

**CITY OF LEWISTON**  
**PLANNING BOARD MEETING**  
Monday, March 26, 2012 – 5:30 P.M.  
City Council Chambers – First Floor  
Lewiston City Building  
27 Pine Street, Lewiston

## **AGENDA**

**I. ROLL CALL**

**II. ADJUSTMENTS TO THE AGENDA**

**III. CORRESPONDENCE**

**IV. PUBLIC HEARINGS**

- a. An application submitted by Gendron Drive, LLC for the creation of a three lot subdivision at 91 Ferry Road with access provided by a 150' extension of Grande Avenue.
- b. An application submitted by The City of Lewiston Public Works Department to renovate 1,700 square feet at Lewiston Memorial Armory and construct 22 on-site parking spaces at 65 Central Avenue for the relocation of the Lewiston Senior Program.
- c. Recommendation on a proposed amendment to Appendix A, Article XII, Section 16(b) of the Zoning and Land Use Code specifically authorizing the removal of political signs by a code enforcement official.

**V. OTHER BUSINESS:**

- a) Discussion regarding Zoning Matrix
- b) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

**VI. READING OF THE MINUTES:** Motion to adopt the draft minutes from March 12, 2012.

**VII. ADJOURNMENT**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement



**TO:** Planning Board  
**FROM:** David Hediger, City Planner  
**DATE:** March 21, 2012  
**RE:** March 25, 2012 Planning Board Agenda Item IV(a)

**Consider an application submitted by Stoneybrook Consultants, Inc. on behalf of Gendron Drive, LLC for the creation of a three lot subdivision at 91 Ferry Road with access provided by a 150' extension of Grande Avenue.**

Stoneybrook Consultants, Inc. on behalf of Gendron Drive, LLC has submitted an application for the creation of a three lot subdivision at 91 Ferry Road. This 83 acre parcel is split zoned Rural Agricultural (RA) and Industrial (I). The three lot subdivision will consist of 6.11 acres located in the RA. Proposed lot 1 consists of an existing farmhouse at 91 Ferry Road. Proposed lots 2 and 3 will gain their required frontage from an extension of Grande Avenue. The remaining 76.89 acres, most of which is zoned Industrial, is to be conveyed to an abutting parcel owned by Gendron that is not proposed or approved to be developed at this time. All three lots meet the minimum space and bulk requirements of the RA district. The extension of Grande Avenue has been designed to be constructed to city street acceptance standards.

On March 15, 2012 a neighborhood meeting was held to discuss the proposed subdivision. Three neighbors from Grande Avenue attended and voiced the following concerns:

- The exiting lots off Grande Avenue are subject to deed restrictions and covenants as part of the Grande Avenue Estates subdivision approved in January 1989. They would like to see similar restrictions placed on the two lots gaining frontage from the extension of Grande Ave. Both the applicant and staff explained that the land at 91 Ferry Road was never a lot included in that subdivision and therefore, does not need to be subject to those same restrictions. In addition, the City does not enforce deed restrictions and covenants; that is the responsibility of the lot owners in that subdivision. If the applicant wishes to add deed restrictions and covenants similar to those of Grande Avenue Estates, they may; however, this is not required by the Zoning and Land Use Code. The applicant noted at the neighborhood meeting that no additional restrictions are proposed to be added to the new lots

The applicant has submitted revisions and comments dated March 22, 2012 from Stoneybrook Consultants, Inc. to David Hediger addressing comments from Planning and Code Enforcement and Public Works. Staff notes the following:

1. Land was reserved at the end of Grande Avenue as part of the Grande Avenue Estates subdivision plan for purposes of gaining future access to 91 Ferry Road. The applicant has provided evidence in the form of a release deed and legal opinion that the applicant,

1. Gendron Drive, LLC is the owner of the reserved right-of-way and has the right to access and use said right-of-way for extending Grande Avenue.
2. Note 11 on the plan labeled "Subdivision Plan Gendron Drive LLC" must be amended to reference the current expiration of approval language contained in Article XIII, Section 11 of the Zoning and Land Use Code.
3. The applicant is proposing a road extension for acceptance as a city street. Prior to any building permits being issued for lots 2 and 3 which gain their required frontage from the extension of Grande Avenue, the street must either be accepted by the City or a performance guarantee must be submitted to the city's satisfaction for 125% of the costs of all improvements. The applicant has added a note to this effect (note 12) stating the specific amount of the guarantee. However, the actual guarantee amount needs to be reviewed and approved by Public Works. Therefore, staff recommends this note be amended to state "a performance guarantee *in an amount to the City's satisfaction* to cover the costs for all the proposed public improvements will be provided to the City of Lewiston prior to construction or issuance of any building permits."

No other concerns have been raised by city staff. Therefore, approval is recommended with the following conditions to be noted on the plan:

1. Note 11 on the plan labeled "Subdivision Plan Gendron Drive LLC" be amended to reference the current expiration of approval language contained in Article XIII, Section 11 of the Zoning and Land Use Code.
2. Note 12 on the plan labeled "Subdivision Plan Gendron Drive LLC" be amended to state a performance guarantee *in an amount to the City's satisfaction* to cover the costs for all the proposed public improvements will be provided to the City of Lewiston prior to construction or issuance of any building permits.

#### **ACTIONS NECESSARY**

1. Make a motion to consider an application submitted by Stoneybrook Consultants, Inc. on behalf of Gendron Drive, LLC for the creation of a three lot subdivision at 91 Ferry Road.
2. Obtain input on the application;
3. Make a determination that the application is complete;
4. Make a motion finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Sections 4 and 5 of the Zoning and Land Use Code and to grant approval to Gendron Drive, LLC for the creation of a three lot subdivision at 91 Ferry Road with access provided by a 150' extension of Grande Avenue subject to any concerns raised by the Planning Board or staff.



# Stoneybrook Consultants, Inc.

456 Buckfield Road  
Turner, Maine 04282  
(207) 514-7491 voice  
(207) 514-7492 fax

March 22, 2012

David Hediger, City Planner  
Department of Planning & Code Enforcement  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240-7201

Re: 91 Ferry Road

Dear David:

On behalf of Gendron Drive, LLC (Gendron) we are pleased to submit this response to City staff comments regarding the application for property at 91 Ferry Road. The comments are repeated in italics below for ease of review.

*Planning and Code Enforcement comments:*

- 1. The deed for the Guerin lot, book 2838 lot 204 notes the following restriction: Also subject to a right-of-way reserved for future access to the remainder of property now or formerly of Lachance as set forth in the General Not #10 of the subdivision plan of Grande Avenue Estates referenced above.*

*The deed for the Blais lot, book 2569 page 268 notes the following: Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises herein above described.*

*The Blais deed makes no reference to Note #10 on the subdivision plan or the right-of-way to the remaining Lechance property. These would suggest the Blais may own a section of ROW across their property.*

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David Hediger  
RE: 91 Ferry Road  
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*The release deed provided from Gerald Moring to Gendron, book 8299 page 287 states the intent being "to release any and all rights". However, the Blais deed suggests he may have already done that with respect to this parcel.*

*Please clarify that title has been provided for Gendron to use the ROW show on the above referenced plan.*

I have attached a letter from Attorney Shawn Bell indicating that Gendron has title to the Grande Avenue Right of Way extension.

- 2. Lot 2 must be reconfigured as all proposed lots the lot width shall be at least equal to the minimum frontage requirement. Lot width means the horizontal distance between the side lines of a lot measured along a straight line, either parallel to the front lot line if the front line is a straight line or tangent to the mid-point of the curvilinear setback line if the front lot line is curvilinear, both measured at the minimum required front setback line.*

See the attached Lot Width Graphic showing adequate lot width on both Lot 2 and Lot 3.

- 3. Sheet 1 shows details for a culvert, but plans don't show the location.*

The culvert detail has been removed from the plans.

- 4. Evidence of technical and financial capacity is needed.*

Gendron has completed many roadway and building construction projects throughout Maine. They have a very successful General Contracting and Building Construction business with ownership of many developments worth millions of dollars. This successful track record proves that they have the technical capacity in house necessary to complete this minor subdivision and roadway extension. The design, surveys and application fees have been paid. The roadway extension is expected to cost about \$75,000 and I have attached a letter from Mechanics

Savings Bank, indicating that Gendron also has the financial capacity to complete this project.

5. *Subdivision plan should include reference to zoning district and space and bulk regulations.*

Reference to zoning district and space and bulk regulations has been added to the Subdivision Plan.

6. *Evidence of water availability from an area well driller is necessary.*

See attached letter from Goodwin Well & Water.

7. *Application should specifically reference the subdivision criteria of Article XIII, Section 5.*

This project proposes to create a three-lot subdivision on 6.11 acres. All lots exceed the City of Lewiston code requirements for lot size, frontage, lot coverage and setbacks. One lot will be created with frontage on Ferry Road around the existing farm house including the existing well and septic system. Two lots will be created from a proposed 150' extension of Grande Avenue. Both new lots will be served by individual wells and subsurface wastewater disposal systems. All lots are proposed for single-family use.

*(1) Will not result in undue water or air pollution. In making this determination, it shall at least consider: the elevation of land above sea level and its relation to the floodplains; the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable state and local health and water resources regulations.*

This project will not result in undue water or air pollution. Lots are set on a side slope running from Ferry Road at elevation 416 westerly towards a wetland feature at elevation 350. There are no floodplains located near the project. Soils

have been found suitable for placement of two subsurface wastewater disposal systems. Effluents from these disposal fields will not impact streams or the wetland areas and all applicable State and local health and water resource regulations will be met.

*(2) Has sufficient water available for the reasonably foreseeable needs of the subdivision.*

One lot already has a well with sufficient water and evidence has been submitted indicating that the remaining two lots will have sufficient water quantity and quality for the proposed single-family use.

*(3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized.*

This project will not rely upon an existing public or private water supply system. Therefore, this criterion is not applicable.

*(4) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.*

This project will not cause unreasonable soils erosion or reduction in the capacity of the land to hold water as long as the erosion and sediment control plan provided with the engineering design plans is followed during site construction activities.

*(5) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed.*

This project will not cause unreasonable congestion or unsafe conditions on the existing or proposed public road system. This three-lot development will create only two more housing units. Those units will be located on an extension of an existing dead end public road known as Grande Avenue. Grande Avenue has been

developed for many years and the intersection of Grande Avenue with Ferry Road has operated safely since constructed in 1990.

*(6) Will provide for adequate sewage waste disposal.*

Information has been provided that demonstrates that adequate sewage waste disposal can be provided for the two new single homes proposed at this site.

*(7) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage, if municipal services are to be utilized.*

This project will not rely upon the municipal sewage services. Solid waste created by two additional single-family homes should not place an unreasonable burden on the municipal solid waste system which currently serves a population base of more than 35,000.

*(8) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.*

This project will place two new homes within an existing rural setting. These homes will be of similar size and aesthetics of existing homes on Grande Avenue. There are no known scenic vistas, historic sites, irreplaceable natural areas or public rights for physical or visual access to any shoreline in this area.

*(9) Is in conformance with this Code and the city's comprehensive plan.*

This project is in conformance with the City Codes and comprehensive plan.

*(10) The subdivider has adequate financial and technical capacity to meet the above stated standards.*

Information submitted with this application or in response to staff comments shows that the subdivider has adequate financial and technical capacity to complete this project and to meet all City standards and codes.

*(11) Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.*

The project is not located within 250' of any pond, lake, river or tidal waters. Therefore, this criterion is not applicable.

*(12) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.*

This project will not impact or adversely affect the quality or quantity of groundwater.

*(13) The subdivider will determine, based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area the subdivider will determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan shall include a condition of plat approval requiring that principal structures on lots in the subdivision shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.*

This project is not located in a mapped Flood Plain.

*(14) Will not interfere unreasonably with the solar access of existing buildings or adjacent parcels.*

This project will not unreasonably interfere with the solar access of existing buildings or adjacent parcels.

March 22, 2012  
David Hediger  
RE: 91 Ferry Road  
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8. *Cul de sac must have a radius of 50' measured from the center line of the street. Consideration should be given to adding a vegetated center island while maintain adequate radii for Lewiston Fire (see dimensions provided by LFD).*

I believe that, after further discussion, we have agreed that the cul-de-sac design shown on our plans meets City and Fire Department standards.

9. *Note should be added to the plan regarding expiration of approval pursuant to Article XIII, Section 11.*

The following note has been added to the plan:

"Approval of this development plan shall expire after a period of 24 months after the date of approval if substantial development has not begun."

10. *Reference to the performance guarantee language of Article XIII, Section 12 should be noted on the plan with respect to a guarantee of 125 percent for costs of all improvements being provided prior to the issuance of any building permits and acceptance of the road prior to any certificates of occupancy being issued.*

The following note has been added to the plan:

"A performance guarantee in the amount of \$93,750 to cover the costs of all proposed public improvements will be provided to the City of Lewiston prior to construction or issuance of any building permits. All public improvements shall be complete and accepted by the City of Lewiston prior to any certificates of occupancy being issued."

Department of Public Works comments:

1. *Letter states 7,800 square feet of new impervious area will be created, application states 5,300 square feet, which is correct?*

The only new impervious area being created is related to the roadway construction. The net increase of new impervious area, taking into account the pavement to be added and the pavement to be removed without regard to property boundaries, is 7,800 square feet. The questions on the application form do not work well for a subdivision of this kind. Calculations for existing impervious areas, proposed impervious areas, and lot coverage are difficult to answer for this site given that there is an existing house and accessory structures with new property lines and a road extension. This is further complicated with the existing lot size, proposed land to be conveyed to an abutter and actual size of the proposed subdivision. The existing structures will be divided by the new lot layout and some of those structures will remain and some will be removed. The total impervious area and change in impervious area calculations on the application form take these structures and the property boundaries of the subdivision into account. We tried to make the explanation of the proposed improvements and square footages clear in the cover letter that accompanied the application because the numbers on the form seemed to be misleading. That cover letter clearly states that the new roadway will create 7,800 square feet of new impervious area. This includes work within the Grande Avenue right of way and on the land purchased for this subdivision. On the application form, we noted the new impervious area that will be on the land purchased, less the sheds that will be removed with no consideration for the work off the property within the Grande Avenue right of way. I know the Cities of Lewiston and Auburn have tried to make their forms and rules more consistent, but I have not found this new application form to be very helpful on many of the applications I have prepared.

- 2. The minimum lot area indicated in the application is 60,034 square feet, the plans indicated 60,036 square feet, which is correct?*

This was a typographical error in the application. The correct area is the one shown on the plan 60,036 square feet.

- 3. The plans include a detail for culvert inlet and outlet protection but no culverts are proposed for the project.*

March 22, 2012  
David Hediger  
RE: 91 Ferry Road  
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The culvert detail has been removed from the project plans.

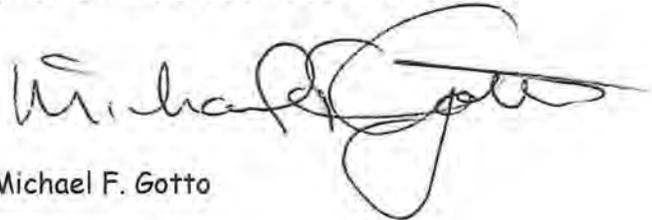
4. *The plans need to include a detail for the proposed rip-rap spillways.*

A rip rap detail has been added to the plans.

We hope you will find that this information addresses your review comments regarding this application. We will be available to attend any meetings that you schedule for review of this project. Please let me know if you have questions.

Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto". The signature is fluid and cursive, with a large loop at the end.

Michael F. Gotto

cc: Dave Gendron  
Todd Gendron  
Mark Turner



THE BELL FIRM, P.A.

FROM THE DESK OF:  
SHAWN K. BELL, ESQ

PARALEGALS:  
Maureen E. Catalano  
Barbara T. Girardin

March 16, 2012

David Hediger, Planning Director  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240

Re: **Subdivision Plan/91 Ferry Road, Lewiston, Maine**

Dear David:

I am in receipt of your comments relating to the proposed Subdivision Plan located at 91 Ferry Road, Lewiston, Maine.

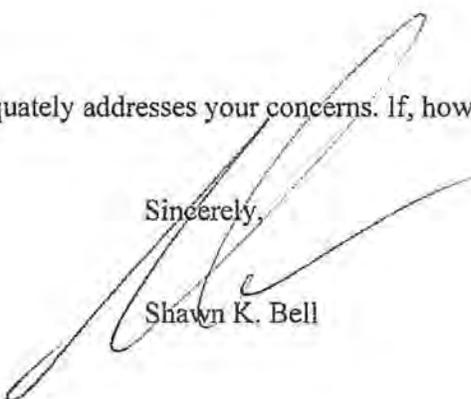
You have inquired regarding the reserved Right of Way more fully described in Note 10 of the Subdivision and Topographic Plan of Grande Avenue Estates dated September 15, 1988 and recorded in the Androscoggin County Registry of Deeds at Plan Book 34, Page 162 (the "Plan"). Please note that the Right of Way is owned by Gendron Drive, LLC pursuant to Release Deed from Gerard Morin to Gendron Drive, LLC dated August 22, 2011 recorded in the Androscoggin County Registry of Deeds at Book 8229, Page 287. *See* copy of Deed enclosed.

You have inquired whether the Deeds to Lot 3 and Lot 4 on the Plan take subject to the Right of Way. Although the Deed to Mr. and Mrs. Guerin (Book 2838, Page 204) makes specific reference to the Right of Way, the fact that the Deed into Mr. and Mrs. Blais does not make specific reference does not mean that they do not take subject to the Right of Way. The Deed into Mr. and Mrs. Blais (Book 2569, Page 298) is a conveyance by reference to Lot 4 on the Plan of Grande Avenue Estates. A conveyance of a lot by reference to a plan takes subject to the matters referenced on the plan. The Plan itself specifically and conspicuously references the Right of Way area and specifically denotes Note 10 further describing the Right of Way. As a result of the foregoing, Lot 3 and Lot 4 take subject to the Right of Way.

Gendron Drive is the owner of the Right of Way and has the right to access and use the Right of Way identified on the Plan.

I trust that this letter adequately addresses your concerns. If, however, you have any questions, please feel free to call me.

Sincerely,



Shawn K. Bell

SKB:mec:  
cc: Michael Gotto  
Enc.

**RELEASE DEED**

**Gerard Morin** with a mailing address at 276 Merrill Rd Lewiston, ME  
releases to **Gendron Drive, LLC**, a Maine Limited Liability Company with a mailing address at  
P.O. Box 1913, Lewiston, Maine 04241-1913, certain lots or parcels of land, together with any  
buildings thereon, situated in **Lewiston**, County of **Androscoggin**, and State of **Maine**, as more  
fully described in Exhibit "A" attached hereto and made a part hereof.

**In Witness Whereof**, the undersigned has hereunto set his hand and seal effective this  
22 day of August, 2011.

**Witness:**

  
**Gerard Morin**

STATE OF MAINE  
ANDROSCOGGIN, SS.

August 23 2011

Then personally appeared the above-named **Gerard Morin** and acknowledged the  
foregoing instrument to be his free act and deed.

Before me,



Notary Public/Attorney-at-Law

Print Name:

My Commission Expires:

**Dorsen J. Burnham**  
Notary Public, Maine  
My Commission Expires  
October 07, 2014

## EXHIBIT A

A certain lot or parcel of land and structures thereon in Lewiston, County of Androscoggin, State of Maine, said land being situated on the westerly side of the Ferry Road and being more particularly described as follows:

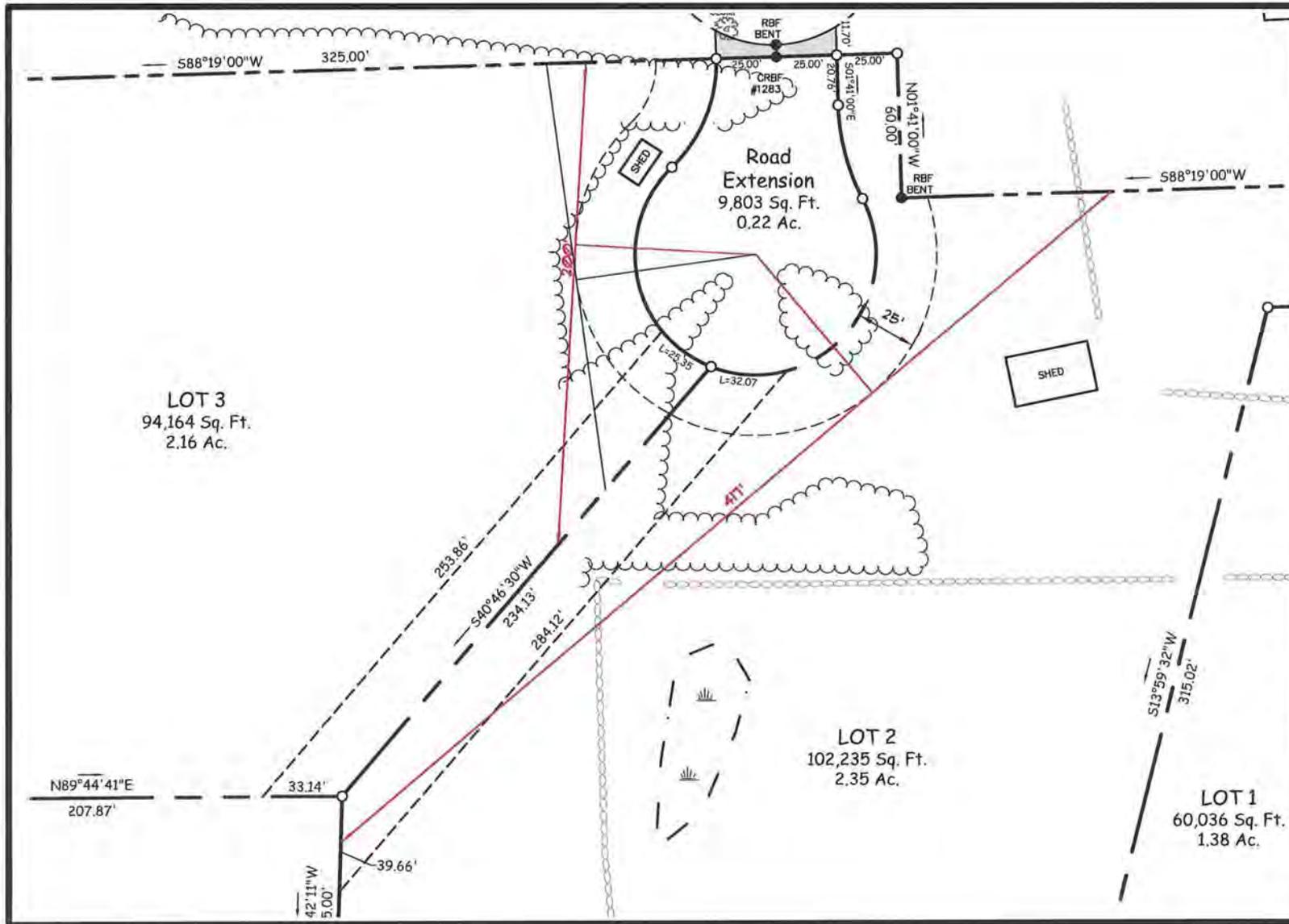
Beginning at a point on the assumed westerly right of way line of the Ferry Road, said point being the southeasterly corner of land conveyed to Gregory M. Stone and Lise M. Stone by Robert L. Lachance and Roland T. Lachance by deed dated December 29, 1986 and recorded in the Androscoggin County Registry of Deeds in Book 2044, Page 260; thence S 1° 41' 00" E along said assumed westerly right of way line a distance of 700.00 feet to a point and land now or formerly retained by said Lachance; thence at right angles S 88° 19' 00" W along land now or formerly retained by Lachance a distance of 300.00 feet to a point; thence at right angles N 1° 41' 00" W along land now or formerly retained by said Lachance a distance of 60.00 feet to a point; thence at right angles S 88° 19' 00" W along land now or formerly retained by said Lachance a distance of 400.00 feet to a point; thence at right angles N 1° 41' 00" W along land now or formerly retained by said Lachance a distance of 640.00 feet to a point in the southerly line of said Stone parcel; thence at right angles N 88° 19' 00" E along said Stone land a distance of 700.00 feet to a point of beginning;

The above-described parcel containing 10.7 acres, more or less.. Bearings are magnetic 1929 as shown on a plan entitled "Definition of Pleasant Street, East Avenue to Garcelon Ferry by the County Commissioners" by George H. Barron dated July 1929 and recorded in Vol. 1, Page 28A of the County Commissioners plans on record in said Registry of Deeds.

Reference may also be had to a plan entitled "Site Plan of Subdivision of Land of Gerald Morin" by Maine Land Services, Inc. of Brunswick, recorded in said Registry.

Being the same premises conveyed to Gerard Morin by Warranty Deed of Robert L. Lachance and Rolande Lachance dated September 14, 1988 recorded in the Androscoggin County Registry of Deeds at Book 2317, Page 95.

The above-described release is intended to release any and all rights that the Grantor may have in and to the above-described property including, but not limited to, fee interest, rights of way, easements, or other real estate interests.



**Stoneybrook Consultants, Inc.**  
 456 Buckfield Road - Turner, Maine 04282  
 (207) 514-7491 Voice / (207) 514-7492 Fax

DATE: MARCH 2002  
 JOB NUMBER: 11-041

DRAWN BY: BRJ  
 CHECKED BY: MFG

SCALE: 1" = 40'  
 CADD: 11-041 LOT GRAPHIC

**LOT WIDTH GRAPHIC**  
**PROPOSED SUBDIVISION**  
 PREPARED FOR  
**GENDRON DRIVE, LLC**

**SHEET**  
 1



Personal Banking | Business and Private Banking | Mortgage Banking

March 20, 2012

David Hediger, City Planner  
Department of Planning & Code Enforcement  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240-7201

Re: David M. Gendron  
Gendron Drive, LLC - 91 Ferry Road

Dear David:

We understand David Gendron and Gendron Drive, LLC are working on an application for a sub division/road extension project at 91 Ferry Road in Lewiston, with a projected job cost of \$75,000. David Gendron has clearly demonstrated the ability to successfully manage this sort of project many times in past years.

This loan officer has worked with David Gendron, and his companies including Gendron Drive, LLC, for over 15 years at this, and another Banking institution. We have worked on dozens of commercial projects over the years.

It is the Bank's opinion that David Gendron, and Gendron Drive, LLC have the financial capacity to complete this project as outlined in the subdivision application.

If you have questions, or need further information, I can be reached at 207-333-4551.

Very truly yours,

MECHANICS SAVINGS BANK

A handwritten signature in blue ink that reads "JoAnne P. Campbell".

JoAnne P. Campbell  
Senior Vice President  
Commercial Lending & Private Banking



**Goodwin Well & Water Inc.**

*From Drilling to Drinking since 1948*

March 20, 2012

Maine Source Homes, Inc.  
314 Center St.  
Auburn, ME 04210

Dear Mark,

I have reviewed our well records as well as information published by the Maine Geological Survey with respect to the availability of water to serve the needs of the additional proposed lots in the Grande Avenue Estates Subdivision in the town of Lewiston, ME. I understand that the proposed lots are intended for single family residential units, located off Ferry Road and Grande Avenue.

Wells in this area would obtain water from fractured bedrock aquifers. Based on my research as well as my general knowledge of the area it is my opinion that ground water should be sufficient in both quantity and quality to serve the needs of the subdivision.

Wells in fractured bedrock aquifers are usually consistent with other bedrock wells in the immediate vicinity. However, sometimes there are significant variations over a relatively short distance. Accordingly, my opinion that ground water should be available in adequate quantity and quality should not be considered a guarantee by Goodwin Well & Water, Inc. that it in fact water will be available in adequate quantity and quality.

If I can provide any further information please don't hesitate to call me.

Sincerely,

*Danny Camire*

Danny Camire

2282 Auburn Road • P.O. Box 661 • North Turner, ME 04266  
(207)224-7861 • Toll Free: (800) 287-7861 • Fax (207) 224-7174  
[www.GoodwinWellandWater.com](http://www.GoodwinWellandWater.com)







# Stoneybrook Consultants, Inc.

456 Buckfield Road  
Turner, Maine 04282  
(207) 514-7491 voice  
(207) 514-7492 fax

March 22, 2012

David Hediger, City Planner  
Department of Planning & Code Enforcement  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240-7201

Re: 91 Ferry Road

Dear David:

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David Hediger  
RE: 91 Ferry Road  
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See the attached Lot Width Graphic showing adequate lot width on both Lot 2 and Lot 3.

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This project proposes to create a three-lot subdivision on 6.11 acres. All lots exceed the City of Lewiston code requirements for lot size, frontage, lot coverage and setbacks. One lot will be created with frontage on Ferry Road around the existing farm house including the existing well and septic system. Two lots will be created from a proposed 150' extension of Grande Avenue. Both new lots will be served by individual wells and subsurface wastewater disposal systems. All lots are proposed for single-family use.

*(1) Will not result in undue water or air pollution. In making this determination, it shall at least consider: the elevation of land above sea level and its relation to the floodplains; the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable state and local health and water resources regulations.*

This project will not result in undue water or air pollution. Lots are set on a side slope running from Ferry Road at elevation 416 westerly towards a wetland feature at elevation 350. There are no floodplains located near the project. Soils

have been found suitable for placement of two subsurface wastewater disposal systems. Effluents from these disposal fields will not impact streams or the wetland areas and all applicable State and local health and water resource regulations will be met.

*(2) Has sufficient water available for the reasonably foreseeable needs of the subdivision.*

One lot already has a well with sufficient water and evidence has been submitted indicating that the remaining two lots will have sufficient water quantity and quality for the proposed single-family use.

*(3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized.*

This project will not rely upon an existing public or private water supply system. Therefore, this criterion is not applicable.

*(4) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.*

This project will not cause unreasonable soils erosion or reduction in the capacity of the land to hold water as long as the erosion and sediment control plan provided with the engineering design plans is followed during site construction activities.

*(5) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads, existing or proposed.*

This project will not cause unreasonable congestion or unsafe conditions on the existing or proposed public road system. This three-lot development will create only two more housing units. Those units will be located on an extension of an existing dead end public road known as Grande Avenue. Grande Avenue has been

developed for many years and the intersection of Grande Avenue with Ferry Road has operated safely since constructed in 1990.

*(6) Will provide for adequate sewage waste disposal.*

Information has been provided that demonstrates that adequate sewage waste disposal can be provided for the two new single homes proposed at this site.

*(7) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage, if municipal services are to be utilized.*

This project will not rely upon the municipal sewage services. Solid waste created by two additional single-family homes should not place an unreasonable burden on the municipal solid waste system which currently serves a population base of more than 35,000.

*(8) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.*

This project will place two new homes within an existing rural setting. These homes will be of similar size and aesthetics of existing homes on Grande Avenue. There are no known scenic vistas, historic sites, irreplaceable natural areas or public rights for physical or visual access to any shoreline in this area.

*(9) Is in conformance with this Code and the city's comprehensive plan.*

This project is in conformance with the City Codes and comprehensive plan.

*(10) The subdivider has adequate financial and technical capacity to meet the above stated standards.*

Information submitted with this application or in response to staff comments shows that the subdivider has adequate financial and technical capacity to complete this project and to meet all City standards and codes.

*(11) Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.*

The project is not located within 250' of any pond, lake, river or tidal waters. Therefore, this criterion is not applicable.

*(12) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.*

This project will not impact or adversely affect the quality or quantity of groundwater.

*(13) The subdivider will determine, based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area the subdivider will determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan shall include a condition of plat approval requiring that principal structures on lots in the subdivision shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation.*

This project is not located in a mapped Flood Plain.

*(14) Will not interfere unreasonably with the solar access of existing buildings or adjacent parcels.*

This project will not unreasonably interfere with the solar access of existing buildings or adjacent parcels.

8. *Cul de sac must have a radius of 50' measured from the center line of the street. Consideration should be given to adding a vegetated center island while maintain adequate radii for Lewiston Fire (see dimensions provided by LFD).*

I believe that, after further discussion, we have agreed that the cul-de-sac design shown on our plans meets City and Fire Department standards.

9. *Note should be added to the plan regarding expiration of approval pursuant to Article XIII, Section 11.*

The following note has been added to the plan:

"Approval of this development plan shall expire after a period of 24 months after the date of approval if substantial development has not begun."

10. *Reference to the performance guarantee language of Article XIII, Section 12 should be noted on the plan with respect to a guarantee of 125 percent for costs of all improvements being provided prior to the issuance of any building permits and acceptance of the road prior to any certificates of occupancy being issued.*

The following note has been added to the plan:

"A performance guarantee in the amount of \$93,750 to cover the costs of all proposed public improvements will be provided to the City of Lewiston prior to construction or issuance of any building permits. All public improvements shall be complete and accepted by the City of Lewiston prior to any certificates of occupancy being issued."

Department of Public Works comments:

1. *Letter states 7,800 square feet of new impervious area will be created, application states 5,300 square feet, which is correct?*

The only new impervious area being created is related to the roadway construction. The net increase of new impervious area, taking into account the pavement to be added and the pavement to be removed without regard to property boundaries, is 7,800 square feet. The questions on the application form do not work well for a subdivision of this kind. Calculations for existing impervious areas, proposed impervious areas, and lot coverage are difficult to answer for this site given that there is an existing house and accessory structures with new property lines and a road extension. This is further complicated with the existing lot size, proposed land to be conveyed to an abutter and actual size of the proposed subdivision. The existing structures will be divided by the new lot layout and some of those structures will remain and some will be removed. The total impervious area and change in impervious area calculations on the application form take these structures and the property boundaries of the subdivision into account. We tried to make the explanation of the proposed improvements and square footages clear in the cover letter that accompanied the application because the numbers on the form seemed to be misleading. That cover letter clearly states that the new roadway will create 7,800 square feet of new impervious area. This includes work within the Grande Avenue right of way and on the land purchased for this subdivision. On the application form, we noted the new impervious area that will be on the land purchased, less the sheds that will be removed with no consideration for the work off the property within the Grande Avenue right of way. I know the Cities of Lewiston and Auburn have tried to make their forms and rules more consistent, but I have not found this new application form to be very helpful on many of the applications I have prepared.

- 2. The minimum lot area indicated in the application is 60,034 square feet, the plans indicated 60,036 square feet, which is correct?*

This was a typographical error in the application. The correct area is the one shown on the plan 60,036 square feet.

- 3. The plans include a detail for culvert inlet and outlet protection but no culverts are proposed for the project.*

March 22, 2012  
David Hediger  
RE: 91 Ferry Road  
Page 9

The culvert detail has been removed from the project plans.

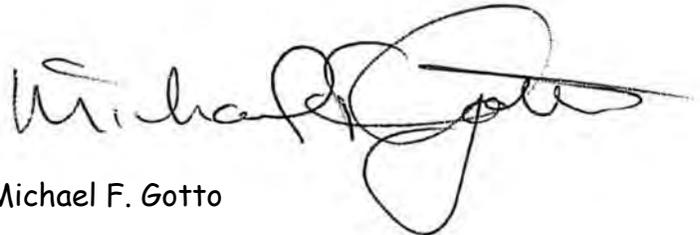
4. *The plans need to include a detail for the proposed rip-rap spillways.*

A rip rap detail has been added to the plans.

We hope you will find that this information addresses your review comments regarding this application. We will be available to attend any meetings that you schedule for review of this project. Please let me know if you have questions.

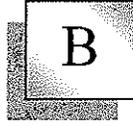
Respectfully Yours

STONEBROOK CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Michael F. Gotto", with a long horizontal stroke extending to the right.

Michael F. Gotto

cc: Dave Gendron  
Todd Gendron  
Mark Turner



THE BELL FIRM, P.A.

FROM THE DESK OF:  
SHAWN K. BELL, ESQ

PARALEGALS:  
Maurcen E. Catalano  
Barbara T. Girardin

March 16, 2012

David Hediger, Planning Director  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240

**Re: Subdivision Plan/91 Ferry Road, Lewiston, Maine**

Dear David:

I am in receipt of your comments relating to the proposed Subdivision Plan located at 91 Ferry Road, Lewiston, Maine.

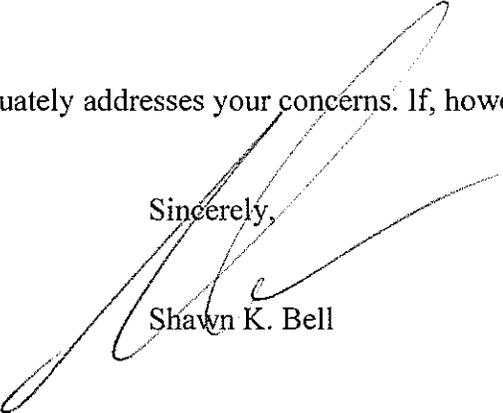
You have inquired regarding the reserved Right of Way more fully described in Note 10 of the Subdivision and Topographic Plan of Grande Avenue Estates dated September 15, 1988 and recorded in the Androscoggin County Registry of Deeds at Plan Book 34, Page 162 (the "Plan"). Please note that the Right of Way is owned by Gendron Drive, LLC pursuant to Release Deed from Gerard Morin to Gendron Drive, LLC dated August 22, 2011 recorded in the Androscoggin County Registry of Deeds at Book 8229, Page 287. *See* copy of Deed enclosed.

You have inquired whether the Deeds to Lot 3 and Lot 4 on the Plan take subject to the Right of Way. Although the Deed to Mr. and Mrs. Guerin (Book 2838, Page 204) makes specific reference to the Right of Way, the fact that the Deed into Mr. and Mrs. Blais does not make specific reference does not mean that they do not take subject to the Right of Way. The Deed into Mr. and Mrs. Blais (Book 2569, Page 298) is a conveyance by reference to Lot 4 on the Plan of Grande Avenue Estates. A conveyance of a lot by reference to a plan takes subject to the matters referenced on the plan. The Plan itself specifically and conspicuously references the Right of Way area and specifically denotes Note 10 further describing the Right of Way. As a result of the foregoing, Lot 3 and Lot 4 take subject to the Right of Way.

Gendron Drive is the owner of the Right of Way and has the right to access and use the Right of Way identified on the Plan.

I trust that this letter adequately addresses your concerns. If, however, you have any questions, please feel free to call me.

Sincerely,



Shawn K. Bell

SKB:mec:  
cc: Michael Gotto  
Enc.

**RELEASE DEED**

**Gerard Morin** with a mailing address at 276 Merrill Rd Lewiston, ME  
releases to **Gendron Drive, LLC**, a Maine Limited Liability Company with a mailing address at  
P.O. Box 1913, Lewiston, Maine 04241-1913, certain lots or parcels of land, together with any  
buildings thereon, situated in **Lewiston**, County of **Androscoggin**, and State of **Maine**, as more  
fully described in Exhibit "A" attached hereto and made a part hereof.

**In Witness Whereof**, the undersigned has hereunto set his hand and seal effective this  
22 day of August, 2011.

**Witness:** \_\_\_\_\_

\_\_\_\_\_  
*[Handwritten signature]*

\_\_\_\_\_  
*[Handwritten signature: Gerard Morin]*  
**Gerard Morin**

STATE OF MAINE  
ANDROSCOGGIN, SS.

August 23, 2011

Then personally appeared the above-named **Gerard Morin** and acknowledged the  
foregoing instrument to be his free act and deed.

Before me,  
*[Handwritten signature: Doreen J. Burnham]*  
\_\_\_\_\_  
Notary Public/Attorney-at-Law

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Doreen J. Burnham**  
Notary Public, Maine  
My Commission Expires  
October 07, 2014

## **EXHIBIT A**

A certain lot or parcel of land and structures thereon in Lewiston, County of Androscoggin, State of Maine, said land being situated on the westerly side of the Ferry Road and being more particularly described as follows:

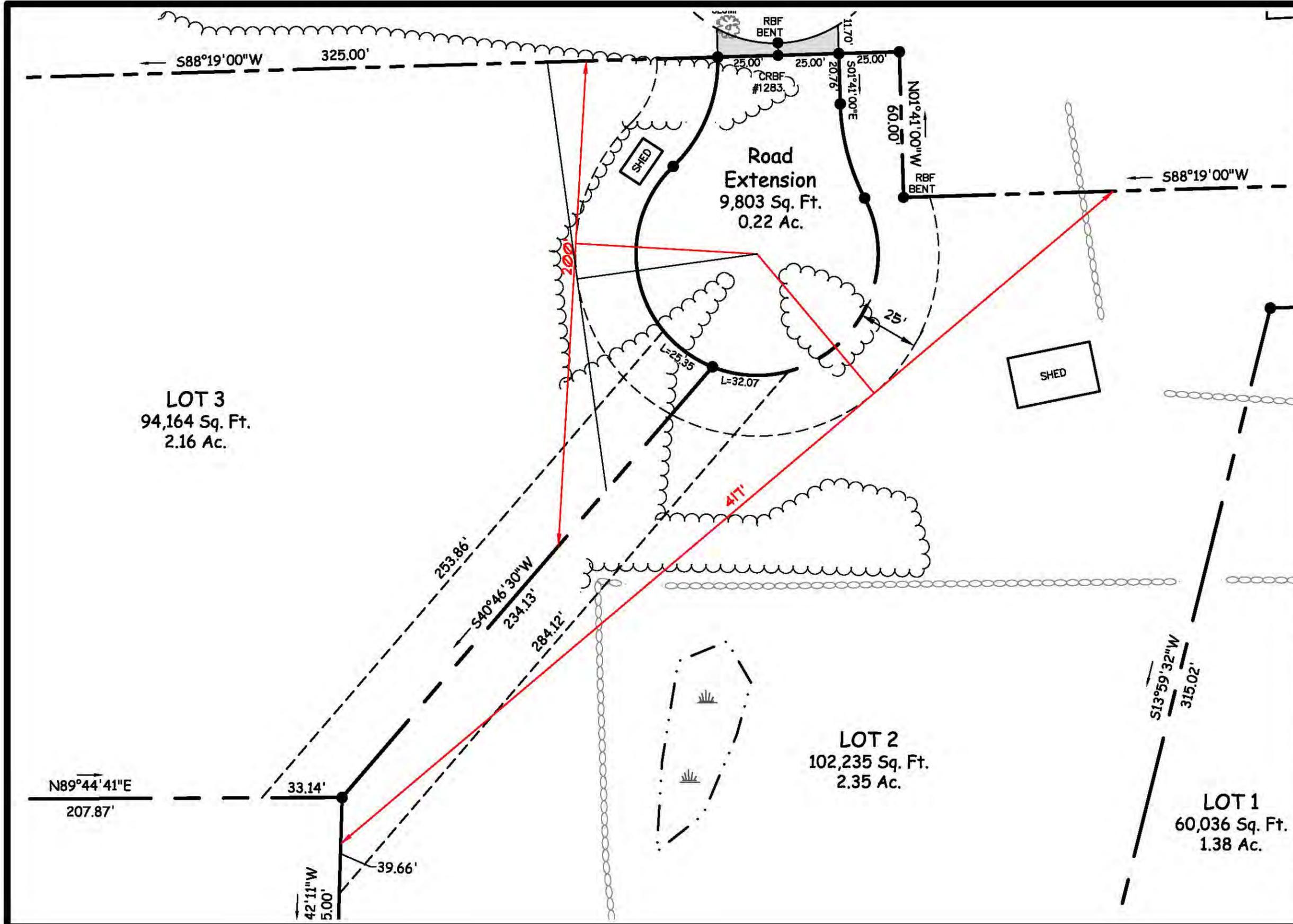
Beginning at a point on the assumed westerly right of way line of the Ferry Road, said point being the southeasterly corner of land conveyed to Gregory M. Stone and Lise M. Stone by Robert L. Lachance and Roland T. Lachance by deed dated December 29, 1986 and recorded in the Androscoggin County Registry of Deeds in Book 2044, Page 260; thence S 1° 41' 00" E along said assumed westerly right of way line a distance of 700.00 feet to a point and land now or formerly retained by said Lachance; thence at right angles S 88° 19' 00" W along land now or formerly retained by Lachance a distance of 300.00 feet to a point; thence at right angles N 1° 41' 00" W along land now or formerly retained by said Lachance a distance of 60.00 feet to a point; thence at right angles S 88° 19' 00" W along land now or formerly retained by said Lachance a distance of 400.00 feet to a point; thence at right angles N 1° 41' 00" W along land now or formerly retained by said Lachance a distance of 640.00 feet to a point in the southerly line of said Stone parcel; thence at right angles N 88° 19' 00" E along said Stone land a distance of 700.00 feet to a point of beginning;

The above-described parcel containing 10.7 acres, more or less. Bearings are magnetic 1929 as shown on a plan entitled "Definition of Pleasant Street, East Avenue to Garcelon Ferry by the County Commissioners" by George H. Barron dated July 1929 and recorded in Vol. 1, Page 28A of the County Commissioners plans on record in said Registry of Deeds.

Reference may also be had to a plan entitled "Site Plan of Subdivision of Land of Gerald Morin" by Maine Land Services, Inc. of Brunswick, recorded in said Registry.

Being the same premises conveyed to Gerard Morin by Warranty Deed of Robert L. Lachance and Rolande Lachance dated September 14, 1988 recorded in the Androscoggin County Registry of Deeds at Book 2317, Page 95.

The above-described release is intended to release any and all rights that the Grantor may have in and to the above-described property including, but not limited to, fee interest, rights of way, easements, or other real estate interests.



**Stoneybrook Consultants, Inc.**  
 456 Buckfield Road - Turner, Maine 04282  
 (207) 514-7491 Voice / (207) 514-7492 Fax

DATE: MARCH 2012  
 JOB NUMBER: 11-041

DRAIN BY: BRJ  
 CHECKED BY: MFG

SCALE: 1" = 40'  
 CADD: 11-041 LOT GRAPHIC

**LOT WIDTH GRAPHIC**  
**PROPOSED SUBDIVISION**  
 PREPARED FOR  
**GENDRON DRIVE, LLC**

SHEET  
 1



Personal Banking | Business and Private Banking | Mortgage Banking

March 20, 2012

David Hediger, City Planner  
Department of Planning & Code Enforcement  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240-7201

Re: David M. Gendron  
Gendron Drive, LLC - 91 Ferry Road

Dear David:

We understand David Gendron and Gendron Drive, LLC are working on an application for a sub division/road extension project at 91 Ferry Road in Lewiston, with a projected job cost of \$75,000. David Gendron has clearly demonstrated the ability to successfully manage this sort of project many times in past years.

This loan officer has worked with David Gendron, and his companies including Gendron Drive, LLC,. for over 15 years at this, and another Banking institution. We have worked on dozens of commercial projects over the years.

It is the Bank's opinion that David Gendron, and Gendron Drive, LLC have the financial capacity to complete this project as outlined in the subdivision application.

If you have questions, or need further information, I can be reached at 207-333-4551.

Very truly yours,

MECHANICS SAVINGS BANK

A handwritten signature in blue ink that reads "JoAnne P. Campbell".

JoAnne P. Campbell  
Senior Vice President  
Commercial Lending & Private Banking



**Goodwin Well & Water Inc.**  
From Drilling to Drinking since 1948

March 20, 2012

Maine Source Homes, Inc.  
314 Center St.  
Auburn, ME 04210

Dear Mark,

I have reviewed our well records as well as information published by the Maine Geological Survey with respect to the availability of water to serve the needs of the additional proposed lots in the Grande Avenue Estates Subdivision in the town of Lewiston, ME. I understand that the proposed lots are intended for single family residential units, located off Ferry Road and Grande Avenue.

Wells in this area would obtain water from fractured bedrock aquifers. Based on my research as well as my general knowledge of the area it is my opinion that ground water should be sufficient in both quantity and quality to serve the needs of the subdivision.

Wells in fractured bedrock aquifers are usually consistent with other bedrock wells in the immediate vicinity. However, sometimes there are significant variations over a relatively short distance. Accordingly, my opinion that ground water should be available in adequate quantity and quality should not be considered a guarantee by Goodwin Well & Water, Inc. that in fact water will be available in adequate quantity and quality.

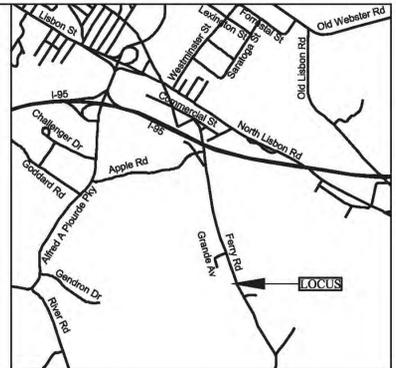
If I can provide any further information please don't hesitate to call me.

Sincerely,

*Danny Camire*

Danny Camire

2282 Auburn Road • P.O. Box 661 • North Turner, ME 04266  
(207)224-7861 • Toll Free: (800) 287-7861 • Fax (207) 224-7174  
[www.GoodwinWellandWater.com](http://www.GoodwinWellandWater.com)



LOCATION PLAN



LEGEND

- SUBJECT BOUNDARY LINE
- ABUTTER OR RIGHT OF WAY LINE
- STONE WALL
- TREELINE
- CONTOURS (2' LEWISTON GIS)
- NOW OR FORMERLY
- DEED BOOK PAGE REFERENCE
- TAX MAP AND LOT NUMBER
- DECIDUOUS / CONIFEROUS TREE
- GRANITE MONUMENT FOUND
- IRON PIPE/ROD/REBAR FOUND
- DRILL HOLE FOUND
- CRBS
- 5/8" REBAR W/ CAP TO BE SET
- UTILITY POLE
- OVERHEAD ELECTRIC
- WETLAND

ANDROSCOGGIN, SS. REGISTRY OF DEEDS  
 RECEIVED \_\_\_\_\_ AT \_\_\_\_\_ HR. \_\_\_\_\_ MIN.  
 RECORDED IN PLAN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 ATTEST \_\_\_\_\_ REGISTRAR

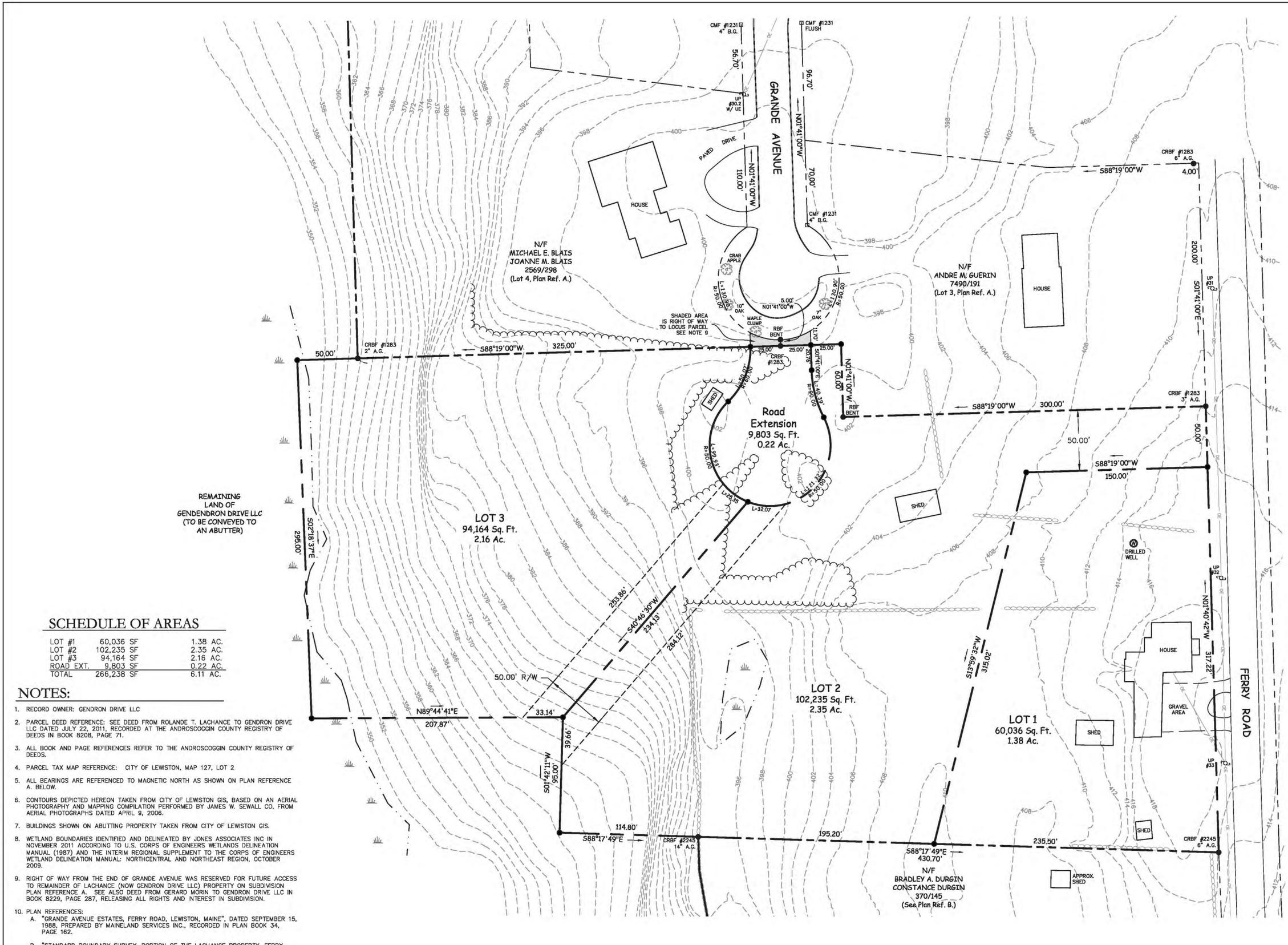
NO.	DATE	DESCRIPTION	BY
01	2/13/2012	ADDED SCHEDULE OF AREAS	MH
02	3/21/2012	ADDED NOTES AND SIGNATURE BLOCKS	DH

**SUBDIVISION PLAN**  
**GENDRON DRIVE LLC**  
 FERRY ROAD  
 LEWISTON, MAINE

PREPARED FOR: GENDRON DRIVE LLC  
 P.O. BOX 1913  
 LEWISTON, ME 04241

PREPARED BY: **JONES ASSOCIATES INC.**  
 Forestry, Surveying and Environmental Consultants  
 PLAN DATE: 01/13/12  
 FIELD WORK DATE: 11/15/11

SCALE: 1"=40'  
 PROJ. #: 11-054LE

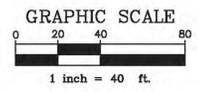


SCHEDULE OF AREAS

LOT #1	60,036 SF	1.38 AC.
LOT #2	102,235 SF	2.35 AC.
LOT #3	94,164 SF	2.16 AC.
ROAD EXT.	9,803 SF	0.22 AC.
TOTAL	266,238 SF	6.11 AC.

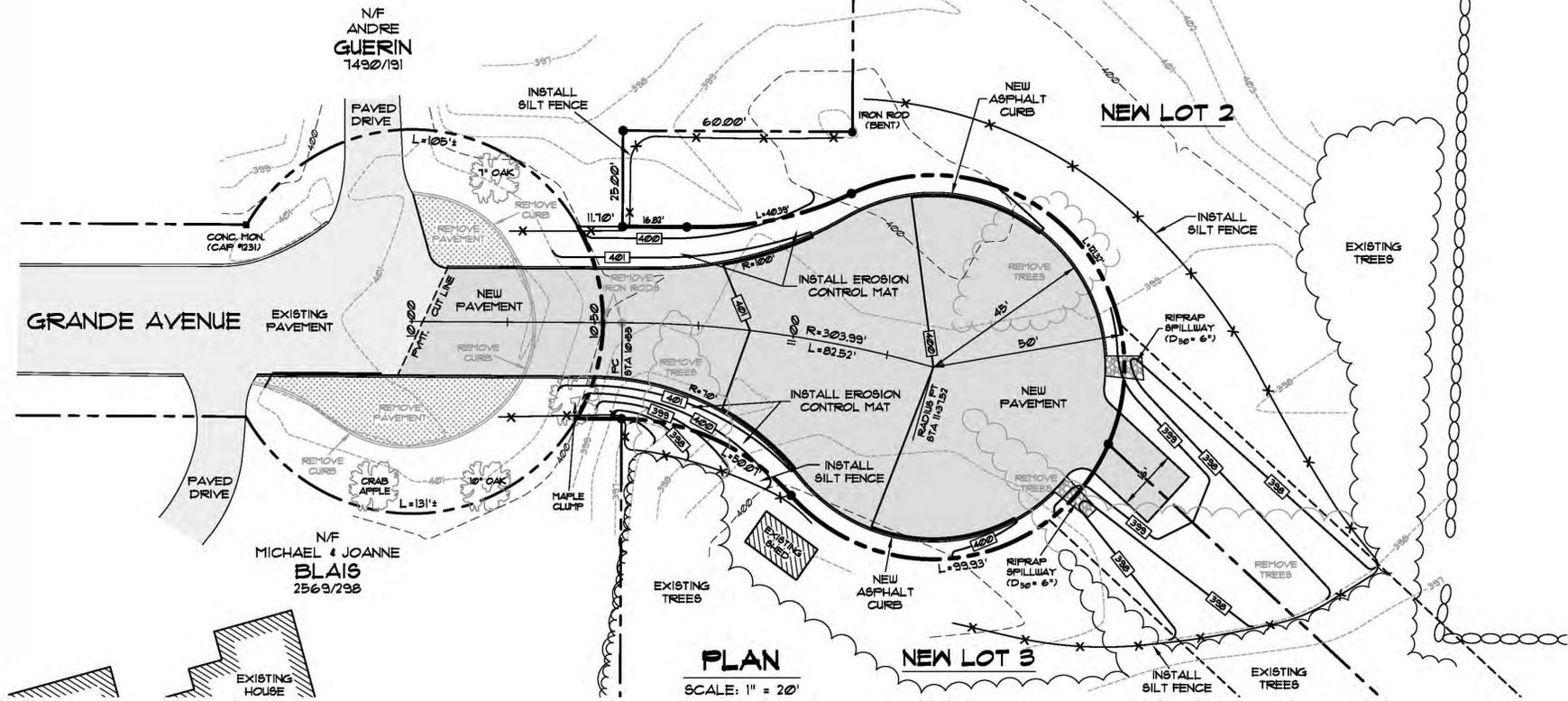
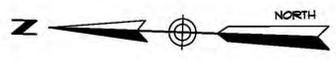
NOTES:

- RECORD OWNER: GENDRON DRIVE LLC
- PARCEL DEED REFERENCE: SEE DEED FROM ROLANDE T. LACHANCE TO GENDRON DRIVE LLC DATED JULY 22, 2011, RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 8208, PAGE 71.
- ALL BOOK AND PAGE REFERENCES REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS.
- PARCEL TAX MAP REFERENCE: CITY OF LEWISTON, MAP 127, LOT 2
- ALL BEARINGS ARE REFERENCED TO MAGNETIC NORTH AS SHOWN ON PLAN REFERENCE A. BELOW.
- CONTOURS DEPICTED HEREON TAKEN FROM CITY OF LEWISTON GIS, BASED ON AN AERIAL PHOTOGRAPHY AND MAPPING COMPILATION PERFORMED BY JAMES W. SEWALL CO, FROM AERIAL PHOTOGRAPHS DATED APRIL 9, 2006.
- BUILDINGS SHOWN ON ABUTTING PROPERTY TAKEN FROM CITY OF LEWISTON GIS.
- WETLAND BOUNDARIES IDENTIFIED AND DELINEATED BY JONES ASSOCIATES INC IN NOVEMBER 2011 ACCORDING TO U.S. CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (1987) AND THE INTERIM REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, OCTOBER 2009.
- RIGHT OF WAY FROM THE END OF GRANDE AVENUE WAS RESERVED FOR FUTURE ACCESS TO REMAINDER OF LACHANCE (NOW GENDRON DRIVE LLC) PROPERTY ON SUBDIVISION PLAN REFERENCE A. SEE ALSO DEED FROM GERARD MORIN TO GENDRON DRIVE LLC IN BOOK 8229, PAGE 287, RELEASING ALL RIGHTS AND INTEREST IN SUBDIVISION.
- PLAN REFERENCES:
  - "GRANDE AVENUE ESTATES, FERRY ROAD, LEWISTON, MAINE", DATED SEPTEMBER 15, 1988, PREPARED BY MAINLAND SERVICES INC., RECORDED IN PLAN BOOK 34, PAGE 162.
  - "STANDARD BOUNDARY SURVEY, PORTION OF THE LACHANCE PROPERTY, FERRY ROAD, LEWISTON, MAINE", DATED NOVEMBER 13, 1986, PREPARED BY SURVEY WORKS, INC.
- APPROVAL OF THIS DEVELOPMENT PLAN SHALL EXPIRE AFTER A PERIOD OF 24 MONTHS AFTER THE DATE OF APPROVAL IF SUBSTANTIAL DEVELOPMENT HAS NOT BEGUN.
- A PERFORMANCE GUARANTEE IN THE AMOUNT OF \$3,750 TO COVER THE COSTS OF ALL PROPOSED PUBLIC IMPROVEMENTS WILL BE PROVIDED TO THE CITY OF LEWISTON PRIOR TO CONSTRUCTION OR ISSUANCE OF ANY BUILDING PERMITS. ALL PUBLIC IMPROVEMENTS SHALL BE COMPLETE AND ACCEPTED BY THE CITY OF LEWISTON PRIOR TO ANY CERTIFICATES OF OCCUPANCY BEING ISSUED.
- THE SITE IS LOCATED IN THE RURAL AGRICULTURAL DISTRICT. SEE ARTICLE XI, SECTION 1 OF THE LEWISTON ZONING ORDINANCE FOR SPECIFIC DISTRICT REGULATIONS.



APPROVAL

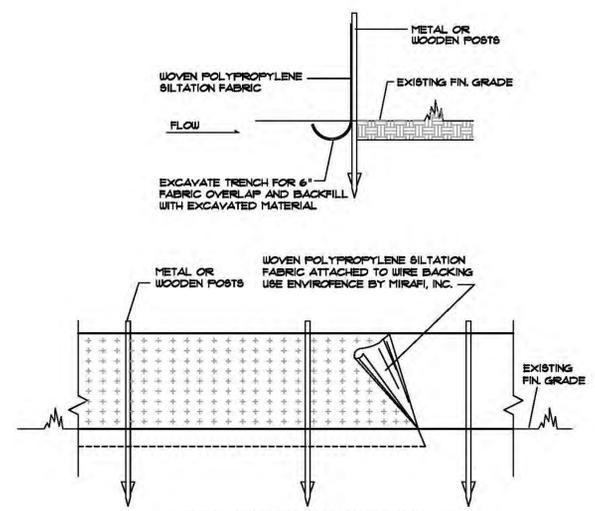
APPROVED BY THE CITY OF LEWISTON PLANNING BOARD  
 \_\_\_\_\_  
 CHAIRMAN DATE



**PLAN**  
SCALE: 1" = 20'

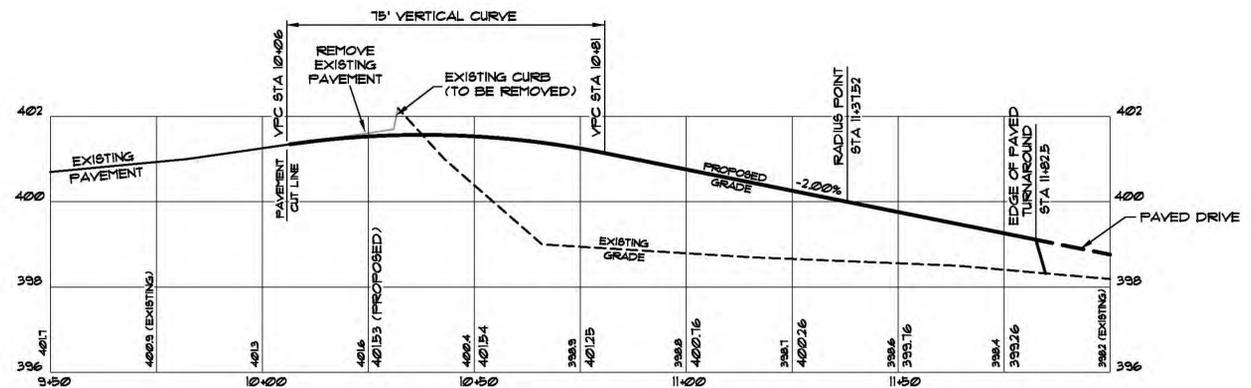
**LEGEND**

---	BOUNDARY LINE (SUBJECT PARCEL)
---	BOUNDARY LINE (OTHER)
●	IRON ROD OR PIPE FOUND
N/F	NOW OR FORMERLY
2356/89	BOOK AND PAGE NUMBER
- - -	EXISTING CONTOUR
[242]	NEW CONTOUR
x-[242.5]	NEW SPOT GRADE
~~~~~	EXISTING TREE LINE
~~~~~	EXISTING TREE LINE TO BE REMOVED
○-○-○-○	STONE WALL
▨	EXISTING BUILDING
▩	EXISTING PAVEMENT
▧	NEW PAVEMENT
▨	EXISTING PAVEMENT TO BE REMOVED

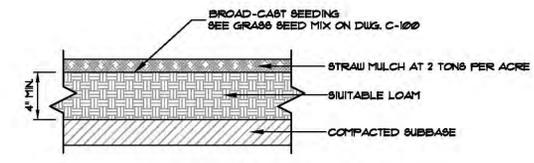


**SILT FENCE DETAIL**  
NOT TO SCALE

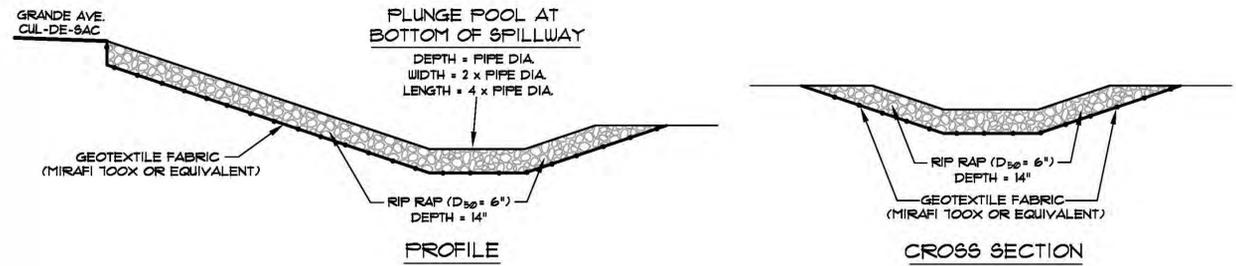
**NOTE**  
REFERENCE IS MADE TO THE BEST MANAGEMENT PRACTICE FOR EROSION AND SEDIMENT CONTROL: B-1 SEDIMENT BARRIERS



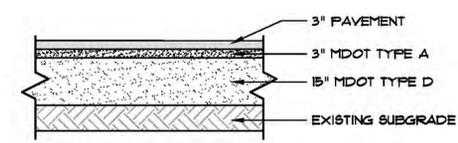
**PROFILE**  
SCALE: HORIZ. - 1" = 20'  
VERT. - 1" = 2'



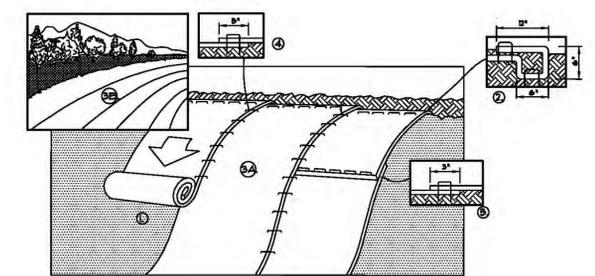
**LOAM & SEED DETAIL**  
NOT TO SCALE  
ALL AREAS NOT TO BE PAVED OR RIPRAPPED SHALL BE LOAMED AND SEEDED PER THIS DETAIL



**RIPRAP SPILLWAY DETAIL**  
NOT TO SCALE



**PAVEMENT CROSS SECTION**  
NOT TO SCALE



**HAY BLANKET DETAIL**  
NOT TO SCALE

- PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED.
  - BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE BLANKET IN A 4" DEEP X 6" WIDE TRENCH WITH APPROXIMATELY 12" OF BLANKET EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" PORTION OF BLANKET BACK OVER SEED AND COMPACTED SOIL. SECURE BLANKET OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES BRACED APPROXIMATELY 12" APART ACROSS THE WIDTH OF THE BLANKET.
  - ROLL THE BLANKETS (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. BLANKETS WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL BLANKETS MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE.
  - THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH APPROXIMATELY 2'-8" OVERLAP DEPENDING ON BLANKET TYPE. TO ENSURE PROPER BEAR ALIGNMENT, PLACE THE EDGE OF THE OVERLAPPING BLANKET (BLANKET BEING INSTALLED ON TOP) EVEN WITH THE COLORED BEAT STITCH ON THE PREVIOUSLY INSTALLED BLANKET.
  - CONSECUTIVE BLANKETS SPliced DOWN THE SLOPE MUST BE PLACED END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" OVERLAP. STAPLE THROUGH OVERLAP AREA, APPROXIMATELY 12" APART ACROSS ENTIRE BLANKET WIDTH.
- NOTE:** IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE BLANKETS.

REVISED: MARCH 21, 2012 - ADD RIPRAP SPILLWAY DETAIL  
REVISED: JANUARY 2012 - NEW DEVELOPMENT CONCEPT

SHEET TITLE:

**ROADWAY  
PLAN & PROFILE**

DRAWN BY: KRF  
CHECKED BY: WMP

**GRANDE AVENUE**  
LEWISTON, MAINE

CLIENT: GENDRON DRIVE, LLC  
LEWISTON, MAINE

**Stoneybrook Consultants, Inc.**  
476 Buckfield Road - Turner, Maine 04282  
(207) 514-7491 Voice / (207) 514-7492 Fax

Tel: (207) 516-3313  
Fax: (207) 195-6128  
www.summitgeoeng.com



JOB NO. - 12025  
SHEET NUMBER - 1

## Catherine Lekberg

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**From:** David Hediger  
**Sent:** Wednesday, March 14, 2012 8:10 AM  
**To:** Catherine Lekberg  
**Cc:** Joline Boulay  
**Subject:** FW:

Please be sure to include this email in the PB packets for Grande Ave.

Thanks

David Hediger  
City Planner/Deputy Director Planning and Code Enforcement  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240-7201  
Phone 207.513.3125 ext. 3223  
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**From:** PATRICIA CROWELL [<mailto:phc269@msn.com>]  
**Sent:** Tuesday, March 13, 2012 9:26 PM  
**To:** David Hediger  
**Subject:**

dear David

My husband and I would like the Gendrons to follow the rules in our development if they open up our road.

Mr & Mrs. Edward Crowell  
3 Grande Ave.  
Lewiston Me. 04240



Department of Public Services  
David A. Jones, P.E., Director

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**DATE:** March 12, 2012

**TO:** David Hediger, Planning Director  
**FROM:** Ryan Barnes, P.E., Project Engineer

**SUBJECT:** 91 Ferry Road

- Letter states 7,800 square feet of new impervious area will be created application states 5,300 square feet, which is correct?
- The minimum lot area indicated in the application is 60,034 square feet, the plans indicated 60,036 square feet, which is correct?
- The plans include a detail for culvert inlet and outlet protection but no culverts are proposed for the project.
- The plans need to include a detail for the proposed rip-rap spillways.

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, sex, 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) 207-513-3003, (TTY) 207-513-3007, or email [mparadis@ci.lewiston.me.us](mailto:mparadis@ci.lewiston.me.us).



## CITY OF LEWISTON

### Department of Planning & Code Enforcement



**TO:** Stoneybrook Consultants, LLC  
**FROM:** David Hediger, City Planner  
**DATE:** March 14, 2012  
**RE:** Subdivision Plan, 91 Ferry Road

Planning and Code Enforcement has the following comments at this time upon reviewing the application:

1. The deed for the Guerin lot, book 2838 lot 204 notes the following restriction:  
Also subject to a right-of-way reserved for future access to the remainder of property now or formerly of Lachance as set forth in the General Not #10 of the subdivision plan of Grande Avenue Estates referenced above.

The deed for the Blais lot, book 2569 page 268 notes the following:

Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises herein above described.

The Blais deed makes no reference to Note #10 on the subdivision plan or the right-of-way to the remaining Lechance property. These would suggest the Blais may own a section of ROW across their property.

The release deed provided from Gerald Moring to Gendron, book 8299 page 287 states the intent being "to release any and all rights". However, the Blais deed suggests he may have already done that with respect to this parcel.

Please clarify that title has been provided for Gendron to use the ROW show on the above referenced plan.

2. Lot 2 must be reconfigured as all proposed lots the lot width shall be at least equal to the minimum frontage requirement. *Lot width* means the horizontal distance between the side lines of a lot measured along a straight line, either parallel to the front lot line if the front line is a straight line or tangent to the mid-point of the curvilinear setback line if the front lot line is curvilinear, both measured at the minimum required front setback line.
3. Sheet 1 shows details for a culvert, but plans don't show the location.
4. Evidence of technical and financial capacity is needed.

5. Subdivision plan should include reference to zoning district and space and bulk regulations.
6. Evidence of water availability from an area well driller is necessary.
7. Application should specifically reference the subdivision criteria of Article XIII, Section 5.
8. Cul de sac must have a radius of 50' measured from the center line of the street. Consideration should be given to adding a vegetated center island while maintain adequate radii for Lewiston Fire (see dimensions provided by LFD).
9. Not should be added to the plan regarding expiration of approval pursuant to Article XIII, Section 11.
10. Reference to the performance guarantee language of Article XIII, Section 12 should be noted on the plan with respect to a guarantee of 125 percent for costs of all improvements being provided prior the issuance of any building permits and acceptance of the road prior to any certificates of occupancy being issued.

Additional comments may be provided upon further review.

Thank you.



## CITY OF LEWISTON

### Department of Planning & Code Enforcement



**TO:** Planning Board  
**FROM:** David Hediger, City Planner  
**DATE:** March 21, 2012  
**RE:** March 25, 2012 Planning Board Agenda Item IV(b)

**Consider an application submitted by the City of Lewiston Public Works Department to renovate 1,700 square feet at Lewiston Memorial Armory and construct 22 on-site parking spaces at 65 Central Avenue for the relocation of the Lewiston Senior Program.**

As the Board may recall, on January 31, 2012 both the Planning Board and City Council voted in favor of a capital expenditure costing \$400,000.00 for purposes of undertaking improvements at the Armory to support the relocation of the Lewiston Senior Citizen Program. Plans are now being provided for the Board's review and approval of said improvements.

The Armory is located at 65 Central Avenue on approximately 1.8 acres in the Institutional Office (IO) district in which public community meeting and civic function buildings including auditoriums are a permitted use. The seniors program will be accommodated within the existing Armory structure limited to approximately 1,700 square feet of interior renovations and a new elevator. In effort to accommodate the additional parking demand associated with the seniors program while recognizing existing parking is limited at and around the Armory property, the city is proposing 22 new parking spaces be added in front of the structure. Approximately 7,000 square feet of new impervious area will be added to the site. Drainage is proposed to be treated by a stormwater rain garden along the front property line of Central Avenue.

In addition to on-site parking, the City is proposing 36 new angled parking spaces on Vale Street and Central Avenue. In order for the new angled spaces on Vale Street and the Armory site to function, Lewiston Public Works will be limiting Vale Street to one-way traffic from Sabattus Street to Central Avenue. A neighborhood meeting was held to discuss this proposed change at which one abutter attended supporting the proposed changes to Vale Street. In addition, Public Works has met on site with the Lewiston School Department and have agreed upon directional and striping improvements on the Middle School property that are necessary for gaining access to the proposed Armory spaces while improving vehicular access and parking on the school property.

Lewiston Public Works has submitted revised plans addressing most of Planning and Code Enforcements comments date March 19, 2012. Staff notes the following:

- The proposed site improvements will result in three of the five existing mature trees being removed from the front of the Armory. Efforts will be made to save two of the existing trees along Central Ave. Existing trees along Vale Street are to remain untouched.
- The stormwater management narrative and site plans submitted with proposed rain garden must be stamped by a professional engineer.
- Staff welcomes the use of a rain garden. However, staff questions if this is an appropriate location adjacent to a parking lot and heavily traveled sidewalk. Some type of guard rail, fencing may want to be considered along parking adjacent to rain garden.
- Prior to any certificates of occupancy being issued for the conversion of the space within the armory for use by the senior program, certification from a professional engineer will be required that the stormwater improvements have been completed in accordance with the approved plan.

Police and Fire have expressed no concerns with the proposed improvements. Planning and Code Enforcement recommend approval, subject to the following conditions:

1. The stormwater management narrative and submitted site plans with proposed rain garden must be stamped by a professional engineer prior to any construction activity commencing.
2. Prior to any certificates of occupancy being issued for the conversion of the space within the armory for use by the senior program, certification from a professional engineer will be required that the stormwater improvements have been completed in accordance with the approved plan.

#### **ACTIONS NECESSARY**

1. Make a motion to consider an application submitted by the City of Lewiston Public Works Department to renovate 1,700 square feet at Lewiston Memorial Armory and construct 22 on-site parking spaces at 65 Central Avenue for the relocation of the Lewiston Senior Program.
2. Obtain input on the application;
3. Make a determination that the application is complete;
4. Make a motion finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Sections 4 of the Zoning and Land Use Code and to grant approval to the City of Lewiston to renovate 1,700 square feet at Lewiston Memorial Armory and construct 22 on-site parking spaces at 65 Central Avenue for the relocation of the Lewiston Senior Program subject to any concerns raised by the Planning Board or staff.

**From:** David Hediger  
**To:** [David Jones](#)  
**Cc:** [Gildace Arsenault](#)  
**Subject:** Development Review Comments: Armory  
**Date:** Monday, March 19, 2012 4:41:00 PM

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Dave:

Planning and Code Enforcement offer the following with respect to the application for the relocation of the senior program to the armory:

1. Plans provided are at a scale of 1/16"=1". Drawings need to be engineered scale sufficient to allow review.
2. Plans lack dimensions. At a minimum, parking space, yard, aisle widths, etc. must be labeled.
3. Plan set contains sheets for two different options including different angled parking on Vale Street and on site. Plan reflecting the agreed upon angled parking should be provided.
4. Stormwater management narrative and site plans with proposed rain garden must be stamped by a professional engineer.
5. Staff welcomes the use of a rain garden. However, staff questions is this an appropriate location adjacent to a parking lot and heavily traveled sidewalk. Consideration should be given to saving large street trees along Campus Avenue.
6. Prior to any certificates of occupancy being issued for the conversion of the space within the armory for use by the senior program, certification from a professional engineer will be required that the stormwater improvements have been completed in accordance with the approved plan.
7. No grading is shown on the plans. At a minimum, spot grading should be provided for the existing and proposed conditions.
8. Traffic flow onto the Middle School property will be impacted by new angled parking on the armory site. Plan should provide view of broad area as to how traffic will enter/exit armory from Middle School property.
9. Direction signage (i.e. enter only, one way, etc.) should be shown and labeled on plan.
10. It's not clear where curbing ends/begins within drive area. Please clarify.
11. Some type of guard rail, fencing may want to be considered along parking adjacent to rain garden.

As we discussed this afternoon, please provide met nine revised sets of the sheets we discussed addressing the items above. I need these by noon, this Thursday.

Please contact me with any questions.

Thanks

David Hediger  
City Planner/Deputy Director Planning and Code Enforcement  
City of Lewiston  
27 Pine Street

Lewiston, ME 04240-7201  
Phone 207.513.3125 ext. 3223  
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## CITY OF LEWISTON

### Department of Planning & Code Enforcement



**TO:** Planning Board  
**FROM:** David Hediger, City Planner  
**DATE:** March 20, 2012  
**RE:** March 25, 2012 Planning Board Agenda Item IV(C)

**Provide a recommendation on a proposed amendment to Appendix A, Article XII, Section 16(b) of the Zoning and Land Use Code specifically authorizing the removal of political signs by a code enforcement official.**

On February 14, 2012 the City Council conducted a workshop to discuss political signs. Specifically, the discussion focused on whether or not political signs should continue to be permitted in the public right-of-way of any street or highway; be subject to size restrictions, and should the ordinance be amended to authorize staff to remove illegal political signs. In view of that discussion, on March 6, 2012 the Council held a public hearing and voted 7-0 for first passage of a proposed amendment to Article XII, Section 16(b)(1) of the Zoning and Land Use Code authorizing staff to remove illegal political signs and that the matter be referred to the Planning Board for their review and recommendation pursuant to Article XVII, Section 5 of the aforementioned code.

The Zoning and Land Use Code does not contain a provision that authorizes the code enforcement official to remove illegal political signs. However, M.R.S.A. Title 23, §1917 Section 5, provides for immediate removal of illegal signs located within the public right-of-way, by the Commissioner of the Maine Department of Transportation (MDOT) and it is the position of the MDOT that municipalities may remove illegal political signs located within the public right-of-way. Illegal signs are deemed to be signs that create public safety issues and/or are located within the interstate system. Consistent with MDOT's position on the removal of illegal political signs, the code enforcement official currently removes such signs along with other signs erected contrary to the Zoning and Land Use Code. This amendment will specifically provide for such authorization with respect to political signs.

#### **ACTIONS NECESSARY**

1. Make a motion to consider a proposed amendment to Article XII, Section 16(b)(1) of the Zoning and Land Use Code;
2. Obtain input on the proposed amendment;
3. Make a motion pursuant to Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration a proposal to amend Article XII, Performance Standards, Section 16(b)(1) of the Zoning and Land Use Code of the City of Lewiston providing authorization for staff to remove illegal political signs.

**AN ORDINANCE PERTAINING TO ZONING AND LAND USE PERFORMANCE  
STANDARDS RELATIVE TO POLITICAL SIGNS**

**THE CITY OF LEWISTON HEREBY ORDAINS:**

**APPENDIX A**

**ZONING AND LAND USE CODE**

**ARTICLE XII.**

**PERFORMANCE STANDARDS**

**Sec. 16. Signs.**

(b) *Signs permitted in all districts.*

(1) The following types of signs may be erected in all zoning districts without obtaining a permit from the code enforcement official:

c. *Temporary signs.* Temporary signs listed below shall not be placed in a position that will impair vision, obstruct traffic, or in any manner create a hazard or nuisance to the general public.

5. *Political signs.* Signs of a temporary nature bearing political messages relating to an election, primary or referendum may be placed within or outside the public right-of-way of any street or highway in accordance with the timelines established in M.R.S.A. Title 23, §1913-A, Section 1(H). Political signs located within or outside the public right-of-way of any street or highway are prohibited on or in front of City owned property including schools, parks, cemeteries, and municipally owned buildings. Notwithstanding Article V, Sec. 7, the code enforcement official may remove any political signs erected contrary to this section.

**REASON FOR PROPOSED AMENDMENT**

The Zoning and Land Use Code does not contain a provision that authorizes the code enforcement official to remove illegal political signs; however, M.R.S.A. Title 23, §1917 Section 5, provides for immediate removal of illegal signs located with the public right-of-way, by the Commissioner of the Maine Department of Transportation (MDOT) and it is the position of the MDOT that municipalities may remove illegal political signs located within the public right-of-way. Illegal signs are deemed to be signs that create public safety issues and/or are located within the interstate system. Consistent with MDOT's position on the removal of illegal political signs, the code enforcement official removes such signs along with signs erected contrary to the Zoning and Land Use Code. This amendment will specifically provide for such authorization.

## **CONFORMANCE WITH COMPREHENSIVE PLAN**

Review permitting and licensing policies and practices to see where they can be streamlined in order to better service the development community. . . (See Economy, Policy 1, Strategy C, p 39).