

CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for December 13, 2010

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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. Chairperson, Lucy Bisson, chaired the meeting.

**Members in Attendance:** Lucy Bisson, Bruce Damon, Denis Fortier, Paul Robinson, Eric Potvin, Trinh Burpee and Kevin Morissette

**Associate Member Present:** Michael Marcotte and Sandra Marquis

**Staff Present:** David Hediger, City Planner, Cathy Lekberg, Administrative Assistant, Economic & Community Development

II. **ADJUSTMENT TO THE AGENDA:**

The following motion was made:

**MOTION:** by **Bruce Damon** to move Other Business V(a) Amendment of L&L Estates Lot 3 and Maurice Estates, Lot 6 as a de minimis change pursuant to Article XIII, Section 3(k) of the Zoning and Land Use Code to the first item on the Agenda. Second by **Paul Robinson**.

**VOTED:** 7-0 (Passed)

III. **CORRESPONDENCE:** None

V. **OTHER BUSINESS:**

- a. De minimis change request: Amendment of L & L Estates Lot 3 and Maurice Estates Lot 6.

Lucy asked what land was being swapped and Rick Lachapelle, agent for Ron Leblanc, showed all the Board members the subdivision plan and which properties were to be swapped.

Paul asked if the written sign-offs from the two impacted property owners would pass as a legal document and David stated that it would not, and that deeds would need to be written.

Bruce asked where the properties are located and David explained where the properties were.

The following motion was made:

**MOTION:** by **Denis Fortier** to approve the amendment of L&L Estates, Lot 3 and Maurice Estates, Lot 6 as a de minimis change pursuant to Article XIII, Section 3(k) of the Zoning and Land Use Code. Second by **Trinh Burpee**.

**VOTED:** 7-0 (Passed)

**IV. PUBLIC HEARING:**

Application submitted by TRC Engineers, LLC on behalf of Central Maine Power Company for the Maine Power Reliability Program (MPRP) and the construction of a new substation in the area of 102 Larrabee Road.

Denis stipulated that the staff memo has been read by all Board members.

Bud Newell of TRC Engineers, LLC introduced Steve Walker of Power Engineers and John Titus of Burns & McDonald. Bud gave a presentation and showed various site plans for the proposed substation to the Board. He stated that the development would be a 16 acre area and it would be completely fenced in. He stated only .35 acres of wetland would be filled. He stated that the substation would contain switching and regulating of transmission lines going in and out. He stated there would be a 40' x 90' control house in the center of the substation.. He stated for the most part, no CMP workers will be onsite. Bud showed the Board on the map where the closest residential properties were. He stated they will create buffers for these neighbors. He stated that CMP will keep as much of the vegetation as possible and will add plantings of trees and shrubs on Larrabee Road and the road going into the substation. He stated the plantings will be located on the abutters' properties once they get approval from them. If they do not get approval, they will have to move them back towards the substation on CMP land. Bud also showed and explained a conceptual line drawing to the Board.

Bruce stated that the trees and plantings will not hide all of the structures and asked how high the structures would be. Bud stated that there were a couple of structures around 125 ft. He stated there were smaller structures that were 25' – 40' high but the typical structures were between 65' and 75' high.

Eric asked about the grayed out area in the colored line chart and would that be for potential expansion and Bud stated it would be by CMP. He stated that CMP owns 70 acres in that area and can expand out if they want. Paul asked if CMP already owned this property and Bud stated they owned a portion of the area but most of the property was purchased recently specifically to build the substation.

Lucy asked if there were houses there before and Bud stated there is are and they are still there. These will be demolished in January, 2011.

Trinh asked what wetlands will be filled and Bud showed her the .35 acre areas that will be filled.

Kevin asked about the noise and Bud stated that CMP did a one-week, 24 hour study monitoring the noise and they now meet the city ordinance for noise levels.

Bruce stated at the initial proposal they approved earlier for the transmission lines, there were concerns from abutters not having time to react to clearing and they added a 60 day notice before clearing and cutting of trees and shrubs could be done. Also, CMP was going to have an ombudsman for people with concerns

to speak to regarding the clearing of land near their property. He asked if this was in place and Bud stated yes and that it could be accessed online. The Board members agreed they would like the 60 day notice that was approved for the transmission line to be imposed for this entire project and Bud stated he did not have a problem with the 60 day notification to abutters.

Paul stated that the person and office that has been established for people's concerns should be publicized so that people are aware it is there and all Board members agreed.

The following motion was made:

**MOTION:** by **Denis Fortier** to accept that the application submitted by TRC Engineers is complete and meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article X, Conditional Uses, Article XI, District Regulations, Article XII, Performance Standards, Article XIII, Development Review and Standards and to grant approval to Central Maine Power for the Maine Power Reliability Program (MPRP) in Lewiston subject to the following condition:

To adhere to the same notification requirements to abutters as imposed upon Central Maine Power's May 24, 2010 Planning Board approval of the Transmission Corridor Upgrade.

Second by **Eric Potvin**.

**VOTED: 7-0 (Passed)**

**V. OTHER BUSINESS:**

- b. Recommendation on the acquisition of 81 Lincoln Street Rear.

Lincoln Jeffers provided a map and summarized the proposed acquisition. He stated it was subject to City Council approval and would be going in front of the City Council at the workshop next week. He stated the purchase price of the property is \$62,500. He stated that in 2010, CDBG funds were allocated and approved by City Council for acquisitions. The amount funded is \$100,000 and those funds will be used for this transaction. He stated that after the acquisition, the property will be demolished and Norm Beauparlant estimated the demolition costs at between \$9,600 and \$12,100. He stated he is looking for a positive recommendation to go forward to City Council by the Planning Board.

Kevin stated he did not agree with the purchase of the property and thought it was crazy spending that amount of money on it. Lincoln stated it was being paid for by CDBG funding not City taxes.

Bruce stated the acquisition process is far along in that area and he is concerned about how long the properties will be off the tax roles. He also stated he did not want to see these empty spaces turned into another parking garage. He thinks we are jumping the gun right now. Lincoln

stated that if we do not purchase it now, it may be sold to someone that is not willing to sell later. We would have to develop around the property.

Mike stated that the City has bought buildings in the past and when they sold them, the return was less than the City paid. He also stated that if the building has asbestos in it that would need to be removed before demolition and that would be expensive. He stated he was not in support of this purchase. Lincoln agreed it can be expensive to remove asbestos and demolition a building.

The following motion was made:

**MOTION:** by **Paul Robinson** pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council to acquire 81 Lincoln Street Rear. Second by **Denis Fortier**.

**VOTED: 4-2-1 (Passed)**

- c. Discussion regarding winter parking ban and parking standards.

Lucy stated that there have been emails regarding this going around. She stated that she thinks the parking ban in place is outdated and in order to attract people to live downtown, they need to be able to park on the streets or at least have parking at a reasonable distance from their homes. She stated the buildings here were built with no driveways and no place to park. Because of the lack of public transportation, people need vehicles to get around. She stated this needs to be looked at.

Eric stated that you cannot park on the streets overnight anytime of the year, not just winter. Eric stated that Auburn tried allowing overnight parking with the exception that if a snowstorm was coming they would have to move their vehicles.

Lucy stated that in 1969, the current ordinance worked but that was forty years ago when there were fewer cars and they walked to work. Eric stated if people want to see people move downtown, they need to allow street parking.

(Paul Robinson left the meeting at 7:00 p.m.)

David stated that the Board could make a motion to schedule a workshop and invite Mike Bussiere of the Police Department and Dave Jones of Public Works to discuss the parking ban ordinance and Bruce stated that it should be staff that schedules this and David agreed.

The following motion was made:

**MOTION:** by **Bruce Damon** to direct staff to schedule a Planning Board Workshop and invite Mike Bussiere and David Jones to discuss pros and cons of the parking ban ordinance. Second by **Trinh Burpee**.

**VOTED:** **7-0 (Passed).**

- d. Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

(Bruce left the meeting at 7:05 p.m.)

**VI. UNFINISHED BUSINESS:**

- a. Discussion of YPLAA Survey.
- b. Zoning and Land Use Updates/Matrix: discuss proposed open space revisions, consolidation of the SR District, and adoption of the matrix (recommendation to table the matter to future date)

**VII. READING OF MINUTES:**

Draft Meeting Minutes for November 8, 2010 – Tabled until January 10, 2011 Meeting.

Draft Meeting Minutes for November 22, 2010 – Tabled until January 10, 2011.

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

**MOTION:** by **Denis Fortier** that this meeting adjourns at 7:15 p.m. Second by **Trinh Burpee**.

**VOTED:** **7-0 (Passed).**

The next regularly scheduled meeting is for Monday, January 10, 2011 at 5:30 p.m.

Respectfully Submitted:

Denis E. Fortier, Secretary