

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for September 12, 2000 - Page 1 of 6**

- I. ROLL CALL:** This meeting was called to order at 7:02 p.m. and chaired by Tom Peters.
- **Members In Attendance:** Muriel Minkowsky, Dennis Mason, Tom Peters, and John Cole.
 - **Staff Present:** Gil Arsenault, Deputy Development Director; James Lysen, Planning Director; and Doreen Asselin, Administrative Secretary.
 - **Members Absent:** Mark Paradis, Rob Robbins, and Lewis Zidle.

- II. READING OF THE MINUTES: Draft of the Minutes from the August 22, 2000 Planning Board Meeting.** The following changes were made to the minutes by Dennis Mason:
- On Page No. 2, the header on Section B, delete the words, “*to the Office*”. This was repeated.
 - On Page No. 4, Item B, Section A, fourth paragraph, the correct spelling for the word, “*develop able*”, shall be changed to read, “*developable*”.
 - On Page No. 5, second paragraph, fourth line, change the word, “*the*”, to read, “*that*”. Also, in that same paragraph, eighth line, after the word, “*to*”, insert the word, “*be*”.
 - On Page No. 7, second full paragraph, fourth line, change the word, “*on*”, to read, “*of*”.
- The following change was made to the minutes by Muriel Minkowsky:
- On page No. 5, second paragraph, the thirteenth line, change the word, “*up*”, to read, “*about*”.

MOTION: by **Dennis Mason**, seconded by **Muriel Minkowsky** that the Planning Board approves and accepts the Planning Board Minutes for August 22, 2000, as amended.

VOTED: 3-0-1 (Cole).

- III. CORRESPONDENCE:** Letter dated September 5, 2000 to neighbors in the Mountain Avenue, Benson Street, and Abbott Street area from **Donald Harward**, President of Bates College. Other meetings highlighted are also issues with off-campus housing. James Lysen went on to say later this evening is a presentation from Bates College on their Master Plan and how it impacts the City. On Thursday, September 14, 2000, at Muskie Archives, there is a meeting at 7:00 p.m. on the proposal that the college has put together to conditionally re-zone 40 Mountain Avenue from the NCA to the IO District to just permit a guest home. James Lysen said that a Public Hearing has been scheduled on this item for the September 26, 2000 Planning Board Meeting. There are a number of meetings that Bates College has been involved with to deal with issues concerning Bates College and their attempts to deal with the neighborhood concerns.

MOTION: by **Dennis Mason**, seconded by **Muriel Minkowsky** that the Planning Board accept the correspondence and place it on file to be read at the appropriate time.

VOTED: 4-0.

- IV. BATES COLLEGE PRESENTATION: Presentation and update by Bates College concerning their Campus Plan.** This is a presentation from Bates College’s officers on what they are intending to do over the next 10-20 years. Tom Peters mentioned that he has been called by a number of residents following up on the meeting that was held at Bates College and they have told him, without exceptions, that they feel that there has been positive change. They are not sure if it is the direct results of Bates College speaking to people or the letters that have gone out, but there is a difference in the neighborhood, i.e. the noise levels have not risen to what they have been in the past. The residents wanted Tom Peters to convey to Bates College that they are appreciative of Bates College working with them. This presentation requires no action by the Planning Board. Since this is a presentation, Tom Peters, John Cole, Dennis Mason, and Muriel Minkowsky stepped down from the Council Chambers while Don Harward, President of Bates College, did his presentation.

NOTE: *Tom Peters suggested that the hand-outs that Bates College provided be attached to these minutes (see enclosures).*

Before Don Harward began the presentation, several hand-outs were distributed.

Also present from Bates College were **Bob Bremm**, Director of Physical Plant, and **Pam Wichroski**, the Architect for Bates College. Don Harward said that this is his third occasion that he has presented to the Planning Board and others in the community on what the plans of the college are. He said he was invited in 1991, where he talked about the merging of the Campus Plan and there was another meeting on the campus again in 1995, as part of the Comprehensive Planning process.

Don Harward began his presentation on "The Vision For Bates". On the front page are four (4) fundamental points, which are: A. Bates will emphasize academic rigor and achievement, an active faculty of teachers/scholars, superb programs, high expectations of those who participate, the centrality of individual responsibility for learning, and the dignity and value of difference. B. Bates will strengthen and build on its persisting ethos and culture of engagement, as it encourages actions that will further civility, trust, responsibility and service. C. The College will develop the connections and integrating cohesion that give flexibility and vitality to the educational opportunities that it provides – local, global, academic, co-curricular, and life enduring. D. Bates will be organized as a flexible, principled residential community, valuing individuals and their interactions while celebrating their common purpose and the connections of the College community to the local area and to the world beyond. Don Harward said that it is his intent to emphasize the connections of linkages and strengths. There are 15 strategic projections listed on the sheet entitled, "Goals 2005: General Goals". The graphic on Page No. 3 of this very same handout links these matters. Attention is given to academic quality. The 15 priorities are broken down on Page Nos. 5-8. On Page No. 8 is Priority No. 14. Priority No. 14 is to collaborate with the local community in ways that both serve the College's mission and recognize the reciprocity with the external community of both obligations and opportunities. Bates College is in true partnership with the community. On Page No. 9, the key priorities are listed, which are primary areas of attention and implementation. These are listed as Area A, Resources, Area B, Academic Priorities, Area C, Student Life and Interaction, Area D, The College and its Constituencies, and Area E, Facilities and Infrastructure.

Don Harward said that the second handout contains facts. This sheet contains a series of loops at the top of the first sheet. Bates College's costs are among the most expensive in terms of prices for a private and high education institution in the country and are among the top 20 in price. Bates College's cost exceeds their price by about \$12,000.00-\$15,000 for each student. That means that Bates College utilizes alumni support and other means. This sheet contains a history of what the price points are. The student size hovers between 1550 and 1650 over the decade, which represents about a four percent (4%) change over those years. This is the proper fit for their infrastructure and the quality that they try to maintain for the college. Bates College has 90 percent of living residents on their campus. This has not changed dramatically in the last 15 years. About 170 students live off campus, with 161 of these students being seniors. Students attend this college from all over the world. The faculty is 162. The staff is at 500. The employee base is approximately about 700 persons. Bates College is one (1) of the largest employers in this area. Bates College's operational budget is approximately \$60,000,000. Resources are a major contributing factor. Two-thirds of the operational budget amount is in salaries. The Bar Chart shows that half the students are receiving financial aid and about 42 percent have received scholarship grants. There are 251 students receiving a scholarship between \$15,000-\$19,999 to attend Bates College each year. They have a student attending Bates College from every state in the union, except for North Dakota and another 19 foreign countries. The College is generating more and more resources other than from the students. They are trying to raise dollars other than from the students and their parents. There is a decrease in fee dependency. Every dollar that Bates College spends makes them less and less dependent on the fees from students and their families.

The next chart that Don Harward reviewed is the sheet entitled, "Best National Liberal Arts Colleges". This is the chart that shows that Bates College is one (1) of the top 20 finest colleges in the nation. There are three (3) other colleges in this category from the State of Maine, which are Colby College in Waterville and Bowdoin College in Brunswick. Bates College is a leader in higher education. The next to the last sheet in this packet shows a comparison sheet with other colleges (Bates College's competition). Don Harward then mentioned LA Excels, which is a community-based strategic alliance. He then characterized their role in the community. LA Excels was established in 1998 by Harward and Bates College. The organization is registered in the State of Maine and is staffed by an executive director, student assistants from Bates College, and

community volunteers. LA Excels represents the most ambitious coalition of community leaders in the memory of the Twin Cities. LA Excels is taking the lead in building a coalition that will identify and secure the very substantial funding that will be needed to realize the projects developed by the community.

Harward then described the physical plans of the college. The Campus Plan presented at this meeting is similar to the one presented in 1991 and again in 1995. It characterizes what it now is. Bates College is zoned in the Institutional Office (IO) District. At the bottom of the diagram presented at this meeting is St. Mary's Hospital. The shaded green areas are areas owned by Bates College. Bates College has acquired properties in the LaFayette Street area, but, as brought up at the August 2000 meeting, there is no third party involved. Bates College will be looking when properties are available, but they currently have no plans to acquire property. Currently Bates College are completing the all-weather field (Item L). The Tennis Court area (Item G) is completed and this area replaced their softball field. The softball field that was replaced was moved and it is now Item No. I & J on the Campus Plan dated in the year 2000. The Wood Street area is to remain as residential space. They have no intentions of destroying the sense of the community. Bates College, however, does have housing and offices in this area. Bates College has no plans for this area. It is to be kept residential. Don Harward wants the College to be recognized as a "good neighbor".

There is a meeting on Thursday, September 14, 2000, with the community members in reference to 40 Mountain Avenue (refer to letter dated September 5, 2000, as placed in the Planning Board packets). This meeting is scheduled to meet at the Muskie Archives at 7:00 p.m. Issues will be identified, including long-standing parking concerns.

Bates College is trying to address their parking issues. This year Bates College is providing a shuttle service from 4:00-12:00 p.m. for students to get around. Also, buses are being provided on weekends. Harward said that students do not need to have a car. In closing his presentation, Harward mentioned that between CMMC, Bates College, and the City of Lewiston that there may be an interest in a parking garage. Parking is a significant issue. Harward then turned to Bob Bremm, Director of Physical Plant, for his input.

Bob Bremm said that this Campus Plan is flexible and will change at some point. He mentioned the Russell Street traffic plan. He said that this is an artery running on their spine. He said that the only possible sense to expand would be toward the downtown area, since St. Mary's is on one (1) end, residential is on another end, and then there is Russell Street on the other end.

This presentation was then closed and opened to the public for comments and questions. Tom Peters asked, "For what reason would you expand?" The response was that the institution would have a hard time competing, if the student body remained under 1,600. Dennis Mason's concerns was with parking along Central Avenue. He again made reference to diagonal parking. Curbing has been placed along Campus Avenue. Dennis Mason also asked if there is any potential for investment by Bates College on the other side of Russell Street? Don Harward's response was that there is no plan for this area. There were questions in relation to 40 Mountain Avenue, i.e. Why do students park on Mountain Avenue when there are empty parking lots available? Phil Isaacson (resident of 2 Benson Avenue) said that Mountain Avenue is dangerous. He suggested making it a condition of employment to the people working in this area (Finance Office/Registrars/Financial Aid Offices). Isaacson asked, "How many people work at Libbey Forum?" Harward responded that there were twelve (12) employees. Phil Isaacson commented that this is denying public access to the mountain. Don Harward said that Bates College is trying to discourage students from bringing cars.

In closing, Tom Peters asked Harward if there is any way the Planning Board, the City, etc. can be of assistance to Bates College? Don Harward mentioned the zoning, as to the integration into the downtown and residential areas, etc. He said that this, "makes sense in a skipping orientation pattern". Jim Lysen mentioned a collaboration with other institutions of higher learning for uses given as a performing arts center that has an arts component with LA College, Bates College and even with the high school, perhaps downtown, maybe on the Libbey Mill site or perhaps collaboration with the Creative Photographic Arts Center of Maine with photography for Bates College students to utilize their facilities downtown.

Harward asked, "What is the best way to utilize the resource of there being a Bates College in this community as we think of planning and development of Lewiston and Auburn? What is the interest of the community?" He then mentioned the armory (as an example). What would be the possibility of joint use of the armory? Would it provide opportunities for the college to consider in it's long-term needs for recreational space, etc? What would be the advantages? Dennis Mason said that it is important that we work with the college. Muriel Minkowsky said that since the public will be working together with Bates College, a plan could be developed to everyone's advantage. Tom Peters said that as Bates College needs input from the Planning Board, the Planning Board will reach out and will keep Bates College in mind as the Planning Board looks at zoning issues, etc. He also said that we need to conscientiously keep in mind that we need to collaborate.

At the end of this presentation there was a ten-minute recess from 8:20-8:30 p.m.

VI. FINAL HEARING: *Determination of Completeness and Final Hearing concerning the Subdivision Plan for West View Bluffs, Revision 5.* The following action was taken to table this item.

MOTION: by **Dennis Mason**, seconded by **John Cole** to table the Final Hearing concerning the Subdivision Plan for West View Bluffs, Revision 5 to the Planning Board Meeting scheduled for October 10, 2000.

VOTED: 4-0.

V. PUBLIC HEARING: *Public Hearing on a proposal to re-zone a portion of the property at 1365 Sabattus Street from the Highway Business (HB) District to the Low Density (LDR) District.* Jim Lysen gave a brief overview of the memorandum prepared by James Fortune, Planning Coordinator, dated August 30, 2000. At the August 22, 2000 Planning Board Meeting the Planning Board received a proposal from **Maureen Turcotte** to re-zone the rear portion of the property owned by her mother, **Rose Driscoll** at 1365 Sabattus Street. In the proposal Maureen Turcotte would like to re-zone the rear half of the property, with frontage on Old Chadbourne Road from the Highway Business (HB) District to the Low Density Residential (LDR) District allowing her to build a new home on another portion of the property. This would divide the property in half. The front portion, with the existing home, would remain with the HB District and would be sold. The owner would then build another home on the rear portion of the property with its frontage and access off of Old Chadbourne Road. The division of the lot meets all the lot dimension requirements for both the HB and LDR Districts.

Present at this meeting was Maureen Turcotte. The Planning Board requested that Maureen Turcotte obtain and provide a "Power-Of-Attorney" from her mother, Rose Driscoll, since she is the owner of the property, was not present at this meeting, is competent, but cannot speak. This item was then closed to the public and turned back to the Planning Board for the following motion.

MOTION: by **Dennis Mason**, seconded by **John Cole** to send a favorable recommendation to the City Council to approve the re-zoning of a portion of the property at 1365 Sabattus Street from the Highway Business (HB) District to the Low Density Residential (LDR) District, subject to the applicant, Maureen Turcotte, providing the City with the "Power-Of-Attorney" granted to her from her mother, Rose Driscoll, owner of the property.

VOTED: 4-0.

VII. OTHER BUSINESS:
A. New Business:

Out of sequence to the agenda, Item 2 was discussed before Item 1.

1. Code Enforcement Update. This item was presented by Gil Arsenault, Deputy Development Director. This was brought to the Planning Board in reference to the newspaper Article placed in the Sun-Journal Sunday entitled, "Rot, Rats, and Ruin". Gil Arsenault said that this article

was, in the most part, in his opinion, not accurate. Gil Arsenault said that in his response to this article, it is true that Code Enforcement is understaffed and underfunded. The article talked mostly about what isn't happening. Gil Arsenault commented that sub-standards are not a problem, it is a symptom. They do need to do things with housing. He said that this could have been a great story. His update to the Planning Board was that he has drafted a memo. Greg Mitchell, Director of Development, has reviewed this. A copy of his response memorandum is now in the hands of Phil Nadeau, Acting City Administrator. Gil Arsenault said that he will mail a copy of that memorandum out to the Planning Board as soon as possible. Tom Peters response was that the Planning Board will read the report and pick up from there.

2. *Review a "Diminimus" change for the Gendron warehouse and distribution facility, 71 Commercial Street and authorize the Chairman to sign the mylar.*

Jim Lysen described what they are proposing and what has been already built. He said that this is a very complicated "Diminimus" change and that he is not comfortable calling this a "Diminimus" change. The applicants representing this item were not present at this meeting.

Jim Lysen said that the original project was approved in February of 1989 and that included one (1) warehouse building 60 x 162 feet with two (2), 32 foot curb cuts along Commercial Street. Issues relating to access involving semi-tractor trailer trucks were brought up at that meeting and the applicant's representative convinced the Board that this could be accomplished. In March of 1992, the Planning Board held a pre-application hearing on a proposed warehouse addition approximately 60 x 130 feet and an additional 36' curb cut, along with eight (8) proposed parking spaces to the northwest side of the second building. This third curb cut was allowed and the Planning Board approved the project at their April 14, 1992 Meeting. A temporary occupancy permit was issued on April 24, 1992 with no final occupancy permit ever being issued on the building. On November 29, 1999 a letter was received from Skelton, Taintor & Abbott, P.A. (enclosed in the Planning Board packets) on behalf of White Rock Distilleries, Inc., who own property on 88 Commercial Street across from this project, indicating that drainage from the Gendron & Gendron site flows across Commercial Street and into their property causing flooding around their catch basin.

John Cole then said that he was excusing himself from the Planning Board since his law firm is Skelton, Taintor & Abbott, P.A. and this is then a conflict of interest.

A site inspection, following this letter, indicated that this project has not been completed, as approved, since no curbing was installed along Commercial Street. The applicant's representative and the Public Works Department has met on site in order to resolve this issue. The applicant now would like the Planning Board to approve, as a "Diminimus" change the construction of a paved diversion berm along the front property line parallel to Commercial Street, which has already been installed, in order to divert drainage to an existing catch basin on site and an existing catch basin adjacent to Commercial Street. In addition, street trees have been planted along Pleasant Street and the proposed parking stalls have been striped.

Planning Board Staff feels that this project is a significant amendment to the original Site Plan. The new proposal eliminates the curb cuts completely, controlling drainage, but not access into the site. Both the Public Works Department and White Rock Distilleries, Inc. are not concerned since the storm water is being diverted to both catch basins. The question was raised, "How do we make sure this is maintained?" The response was that the plan says it will be maintained. The raised berm allows for maneuverability.

The following motion was made to table this item for discussion until the next Planning Board Meeting so that more Planning Board Members will be present. Also, since the issue with Skelton, Taintor & Abbott, P.A. has been resolved, as mentioned by Gil Arsenault, John Cole has agreed that he will not dismiss himself on this item at the next meeting.

MOTION: by **Dennis Mason**, seconded by **Muriel Minkowsky** to table the "Diminimus" change for the Gendron warehouse and distribution facility at 71 Commercial Street for the next Planning Board Meeting scheduled for September 26, 2000.

VOTED: 3-0-1 (Cole).

Not listed on the agenda, the following item was discussed.

CMMC - Main Street and Hammond Street - Gil Arsenault showed a plan of both Main Street and Hammond Street. Their current access will be closed because of the proposed construction and they will not be able to do their current maneuver. CMMC is proposing for access of a loading dock down Hammond Street. This will eliminate some of the side walk area and the front area. Tractor-trailers will then be able to maneuver and back in. They are concerned with doing this maneuvering out into the street. Gil Arsenault said that CMMC's question to Staff was, "Can we just do this?" The Public Works Department does not have an issue. Gil Arsenault mentioned that they need to amend their Master Plan before the Planning Board. James Lysen showed the Planning Board the plan of CMMC. Gil Arsenault said that he told CMMC that he would bring this up to the Planning Board and that he thought the Planning Board would like to see the impact. Another plan of the area was shown to the Planning Board. With this proposal, you will not be able to drive around the building anymore. This item is for discussion only. Gil Arsenault said that he felt this should be done in a public forum. Tom Peters agreed. The plans were brought forward by **Pat DeFillip** from CMMC. James Lysen suggested and it was agreed that this be brought to the next Planning Board Meeting, scheduled for Tuesday, September 26, 2000, as a Final Hearing.

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

MOTION: by **Dennis Mason**, seconded by **John Cole** to adjourn this meeting at 9:00 p.m.

VOTED: 4-0.

Respectfully submitted,

Mark Paradis, Secretary

DMA:dma

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