

CITY OF LEWISTON
PLANNING BOARD WORKSHOP/PUBLIC MEETING
MINUTES for March 5, 2008 – Page 1 of 3

LIGHT MEAL/REFRESHMENTS (First Floor – Executive Conference Room):

Roll Call: This meeting was held in the Mayor’s Conference Room on the 1st. Floor of City Hall, was called to order at 5:30 p.m., and was chaired by Chairman Stephen Morgan.

Stephen Morgan did the following attendance:

Members in Attendance: Stephen Morgan, Jonathan Earle, Ron Chartier, Roger Philippon, Lucy Bisson, and Denis Fortier. **Absent:** Jim Horn. **Associate Members Present:** David Vincent and Bruce Damon.

Staff Present: Gil Arsenault, Deputy Director of Planning & Code Enforcement; David Hediger, City Planner; and Doreen Christ, Administrative Secretary of Planning & Code Enforcement. **Others Present:** Bob Faunce, Land Use Consultant and both Mike Gotto and Roger Richards, Developers.

WORKSHOP/PUBLIC MEETING (First Floor – Mayor’s Conference Room):

A discussion on Zoning and Land Use updates, specifically open space provisions. Bob Faunce presented a Powerpoint presentation. He first reviewed past slides for the newest Planning Board members. He showed a typical subdivision with 8 lots – need 800’ of road = \$15,000/lot. This is replaced with 8 lots – need 300’ of road = \$5,625/lot. He said open space development is a tool for pro-development. With open space subdivisions, it creates smaller lots with more open space. Bob Faunce used a subdivision in Raymond, Maine as an example. He said that in that case, the developer reduced the road by 50 percent. He also referred to two (2) open space subdivisions where they conserved 80 acres of land.

Bob Faunce said that the proposed ordinance is a good thing for Lewiston. He reviewed the increase in buildings built in Lewiston from 1906-2006. The following development has occurred in Lewiston’s rural areas over the course of 100 years: 1906 (136 buildings), 1956 (295 buildings), 1975 (564 buildings), 1997 (960 buildings), and 2006 (1,174 buildings). There was a significant change between 1997 and 2006.

Bob Faunce stated that something needs to be done to encourage preserving the rural area.

Bob Faunce reviewed Rural District properties under three (3) acres. He asked, “Is there any land left preserving and how do you go about it?” 60,000 SF is the minimum lot size in the rural area. We need to allow the developer to reduce lot sizes with incentives. He said that minimum lot sizes should be increased.

There are three (3) rural areas in Lewiston with lots under three acres, which are as follows: South Lewiston, Crowley Road, and No Name Pond Road.

Bob Faunce made reference to Rural District Properties under five (5) acres. He stated that some areas are not developable. There are significant areas with large pieces of land that could be preserved. Consideration should be given to allowing a person to develop without frontage.

At this point in the workshop, Bob Faunce presented the ordinance distributed at the workshop dated 11/30/2007, *Sec. 7 Additional Standards for Open Space Subdivision*. This ordinance should only be applicable to districts with a minimum of three (3) acres, plus 300 feet of frontage, so as to create effective incentives.

Bob Faunce stated that there are three (3) or four (4) towns that are in the process of adopting this ordinance. He mentioned eliminating any waivers with subdivisions.

Bob Faunce stated that the developer needs to address its purpose on behalf of the applicant so that the Planning Board finds that the subdivision will achieve all of the following purposes that are applicable to its specific circumstances. These specific circumstances are listed in the draft ordinance

under the heading (b) Purposes listed on Pages 1 and 2 as Items (1) through (10). This approach will get both the Planning Board and Staff more involved.

Open space subdivisions allows two (2) types of open space subdivisions, which are: 1. Standard Open Space Subdivision and 2. Conservation Density Subdivision. David Hediger said that currently you can reduce lot sizes by 50 percent through a cluster. Bob Faunce said that this could also apply to both residential and commercial development.

This will save the developer some money and can waive a lot of subdivision requirements.

On Page No. 3, Bob Faunce reviewed the General Requirements section. Lewiston does not take into account density. There should be a net residential area minus wetlands, flood plains, etc.

Bob Faunce stated that on Page No. 4, Paragraph b. is a significant paragraph. This allows a large landowner to create an open space lot and set aside open space. The developer can do this as long as a plan has been approved by the Planning Board. This can be a significant benefit to a farmer who only wants to sell an occasional lot. The benefiting result is the preservation of open space, but it is only effective, if the minimum lot size and frontage are large. In other words, the site needs to be three (3) acres minimum lot size or 300' frontage to be effective, as stated earlier.

Next, Bob Faunce reviewed Paragraphs c. & d. on Page No. 6. In Paragraph d. The minimum road frontage requirements for a particular district may be waived or modified by the Planning Board. Bob Faunce stated that this is the most significant financial benefit. He stated that roads are a significant impediment to development, since you still need access to the lots. David Hediger stated that we previously eliminated the private road standards. Roads have been reduced from 32 feet to 28 feet in width.

The remaining other changes to the ordinance contained on Pages 7 and 8 are mostly administrative.

After review of the proposed ordinance, the following was discussed between Bob Faunce, Staff, Planning Board Members, and the developers that were present at this workshop. Gil Arsenault asked, "Shouldn't we be looking at open space across the board for all subdivisions?" Gil Arsenault said that he wants a requirement for open space and said that he is not a big proponent of a lot owner association. Mike Gotto commented that a lot depends on what you are going to do with the open space. Open space should be provided for wildlife or recreation. David Hediger said that you could charge impact fees for open space. Bob Faunce commented that you really need a comprehensive plan for acquisition of open space. There are no goals to acquire open space. David Hediger commented that the idea is that historically the City has not worked to own or control this land (open space). Is there liability? Do we have land stewards doing this, etc.? Mike Gotto asked, "Does this apply to areas other than the rural areas depicted on the map?" Mike Gotto commented that the open space process is a good idea. He said that he agrees with Bob Faunce, however, this is very hard to do in rural areas. Everything needs to come together to make it work, i.e. wetlands, stormwater, etc. A significant portion of rural land is for commercial/economic growth. Mike Gotto said that this is a great ordinance, but be careful where you put it. Mike Gotto also said that he thought it should be put in sewered areas. Bob Faunce asked, "Would developers be attracted to smaller lots, i.e. the Hogan Road area? Mike Gotto responded with, "Yes". Mike Gotto stated that wetlands affect 70 percent of Maine. This eliminates usable space. Mike Gotto also stated that what affects development is the length of road to get to the development. Ron Chartier stated that with all the limiting factors, we do need to craft an ordinance. Mike Gotto said that you will need to give some flexibility to the developers. Bruce Damon made reference to the 60,000 SF lot size. Bob Faunce said that Auburn has tried to save rural areas with large lot requirements. Mike Gotto commented that in Lewiston, in particular, they have always had residential conflicts on commercial projects.

The next step to go forward is for Bob Faunce to meet again with both David Hediger and Gil Arsenault. They will look at potentially sewered and wetland areas. Stephen Morgan suggested also to talk about the comprehensive plan. Gil Arsenault said that we need to be mindful of potential commercial areas.

Ron Chartier mentioned increasing the lot size to three (3) acres and to make some changes to the waiver process. Lucy Bisson said that we need to do the rezoning that is necessary.

David Hediger commented that the current open space standards are not effective, however, we still have the ability to move forward with changes.

Bruce Damon said that we do need the comprehensive plan updated. Gil Arsenault responded that the comprehensive plan, if done now, would not look much different that it now is. Bob Faunce said the transportation component is different. Bob Faunce said that he feels the comprehensive plan would have changes. Gil Arsenault said that the goals would not change.

The zoning matrix needs to be completed, as expressed by Planning Board Members.

In closing this workshop, Bob Faunce, David Hediger, and Gil Arsenault will need to do more work on this ordinance.

The next Planning Board Meeting is scheduled for Wednesday, March 12, 2008 and there are currently three (3) public hearings scheduled.

This workshop adjourned at 7:10 p.m.

Respectfully submitted,

Lucy Bisson, Planning Board Secretary

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