

CITY OF LEWISTON  
BOARD OF APPEALS MEETING  
FINAL MINUTES for March 4, 2020

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- I. **ROLL CALL:** The meeting was held in the City Council Chambers on the first floor of City Hall and was called to order at 5:30 p.m. Patricia Gagne' chaired the meeting.

**Members in Attendance:** Patricia Gagne', Paula Masselli and Roger Dupre

**Members Absent:** John Clifford, IV, Daniel Dube', Leslie Dubois and Phyllis Rand

**Associate Members Present:** Steve Bannister and Jim Horn

**Staff Present:** David Hediger, Director of Planning & Code and Cathy Lekberg, Administrative Assistant, Department of Planning & Code Enforcement

Patricia Gagne' appointed Steve Bannister and Jim Horn as full voting members for this meeting.

- II. **ELECTION OF OFFICERS: Election of Chairperson, Vice Chairperson and Secretary**

The Board decided to elect the permanent officers when a full board is in attendance.

The following motion was made:

**MOTION:** by **Paula Masselli** to elect Patricia Gagne' as its Acting Chairperson. Second by **Roger Dupre**.

**VOTED:** 5-0 (Passed)

The following motion was made:

**MOTION:** by **Jim Horn** to elect **Paula Masselli** as its Acting Vice Chairperson. Second by **Steve Bannister**.

**VOTED:** 5-0 (Passed)

Patricia explained to the public in attendance the procedure of the meeting.

- III. **NEW BUSINESS:**

To consider a request of Petitioner, Carol Leblanc, 17 Sand Hill Road, Lewiston, ME 04240. The Petitioner is requesting a conditional use for a drinking establishment at 875 Lisbon Street.

David read staff comments.

Carol Leblanc of 17 Sand Hill Road in Lewiston, ME stated she owns the Midtown Athletic Club located at 45 Walnut Street. It has been there for 11 years and there has been no major issues or problems with neighbors of the club. She said she would like to move to 875 Lisbon Street. Steve asked if there will be outside tables and chairs and Carol said no. She also said this is a private smoking club with members. Roger asked if they would be having live bands and Carol said no, they have a jukebox and they use DJs. She said she is aware there are noise concerns and she will be controlling it. She will work with the neighbors to make sure it is not too loud. Paula asked how many people on average will come to the club and Carol said that they have 400 members but not all of them will come at once. She said when they first open, many members will want to see the new place. Carol said they will have a restaurant with a full menu. Roger asked about changing the windows and Carol said the landlord will not allow us to change them. Roger asked about access and Carol referred to the map in the application.

#### **Open Public Comment:**

Jane Hillyard, 20 Cutts Road in Durham, NH stated that her mother, Lorraine Doyon lives at 126 Summit Avenue. She asked if there were any complaints at the 45 Walnut Street location and Patricia said they only had one complaint in 11 years. Jane also asked about special amusement permits. David said that City Council usually approves them.

Ann Crispin, 22 Tree Side Drive in Westport, ME stated she is also the daughter of Lorraine Doyon and voiced her concerns about the noise levels. She thanked Carol for her comments about no live bands and noise levels. She stated that her mother is 92 years old and lives independently and wants to live there as long as possible. She does use a white noise machine and ear plugs at night. She said the apartment is not soundproofed. She wished Carol Leblanc well in her endeavors.

Kathy Bilier, 131 Summit Avenue in Lewiston stated that she knows Carol personally and stated that there would be no noise problem from her club.

Carol Leblanc stated that she is aware of the concerns of Ms. Doyon's daughters and will work with them to make sure the noise levels are acceptable.

#### **Public Comment Closed**

Patricia disclosed that she has known Ms. Doyon for a long time. She commented that she is okay with the new location because this is a private club with smoking allowed only in the building and not outside, and as long as the level of noise is controlled and only a jukebox and DJs are used. Paula agreed with Patricia and added they could also dampen the noise by adding carpet, and

extra insulation to the walls. She mentioned there was another private bar right down the street and there were no problems. Jim said his only concern is Ms. Doyon and that he wants to make sure she is able to stay in her residence as long as possible. He said he has the highest respect for City staff and that they will intervene if there are problems with noise. Steve asked approximately how many people are there on Friday and Saturday nights and Carol said usually about 20 but it fluctuates at different times of the year.

**MOTION:** by Roger Dupre pursuant to Appendix A, Article X, Section 3 that the proposed drinking establishment at 875 Lisbon Street meets the conditional use standards and that granting of the appeal is consistent with the Zoning and Land Use Code of the City of Lewiston. Second Steve Bannister.

**VOTED:** 5-0 (Passed)

**IV. ADOPTION OF 2020 PROCEDURES & POLICIES**

**MOTION:** by Roger Dupre to accept the 2020 Procedures & Policies as presented. Second Steve Bannister.

**VOTED:** 5-0 (Passed)

**V. READING OF MINUTES:** Draft Minutes for the August 7, 2019, September 4, 2019 and November 6, 2019 meetings.

The draft minutes for the August 7, 2019, September 4, 2019 and November 6, 2019 will be approved at the next Board of Appeals meeting.

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

**MOTION:** by Paula Masselli that this meeting adjourns at 6:28 p.m. Second by Steve Bannister.

**VOTED:** 5-0 (Passed).

Respectfully Submitted:



Paula Masselli, Secretary

