

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for March 12, 2012

I. **ROLL CALL:** The meeting was held in the City Council Chambers on the first floor of City Hall and was called to order at 5:30 p.m. Vice Chairperson, Bruce Damon, chaired the meeting.

II. **Members in Attendance:** Bruce Damon, Kevin Morissette, Eric Potvin, Walter Hill and Paul Robinson

Members Absent: Lucy Bisson and Trinh Burpee

Associate Member Present: Michael Marcotte and Sandra Marquis

Staff Present: David Hediger, City Planner, Gil Arsenault, Director of Planning & Code and Cathy Lekberg, Administrative Assistant, Economic & Community Development

Michael Marcotte and Sandra Marquis were appointed full voting members for this meeting.

III. **ADJUSTMENT TO THE AGENDA:** None

IV. **CORRESPONDENCE:** None

V. **PUBLIC HEARINGS:**

- a. Consider an application submitted by Harriman Associates on behalf of the Lewiston School Department for the McMahon Elementary School located at 151 North Temple Street. The project includes a 10-classroom wing on the southwest side of the school and an expansion in the rear from gym and additional classroom space.

Eric Potvin recused himself from this vote as he is an employee of Harriman Associates.

David read staff comments.

Bruce asked about the storm water drainage at the site and Frank Crabtree of Harriman Associates showed him a map and explained where the drainage would flow. Bruce asked why did they relocate flashing school zone lighting from Sabattus Street to Old Greene Road and Joe Perryman said the reason was because Old Greene Road has more pedestrians than Sabattus Street. Sabattus Street is mostly cars.

Bruce opened the discussion to the public. None

There was no further discussion and Bruce entertained a motion.

The following motion was made:

MOTION: by **Paul Robinson** finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article X, Section 3 and Article XIII, Section 4 of the Zoning and Land Use Code and to grant approval to Lewiston School Department for the construction of a 25,430 square foot addition to McMahon Elementary School at 151 North Temple Street consisting of a 10-classroom wing and an expansion in the rear for a gym and additional classroom space, and a new one-way drive around the rear of the school to accommodate bus traffic, subject to the following conditions:

1. To be noted on the plan, that prior to a certificate of occupancy being issued, written verification by a professional engineer must be provided to the city that all storm water improvements have been completed in accordance with the approved plan.
2. To be noted on the plan, that no certificates of occupancy be issued for this development until a performance guarantee is provided to the city's satisfaction in accordance with Article XIII, Section 15(e)(3) of the Zoning and Land Use Code.
3. To be noted on the plan that, no certificate of occupancy be issued for this development until written verification has been provided by the applicants traffic engineer that all traffic related improvements have been completed in accordance with the developments TMP.
4. Pursuant to Article X, the requested conditional use permit is valid for a period of 24-months from the date of approval to be consistent with the 24-month expiration of development review approved projects. Second by **Walter Hill.**

VOTED: 5-0-1 (Passed)
Michael Marcotte Abstained

Eric Potvin took his seat back as voting Board member.

VI. OTHER BUSINESS:

- a) Request from Veterinary Support Services for a use determination that an animal cremation facility is substantially similar to and compatible with permitted or conditional uses in the Urban Enterprise district, pursuant to Article V, Section 3(g) and Article XI, Section 16 of the Zoning and Land Use code of the City of Lewiston.

David read staff comments to the Board. He explained that this use determination came before the Board in November, 2011 for Foss Road in the Highway Business district. Now the request is for the Urban Enterprise district which allows more uses than the Highway Business district and City

staff believes this is an allowable use in this area.

Michael asked if they have an emissions license and Paul Cutter said they have to maintain that license and have never had any complaints. Michael asked if there was visible smoke from the crematory and Paul stated a very small amount. Michael said he was concerned about the proximity to the Turnpike and Gil told him there are no issues regarding the proximity.

Bruce commented that this location seems less of a problem than the facility being located in the Highway Business district. Bruce asked if the facility would be coming back to the Planning Board at some point, and David said it would be for Development Review. Bruce asked if this location had City water and sewer and Paul Cutter answered yes, but we use very little water at the facility. Bruce mentioned it is good to have it in case of a fire.

Kevin asked how tall the smoke stack would be and Paul Cutter stated it would go a couple of feet above the roof of the building which would be about 25 feet.

Gil asked what temperature does the cremation run at and Paul Cutter stated 1,600 degrees. Michael asked if there is a buffer between the facility and the neighbors and Paul stated yes.

The following motion was made:

MOTION: by **Sandy Marquis** to find that the proposed animal cremation facility at 62 Goddard Road is substantially similar to and compatible with veterinary hospitals, humane societies and related facilities; mortuary or funeral parlors; hospitals; and light industrials uses as permitted in the Urban Enterprise (UE) district, pursuant to Article V, Section 3(g) for the Zoning and Land Use Code, and that said use shall be regulated as a conditional use upon submittal of an application for development review. Second by **Paul Robinson**.

VOTED: 7-0 (Passed)

b) Downtown Neighborhood Winter Parking Proposal

Brian Banton from the Downtown Neighborhood Action Committee (DNAC) explained that the Committee has been working to amend the winter parking ordinance and he has come before the Planning Board to get input and suggestions from the members regarding this subject so they can move forward to the City Council for approval. He said that they would like to leave all current regulations as is but would like to make the overnight parking piece go away. Kevin Morissette who also serves on the Committee stated their biggest challenge was what to do with the cars that are towed. Portland tickets cars but does not tow them away. He suggested having a manned lot for tow trucks to bring the vehicles.

Eric noted that this has been talked about at previous Planning Board meetings and he was in favor of parking on the streets. Paul agreed with Eric and that issue was discussed, but they now have the towing issue to address. Gil stated that Administration is more acceptable to making changes because of the Downtown Neighborhood Action Committee. Phil Nadeau is now doing research regarding this. Sandy suggested reaching out to other municipalities that have made changes and find out how it is working. Brian said that Portland is the municipality that the Committee was looking at for an example.

Walter stated that he was not present at the meetings that discussed this issue and asked for a little background. His suggestion was to do like the airport and have a fenced-in lot for vehicles to be towed to and a large gate that secured the vehicles. People could enter to pick up their vehicles but would have to pay by credit card before they could exit the lot.

Kevin stated that snow removal was another issue discussed. With a mild winter like this year, it would not be a concern but when there are many storms, the snow can build up. Public Works needs to do some planning for a storm. They should plow the snow and then remove it at the same time. Bruce stated that would not be possible as workers are extremely tired after plowing all night long and they do not have enough workers to do both.

Brian Banton asked if the Board members could give a favorable recommendation to City Council on the plan the DNAC has come up with. All members agreed that the DNAC needed to do a little more research and bring a solid proposal back to the Board before they could give a recommendation. Brian said he would do this and thanked them for their time.

c) Sign Amendment: Political Signs

Gil stated that they had a City Council workshop to discuss political signs. It was decided that they would like to add language to the sign section of the code to make it clearer that staff can remove political signs. The City Council did not like the provision whereby there would be no signs being placed in public islands. There was some conversation at the Council level that it should be required to get a homeowners permission to put signs in front of their house. Staff added it to the agenda tonight so members could review the changes and suggest any other changes they may have.

Bruce stated as this is presented right now, there would be no political signs allowed on the islands. Gil stated no, as it is everything stays the same and essentially, the only change here is that it is clear that staff can pull signs in front of City-owned properties. Bruce stated that Appendix A, Section 16 Signs, under Political Signs, "placed outside the right of way" should not be there and Gil stated that was incorrect and the wrong option was put in. David stated that he will replace that with the correct language.

Bruce stated from my prospective if we are going to modify this sign ordinance and still allow them in the islands, he would like to see some separation of signs. There are too many signs put in these islands. The signs need to be spread out in other areas. David stated it is too complicated to enforce the proximity rule and Gil agreed. Lucy stated there are too many rules to enforce. Eric commented if they want to put that many signs in one spot let them have at it.

Walter stated that he would consider the proximity rule because there are way too many signs in the islands. Lionel Potvin Park had 50 signs on it and it was the same person. Gil stated if it is the consensus of the Board, we could put a proximity rule in.

David stated that if the Planning Board and City Council want a proximity rule added, it could be done, but this will be a hard thing to enforce and also pulling all the signs can be very time consuming. He stated that if Public Works has time, they also help in pulling the signs.

Gil stated that if there is any other changes, the Board can make them at the public hearing. Bruce stated to make sure we change that strikeout in Appendix A.

d) Creation of Planning Board Working Committees

David asked the Board if they would like to form working committees to help move Planning Board issues along. If there are certain items that members are concerned about they could form a smaller committee to work on that particular item. David stated it could be just a couple of members working on a certain item and they could report back to the Board or three or four members could also work as a committee. The Board agreed that this would be a good idea.

e) Zoning Matrix

No information was submitted for this meeting.

VII. READING OF MINUTES: Adoption of the January 31, 2012 and February 13, 2012 Planning Board Minutes.

The following motion was made:

MOTION: by **Michael Marcotte** to accept the January 31, 2012 Planning Board Minutes as presented. Second by **Sandra Marquis**.

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

The following motion was made:

MOTION: by **Michael Marcotte** to accept the February 13, 2012 Planning Board Minutes with changes. Second by **Sandra Marquis**.

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

The following motion was made:

MOTION: by **Paul Robinson** to appoint Bruce Damon to serve on the Site Selection/Redistricting Committee. Second by **Eric Potvin**.

VOTED: 7-0 (Passed)

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

MOTION: by **Kevin Morissette** that this meeting adjourns at 7:15 p.m. Second by **Eric Potvin**.

VOTED: 7-0 (Passed).

The next regularly scheduled meeting is for Monday, March 26, 2012 at 5:30 p.m.

Respectfully Submitted:

Paul Robinson *CLL*
Paul Robinson, Secretary