right setbacks at 10 feet) are included in the Planning Board packets and addresses the issues raised at the June 27, 2000 Planning Board Meeting. In addition, the Plan must also show the location of proposed signs and the direction of traffic circulation within the development.

The Public Works Department indicated that they are now satisfied with the proposed Plan provided that these conditions are met: 1. that the catch basin at the entrance of the facility (CB#4 on the Site Plan) shall be modified so that it will allow for a connection to the 36 inch pipe; 2. upgrade the capacity of the 12 inch PVC outlet pipe to a minimum of 42 inches; and 3. An outlet apron be installed. Additional comments were received by both the Police and Fire Departments. The Police Department noted that these types of facilities are often a target for burglaries and suggest that additional security measures may be needed for the rear of the property. Gary Boilard will be fencing the perimeter of the property. The Fire Department restated the

requirement to have a one-hour fire separation every 200 feet in the buildings.

There was no public audience present on this item, therefore there were no concerns. The applicant, Gary Boilard was present at this meeting. Also present was George Coubron from SurveyWorks, Inc. Dennis Mason asked, "How big are the buildings?" There are no dimensions shown on the plan. Gary Boilard responded, "15,600 square feet". The buildings are 255 feet long. George Courbon said that the dimensions can be added to the mylar.

Jim Lysen said that it is not necessary for a Maintenance Agreement. All the concerns have been met with the Public Works Department. This item was then closed to the public and the following motion was made.

MOTION: by **Dennis Mason**, seconded by **John Cole** that the Planning Board grants final approval for the 15- foot setback reductions for the right and left side and a 12.5-foot setback reduction for the front, that there is no requirement for a Maintenance Agreement, and to grant final approval on the Sabattus Street Self-Storage Facility at 1434 Sabattus Street.

VOTED: 7-0.

B. Final Hearing concerning a proposed amendment to the Stetson Commons Subdivision for three (3) lots on College Road, to be called Stetson Brook Pines. Included in the

Planning Board packets is the final Subdivision Plan which was submitted by Robert Faunce of Technical Services, Inc. (present at this meeting) to develop a three-lot subdivision in the Stetson Commons Development on College Road. This subdivision is proposed to consist of three (3) individual, single-family lots with separate on-site septic systems and would have two (2) driveway access points off College Road. Lot Nos. 1 and 2 are proposed to have leach bed easements on the land being conveyed to the United Pentecostal Church and Lot Nos. 2 and 3 will have a shared driveway to minimize the impact on the wetlands. The easements are noted on the Site Plan. The impact on the associated forested wetlands will require permits from the Maine D.E.P. and Army Corps. of Engineers.

The only change from the pre-application is a transfer of interest in Stetson Brook Pines to Goodwater, Inc. A revised subdivision and Topographic Plan and a Warranty Deed for the transfer of interest have been submitted and included in the Planning Board packets.

There was no public audience present on this topic. The public portion was then closed and turned back to the Planning Board. The following motion was then made.

MOTION: by **Dennis Mason**, seconded by **John Cole** that the Planning Board grant final approval for the Stetson Brook Pines Subdivision on College Road conditioned on the acquisition of any required permits from Natural Resources Protection Act (NRPA) from the Maine Department of Environmental Protection (DEP) and obtaining the necessary permits from the Army Corps. of Engineers and any other regulatory authorities that are required.

VOTED: 7-0.

C. Determination of Completeness and Final Hearing concerning re-approval of the proposed parking lot expansion for the Vineyard Christian Fellowship, 9 Foss Road (the project was first approved in 1996). Included in the Planning Board packets is the application

and Site Plan for the proposed parking lot expansion at 9 Foss Road for the Vineyard Christian Fellowship submitted by Robert Faunce (present at this meeting) of Technical Services, Inc. This parking lot expansion was originally approved July 1996, but was never constructed and therefore, the approval for this project expired in 1998. This current proposal contains no changes to the original approved plan. An updated abutter list was compiled and notices mailed to them notifying them of this review. Re-approval of this plan would then extend the approval for this project to July 2002.

There were no concerns from the Police, Fire, and Public Works Departments.

Again, there was no public audience available on this topic. The public portion was then closed and turned back

to the Planning Board. The following motion was made.

MOTION: by **Dennis Mason**, seconded by **John Cole** that the Planning Board determines the application and Site Plan for Vineyard Christian Fellowship, 9 Foss Road, to be complete, grants re-approval, and authorizes the Planning Board Chair to sign the mylar.

VOTED: 7-0.

Out of sequence to the agenda, the following item was presented.

VI. OTHER BUSINESS:

A. New Business:

- 2. *Review the “As-Built” Plan for the Department of Motor Vehicles office building in the Lewiston Raceway Development, 36 Mollison Way, with a “diminimus” change, and authorize the Chair to sign the mylar.*** Included in the Planning Board packets was a letter from James Day of GLI II, Inc. dated July 19, 2000 requesting a signature on the revised Site Plan for the Department of Motor Vehicles office building located at 36 Mollison Way, in the Lewiston Raceway Development.

As mentioned in the memorandum prepared by James Fortune dated July 20, 2000, the “As-Built” Plan reflects a minor change and James Day is requesting a signature for this revised Plan. The new Plan will change the location of two (2) handicapped parking spaces, which will move them closer to the building. The modification would also save one of the trees near the entrance to the parking lot. As determined by Planning Board Staff, these changes in the “As-Built” Plan are of a “diminimus” nature.

Again, there was no public audience available on this topic. The public portion was then closed and turned back to the Planning Board. The following motion was made.

MOTION: by **John Cole**, seconded by **Dennis Mason** that the Planning Board determines the changes for the Lewiston Raceway Office Building at 36 Mollison Way are “diminimus” and authorize the Planning Board Chair to sign the mylar.

VOTED: 7-0.

Rob Robbins stepped down from the Planning Board on this item.

V. FINAL HEARINGS:

- E. *Determination of Completeness and Final Hearing concerning the proposed District Court development, 71 Lisbon Street.*** James Fortune gave an overview of his memorandum dated July 19, 2000. Enclosed in the Planning Board packets were the application and Site Plan for the District Court project which was submitted by PDT Architects. This is a proposal to redevelop the Music Hall building at 71 Lisbon Street. This proposed project would redevelop and adaptively reuse an historic property in the heart of downtown Lewiston. The site has approximately 150 feet of frontage on Lisbon Street and 170 on Canal street. The portion that abuts Canal Street is an existing paved parking lot with three (3) curb cuts. The project would substantially modify this portion of the property, including a three-story addition in the rear, regrading and resurfacing of the parking lot, reduction in the number of curb cuts, the addition of a sally port in the rear, discontinuance of Canal Street Alley, and the installation of security systems. The interior of the Music Hall building will be completely remodeled with significant improvements made to the facade, including removal of the masonry facade and restoration of the brick surface beneath.

three-story addition will be constructed at the rear of the building and will conform to architecture of the existing building. The 943 square foot sally port will be constructed at the southwest corner of the existing building. This will be for secure pick-up and drop-off of prisoners.

The amount of storm water runoff will decrease, therefore a waiver is being requested to the storm water management analysis.

There will be significant utility work associated with this project. The transformer pad will be upgraded to improve electrical and cable services.

This project does not include a significant amount of green space. There will be some minimal landscaping improvements, i.e. a three- (3-) foot of bark mulch with ornamental trees along Canal Street and some additional landscaping at the entrance and exit of the parking lot.

Proposed improvements to the front of the building include a canopy over the main entrance and an handicap accessible ramp, and entrance at the southeast corner. The existing cobblestone is proposed to be removed, the curb within the area of new pavement will be removed and a raised crosswalk/speed table from the main entrance will be constructed. Other improvements include installation of 27, new eight (8) inch bollards spaced six (6) feet apart the entire length of the building along Lisbon Street and two (2) flag poles will be erected in front of the building.

There were no concerns expressed from the Police Department. The Fire Department is requesting that the fire department connection to the new addition by the exit door near the loading dock be relocated and that that connection must be a four (4) inch Stortz. The Public Works Department had a number of design issues. Jim Fortune commented that both Mike Paradis and Chris Branch from the Public Works Department have met with PDT Architects and that their issues (listed on the Project Review Form included in the Planning Board packets) were resolved.

Both Norm Ness, from District Court, and Frank Locker, Principal-In-Charge, from PDT Architects, were present at this meeting.

In Frank Locker's presentation to the Planning Board, he showed a diagram of the site. He said this property is being purchased from the City. Funding was raised in the budget, this past spring, from \$5 million to \$7 million which will allow for the addition and completion of items on the upper level.

A portion of Canal Street Alley is being abandoned. The lower level of the Music Hall building will be completely rebuilt. On the Lisbon Street side, instead of putting in a raised ramp and sidewalk as first proposed, they are now proposing to put in a step and leave the sidewalk. They are trying to minimize interruptions to the sidewalk. The City is eliminating curb cuts and will pay for the sidewalk. The District Court is not owned by the City of Lewiston, nor is it a municipal building. He went on to say that a small porch projecting eight (8) feet out will be built. On the entry side, the floor is one (1) foot higher than the street line. Every inch you go up in a ramp, you need a foot of ramp.

Frank Locker continued his presentation by saying that the glass on the front of the building is being significantly reduced on the lower level. The glass on this level will be bullet-proof. The bollards at the entryway is for security reasons. They would like to remove the tree on the sidewalk. Their intent is to have visual attention to parking on the other side of the street. They are proposing a top coat over the paved area and are running the storm drain out to Canal Street. They would like to put an iron fence in. As to parking, there will be a controlled gated/entryway. The transformer, as mentioned above and in Jim Fortune's memorandum, is to lift up the garage door for prisoners in transit.

Frank Locker said that there will be aluminum windows at the rear of the building. Two-thirds of the present windows will be covered up and will be filled with metal panels. PDT Architects is proposing a very simple window arrangement.

Frank Locker said that there is very little salvageable to the interior of the building. This ended his presentation. The following questions and comments were made from Planning Board Members.

Dennis Mason questioned the railroad spikes on Canal Street. Frank Locker responded that these are corner marks.

John Cole said that there is not enough square feet to meet the needs of the District Court. Frank Locker responded that certainly this courthouse will not go forever, but that this building (Music Hall) is substantially larger than the present day building.

Board.

MOTION: by **Dennis Mason**, seconded by **John Cole** that the Planning Board determines the application and Site Plan for the District Court at 71 Lisbon Street to be complete, the Planning Board further approves all the waivers requested, and grants final approval of the project.

VOTED: 6-0.

After this motion, Tom Peters suggested that the rest of the items remaining on the agenda be brought back and listed on the agenda for the next Planning Board Meeting to be held on August 22, 2000.

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

MOTION: by **John Cole**, seconded by **Dennis Mason** to adjourn this meeting at 10:50 p.m.

VOTED: 7-0.

Respectfully submitted,

Mark Paradis, Secretary

DMA:dma

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