

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for October 24, 2000 - Page 1 of 9**

- I. ROLL CALL:** This meeting was held in the Third Floor Conference Room of Lewiston City Hall, was called to order at 7:04 p.m., and was chaired by Tom Peters.
- **Members In Attendance:** Muriel Minkowsky, John Cole, Tom Peters, 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.
  - **Members Absent:** Lewis Zidle and Rob Robbins.

**II. READING OF THE MINUTES: Draft of the Minutes from the October 10, 2000 Planning Board Meeting.** The following changes were made to the minutes:

- On Page No. 2, last paragraph, tenth line, delete the word “an”, replace it with “a”, and delete the word, “awful”.
- On Page No. 3, Section VI. Other Business, Item A. New Business, Item No. 1, second paragraph, tenth line, delete the word, “then”. Also on Page No. 3, the same paragraph, the last sentence shall read, “*Finally, the automatic transition to the Riverfront zone will occur when the non-conforming uses are abandoned.*”
- On Page No. 4, Item No. 2, first paragraph, third line, the tense for the word, “state’s” shall be changed to read, “states”. Also on Page No. 4, the second motion shall be deleted and re-worded to read, “*by Dennis Mason, seconded by Muriel Minkowsky that the Planning Board schedule a Public Hearing to amend various articles regarding the Zoning and Land Use Code in order to comply with Federal Fair Housing laws and Maine State law, including amending the definition of Single-Family Homes for the October 24, 2000 Planning Board Meeting.*” In addition to the above, there were also changes made to Item No. 3 on this page, as follows: on the third line between the words, “the” and “attention”, add the word, “Board’s”. Further down in this same paragraph, on the eighth line, delete the word, “tentatively”.
- On Page No. 5, first paragraph, line one, delete the word, “tentatively”. In paragraph two, first line, delete the word, “things” and replace this word with the words, “land transfers”. In the third paragraph, fifth line, delete the word, “was” and replace it with the word, “would”. Also in this same paragraph, nine line, delete the words, “from the City Clerks Office” and replace with the words, “the City Clerk”. On the tenth line in this same paragraph, correct the spelling of “Denis Theriuault” to read, “Denis Theriault” and also on this same line delete the word, “on” and replace it with the word, “about”. Finally, on line twelve of this same paragraph, delete the words, “is when”. Also on Page No. 5, fourth paragraph, seventh line, after Dennis Mason, add the word “to”.
- On Page No. 6, the first paragraph after the first motion, add the word “Section” next to every word, “Plan” throughout the entire paragraph. Also in this same paragraph, on the fourth line, delete the word, “said” and replace it with the word, “suggested”. Finally, the last change is made to the first paragraph after the second motion on the first line, add to word, “amend” between the words, “to” and “the”.

**MOTION:** by **Mark Paradis**, seconded by **Dennis Mason** that the Planning Board accepts the Planning Board Minutes for October 10, 2000, as modified.

**VOTED:** 4-0-1 (Cole abstained).

**III. CORRESPONDENCE:** The following items of correspondence to be included in the packets and distributed at this meeting were, as listed by James Fortune:

- A revised agenda, which now includes new Item Nos. 4, 5, and 6 under Other Business, New Business (highlighted on the agenda), which was requested to be added on to the agenda by Chairperson, Tom Peters;
- Memorandum dated October 24, 2000 covering new Item Nos. 4, 5, and 6 on the agenda;
- Memorandum prepared by James J. Lysen, AICP, Planning Director, dated October 24, 2000 in regards to West View Bluffs, Revision V;
- Faxed memorandum to David Hediger, Land Use Inspector, from the West View Drive Road Association to Chuck Starbird dated October 1, 2000;

Project Review Form from the Fire Department in regards to St. Mary's Hospital Women's Pavilion, "Diminimus Change", Sabattus Street;  
Project Review Form from the Public Works Director in regards to St. Mary's Hospital Women's Pavilion, "Diminimus Change", Sabattus Street;  
Correspondence from Douglas M. Boyd, President of the Maine Bucket Company, Inc. dated October 23, 2000, along with a photocopy of the area of the Site Plan; and  
Excerpts from Charter of the City of Lewiston, effective January 7, 1980, in reference to Item 2. Duties, Section I (three pages). This is when applications are to be heard and the applicant or their agent does not appear before Planning Board to present their application. This relates to the West View Bluffs application.

**MOTION:** by **Dennis Mason**, seconded by **Mark Paradis** that the Planning Board accept the above correspondence presented, place it on file to be read at the appropriate time, and further to amend the agenda to include Item Nos. 4, 5, and 6 under Other Business, New Business.

**VOTED:** 4-0-1 (Cole).

#### **IV. PUBLIC HEARINGS:**

**A. Public Hearing on a Proposal to conditionally rezone the Continental Mill Property, 2 Cedar Street, from the Riverfront (RF) District to the Mill (M) District.** James Fortune read the memorandum that he prepared and was dated for October 16, 2000. With the establishment of new zoning districts in the downtown area, many of the existing uses in the Continental Mill, particularly the manufacturing uses, have been made non-conforming by the rezoning. The purpose of this conditional rezoning is to allow for existing uses within the complex to expand in the future. This has been brought to the Planning Board as a request from the property owner and Staff. The owner of the Continental Mill previously stated that this complex would eventually transition to the type of uses that are envisioned in the Riverfront District. However, this may take more than ten (10) years. If expansion is prohibited, some manufacturing uses will have to move. This Conditional Zoning Agreement will allow the property to revert to the Riverfront (RF) District, as envisioned by the Downtown Master Plan, when manufacturing and other non-conforming uses are abandoned.

At the October 10, 2000 Planning Board Meeting, the Planning Board initiated a proposal on behalf of the property owner to conditionally rezone the Conditional Mill property from the Riverfront District (RF) to the Mill (M) District with modifications to Items (A), (B) and (C).

There were no comments from the public on this item and no specific questions from the Planning Board Members. Tom Peters said that this issue has been dealt with very extensively. The only concern raised by Planning Board Member John Cole was the conditions imposed on the rezoning. Does this mean that if an existing use expands and at some point terminates, that they would not be able to re-initiate that use again. Is there going to be a time-frame? Tom Peters said that this was raised the last time the Planning Board met. Jim Lysen said that the transition will not occur until the entire mill is devoid of non-conforming uses. It is presumed abandoned after one (1) year and can be re-established within that next year. The same language and same process is used for non-conforming uses. James Lysen said that Len Tracy is familiar with the agreement and feels that this is enough time, since uses can occur in transition. Most of the uses in the Riverfront District are also permitted within the Mill (M) District. Tom Peters said that we should just be aware that if this is granted, and for some reason uses are abandoned beyond the 12<sup>th</sup> month, but before the 24<sup>th</sup>, uses could be legally re-established. James Lysen said that this is, of course, the entire mill and that it would be for all those non-conforming uses. There being no further discussion from the Board, this item was then opened up to the audience for questions.

**Len Tracy** was present at this meeting and represents the interest of the Continental Mill. He questioned that if the property will be resold to allow for the existing functions, it does not say that the existing uses will be revisited. James Lysen said that this is for both permitted and conditional uses. Everything is being brought over that is within the Mill (M) District. James Lysen said that there was a question that came up about Florida Power and Light (FPL) and their uses and how would that affect their hydro power station within the Continental Mill. He said that this is a conditional use (utility-type use) that can continue. There being no further discussion, the public portion was then closed and the following motion was made.

**MOTION:** by **Dennis Mason**, seconded by **John Cole** that the Planning Board recommends to the City Council that they approve the conditional rezoning of the Continental Mill Property, 2 Cedar Street, from the Riverfront (RF) District to the Mill (M) District, subject to the Conditional Rezoning Agreement.

**VOTED:** 5-0.

**B. *Public Hearing on a proposal to amend Article II, Definitions, and related sections of the Zoning and Land Use Code, to modify the definition of single-family dwelling in compliance with the Federal Fair Housing Act and State laws.*** Tom Peters said that the Planning Board Members were in receipt of the revised code amendment for the definition of *single-family dwelling* since the last Planning Board Meeting. Since that meeting, there were minor modifications made and these were forwarded by Gil Arsenault to all the Planning Board Members in an early mailing. Tom Peters said that he copied the revised code amendment and forwarded to **John Bonneau**, who is an attorney that was concerned with this issue a number of years ago. He also sent him a letter stating that if he had any problems or concerns, to please get back to him. Tom Peters said that he has not heard back from him.

There was nobody present in the audience on this topic.

The reading of the memorandum prepared by James Fortune was waived. This item was then opened up to the Planning Board.

Gil Arsenault mentioned that format changes were made, Article XII, Performance Standards were deleted rather than renumbering, and some inconsistencies were picked up on., i.e. the permitted as a matter-of-right to do hospitals, nursing homes, and institutions for group care facilities. The document is now consistent. There are a couple of examples as to permitted and conditional uses. Gil Arsenault went on to say that this was shared with City Attorney **Robert Hark**. A memorandum was written and dated February 22, 2000, which was shared with this Board at the last meeting. The only comment made by Robert Hark was on Page No. 1 and he suggested that a few words be added under Section 2. Definitions, Item (1), Single-Family Detached Dwelling, starting with the underlined area, to include that a family shall include a group of individuals housed within a "community living arrangement". This makes it a little clearer. This was about it, other than the consistency changes. This document is now consistent with State law and the Federal Fair Housing Act. Gil Arsenault said that historically, the City of Lewiston has not been in compliance with Federal law. This document is in compliance with both the Federal and State law.

Dennis Mason said that he was concerned with allowing group care facilities as a permitted use in the Neighborhood Conservation "B" (NCB) District. Gil Arsenault said that it is a permitted use as a Type "A" and a conditional use as Type "B". Gil Arsenault said that there are no longer any Type "B's". The group care facilities are primarily small and that this has not been a demand in the past. A group care facility means a boarding care facility for more than eight (8) individuals wherein children under 18 years of age or adults over 16 years of age and not legally related to the operator are provided personal care, supervision and social or rehabilitative services. Dennis Mason commented that this is not a group care facility any more, it is a "community living arrangement". Dennis Mason said that his concern is that as a group care facility that you are likely to have several employees because most likely you are providing 24-hour care. He does not think that this matches what should be a permitted use. Dennis Mason suggested moving group care facilities down to a conditional use in the NCB District. There were no objections from the other Planning Board Members.

For the record, there were no comments from the audience. The public portion was then closed to the public and turned back to the Planning Board for the following motion.

**MOTION:** by **Dennis Mason**, seconded by **Mark Paradis** that the Planning Board recommend to the City Council that they approve the proposed amendments to the Zoning and Land Use Code, as submitted by the Planning Board with one (1) amendment that Article XI, District Regulations, Section 6, Neighborhood Conservation "B" District (NCB), Item No. (9) as submitted to the Planning Board be stricken and that Item No. (6) under (d) Conditional uses be added as Group care facilities.

**VOTED:** 5-0.

After the above motion was made, Tom Peters mentioned to Planning Board Staff for them to advise the City Council that for a number of years, this Board has been concerned that they have not been in compliance with State and Federal laws regarding the Federal Fair Housing Act and that the intention of this

re-working is to bring this Code into compliance with that act. This, in fact, is probably the model for the state. He said that it is not his knowledge that other municipalities have done this kind of work. He said that he would encourage Staff to publish this in any of their journals so that other people in the state may be able to use this. He went on to say that he would like to compliment Staff on the hard work that was done and that he is glad that it is finally off of his agenda. Tom Peters said to note that he wanted this sentiment conveyed to the City Council.

## V. *FINAL HEARINGS:*

*John Cole recused himself from the Planning Board on this item.*

A. *Determination of Completeness and Final Hearing concerning the Subdivision Plan for West View Bluffs, Revision 5 (tabled from the 09/12/00 and 10/10/00 meetings).* James Lysen said that in communications with the applicant the Board felt that they should take one vote or another at this meeting. The applicant knows this. There was no resolution in reference to the drainage issues, storm water management, lighting, and landscaping. The applicant has chosen not to make any revision II as proposed Revision 5 to address these issues. At this time, there were only a couple of options left. Distributed at this Planning Board Meeting are the Planning Board Rules of Procedure. James Lysen made reference to the pertinent excerpts. There is strong language and no it does not give the Board many options.

Tom Peters commented that this item has been on the agenda far too long and that it is time that a decision is made by the Planning Board as to what will be done. He then said that he had requested what are the options. This could be tabled or continued, etc.

James Lysen said that the first option is whether the applicant has appeared before the Planning Board.

James Lysen said that Planning Board Staff was told by the applicant that he was not going to appear. His agent has appeared and communicated previously. They were not given representation to make any changes to the Plan. If this was the case, then the Planning Board would not have any choice then but to recommend denying the application. James Lysen said that, however, when Staff researched this, the Board really does not have that ability if in fact there is no applicant, the petitioner, or their agent must appear at the scheduled meeting, which is subject to be heard, failure to appear, shall require the Planning Board to dismiss the case with the applicant receiving written notification of this. Reinstatement shall be allowed only upon payment of any required fees inquired. Basically, the Board is dismissing the case that is referred to in this application. What is now before us is Revision 4. This development itself in order to get any more building permits issued, they have to bring the development in compliance with that revision or bring back that revision to the Planning Board for approval, subject to changes.

Present at this meeting were neighbors from the neighborhood association. Tom Peters asked, "How do we monitor this or any other to make sure that things are not going forward?" Gil Arsenault said that in respect to this nobody will be held that has an existing developed property. There are four (4) lots that are undeveloped, two (2) of which have really minimum development potential because of slopes, etc. Permits will not be issued on any of these. Gil Arsenault went on to say that he and David Hediger met with City Attorney Robert Hark earlier today, October 24, 2000. This is a complex situation. More research needs to be done. Gil Arsenault said that he suspects that legal action will be taken. Gil Arsenault went on to say that the new development needs to be brought into compliance with Revision 4, including street trees, street lighting, and storm drainage on the plan. If drainage improvements are installed, then the newer part of the development should not have an impact on water issues in the old part of the development. There really is not any authority or jurisdiction to go back into that first phase. The developers will be held accountable. The association will not be held accountable. We want to help the association.

Tom Peters said that if the developer wants to go forward they would have to come in for permits, etc. and re-file. Homeowners, part of the association or not, that may want to come in to apply, i.e. for a deck, will not be held up because the developers failed. Tom Peters then asked **Tom Truchon** if this answered his concern. His response was, "Absolutely".

Tom Peters then said that the Planning Board's option then is to dismiss it. There are not other options. Gil Arsenault said that they could suspend their rules if they wanted to. Gil Arsenault said that the

Planning Board will be kept posted. Gil Arsenault said that he felt that a new order would be generated. Due process has been given. If denied or dismissed, the developer can still come back and re-file. Dennis Mason said that enough information has been submitted and the Board should deny it. The only fees that would be required, would be re-advertising, not development review, if it were dismissed. That would be the only advantage to having it declined. Re-instatement should be allowed on a written request and upon payment of any required fees.

Comments from the public include: **Tom Truchon (resident of 6 West View Drive)** commented that there is a problem with part of the road being washed out. Tom Peters said that this is not going to be a Planning Board issue and that the issue should be raised with Gil Arsenault and Staff, pressure will be placed on the developer, who is responsible. The City is not inclined to get involved, since this is not a public way.

Gil Arsenault said that supposedly **Chuck Starbird** has a buyer for the remaining lots and also that he made it very clear to David Hediger that he would not be at this Planning Board Meeting. This is a concern with Staff. They would like to protect a new buyer and inform them of what they would be stepping into before they get in too deep. The City needs to file some action so that a person going to buy this will know what they are getting into. Legal action needs to be taken first. Since the petitioner was not present and has chosen not to appear, the Planning Board made the following motion based upon their Rules of Procedure.

**MOTION:** by **Mark Paradis**, seconded by **Dennis Mason** that the Planning Board chooses to dismiss the Subdivision Plan for West View Bluffs, Revision 5.

**VOTED:** 4-0.

**B. *Determination of Completeness and Final Hearing concerning a proposal to amend the Site Plan for a commercial warehouse and distribution facility owned by Gendron, Inc. at 71 Commercial Street.***

The Planning Board requested suspending reading of the memorandum prepared by James Fortune and dated October 17, 2000. Instead, James Fortune summarized his memo. He said that as noted in previous memos, the two (2) remaining issues with respect to this development are concerns about the 336 foot curb cut and problems with the storm water drainage. In the original approval, the Site Plan showed asphalt curbing with three (3) curb cuts along Commercial Street. The project was never built this way due to the difficulty tractor trailers would have maneuvering into the site and over to the loading docks, if this curbing was in place. Without the asphalt curbing, the storm water is able to sheet flow onto Commercial Street, potentially causing problems on neighboring properties. In order to rectify this situation, the property owner has installed a four foot (4') wide asphalt berm (4" high at the center, for the entire length of the berm), which can be driven over by trucks and other vehicles entering the property. This berm will divert water into existing catch basins along the front property boundary. The property owner feels that this will solve the problem with respect to storm water drainage while allowing access for trucks.

Present at this meeting was **John Gendron**, from Gendron & Gendron, Inc. He mentioned that the problem has been taken care of. He said that the berm is uniform. James Lysen said to approve, the Planning Board should make some findings. This is not a site frequented by the public and is not a major thoroughfare. There are no concerns expressed by the Police and Fire Departments. Public Works has reviewed the storm water management and recommends that the asphalt berm remain kept in place to divert the runoff into the catch basins. James Lysen said that this is a reasonable request and for the Planning Board to make a determination of completeness and to grant final approved on this item. This item was closed to the public and brought back to the Planning Board for the following motion.

**MOTION:** by **Dennis Mason**, seconded by **Mark Paradis** that the Planning Board determines that the application for a commercial warehouse and distribution facility owned by Gendron & Gendron, Inc. at 71 Commercial Street is complete, that the Planning Board approves the modification/request for waivers, and grants final approval on the condition that the four inch (4") berm be maintained for that height; and, that further the Board approve this application due to the unique location and neighborhood, and specific characteristics of the property.

**VOTED:** 4-0.

***John Cole stepped back up to the Planning Board***

C. **Determination of Completeness and Final Hearing concerning a minor amendment to the approved Site Plan for 56 Alfred A. Plourde Parkway.** The Planning Board waived the reading of the memorandum prepared by James Fortune and dated October 17, 2000.

This project was originally approved by the Planning Board in June of 1998. At that time, it was anticipated that QSA Optical Company, Inc. would occupy this site and this site was designed for that purpose. That company did end up locating there. Currently, Gendron & Gendron, Inc. has a pending lease agreement with Federal Express for them to utilize the facility as a FedEx Package Sorting and Deliver Distribution Center. Several modifications have been made to the original plan to accommodate this new occupant. Some of the changes made during site development and the construction of the building include: 1. The size of the building was increased by 220 square feet for a total of 10,200 square feet; 2. There is additional paved area to the rear of the site to add maneuvering and turn-around areas for delivery trucks and tractor trailers; 3. Eleven parking spaces were eliminated where the delivery area and loading docks are located; and 4. There were modifications made to the storm water drainage system, which included additional catch basins and drainage pipes, an enlarged swale, and an additional rock rip-rap chute in the area of the grass swale. Most of the site work has been completed. Paving and striping of the parking lot will be completed by June 2001 and landscaping by November 2001. In order for FedEx to move into the building by November 2000, an occupancy certificate is needed. This item needs approval on the modifications to the approved Site Plan before Code Enforcement can issue that permit. There were no concerns from the Fire Department and Public Works has approved the storm water drainage system as shown and they have no further concerns.

Surrounding neighbors were notified. There were no neighbors present at this meeting to agree or object to this item.

**Paul Veilleux (61 Albert Street)** was present at this meeting, along with **John Gendron** on behalf of Gendron & Gendron, Inc. Paul Veilleux said that FedEx will be bringing items up from Portland and Kittery and down from Bangor. These tractor trailer trucks will come in to the facility, get sorted out, and put into smaller trucks and re-distributed into FedEx. Goddard Road is basically used as a thorough way access road (traffic comes from Main Street down Lincoln Street out on to River Road which runs into South Avenue and onto Goddard Road) to get into sections of the industrial park. It is a very narrow road. The tractor trailers will be coming off of the turnpike link where the Alfred A. Plourde Parkway links and coming in and doing their drop-off, unloading, and then heading back out. They have no reason to go through the City. James Lysen said that he does not anticipate it be a problem with tractor trailers entering from the interstate. This road is posted at 25 mph. This is located in the Industrial zone and is industrial land there.

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** that the Planning Board determine the application for the Gendron & Gendron, Inc. building at 56 Alfred A. Plourde Parkway is complete, approve the request for modifications and waivers, and grant approval for this project, seeing that it meets all the requirements of the Zoning and Land Use Code.

**VOTED:** 5-0.

*John Cole recused himself from the Planning Board on this item.*

**VI. OTHER BUSINESS:**

**A. New Business:**

**1. Review a diminimus change for St. Mary's Hospital Women's Pavilion and authorize the Chairman to sign the mylar.** The Planning Board waived the reading of the memorandum prepared by James Fortune dated October 18, 2000. Included in the Planning Board packets was information that St. Mary's Hospital submitted, including a revised Site Plan for the Women's Pavilion, with changes to the landscaping and parking area. James Lysen said that basically this item was brought to the Planning Board on the saving of the tree. During construction of the Women's Pavilion, the hospital determined that in order to keep a large, Catalpa tree some of the parking spaces around the tree would need to be eliminated, which totaled eight (8) parking spaces. To compensate for this loss, the hospital has created ten (10) new spaces for their staff on

the other side of the new building, which now results in a net gain of one (1) parking space. In order for St. Mary’s to get an occupancy certificate, their development must be brought into compliance with the Site Plan. This is request was to make a determination that the modifications made above to the approved Site Plan are of a “diminimus” nature.

**Bob Faunce** was present at this meeting on behalf of St. Mary’s. There was no audience present on this topic for comments. The following motion was then made.

**MOTION:** by **Dennis Mason**, seconded by **Mark Paradis** that the Planning Board finds the revised Site Plan to be of a “diminimus nature” and authorizes the Planning Board Chairperson to sign the revised mylar.

**VOTED:** 4-0.

**John Cole remained recused from the Planning Board on the following item.**

**4. Review a “diminimus” change request for Maine Bucket, Inc. and authorize the Chairman to sign the mylar.** Included in the distribution at this meeting was a letter dated October 23, 2000 from **Douglas M. Boyd**, President of The Maine Bucket Company, Inc., along with a Site Plan with minor modifications.

**Douglas Boyd** was present at this meeting and explained his plan. He is making changes to the building plan that was done in 1997 and 1998. He wants to relocate the open air shed from its location on the existing plan to cover the existing concrete slab behind the new facility. He said that **Paul LaRochelle**, P.E. from Alliance Construction, Inc. will be preparing the mylar which will show: a. Deletion of the existing open air shed; and b. An open air shed over the existing concrete slab that is 50’ wide by 90 long. There was no audience present. The request was to determine that the changes are of a “diminimus nature” and for the revised mylar to be signed, when completed. The following motion was made.

**MOTION:** by **Dennis Mason**, seconded by **Mark Paradis** that the Planning Board finds that the changes to the revised Site Plan for The Maine Bucket Company, Inc., 21 Fireslate Place are of a “diminimus nature” and authorizes the Planning Board Chairperson to sign the revised mylar.

**VOTED:** 4-0.

**John Cole stepped back up to the Planning Board on the following item.**

**2. Review a proposed disposition of land from the City of Lewiston (Martel School) to the Maine D.O.T., East Avenue and Lisbon Street, and recommendation to the City Council.** James Lysen said that he met with the Maine Department of Transportation (DOT) officials on Friday, October 20, 2000 to discuss details of this land transfer. He went on to say that this land transfer is to maintain the sidewalk along East Avenue, from the intersection with Lisbon Street. The land to be transferred amounts to a 170-foot strip that varies from zero to less than two (2) feet wide. This is a small sliver of land. James Lysen showed this area on a larger version map to the Planning Board Members. There is nothing happening to the curb, other than a cut in. This is a sale/acquisition issue, it must be reviewed by the Planning Board, and the Planning Board needs to make a recommendation to the City Council. Since the motion made at the October 10, 2000 Planning Board Meeting was to table this item, pending receipt of a plan from the Public Works Department of what the intersection will look like, made by John Cole, John Cole took this motion out of table, and the following motion was then made.

**MOTION:** by **John Cole**, seconded by **Dennis Mason** that the Planning Board send a favorable recommendation to the City Council regarding the Martel School Land Transfer to the Maine D.O.T. on East Avenue.

**VOTED:** 5-0.

After this motion was made, for the record, there has been no response from the memorandum presented and written by Gil Arsenault in reference to acquisition/disposition of land dated October 13, 2000. This item was included in the Planning Board packets under Item No. III. Correspondence on the agenda.

**3. *Planning Board meeting schedule for the months of November and December 2000.*** The Community Development Block Grant (CDBG) process has not been decided yet whether Planning Board Members might be needed. The CDBG hearing is scheduled for December 2000. There are usually two (2) Planning Board Members nominated. It was discussed to assign both Dennis Mason and Rob Robbins to this process, if they are needed.

Also discussed, was that a Planning Board Member needs to be nominated for the Lewiston Capital Improvement Program (LCIP) process. The following motion was made.

**MOTION:** by **Dennis Mason**, seconded by **Tom Peters** that the Planning Board name "Mark Paradis" as the representative from the Planning Board to the LCIP for this years process.

**VOTED:** 5-0.

The following is the Planning Board schedule determined for the months of November and December 2000:

- Tuesday, November 28, 2000, and  
Tuesday, December 19, 2000.

After this schedule was determined, there was a brief discussion as to both the LCIP and the CDBG processes.

LCIP. All public and private development requires development review, which is a whole different matter. MDOT projects are approved under the LCIP. The LCIP is a prioritization of all worthy projects. Each department gives to the LCIP Board their forms for comments. Not everything in the LCIP will be funded. This is for expenditures of City money that are more than \$100,000. These expenditures then need to be approved. The last period of May/June is when they get considered for funding.

CDBG. Tom Peters questioned the CDBG process. He asked, "Are we going through the same process this year as in the past? Feedback is needed on this item. Tom Peters said that this is a formal request for advice within the next 30 days as to whether or not there will be any changes in the process or if applications will be put out and then go through the same meeting process. He said he needs a response back from City Council President **Joyce Bilodeau** as to what is the intention of the City Council.

**5. *Presentation concerning the Bates Mill temporary parking lot for Mill No. 6, off Lincoln Street.*** James Lysen said that this is consistent with the Master Plan. This is a temporary situation and is being constructed as the need for parking increases with uses within the mill. He gave a brief presentation, as requested by the City of Lewiston (**Gregory Mitchell**) concerning the establishment of a temporary parking lot off of Lincoln Street for the Bates Mill Complex. James Lysen showed a plan of the temporary parking lot to Planning Board Members. The temporary parking lot will be constructed next to Mill No. 6 and is intended to be an interim solution for needed parking while the Bates Mill parking garage is being constructed. This use to be a gravel area where Car Quest was located. Public Works will just be putting in a subbase, striping it (to better manage parking), and a layer of asphalt in order to put the stripes on to hold as many parking spaces as possible. Some green spaces are being put in, but will be eliminated in the future. In fact, there will be a landscaped strip and trees on the permanent parking lot.

A plan, which will be redesigned, will be presented early next year (the beginning of the year) with a formal Site Plan for a permanent parking lot along with landscaping. There was a hold-up because of the acquisition of Car Quest. Gil Arsenault said that this is a courtesy to let the Planning Board know the schedule of what is going on. This is just a temporary situation, this item will be seen again with engineering plans and where they are at. Certain improvements need to take place within the next few weeks in order for the City of Lewiston to pave and stripe the parking area so that it can be managed and maintained over the winter. This needs to be done during the paving season, due to temperatures, etc.

Dennis Mason said that a need was expressed for temporary parking at the LMRC meetings, however, not this particular temporary parking space. In closing this discussion, James Lysen said that there is a need to continue to improve communication and coordination with the Lewiston Mill Redevelopment Corporation (LMRC).

**6. *Schedule a Public Hearing to consider amendments to the Zoning and Land Use Code, Article XIII, Performance Standards, Section 16, concerning sign regulations with respect to single parcels developed with multiple uses and changes consistent with the recent adoption of new zoning districts in the downtown.*** This item was brought to this Planning Board for it to be scheduled for a Public Hearing. Jim Lysen said that the Planning Board will have to have a little faith in Planning Board Staff. A copy of the amendment to the sign ordinance was not provided at this meeting. This will be sent out before the November 28, 2000 Planning Board Meeting. Staff are in the process of drafting modifications to the sign ordinance with respect to multiple use developments as well as changes that are consistent with the recent adoption of the new zoning districts in the downtown area. There are two (2) major objectives: 1. A specific request related to the Marketplace Mall and Sam's. Sam's will be going into the Marketplace Mall. That was a minor amendment because it is less than 5,000 square feet. Because of that sign, Staff are building some provisions. 2. Some of the amendments to the downtown, need to be made to the sign ordinance that make specific reference to the new zoning i.e. the Mill (M) District. Tom Peters suggested to James Lysen that when changes like this happen, i.e. Marketplace Mall, that notices be sent out to people affected in the mall. Gil Arsenault stated that Staff has contacted some sign companies and that they have been working with Neocraft Signs on Flagship Cinemas.

**MOTION:** by **Dennis Mason**, seconded by **Mark Paradis** that the Planning Board schedule a Public Hearing for November 28, 2000 to consider amendments to the Zoning and Land Use Code, Article XIII, Performance Standards, Section 16, concerning sign regulations.

**VOTED:** 5-0.

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

**MOTION:** by **Dennis Mason**, seconded by **Mark Paradis** to adjourn this meeting at 8:45 p.m.

**VOTED:** 5-0.

Respectfully submitted,

Mark Paradis, Secretary

DMA:dma

C:\MyDocuments\Planbrd\Minutes\PB102400MIN.wpd

