

CITY OF LEWISTON
PLANNING BOARD WORKSHOP/PUBLIC MEETING
MINUTES for October 1, 2007 – Page 1 of 3

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

Roll Call: This meeting was held in the City Council Chambers on the 1st. Floor of City Hall, was called to order at 5:32 p.m., and was chaired by Acting Chairman Stephen Morgan.

Members in Attendance: Jim Horn, Stephen Morgan, Roger Philippon, Jonathan Earle, Ron Chartier, and Denis Fortier. **Absent:** John Racine. **Associate Member Present:** Lucy Bisson.

Staff Present: Lincoln Jeffers, Assistant to the City Administrator; Gil Arsenault, Deputy Director of Planning & Code Enforcement; David Hediger, City Planner; and Doreen Christ, Administrative Secretary of Planning & Code Enforcement.

Lucy Bisson was appointed as a full voting member for this workshop/public meeting.

The following motion was made to elect an Acting Chairman for this workshop/public meeting:

MOTION: by **Lucy Bisson** that the Planning Board elect Stephen Morgan as its Acting Chairman for this meeting. Seconded by **Roger Philippon**.

VOTED: 7-0 (Passed).

WORKSHOP/PUBLIC MEETING (First Floor – City Council Chambers):

CMP Acquisition/Disposition of 51 Middle Street/steam plant substation. **Lincoln Jeffers**, Assistant to the City Administrator presented this item to the Board. He stated that this has been in negotiations for two (2) years. CMP is at a point where they are nearing capacity, therefore, they need to either expand in their existing facility or relocate to an alternative location. He showed the locations of 10 Mill Street (current location) and 51 Middle Street (proposed location and owned by the City) on his map. The substation is currently in a building, which is the front entrance to the proposed Island Point project. LL Bean owns an abutting parcel. CMP has come to terms with LL Bean to acquire a portion of what they own that is currently used for parking. The Board asked what uses were abutting the proposed site. It is light industrial around the substation. It is currently zoned the Centreville zoning district and will require a Conditional Use Permit.

The following motion was made.

MOTION: by **Lucy Bisson** that the Planning Board send a favorable recommendation to the City Council on the disposition of 51 Middle Street and the acquisition of 10 Mill Street (noted as the Lewiston Steam Plant Substation). Second by **Jim Horn**.

VOTED: 7-0 (Passed).

The following motion was made.

MOTION: by **Lucy Bisson** that the Planning Board take agenda items out of sequence and conduct the workshop to discuss an off-road vehicle park at 50 Old Farm Road. Seconded by **Denis Fortier**.

VOTED: 7-0 (Passed).

A discussion of an Off-Road Vehicle Park at 50 Old Farm Road. This item was conducted out of sequence to the agenda listing, since the applicant and those in support were in attendance. **Don Arel**, owner of 50 Old Farm Road, was present and did the following presentation. He made reference to other projects, that made a difference to the community, such as the skateboard park and the graffiti wall. Family and friends have been four-wheeling on his land for several years. He owns 400 acres of rough terrain. Reference was made to the noise ordinance, for which noise cannot exceed 50 decibels. Don Arel stated that he has never had noise complaints. He does not believe the ordinance applies to this area. Don said that one (1) neighbor has concerns with noise, however, they reside 1,400 feet away. He commented that he is working with the DEP. His proposed park is attracting young people from both out-

of-town and out-of-state. This will be a three-season facility (spring/summer/fall). He is hoping to let snowmobilers in the park for the winter season. Don Arel wants to also have a campground. He is before the Board for input.

Gil Arsenault commented that Mr. Arel would need to get an opinion from an acoustical engineer on decibels. Gil Arsenault referenced the environmental performance standards. For non-residential uses, it is 50 decibels at the property line.

Don Arel commented that this is a growing City and that there is noise everywhere.

David Hediger stated that Don Arel needs to go through the development review process for a conditional use permit. Roger Philippon asked, given the noise restrictions, what are the options. Gil Arsenault responded that this would need an amendment to the code or an opinion from an acoustical engineer.

Comments from board members included the following. Steve Morgan said he did not see any major issues. Gil Arsenault again stated that this will require a noise amendment and will need a public hearing. Ron Chartier said he felt this is a great place for this. Roger Philippon stated that you cannot ignore or disregard the ordinance. A site plan will be needed. Steve Morgan was in support of the campground idea. Jim Horn said that there are two (2) issues, which are as follows: 1. Noise and 2. What is the DEP going to say about vehicles and run-off from Don Arel's property to Stetson Brook, etc. Steve Morgan closed this discussion by stating that all members appear to be in support of it, but there is a need to deal with the code first.

The remaining items on the agenda were heard in the order of their listing on the agenda.

Zoning and Land Use Updates Regarding Zoning Districts Around College/Hogan/Stetson Roads and Open Space Requirements. Bob Faunce presented this item. This is to clean up the Suburban Residential (SR) zoning district. He is proposing to rezone the neighborhood on both sides of Montello Street (from Hogan Road to Butler Drive) from the SR to the Neighborhood Conservation "A" (NCA) zoning district, thereby, reducing the number of non-conforming lots. There are three (3) SR districts in town. The SR requires 20,000 SF for sewer and 40,000 SF for unsewered lots. 58 percent of the lots are non-conforming. Bob showed Map 1, Existing Conditions in the SR District. Bob proceeded to show Map 2, Rezone SR District to NCA and LDR. Bob stated that this would reduce the number of non-conforming lots by 94 percent and the LDR would be a much better zoning match to current uses. The second rezoning proposal was to rezone the rest of the SR district to Low Density Residential (LDR), which would reduce the minimum lot size for sewer lots to 10,000 SF for unsewered lots at 20,000 SF. Map 3, Rezone SR District to NCA and LDR and Extend Sewer was shown indicating that some of the lots in this neighborhood could be divided. He showed the development potential. There is a significant amount of growth potential in this area. Bob stated that we need to enforce the issue on access and connectivity for larger developments. The neighboring mobile home park is isolated (Stetson Brook Estates). He feels the mobile home park should be included in the rezoning. In conclusion, Bob said he recommends extending sewer to currently unsewered neighborhoods in the study area.

David Hediger said that this is an area for growth. There exists the ability to have a neighborhood built around the new Pettingill Elementary School. This is creating more development and will eliminate a lot of non-conforming lots.

David Hediger stated that extending the sewer service is a huge expense to the City. He said that there will be discussions on the other SR districts in another workshop. The other SR districts are around Peter Boulevard and the Webster Street areas. The MDR will eventually be eliminated.

David said that he wants to get the zoning matrix adopted. We have been at this for three (3) years. Gil Arsenault said that the main change is the lot size. Jim Horn asked, can the green space standards be built into this at the same time. Bob Faunce responded with, "they certainly can". There is a need to move forward with consolidation of the district's first. David Hediger said that they have tried to streamline the process for developers and new property owners. First, there is a need to buy into the concept with this area and then it needs to come back to the Board with the other two SR districts. Then, come back to initiate a process. This will come back with the other two (2) zones for feedback/input and Bob Faunce will be invited to come back to the Board on the open space requirements.

A discussion to initiate an Amendment for the Cell Tower Ordinance. Enclosed in the Planning Board packets distributed at this Public Meeting/Workshop was a draft ordinance prepared by Andy D'Eramo, from the Auburn-Lewiston 9-1-1. He would like the Planning Board to initiate a location amendment. Lucy Bisson stated that this document will need a spell check.

The following motion was made to initiate an amendment.

MOTION: by **Lucy Bisson** that the Planning Board initiate an amendment to the Zoning and Land Use Code regarding the Cell Tower ordinance. Second by **Roger Philippon**.

VOTED: 7-0 (Passed).

Other Items Discussed. Included in the Planning Board packets distributed at this Public Meeting/Workshop was an updated Planning Board Member Listing (Five-Year Terms). Mentioned again was the need for a Chairman for the remainder of the calendar year. David Hediger explained that you cannot have more than two (2) members from each ward. If any Board Member knows of someone who is interested in joining this Board, please contact Gil Arsenault, David Hediger, or Kathy Montejo. The vacancies include the replacement of both Planning Board Chairman Tom Peters (current) and Vice Chairman John Racine (January 2008).

The next tentatively scheduled Public Meeting/Workshop is for Monday, October 15, 2007.

ADJOURNMENT: This meeting adjourned at 7:21 p.m.

Respectfully submitted,

Steven Morgan, Planning Board Secretary

DMC:dmc\C:\MyDocuments\Planbrd\Minutes\PB100107Min.doc

The City of Lewiston does not discriminate against or exclude individuals from its municipal facilities, and/or in the delivery of its programs, activities and services based on an individual person's ethnic origin, color, religion, gender, sexual orientation, age, physical or mental disability veteran status, or inability to speak English. For more information about this policy, contact or call Compliance Officer Mike Paradis at (V) 207-513-3140, (TTY) 207-513-3007, or email mparadis@ci.lewiston.me.us.

