

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for January 9, 2006 - Page 1 of 6**

**I. ROLL CALL:** This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 7 p.m., and was chaired by Jeffrey Gosselin.

- **Members in Attendance:** Jeffrey Gosselin, Stephen Morgan, Jim Horn, Tom Truchon, and Jonathan Earle.

S **Members Absent:** John Racine

S **Associate Member Present:** Tom Peters.

S **Staff Present:** Gil Arsenault, Director of Planning & Code Enforcement; David Hediger, City Planner; and Eric Cousens, Land Use Inspection Officer.

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

The following motions were made to elect this years Planning Board officers.

**Chairman, Vice Chairman, and Secretary**

**MOTION:** by *Jonathan Earle*, second by *Tom Peters* that the Planning Board elect Jeffrey Gosselin as its' Chairman, John Racine as its' Vice Chairman, and Steve Morgan as its' Secretary.

**VOTED:** 6-0 (Passed).

**III. ADOPTION OF PLANNING BOARD RULES AND PROCEDURES:**

The following motion was made.

**MOTION:** by *Steve Morgan*, second by *Jim Horn* that the Planning Board adopt the Lewiston Planning Board Rules of Procedure, as submitted.

**VOTED:** 6-0 (Passed).

**IV. RECOGNITION OF BOARD MEMBER SERVICE.** Recognition was made to Roger Lachapelle with a presentation of a plaque to him for his five (5) years of service on the Planning Board.

**V. ADJUSTMENTS TO THE AGENDA:**

The following motion was made.

**MOTION:** by *Steve Morgan*, second by *Tom Truchon* that the Planning Board hear Item VI C., then VI. B. and then VI. A.

**VOTED:** 6-0 (Passed).

**VI. CORRESPONDENCE:** Staff Memorandum from David Hediger, City Planner dated January 5, 2006, the Planning Board Project Development Review Form from Janice Patterson, Public Works Department, dated January 6, 2006 in regards to the Bates College New Residential Village, 270 College Street (adjacent to Rand Hall near the intersection of College Street and Mountain Avenue), and a letter from Stavros J. Mendros, Ward 1 City Councilor, dated January 9, 2006.

The following motion was made.

**MOTION:** by *Steve Morgan*, second by *Jonathan Earle* that the Planning Board accept the above items, place them on record, and read them at the appropriate time.

**VOTED:** 6-0 (Passed).

**VII. HEARINGS:**

**C.** *A proposal to construct a 5,000 square foot warehouse with an attached 2,500 square foot office (Able Power Rooter Service) at 36 South Lisbon Road.* David Hediger summarized this portion of his Staff Memorandum dated January 5, 2006. **Ron Laverdiere, Jason Potter** and the applicant were available for questions. The public portion was opened for comments. There were no comments, therefore, this item was closed to the public and brought back to the Planning Board. Tom Peters asked about screening for abutters and Mr. Laverdiere explained that fencing will be provided. Mr. Peters also asked if any lighting will be installed? The applicant explained that lights will be installed over the garage and entry doors and they will be shown on the mylar.

The following motion was made.

**MOTION:** *by Steve Morgan, second by Tom Truchon that the Planning Board determines the application for a 5,000 square foot warehouse with an attached 2,500 square foot office (Able Power Rooter Service) at 36 South Lisbon Road to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to Able Power Rooter Service and Ronald Laverdiere, subject to the following conditions:*

- 1 That no signed mylars be released until drainage has been approved to the City's satisfaction.*
- 2. That any proposed lighting is shown on the Site Plan.*
- 3. That a statement of financial capacity is provided to either the Board or Staff's satisfaction prior to the release of any signed mylars.*
- 4. The Site Plan is amended to reflect the required buffer along the property line of 254 Old Lisbon Road.*
- 5. The Site Plans be amended accordingly to reflect the Highway Business (HB) District standards.*

**VOTED:** 6-0 (Passed).

*Chairman Gossselin recused himself due to a conflict for Items VI. B. and VI. A. and appointed Tom Peters as Chairperson.*

**B.** *To consider a petition to Conditionally Rezone the property at 20 Highland Spring Road (formerly Lewiston Lumber Company) from the Highway Business (HB) District to the Industrial (I) District to allow building and construction contractors, the storage of their trucks and excavation equipment, repair facility, and office space.* David Hediger summarized this portion of his Staff Memorandum dated January 5, 2006. **Gary St. Laurent** was present to answer any questions. Mr. St. Laurent stated that the building is structurally in good condition. Buffers will be provided and hours of operation will normally be from 6:30 a.m. – 5:30 p.m. This item was opened to the public There was no comments, therefore, the public portion was then closed. A Board discussion followed.

The following motion was made.

**MOTION:** *by Tom Truchon, second by Steve Morgan that the Planning Board recommends to the City Council to conditionally rezone 20 Highland Spring Road from the Highway Business (HB) District to the Industrial (I) District to allow building and construction contractors, the storage of their trucks and excavation equipment, repair facility, and office space for St. Laurent & Son, Inc.*

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

A. A proposal from Bates College to construct a 21,376 square foot, three- (3-) story, 150-bed, residential building at 270 College Street (adjacent to Rand Hall near the intersection of College Street and Mountain Avenue). Chairman Peters asked that anyone wishing to speak on this request use the podium at the appropriate time.

The following motion was made.

**MOTION:** by **Tom Peters**, second by **Steve Morgan** that the Planning Board hear the request for a 21,376 SF, three- (3-) story, 150-bed, residential building at 270 College Street (adjacent to Rand Hall near the intersection of College Street and Mountain Avenue as a conditional use pursuant to Article XIII, Section 4 and Article X, Section 3 of the Zoning and Land Use Code.

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

David Hediger summarized this portion of his Staff Memorandum dated January 5, 2006.

Tom Peters noted a typographical error in the numbering of conditions, specifically Number 5, in the Staff comments.

The following motion was made.

**MOTION:** by **Tom Peters**, second by **Tom Truchon** that the Planning Board incorporate the Staff Comments into the record.

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

Chairman Peters recognized Attorney **John Cole** and asked if he was representing Bates College as their attorney. Attorney John Cole indicated he was not present in that capacity and that Mr. Bob Bremm would be the petitioners spokesperson. He then made **Bob Bremm**, aware that there are only five (5) board members and four (4) affirmative votes are required for approval. Mr. Bremm opted to have the request heard in lieu of waiting for a hearing with more board members.

Bob Bremm, Pam Wichrowski, **Christine Schwartz**, **John Cole**, **Jeremiah Bartlett**, traffic engineer for Gorrill-Palmer, **Bob Faunce**, Local Land Use Planner, **Steve Irwin**, Shepley-Bulfinch Architects and **Tom Gorrill**, Gorrill-Palmer were present to represent Bates College.

Mr. Bremm explained the 20 year master plan.

Steve Irwin, Shepley-Bulfinch Architects further explained the site plans and how they designed the building to be compatible with the scale of the neighborhood.

Chairman Peters asked and the Board was advised by Mr. Bremm that there will be some academic/teaching/seminar space in the building.

Bob Faunce further explained the application and how it meets the conditional use criteria and provided a written copy of potential findings on Article XIII, Section 4.

Jeremiah Bartlett, Gorrill-Palmer explained the traffic concerns and how they would be addressed. This item was then opened to the public for those in favor. There were none. This item was then opened to those in opposition. The following had questions or concerns.

**Phillip Isaacson**, 2 Benson Street, explained that he considered the structure three (3) separate buildings and argued that it meets the definition of a subdivision pursuant to State Law and that if it is a subdivision, it should have been before the Board as a subdivision. Mr. Isaacson gave the Board a copy of 1873 Androscoggin County Atlas showing Davis Mountain.

**David Van Dyke**, 22 Mountain Ave., **Carl Straub**, 28 Franklin Street, **John Clifford**, 14 Ware Street, **Betty Swett-Thibault**, 16 Abbott Street, **Mary-Ellen Smith**, Mountain Ave. resident, and **Eric Hirschler**, 36 Ware Street voiced concerns with and opposition to the proposal.

**Phil Nadeau**, Assistant City Administrator, provided a background on neighborhood parking issues and efforts to improve the situation at the request of Phil Isaacson.

Tom Peters asked if City Staff determined this was a subdivision as Mr. Isaacson asserted. Gil Arsenault stated that it was a single building on a single lot and opined that it was not a subdivision. Mr. Arsenault asked if John Cole, Attorney for Bates College, had anything to

add. Mr. Cole explained that he does not believe that it is a subdivision, but even if it was, the application demonstrates that the subdivision requirements are met by the proposal.

Bob Bremm and Jeremiah Bartlett explained options that Bates would consider to address any traffic concerns of the Board.

Tom Peters suggested a row of shrubs to direct students to the crossing by the Bates Chapel and away from the Mountain Ave. and College Street intersection. **Sharon Kinsman**, A Mountain Ave. resident agreed with the suggestion.

**Kathy McDonald**, Ware Street, resident is concerned that the shrubs would reduce public access to Davis Mountain. Chairman Peters clarified that the shrubs would not extend the entire length of Mountain Avenue, but be designed to discourage and prevent students from going through the hedge thus directing them to cross further down College Street by the Chapel.

**Dr. Richard Wagner**, president of the Mountain Ave. Neighborhood Association and **Mrs. Smith**, a Mountain Ave. resident, voiced concerns with the proposal. Dr. Wagner gave the Board a copy of a request for conditions of approval.

Steve Morgan asked how many students are currently living in Rand Hall. The response was approximately 92.

Eric Hirshler, 36 Ware Street explained that the "No Left Turn" sign from Main to Ware Street was to reduce traffic on Ware Street.

Tom Truchon spoke about Mr. Isaacson's assertion that there would be 150 unsupervised students in the dormitory. Christine Schwartz explained the structure of the supervisor and directors on site in a dorm.

Phil Isaacson voiced further concerns with students moving outside the core of the campus.

Bob Bremm explained that renovating the existing buildings is not a viable option.

Tom Gorrill explained that they are replacing an existing stock of rooms so there will be no net new need for parking, however some new spaces are provided.

Steve Morgan noted the need to be able to use your own property.

Jim Horn said that traffic is a concern and that measures should be watched to see that they are effective. Tom Truchon noted that staff recommends that the traffic calming measures be approved by Public Services staff. Mr. Truchon also encouraged additional speed tables as deemed necessary.

The following motion was made.

**MOTION:** *by Tom Peters, second by Tom Truchon that the Planning Board determines the application for a 21,376 SF, three- (3-) story, 150-bed, residential building at 270 College Street (adjacent to Rand Hall near the intersection of College Street and Mountain Avenue to be complete; grants approval of the modification/waiver checklist including the 3% grade modification as requested; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 and Article X, Section 3 of the Zoning and Land Use Code; and grants approval to Bates College, subject to the following conditions:*

1. *No curb cuts are allowed on Mountain Avenue.*
2. *A hedge is to be established along College Street and Mountain Avenue to discourage students from accessing the main campus via the intersection of Mountain Avenue and College Street.*
3. *The hedge shall be substantial and continuous along College Street from the pedestrian crossing adjacent to the Chapel, to the Dunn House on Mountain Avenue. The hedge location shall not reduce sight distance along College Street and Mountain Avenue. It was clarified the hedge would be unbroken so as to prevent passage through the hedge and would be 3-1/2 to 4 feet tall.*

4. *No additional stop signs are allowed at College Street and Mountain Avenue (i.e., this will not be a three-way stop intersection).*
5. *The crosswalk shall be located on College Street between Poles #36 and #66, as noted on the submitted plans (i.e., the crosswalk will cross College Street in a perpendicular fashion at the Chapel).*
6. *The crosswalk is to be raised and shall include flashing lights or some other comparable device to warn and slow motorists.*
7. *New lighting is to be installed at the intersection of Mountain Avenue and College Street and at the improved crosswalk to the main campus at the Chapel.*
8. *No new parking is allowed other than what is shown on the submitted plan, not to exceed the nine (9) spaces noted on the plan.*
9. *No further development is to occur within the NCA zoned portion of the property.*
10. *Students shall be encouraged to park in the appropriate Bates College parking lots.*
11. *Approval is further conditioned to include the conditions identified on Page 3 of the Staff Memorandum dated January 6, 2006 and as follows:*
  - a. *That a note be added to the plan indicating that approval of the development shall expire after a period of 24 months, if substantial development has not begun and that extensions of approval may be requested at least 60 days prior to the time of expiration.*
  - b. *The Conditional Use Permit approval is valid for two (2) years in accordance with Article X, Section 5.*
  - c. *The construction of a speed table/raised crosswalk is subject to approval from Public Services, Public Works, the Lewiston Police Department, and the City Council.*
  - d. *That any issues remaining upon Public Services review of the January 4, 2006 letter from VHB are resolved to the department's satisfaction.*
  - e. *That a signature block be added to the Site Plan so the chair of the meeting may sign on behalf of the Planning Board.*
  - f. *That prior to the release of any approved signed mylars, DEP's approval must be obtained for the City's delegated review of the proposed improvements.*

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

**VIII. OTHER BUSINESS:**

- A. **Update on City Council Actions.** David Hediger provided an update.
- B. **Joint Planning Board /City Council Meeting.** There will be a joint meeting held on January 24, 2006 to discuss a number of topics, including methadone clinics and urban design standards.

**C. Any other business Planning Board Members may have relating to the duties of the City of Lewiston Planning Board.** Filling vacant positions on the Board was discussed.

**IX. READING OF THE MINUTES: Draft Minutes for October 24, 2005 and December 12, 2005.**

The following motion was made.

**MOTION:** by **Steve Morgan**, second by **Tom Peters** that the Planning Board approve the Planning Board Minutes dated October 24, 2005 and December 12, 2005, as submitted.

**VOTED:** 6-0 (Passed).

**X. ADJOURNMENT:**

The following motion was made to adjourn this meeting.

**MOTION:** by **Jim Horn**, second by **Tom Truchon** to adjourn this meeting.

**VOTED:** 6-0 (Passed).

The next regularly scheduled Planning Board Meeting is for Monday, January 23, 2006.

Respectfully submitted,

Stephen Morgan,  
Planning Board Member & Secretary

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