

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
NOVEMBER 20, 2012**

6:00 p.m. Workshop

- A. Discussion regarding Community Development Block Grant Funding Priorities
- B. Presentation of Proposed Zoning Matrix

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Update from the Lewiston Youth Advisory Council.

Public Comment period - Any member of the public may make comments regarding issues pertaining to Lewiston City Government (maximum time limit is 15 minutes for all comments)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 5.

CONSENT AGENDA: All items with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- * 1. Resolve Accepting a Donation from Aaron's of Lewiston for the purpose of sponsoring the Basketball Program at the Lewiston Recreation Department.
- * 2. Authorization to accept transfer of forfeiture funds.
- * 3. Resolve making an Appropriation for municipal budget year 2013 to purchase an additional Criminal Investigation Vehicle from State Drug Forfeiture Funds.
- * 4. Order Authorizing the City Administrator to apply for and accept a Project Canopy Grant for the development of a McMahon Elementary School Nature Trail.

REGULAR BUSINESS:

- 5. Public Hearing on a new liquor license application and special amusement permit for Rondevu, Inc., 16-18 Park Street.
- 6. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Ramada Conference Center, 490 Pleasant Street.
- 7. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for LBK Events, LLC, 1 Bates Street.
- 8. Public Hearing on the renewal of a Special Amusement Permit for Live Entertainment for Sea Asian Bistro, 40 East Avenue.
- 9. Hearing on an Appeal for a denial of a Tattoo Artist License.
- 10. Public Hearing and First Passage regarding the repeal of the Informed Growth Act ordinance.
- 11. Resolve providing direction on the future of Pettingill School and property.

12. Receive and review a report from the Planning Board regarding the establishment of a Business Transition Zone.
13. Receive and review a report from the Planning Board regarding the establishment of a Parks and Recreation zoning district.
14. Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
15. Executive Session to discuss labor negotiations regarding the International Association of Firefighters, Local 785.
16. Reports and Updates.
17. Any other City Business Councilors or others may have relating to Lewiston City Government.

LEWISTON CITY COUNCIL
WORKSHOP AGENDA
November 20, 2012
6:00 P.M.

1. Community Development Block Grant Funding Priorities

During last year's discussion of the Community Development Block Grant budget, Council President Cayer expressed an interest in reviewing funding priorities for this program and the approach taken in determining which social service agencies receive funding. Since we are now in the preliminary stages of developing the CDBG budget proposal for next year, we felt it would be timely to discuss this in advance of the Advisory Committee developing its overall funding recommendations.

2. Proposed Zoning Matrix

The Planning Board and Planning staff have been working for some time to develop a zoning matrix – basically a chart that summarizes allowed uses and development standards for all of the City's zoning districts. That effort has now been completed and a matrix has been developed. This approach will effectively eliminate over 100 pages of text in our zoning ordinance and summarize those requirements on several charts. The hope is that this will make it easier for those interested in developing in Lewiston to determine where certain uses are permitted and how those sites must be developed. In the process of developing this matrix, many changes are proposed. Most of these are relatively minor. However, because of the scope of the changes being proposed, we felt it appropriate to review this effort with you in advance of preparing a formal ordinance amendment. We anticipate the actual amendment process will begin in December.

Economic and Community Development

Lincoln Jeffers

Director



To: Honorable Mayor and Members of the City Council
From: Lincoln Jeffers
RE: Proposed Changes to the CDBG Request for Proposals and Scoring
Date: November 15, 2012

During last year's CDBG budget deliberations, the council had some questions and concerns about how the CDBG Advisory Committee arrived at their funding recommendations to the Council. This memo, and the discussion at the November 20th City Council workshop, are intended to provide a better understanding of the process and to inform the council of some changes in the scoring process being considered by the Advisory Committee in response to some of the expressed concerns.

Background

The Community Development Block Grant Program was created in 1974. Its purpose is to assist states and communities in developing viable urban communities by providing, principally for low to moderate income people:

- Decent Housing
- A suitable living environment
- Expanded economic opportunities.

At the time the program was created, because of the level of poverty and urban challenges in portions of the community, Lewiston was designated as an Entitlement Community. With this designation, Lewiston is assured funding each year that the CDBG program is funded at the federal level. Other Entitlement Communities in Maine include Portland, Bangor, Auburn, Biddeford, and Cumberland County. The state of Maine also receives CDBG funds. Non-entitlement Maine communities apply and compete for CDBG funding from the State.

As an Entitlement Community, Lewiston is responsible for both the administration and allocation of the CDBG funds received. My department, working collaboratively with the Finance Department, is responsible for the administration of the funds. Up to 20% of the CDBG funds received each year can be used on administration. Up to 15% can be used to help fund social service agencies that benefit low to moderate income people. Historically, the city has also used CDBG funds to capitalize both commercial and residential loan and grant programs as

well as public infrastructure projects and land acquisition and demolition within the target Census Tracts. A seven member CDBG Citizen Advisory Committee (CAC) appointed by the mayor makes recommendations to the Council on funding each year.

As an Entitlement Community, every five years Lewiston must create a 5 year strategic plan for how the funds should be used. This document is known as the Consolidated Plan. It is structured around HUD regulations, but the goals to be pursued and funded are defined by the community through a public process. When it is first completed, the Consolidated Plan is approved and adopted by the City Council. Lewiston's most recent Consolidated Plan was completed in May 2010, and it covers federal fiscal years 2010 -2014. The CDBG funding approved by the council in May 2012 was for the 3rd year of the Consolidated Plan, which we are now midway through.

Consolidated Plan 2010-2014 Goals

Significant effort was invested in getting the community to participate in the development of the current Consolidated Plan. It reflects the goals of the community.

The **four primary goals** articulated in the plan are:

- 1) More jobs and economic opportunities for residents
- 2) Better transportation and walkability
- 3) More quality affordable housing for all ages and incomes
- 4) A higher quality of life for neighborhood residents.

Measurable outcomes of those goals include:

Goal 1: More jobs and economic opportunities for residents

- a) 15 new jobs created with help from city infrastructure and financing
- b) 500 low income residents provided with job training and placements
- c) 10 businesses helped to improve their buildings
- d) 5 small businesses helped to start or expand in the neighborhoods

Goal 2: Better transportation and walkability

- a) 30,000 more residents using public transportation annually
- b) 5,000 linear feet of new streetscapes and trails created – with new sidewalks, bike lanes, and landscaping
- c) A new master plan for roads and infrastructure, including city-wide pedestrian access.

Goal 3: More quality affordable housing for all ages and incomes

- a) 50 rental and owner units rehabilitated
- b) 100 new affordable owner and rental developments built in neighborhoods
- c) new private, mixed-income developments built or rehabilitated
- d) 50 units of substandard housing demolished and property redeveloped to the benefit of the neighborhoods

Goal 4: A higher quality of life for neighborhood residents

- a) 15 empty lots landscaped and maintained
- b) 1 new community center developed
- c) more access points to healthy foods developed within neighborhoods
- d) 1,000 residents provided parenting and family support services
- e) 2,000 residents provided life skills and economic independence services
- f) 1,000 residents, service providers, and public safety personnel provided cultural sensitivity and diversity training
- g) 2,000 residents provided with services that increase quality of life

More Demand than Dollars

The amount of CDBG funding Lewiston receives has been reduced from \$1,131,544 in FY 2011, to \$760,314 in FY 2013, a 33% cut. In FY 2013, we had \$436,641 in social service agency funding requests. With the 15% Public Service Agency Cap rule, and maintaining a small margin in case projected revenues (the cap includes program income received in the prior year) fall short of projections, the city could only provide approximately \$150,000 in funding for agencies, significantly less than what was requested. Demand and competition for CDBG dollars always exceeds supply.

Scoring to Help Allocate

As part of the Consolidated Plan process, a scoring program was developed, the intent of which was to bring increased objectivity to determining how to best allocate the limited CDBG dollars available to eligible agencies and programs.

A copy of the Scoring Program used last year is attached. Succinctly, a large measure of the CAC's task was to read and evaluate each request for funding and score it based on the criteria established in the scoring matrix:

How well does the program:

- | | |
|--|------------------|
| 1) support the Consolidated Plan and its goals | max of 40 points |
| 2) meet a critical unmet need | max of 20 points |
| 3) is within the applicant's capacity to carry out | max of 20 points |
| 4) is cost effective | max of 10 points |
| 5) is of high overall quality | max of 10 points |

As the CAC evaluates agency requests for funding, HUD evaluates Lewiston on how it is doing on the goals articulated in the Consolidated Plan. As CDBG competes for funding against other federal programs, it needs to show results for its investment. The measure of that success is how well HUD grantees do against the goals established in their Consolidated Plan. Future funding levels will likely be influenced by performance.

Last year, as part of the CAC orientation and process, ECD staff provided the CAC with two reports. One showed goals projected in the Consolidated Plan compared to goals achieved during the first two years of the plan period. Overall, some of the Consolidated Plan goals had been far exceeded, others were

well behind projections. The second report provided information on how the local agencies funded over the prior two year had done on meeting reporting, goal achievement, and other grant requirements.

The intent of these reports was to provide a snapshot for the CAC on how the city was doing toward achieving goals and to provide objective criteria for Category 3 of the scoring – *Applicant's capacity to carry out*.

Going Forward

There has been no official indication from HUD of likely funding for the coming year and national politics will need to play out before the vision is clearer, but early word from informal channels are that funding will be similar to last year or may slightly increase.

The CAC met on October 17th to review last year's process, consider ways to improve it, and consider ways to address the concerns raised by the City Council. They received the attached *CDBG Strategic Plan Goals* scorecard, which shows how the funded CDBG programs are stacking up to date against the Consolidated Plan Goals. This led to a discussion of funding priorities for the coming year. It was noted that the City's Housing Loan Programs received very little CDBG funding last year and, with the current focus on improving the downtown housing stock, will likely need to be capitalized in this next cycle.

The scoring matrix was adjusted to reallocate the points available under some of the criteria, reducing the number of points available under *support consolidated plan and its goals* and increasing the points under *meets a critical unmet need*. ECD staff has drafted revisions to the *Request for Application*, which agencies complete for their funding requests. The revisions are intended to bring greater specificity to the application in order to meet HUD reporting guidelines as well as to provide more objective information that better address the criteria specified in the scoring worksheet, which will assist the CAC in evaluating the proposals.

The CAC will be meeting on November 17th to continue that discussion. The outcomes of those discussions will be shared with the Council at their November 20th workshop.

Public Service Funding Application Scoresheet

For use by members of the
Auburn Community Development Citizen's Advisory
Committee and the
Lewiston CDBG Review Committee

Cities of Auburn and Lewiston, Maine

For Public Service applications submitted for the
Fiscal Year of July 1, 2012 to June 30, 2013

A. General Instructions

- 1) Applications are compared according to a common set of criteria. For each criterion (except the last), there is a special narrative within the application in Section VI that provides the essential information to evaluate the proposal. The last criterion, "overall quality," is a judgment factor that reflects the scorers' overall impression of the application and proposed program, from start to finish.

Criteria: The program...	Possible Points	See Section VI, answer:
... Supports the <i>Consolidated Plan</i> and its goals	0 - 40	A
... Meets a critical unmet need	0 - 20	B
... Is within the applicant's capacity to carry out	0 - 20	C
... Is cost-effective	0 - 10	D
... Is of high overall quality	0 - 10	--
TOTAL POSSIBLE POINTS	0 - 100	

2. In evaluating the applications, first go through the applications one by one, and score them using the guidelines below. When you are all done, look at the scores for each factor individually. Did you use consistent principles from the first application to the last? Do the relative differences in scores fairly reflect the differences in application quality? Adjust the scores, as needed, until you are comfortable that they accurately reflect actual differences among applications.
3. At the end of the process, you will have a series of applications in a rank order. The City then has several options for making final funding decisions:
 - a. It can set a target amount for public services funding, then start at the top of the list, and allocate each applicant with the full funding they request, until the money is gone.
 - b. It can use the same process as above, except only allocate each applicant with an amount that seems reasonable and defensible (which may be less than is actually applied for), so that more agencies can be funded.
 - c. It can create a cut-off point on the list based on quality and points, and allocate public service funding to all above the cut-off point (so long as the total allocation is within HUD guidelines).

The City's Community Development Director will decide which of these approaches will be used.

B. Individual factors

FACTOR	Supports the <i>Consolidated Plan</i> and its goals
SEE SECTION VI	Response A
WHAT TO LOOK FOR	Does the applicant cite specific parts of the Plan, or just talk in generalities? Does the activity contribute to more than one goal of the Plan? Does the activity have a high impact on achieving the goal(s), or just an incidental impact? Has the applicant made any adjustments to its “standard” program in order to have a larger impact on community goals?
SCORE LEVELS	35 to 40 – High impact on multiple community goals 30 to 34 – High impact on one community goal 25 to 29 – Moderate impact on multiple community goals 20 to 24 – Moderate impact on one community goal 15 to 19 – Low impact on multiple community goals 10 to 14 – Low impact on one community goal 0 – No impact on community goals
RECOMMENDED SCORE	
RATIONALE/COMMENT	

FACTOR	Meets a critical unmet need
SEE SECTION VI	Response B
WHAT TO LOOK FOR	Is the need demonstrated by 3 rd party studies (United Way, state, etc.)? Is the need demonstrated by internal data (waiting lists, surveys, etc.)? Does the proposed program effectively address the need? Is the effectiveness of the activity documented in any way? What if the program didn’t exist? What difference would it make?
SCORE LEVELS	15 to 20 – High unmet need, effective solution 10 to 14 – High impact on one community goal 5 to 9 – Moderate impact on multiple community goals 0 to 4 – Moderate impact on one community goal
RECOMMENDED SCORE	
RATIONALE/COMMENT	

FACTOR	Is within applicant's capacity to carry out
SEE SECTION VI	Response C
WHAT TO LOOK FOR	<p>What is the track record of this organization with the CDBG program? Is it consistently on schedule with spending and reports?</p> <p>Are there external organizations that vouch for this agency's capacity – i.e., awards, recognition, letters, grant success, etc.?</p> <p>Is the staff qualified and capable to carry out the program?</p> <p>Are the record-keeping systems accurate for financial and performance reporting?</p>
SCORE LEVELS	<p>15 to 20 – Exceptional high-performing agency</p> <p>10 to 14 – Good-performing agency</p> <p>5 to 9 – Adequate performing agency</p> <p>0 to 4 – Unproven, evidence for capability not convincing</p>
RECOMMENDED SCORE	
RATIONALE/COMMENT	

FACTOR	Is cost-effective
SEE SECTION VI	Response D
WHAT TO LOOK FOR	<p>Does the agency show creativity in stretching dollars, go the extra mile?</p> <p>Would the proposed CDBG funds leverage other money?</p> <p>Is the agency administratively efficient, with a reasonable overhead rate?</p> <p>Does the agency collaborate with others to reduce rent, administrative costs?</p> <p>Are volunteers used creatively to stretch impacts?</p>
SCORE LEVELS	<p>8 to 10 – Shows creativity, energy, forward-thinking, in stretching the service impacts of their dollars</p> <p>4-7 – Shows adequate effort, has some good ideas.</p> <p>0 to 3 – Unexceptional. Makes no special effort in this area.</p>
RECOMMENDED SCORE	
RATIONALE/COMMENT	

FACTOR	Is of high overall quality
SEE OVERALL APPLICATION	No special response addresses this.
WHAT TO LOOK FOR	This is a judgment factor. It reflects the scorer's intuition about the potential future impact and success of the proposed program. The intuition can be based upon such considerations as the thoroughness of the proposal application, the energy and passion behind the proposal (and the interview if one is held), the creativity of the approach, the qualifications of the staff. This factor reflects the fact that no scoring system can cover everything, and that scorers can have valuable insights that do not fit into any single category.
SCORE LEVELS	8 to 10 – High quality across the board, high chance of success 4 to 7 – High quality in parts, but inconsistent 0 to 3 – Shows nothing special
RECOMMENDED SCORE	
RATIONALE/COMMENT	

CDBG STRATEGIC PLAN GOALS

GOAL 1: MORE JOBS AND ECONOMIC OPPORTUNITIES FOR RESIDENTS	CDBG STRATEGIC PLAN 2010-2014							
	FIVE YEAR GOAL TOTALS	YEAR 1 2010	YEAR 2 2011	YEAR 3 2012	YEAR 4 2013	YEAR 5 2014	GOALS MET TO DATE	% OF GOALS MET
STATED OBJECTIVES FOR GOAL 1								
a. Number of new low/moderate jobs created with the help from City infrastructure and financing ¹	15	0	88	0			88	587%
b. Number of low/moderate income persons assisted with job training and placements ²	500	87	120	20			227	45%
c. Number of businesses helped to improve their buildings ³	10	1	3	4			8	80%
d. Number of small businesses helped to start or expand in the neighborhoods ³	5	0	2	0			2	40%

¹ The large number of jobs created and reported in the second year are as the result of redevelopment efforts over a period of several years. Included in this number are 415 Lisbon Street, 25 Canal Street, 223 Lisbon Street & 183 Main Street.

² Social Services provided by Alternative Advantage, Pathways, Lewiston Adult Education

³ Much of the work has been downtown improvement including 180 Lisbon Street, 37 Park Street LLC, 25 Canal Street (rehab) 183 Main Street (façade & rehab), 223 Lisbon Street (acquisition/rehab), 43 and 49 Lisbon Street (elevator & façade).

⁴ 143 College Street Variety and 215 Bartlett Street (now out of business)

GOAL 2: BETTER TRANSPORTATION AND WALKABILITY	CDBG STRATEGIC PLAN 2010-2014							
	FIVE YEAR GOAL TOTALS	YEAR 1 2010	YEAR 2 2011	YEAR 3 2012	YEAR 4 2013	YEAR 5 2014	GOALS MET TO DATE	% OF GOALS MET
STATED OBJECTIVES FOR GOAL 2								
a. Increase of 30,000 more residents using public transportation annually ¹	30,000	46,077	42,856	NOT AVAILABLE			44,467	148%
b. Amount of linear feet of streets, sidewalks, bike lanes, and landscaping improved in the downtown neighborhoods ²	5,000	1792	9320	1200			12,312	246%
c. A new master plan for roads and infrastructure, including city-wide pedestrian access ³	1	0	1	2			3	300%

¹ This transportation goal is not funded by CDBG. It is Lewiston ridership data provided each year from CityLink. The goal is stated in such a way that indicates that each year the ridership should meet or exceed 30,000; therefore the % of goals met was derived by taking an average of the two years divided by 30,000.

² This objective is measured in linear feet and addresses the number of street and sidewalk improvements including : Horton Street, Maple Street, East Avenue, Ash Street & Walnut Street. Additionally, this includes improvements made in landscaping and streetscape which were funded by the DNAC on Spruce Street and in year 3, Walnut Street. Other improvements have been made in Sunnyside Park,

³ There has recently been several plans that address the goal of transportation and pedestrian connectivity; including, the Riverfront Master Plan, the Downtown Neighborhood Action Plan, Androscoggin Land Trust Greenways Plan, and now the Androscoggin Transportation Resource Center is gearing up for a traffic/transportation survey.

CDBG STRATEGIC PLAN GOALS

GOAL 3: MORE QUALITY AFFORDABLE HOUSING FOR ALL AGES AND INCOMES	CDBG STRATEGIC PLAN 2010-2014							
STATED OBJECTIVES FOR GOAL3	FIVE YEAR GOAL TOTALS	YEAR 1 2010	YEAR 2 2011	YEAR 3 2012	YEAR 4 2013	YEAR 5 2014	GOALS MET TO DATE	% OF GOALS MET
a. Number of rental and owner units rehabilitated ¹	50	12	151	7			170	340%
b. Number of new affordable owner and rental units built in neighborhoods ²	100	13	34	33			80	80%
c. Number of new private, mixed income developments built or rehabilitated in neighborhoods ³	1	1	0	2			3	300%
d. Number of units of substandard housing demolished and redeveloped to the benefit of the neighborhood. ⁴	50	0	19	5			24	48%

¹ Included are 131 multi family units that the were rehabilitated and cleared of lead hazards in downtown Lewiston. The remaining units are homeowner units in need of emergency repairs and one 8 unit building that had energy improvements.

² 81 Ash Street with 32 units (HOME funding) and 269-271 Park Street with 2 ownership units (NSP funding)

³ 84 Lisbon Street 5 units of mixed income/commercial development (NSP funding) The Lofts at Bates Mill will be completed and reported in Year 3 with 48 units of housing - 33 are affordable and 12 are market and 43 Lisbon Street with 3 units of housing - 1 unit affordable and 2 market (NSP funding)

⁴ Included in this line item is the work done by Code Enforcement to identify, inspect and condemn properties in the downtown

CDBG STRATEGIC PLAN GOALS

GOAL 4: A HIGHER QUALITY OF LIFE FOR NEIGHBORHOOD RESIDENTS	CDBG STRATEGIC PLAN 2010-2014							
	FIVE YEAR GOAL TOTALS	YEAR 1 2010	YEAR 2 2011	YEAR 3 2012	YEAR 4 2013	YEAR 5 2014	GOALS MET TO DATE	% OF GOALS MET
STATED OBJECTIVES FOR GOAL 4								
a. Number of empty lots landscaped and maintained ¹	15	12	12	12			12	80%
b. New community center developed	1	0	0	0			0	0%
c. More access points to healthy foods developed within the neighborhoods ²	3	1	2	3			2	67%
d. Number of residents provided with parenting and family support services ³	1,000	901	1,866	1,053			3,820	382%
e. Number of residents provided life skills and economic independence services ⁴	2,000	599	384	32			1,015	51%
f. Number of residents, service providers, and public safety personnel provided with cultural sensitivity and diversity training ⁵	1,000	21	12	0			33	3%
g. Number of residents provided with services that increase the quality of life ⁶	2,000	1,867	1,907	2,515			6,289	314%

¹ These gardens are scattered throughout the downtown neighborhoods at Hillview Apartments, Meadowview Park, Pine, Knox and Blake Streets as well as Franklin Pasture

² There are three access points that have been created and maintained including Kennedy Park Farmers Market, Bates Mill Sunday Market and Winters Farmers Market (Jan-May)

^{1&2} # and % is equal to the average of the years divided by 5 year goal

³ Social agencies providing parenting and family support include: Advocates for Children, Androscoggin Home Care & Hospice, Catholic Charities of Maine, Androscoggin Head Start and Childcare¹ Lewiston Recreation, Child Health Center, Lewiston General Services, Sexual Assault Crises Center, Western Maine Community Action.

⁴ Social agencies providing life skills and economic independence include: Homebuyer education CCI and CEI, Literacy Volunteers, Pathways (early learning) Somali Bantu Community Association, Visible

⁵ City of Lewiston Police, CCI Big Brothers Big Sisters - Please note - we believe that there are more trainings in the City than what we have been able to capture in this data and intend to contact other community groups to obtain more data in Year 3.

⁶ Social agencies providing services that increase the quality of life include: Safe Voices, Seniors Plus

CDBG STRATEGIC PLAN GOALS

LEWISTON AUBURN ALLIANCE FOR SERVICES TO THE HOMELESS (LAASH) collaboration that coordinates services provided to the homeless

10 YEAR PLAN TO END HOMELESSNESS	CDBG /HOME FUNDED ACTIVITIES						
STRATEGIES	Goals are set by LAASH	YEAR 1 2010	YEAR 2 2011	YEAR 3 2012	YEAR 4 2013	YEAR 5 2014	Number served to date
a. Number and types of services provided to homeless persons in Lewiston ¹		34425	20238	679			55342
b. Number and type of services provided to transition from homelessness to permanent housing and independent living ²		85	52	60			197
c. Number of security deposits made to move the chronically homeless into permanent housing ³		5	3	2			10
d. Number of new units of supportive housing developed for Chronically homeless persons ⁴		10					10

¹ There are three programs funded by the CDBG program in which homeless persons receive food and or shelter from the cold including Trinity Jubilee Warming Center warming Center and Trinity Jubilee Food Pantry and Nutrition Center of Maine Food Pantry. These numbers are duplicated in that people may visit as often as needed.

² There are three transitional shelters that CDBG funds including Tedford Housing, St Martin de Porres and Catholic Charities of Maine all providing case management services.

³ The Cities of Lewiston and Auburn utilize HOME funds to fund Security Deposits to homeless persons moving into permanent affordable housing.

⁴ The City of Lewiston funded one permanent supportive housing development with 10 units - Blake Family Housing sponsored by Tedford Housing.



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Mayor and Members of the City Council
FROM: David Hediger, City Planner
DATE: November 15, 2012
RE: Zoning Matrix

Initiated nearly five years ago by the Planning Board, staff has prepared an amendment to the Zoning and Land Use Code, Article II. Definitions, Section 2 Definitions and Article XI. District Regulations, Sections 1 through 24. These amendments will result in zoning district regulations being placed in table format, clarification of permitted uses, and clarification and modifications to space and bulk standards within applicable district regulations.

What started off as an effort to provide a more user friendly document for public and staff lead to discussions of consolidating zoning districts, updating use and space and bulk regulations, discussions about neighborhoods, zoning definitions, code interpretations, district boundaries, etc. Once in a table/matrix format, the inconsistencies of Lewiston's district regulations became apparent along with the many nuances involved.

In effort to move the process along, the Planning Board agreed to limit the changes initially being discussed and directed staff to prepare a table/matrix with the district regulations remaining essentially the same as they exist today in Article XI. This has resulted in 69 pages of ordinance being reduced to approximately 26 pages of text and tables in what should be an easier document for anyone to determine where uses are permitted and what the space and bulk standards are for those uses. The table format will also assist staff and applicants when considering future amendments to the district regulations by providing an easier means of identifying possible conflicts and discrepancies. It will also assist in discussion as the city moves forward with updating the comprehensive plan.

The changes that have been made have been lessened from those initially discussed. Staff will be prepared to discuss these amendments. However, there are a number of changes that are worth noting:

- Changes to uses within the table have largely been limited to making something that was a permitted use a conditional use or vice-versa.
- Within the space and bulk table, efforts were made in zoning districts with variable setback requirements to establish a single requirement. Also, variable net lot area requirements have been changed to a single square footage measurement. Both are seen as improvements in being able to provide property owners a clearer, easier, and quicker understanding of the standards for a property.
- The Board discussed at length the desire to implement space and bulk requirements in the spirit of form based codes. The Form-based Code Institute defines form based codes as a means to address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets

and blocks. The regulations and standards in form-based codes are presented in both words and clearly drawn diagrams and other visuals. They are linked to a regulating plan that designates the appropriate form and scale (and therefore, character) of development, rather than only distinctions in land-use types. The Planning Board and staff believe aspects of this type of ordinance may have value in certain areas of the city, particularly downtown. Discussion focused on establishing maximum setback and yard requirements. However, upon further consideration, staff recommended and the Board agreed that additional time and consideration should be given to establishing such provisions. The comprehensive planning process set to begin in January should provide this opportunity. However, in part to address the Board's concern, the existing uniform setback requirements of the Neighborhood Conservation "A" (NCA) and Neighborhood Conservation "B" (NCB) district are proposed to be included in the Downtown Residential (DR), Centreville (CV), Mill (M), and Riverfront (RF) districts.

- The Board discussed minimum height requirements in the CV district. Staff has attempted to address this with a minimum 20' height requirement as measured along the principal façade of the structure.

This process has also resulted in the need to update Article II, Section 2 Definitions of the Zoning and Land Use Code. As you will note, amendments to definitions have been limited to updating out of date references and providing clarification of use descriptions.

Overall, staff believes this process has been beneficial for the Board and staff in providing a better understanding of Lewiston's district regulations. That said, even with the limited changes being proposed from earlier discussions, the conversion of 69 pages of text into a table has been challenging. Staff expects to identify oversights and omissions in the coming months that may require Planning Board and City Council action. With that understood, staff recommends approval of the proposed amendments to the Zoning and Land Use Code, Article II. Definitions, Section 2 Definitions and Article XI. District Regulations, Sections 1 through 24.

Staff will be available at the meeting to address any questions or concerns.

Supporting information

- Given the size of the document being amended, staff is providing you the ordinance amendment showing in its adopted form. To view all of the sections being deleted, please refer to the Planning Board Agenda packet of October 22, 2012 at http://www.lewistonmaine.gov/archives/85/PB_RN1607.pdf starting on page 48.
- Land Use Changes: The following summarizes changes proposed with respect to allowed uses in zoning districts, as shown on the Land Use Table:
 - Rural Agricultural (RA):
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities, hospitals, medical clinics will no longer be permitted as a conditional use.
 - Low Density Residential (LDR):
 - Mixed single-family residential developments in accordance with the standards of Article XIII will be permitted.

- Medium Density Residential (MDR):
 - Neighborhood stores as part of a multifamily development, mixed single-family residential development or mixed residential development provided that the gross floor area devoted to retail use shall not exceed ten percent of the total floor area of the development will be allowed as a conditional use instead of a permitted use.
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities, hospitals, medical clinics will be allowed as a conditional use instead of permitted use.
- Neighborhood Conservation “A” (NCA):
 - Multifamily dwellings in accordance with the standards of Article XIII and single-Family attached dwelling in accordance with the standards of Article XIII will no longer be permitted.
 - Single family cluster developments will no longer be allowed as a permitted use.
- Neighborhood Conservation “B” (NCB):
 - Personal services will be allowed as a permitted use instead of a conditional use.
 - Neighborhood retail stores will be allowed as a permitted use instead of a conditional use.
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities, hospitals, medical clinics will be allowed as a conditional use instead of permitted use.
 - Mixed residential developments in accordance with the standards of Article XIII will no longer be permitted.
 - Mixed uses will be allowed as a permitted use.
- Office Residential (OR):
 - Veterinary facilities excluding kennels and humane societies will be allowed as a permitted use.
 - Personal services will be allowed as a permitted use instead of a conditional use.
 - Mixed uses will be allowed as a permitted use.
- Downtown Residential (DR):
 - Small Day Care Facilities will be allowed as a permitted use.
 - Hotels, motel, inns will be allowed as a conditional use instead of a permitted use.
 - Transit and ground transportation facilities shall be allowed as a conditional use instead of a permitted use.
 - Hospitals, medical clinics shall be allowed as a conditional use instead of a permitted use.
- Institutional Office (IO):
 - Arts and crafts studios shall be allowed as a conditional use.
 - Neighborhood retail stores shall be allowed as a conditional use.
 - Mixed uses will be allowed as a permitted use.
 - Forest management and timber harvesting activities in accordance with the standards of Article XIII will no longer be permitted.

- Community Business (CB):
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities shall be allowed as a permitted use.
- Highway Business (HB):
 - Veterinary facilities excluding kennels and humane societies will be allowed as a permitted use.
 - Veterinary facilities including kennels and humane societies will no longer be allowed.
 - Equipment dealers and equipment repair will no longer be allowed.
 - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities shall be allowed as a permitted use.
- Centreville (CV):
 - Gasoline service stations which are a part of and subordinate to a retail use shall no longer be allowed.
- Industrial (I):
 - Equipment dealers and equipment repair shall be a permitted use instead of a conditional use.
 - Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures shall be a permitted use instead of a conditional use.
- Urban Enterprise (UE);
 - Recreational vehicle, mobile home dealers will be allowed as a permitted use.
 - Multifamily dwellings in accordance with the standards of Article XIII will be allowed as a permitted use instead of a conditional use.
- Mill (M):
 - Gasoline service stations will no longer be allowed.
 - Automotive services including repair will allowed as a conditional use instead of a permitted use.
 - Water dependent uses, e.g. docks and marinas will be allowed as a permitted use.
 - Public or private facilities for nonintensive outdoor recreation will be allowed as a permitted use.
 - Commercial outdoor recreation will be allowed as a permitted use.
- All zoning districts: Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use will be permitted uses instead of conditional uses.
- Space and Bulk Changes: The following summarizes changes proposed with respect to space and bulk requirements for each zoning district, as shown on the Space and Bulk Table:
 - Rural Agricultural (RA):

- Minimum lot size without public sewer will be increased from 40,000 sf to 120,000sf.
 - Frontage for single family cluster and mixed single family developments will be increased from 200' to 300'.
- Suburban Residential (SR):
 - Minimum lot size for single family cluster development with public sewer will be decrease from 10 acres to 5 acres.
 - Frontage for single family cluster development will be decreased from 250' to 200'.
- Medium Density Residential (MDR):
 - Minimum lot size for a two family dwelling will be reduced from 80,000 sf to 60,000 sf.
 - Minimum frontage for a religious facility will increase from 100' to 200'.
 - Minimum front setback for a religious facility and other issues not specifically listed will increase from 30' to 50'.
 - Minimum side and rear setback other issues not specifically listed will increase from 10' to 30'
- Riverfront (RF):
 - Minimum net lot area per dwelling unit with public sewer will be 1,250 sf. It currently varies depending upon housing type and owner occupancy from 1,000 -1,500 sf per dwelling unit.
- Neighborhood Conservation "A" (NCA):
 - Minimum lot size without public sewer a religious facility and other issues not specifically listed will increase from 20,000 sf to 40,000 sf.
 - Minimum frontage for single family dwellings currently is 50'-75' depending upon the age and size of the lot. The new minimum frontage will be 75' for all single family dwellings.
 - Minimum front setback for single family dwellings currently is 15'-20' depending upon the age and size of the lot. The new minimum front setback will be 20' for all single family dwellings.
 - Minimum front yard for single family dwellings currently is 15'-20' depending upon the age and size of the lot. The new minimum front setback will be 15' for all single family dwellings.
 - Minimum front yard for two family dwellings currently is 20'. The new minimum front yard will be 15' for all two family dwellings.
 - Minimum side and rear setback for two family dwellings currently is 15'. It will now be 10'.
 - Minimum side and rear yard for single family and two family dwellings varies between 5' and 15'. It will now be 10'.
 - The maximum lot coverage ratio varies from 30% to 50%. It will now be 40%.
- Neighborhood Conservation "B" (NCB):
 - Minimum net lot area per dwelling unit with public sewer will be 1,250 sf. It currently varies depending upon 120% of impacted properties (those properties within 500') or 1,500 sf.
 - Minimum side setback is reduced from 10' to 5'.

- Office Residential (OR):
 - Minimum lot size with public sewer for multifamily dwelling will increase from 12,000 sf to 20,000 sf.
 - Minimum lot size for a single family dwelling on private sewer will be reduced from 80,000 sf to 60,000 sf.
 - Minimum lot size for a mixed residential development on private sewer will be reduced from 10 acres to 5 acres
 - Minimum side and rear setback for all uses varies from 15' to 20'. It will now be 10' for permitted uses and 15' for other issues not specifically listed.
- Downtown Residential (DR):
 - Minimum net lot area per dwelling unit with public sewer will be 1,250 sf. It currently varies depending upon housing type and owner occupancy from 1,000 -1,500 sf per dwelling unit.
 - Currently, there is no minimum front setback in the DR. Therefore, in areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district. An established uniform setback relationship is deemed to exist when the distances between the front face of the building and the edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five (5) feet of mean of this distance for the four (4) parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.
- Institutional Office (IO):
 - The minimum front setback for all uses has been reduced from 30' to 20'.
 - The minimum side and rear setback currently varies from 15' to 20'. It will be 20'.
 - Maximum lot coverage varies from 50% to 100%. It will be 75%.
 - Maximum impervious area varies from 75% to 100%. It will be 75%.
- Community Business (CB):
 - Minimum frontage varies from 100' to 125'. It will be 100'.
 - Minimum front setback will be reduced from 30' to 20'
 - Minimum front yard will be reduced from 15' to 10'.
 - Maximum lot coverage ratio will increase from 40% to 50%.
- Highway Business (HB):
 - Minimum front setback will be reduced from 30' to 20'
 - Minimum front yard will be reduced from 20' to 15'.
- Centreville (CV):
 - Currently, there is no minimum front setback in the CV. Therefore, in areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district.

- The maximum height is currently 150'. It will be no less than 20 ft and no greater than 150 feet.
- Industrial (I):
 - Maximum lot coverage will increase from 50% to 75%.
- Urban Enterprise (UE):
 - There is currently no front yard requirement. It will be increased to 10'.
- Mill (M):
 - Currently, there is no minimum front setback in the M. Therefore, in areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district.



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: City Clerk's Office
City Council Members

From: David Hediger

Date: October 23, 2012

Subject: Planning Board Action

The Planning Board took the following action at their public meeting held on October 22, 2012 regarding proposed amendment to the Zoning and Land Use Code, Article II. Definitions, Section 2 Definitions and Article XI. District Regulations, Sections 1 through 24. Said amendment will result zoning district regulations being placed in table format, clarification of permitted uses, and clarification and modifications to space and bulk standards applicable to district regulations:

The following motion was made:

MOTION: by **Eric Potvin** 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 the Zoning and Land Use Code, Article II. Definitions, Section 2 Definitions and Article XI. District Regulations, Sections 1 through 24. Second by **Walter Hill**.

VOTED: 7-0 (Passed)

c: Ed Barrett, City Administrator
Planning Board Members

AN ORDINANCE PERTAINING TO THE ZONING AND LAND USE DISTRICT REGULATIONS

THE CITY OF LEWISTON HEREBY ORDAINS:

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE XI. DISTRICT REGULATIONS

Sec. 1. Rural-agricultural district (RA).

- (a) *Statement of purpose.* The purpose of the rural-agricultural district is to provide areas within the city for the development of very low density residential uses while protecting the rural character of these portions of the city. Within the rural-agricultural district the retention of active agricultural uses is encouraged. Development which occurs within the district should be sensitive to the rural nature of the district and should preserve open space and agricultural land to the maximum extent possible.

Sec. 2. Low-density residential district (LDR).

- (a) *Statement of purpose.* The purpose of the low-density residential district is to provide areas within the city for the development of single-family homes on individual residential lots and well planned mixed residential developments in environments which protect them from the adverse impacts of incompatible land uses. The standards of the district provide for residential development of up to six units per acre with the availability of public sewerage.

Sec. 3. Suburban residential district (SR).

- (a) *Statement of purpose.* The purpose of the suburban residential district is to provide areas within the city for the development of high quality single-family homes on individual residential lots in environments which protect them from the adverse impacts of incompatible land uses. The standards of the district provide for residential development of up to two units per acre with the availability of public sewerage.

Sec. 4. Medium-density residential district (MDR).

- (a) *Statement of purpose.* The purpose of the medium-density residential district is to provide areas within the city for the development of good quality multifamily housing at densities up to eight units per acre, and good quality single-family housing, at densities of up to two units per acre, including mobile homes where appropriate, while protecting established neighborhoods from undesirable impacts from these uses.

Sec. 5. Riverfront (RF).

- (a) *Statement of purpose.* The purpose of the riverfront district is to promote redevelopment of the riverfront area for recreation, employment and mixed-age and mixed-income housing by encouraging the development of new buildings or the reuse or conversion of

existing buildings and other areas that will enhance the use of the Androscoggin River as an amenity.

Sec. 6. Neighborhood conservation "A" district (NCA).

- (a) *Statement of purpose.* The purpose of the neighborhood conservation "A" district is to promote neighborhood stability by requiring the development of new buildings or the reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The standards of the district restrict housing to single-family detached dwellings unless the existing pattern of use in the immediate neighborhood is two-family or predominantly multifamily dwellings.

Sec. 7. Neighborhood conservation "B" district (NCB).

- (a) *Statement of purpose.* The purpose of the neighborhood conservation "B" district is to promote the stability and improvement of older multifamily residential neighborhoods by requiring the development of new buildings or the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The standards of the district allow multifamily housing while encouraging the upgrading of this housing stock.

Sec. 8. Office-residential district (OR).

- (a) *Statement of purpose.* The purpose of the office-residential district is to provide for the orderly transition of older residential areas along major traffic arteries to low-intensity nonresidential uses and multifamily housing. The conversion of existing properties from residential to nonresidential use should occur in a manner which preserves the architectural character of the neighborhood, provides controlled traffic access and adequate parking and protects adjoining residential neighborhoods from undesirable impacts.

Sec. 9. Downtown residential district (DR).

- (a) *Statement of purpose.* The purpose of the downtown residential district is to promote the improvement of older residential neighborhoods within the downtown by encouraging a transition to more mixed use neighborhoods, including owner-occupied, mixed-age and mixed-income housing with less density where desired and appropriate, low-intensity nonresidential uses, more open space and other neighborhood amenities, creating diverse, mixed-use neighborhoods. The standards of the district will encourage the upgrading of the existing neighborhoods by removing blight and vacancy, providing an opportunity for new residential and commercial development, and fostering a sense of community and place through neighborhood meeting, gathering and cultural places.

Sec. 10. Institutional-office (IO).

- (a) *Statement of purpose.* The purpose of the institutional-office district is to provide areas within the city for the location of major community facilities including hospitals, schools, colleges and similar institutions. The standards of the district are designed to provide these institutions with flexibility within their property limits but to establish safeguards to protect adjoining residential areas from undesirable impacts associated with these uses.

Sec. 11. Community business district (CB).

- (a) *Statement of purpose.* The purpose of the community business district is to provide areas within the city for the location of major shopping facilities, including shopping centers which serve the wider community. The standards of the district are intended to encourage well planned commercial developments which have controlled vehicular access and high standards of site design.

Sec. 12. Highway business district (HB).

- (a) *Statement of purpose.* The purpose of the highway business district is to provide areas within the city for the location of businesses which are dependent on automobile borne customers and which require large parking areas to be successful. The standards of this district are intended to allow commercial uses while requiring controlled highway access, good quality site design and protection of adjacent residential property. In addition, the standards require the preparation of a master development plan prior to the development of large parcels.

Sec. 13. Centreville district (CV).

- (a) *Statement of purpose.* The purpose of the Centreville district is to encourage a concentration of economic enterprises in the central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential uses in a setting conducive to a high volume of pedestrian traffic. The standards of the district will initiate economic revitalization through increased occupancy of downtown properties, improved real estate values, increased consumer activity, and encourage the restoration and preservation of historic buildings and honor the rich Franco-American cultural heritage of the community.

Sec. 14. Office service (OS).

- (a) *Statement of purpose.* The purpose of the office-service district is to set aside areas within the city for the development of major economic activities which do not have significant environmental issues associated with them. The standards of the district provide for well-planned developments with attention to controlled traffic access and buffering of adjacent residential areas. The standards of this district also require that a master development plan be prepared for large parcels prior to the development of the site.

Sec. 15. Industrial district (I).

- (a) *Statement of purpose.* The purpose of the industrial district is to set aside areas of the city for the development of major economic activities, including manufacturing and processing, and to protect these areas from encroachment from noncompatible residential or commercial uses.

Sec. 16. Urban enterprise district (UE).

- (a) *Statement of purpose.* The purpose of the urban enterprise district is to encourage the improvement, reuse and redevelopment of older mixed use areas of the city by allowing a wide range of uses with appropriate development standards.

Sec. 17. Mill district (M).

- (a) *Statement of purpose.* The purpose of the mill district is to develop a major employment center in the downtown by fostering the development of mixed use commercial enterprises and appropriate high-density residential areas while preserving and restoring historic buildings and properties. Developments located within this district should enhance the commercial, cultural, educational and residential vitality of the downtown and link the downtown to the riverfront through a series of pedestrian corridors, pocket parks and open spaces, utilizing the historic canal system, with expanded arts and recreational amenities.

Sec. 18. Resource conservation district (RC).

- (a) *Statement of purpose.* The purpose of the resource conservation district is to protect fragile ecological systems, vulnerable areas and areas of unique natural or scenic value from development or use which would adversely affect water quality, productive or unique wildlife and aquatic habitat, biotic systems, ecological relationships or scenic and natural values or which would create unreasonable risks to the public safety and welfare due to flooding, earth movement or slides or unstable soil conditions. To accomplish this purpose, uses are permitted which avoid disruption of the natural environment and are compatible with the natural risks associated with development within these areas while allowing productive use to be made of the land.

Sec. 19. Groundwater conservation overlay district (GC).

- (a) *Statement of purpose.* The purpose of the groundwater conservation overlay district is to protect, preserve and maintain the quality and quantity of the existing and potential groundwater supply within the city by controlling the use, storage and disposal of potential contaminants of the groundwater in areas of the city and identified significant sand and gravel aquifers and by assuring the groundwater recharge areas associated with these aquifers are protected from overdevelopment.

Sec. 20. No name pond conservation overlay district (LC).

- (a) *Statement of purpose.* The purpose of the no name pond conservation overlay district is to protect the water quality of no name pond by controlling the discharge of surface runoff into the lake, thereby limiting nutrient loading to levels which will not result in substantial degradation of the pond's water quality.

Sec. 21. Mobile home park overlay district (MH).

- (a) *Statement of purpose.* The purpose of the mobile home park overlay district is to provide for the accommodation of mobile homes in planned, integrated mobile home parks, and mobile homes on individual residential lots, at a standard consistent with the protection of the health, safety and general welfare of the residents of the city while establishing safeguards to minimize the adverse impacts on neighboring property owners.

Sec. 22. Land Use Requirements

- (a) Land Use Requirements - All buildings or structures hereafter erected, reconstructed, altered, enlarged, or relocated, and uses of premises shall be in conformity with the provisions of this Code. No building, structures, land or water area shall be used for any

purpose or in any manner except as permitted within the District in which such building, structure, land and water area is located. The District designation for a particular site shall be determined and apply to all land shown on the "Official Zoning Map, City of Lewiston".

(b) Key to Table

<u>KEY WORD</u>	<u>DEFINITION</u>
<u>(P)</u>	<u>Allowed/Permitted (the use must be in conformance comply with all applicable the Zoning and Land Use Code)</u>
<u>(C)</u>	<u>Allowed/Permitted only after the issuance of a conditional use permit in accordance with Article X of this Code (the use must be in conformance with all applicable sections of the Zoning and Land Use Code)</u>
<u>Blank/Empty Column</u>	<u>Use not allowed/permitted; space and bulk requirement not applicable</u>

(c) Land Use Table – uses appearing in the table are part of this Code and set forth the uses allowed in all districts.

Land Use Table: All Zoning Districts 11.20.12	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF)	Neighborhood Conservation "A" (NCA)	Neighborhood Conservation "B" (NCB)	Office Residential (OR)	Downtown Residential (DR)	Institutional Office (IO)	Community Business (CB)	Highway Business (HB)	Centreville (CV) ⁽³⁶⁾	Office Service (OS)	Industrial (I)	Urban Enterprise	Mill (M)	Resource Conservation (RC) ⁽¹⁸⁾	Groundwater conservation overlay district (GC) ⁽²⁸⁾	No Name Pond Conservation Overlay District (NNP) ⁽²⁹⁾	Mobile Home Park overlay district (MH) ⁽³⁰⁾
USES⁽¹⁵⁾⁽³³⁾																					
Accessory use or structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Commercial-Service																					
Veterinary facilities excluding kennels and humane societies								P		P	P	P									
Veterinary facilities including kennels and humane societies	C													P		P					
Small day care facilities	C	p ⁽²²⁾	p ⁽²²⁾	p ⁽²²⁾		p ⁽²²⁾	P	P	P	P	P	P		P	P	P					
Day care centers	C				P			P	P	P	P	P		P	P	P	P				
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks		C ⁽²²⁾	C ⁽²²⁾	C ⁽²²⁾		C ⁽²²⁾	C ⁽²²⁾														
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services					p ⁽⁹⁾		C ⁽³¹⁾	p ⁽⁹⁾	p ⁽⁹⁾	P	p ⁽⁹⁾	P	p ⁽⁹⁾	P	P	P	p ⁽⁶⁾				
Restaurants					p ⁽¹⁾				p ⁽¹⁾	P	p ⁽²⁵⁾	p ⁽²⁶⁾	p ⁽¹⁾	P	p ⁽⁵⁾	P	p ⁽¹⁾				
Drinking places					P						C	C	P		p ⁽⁵⁾		P				
Adult business establishments											C										
Hotels, motels, inns					P				C	p ⁽⁴⁾	P	P	P			P	P				
Tourist homes containing not more than eight (8) lodging units for rental																					
Movie theaters except drive-in theaters					P				P		P	P	P	P		P	P				
Places of indoor assembly, amusement or culture					P						P	P	P	P		P	P				
Art and crafts studios					P		C		P	C	P	P	P	P		P	P				
Personal Services					P		P	P	P	P	P	P	P	P	p ⁽⁵⁾	P	P				
Retail stores					P				P		P	P	P		p ⁽⁵⁾	P	P				
Neighborhood retail stores				C ⁽²¹⁾			P			C											
Lumber and building materials dealer											C	P				P	P				
Gasoline service stations												P				P					
Gasoline service stations which are a part of and subordinate to a retail use											P	P									
New and used car dealers												P				p ^(6,17)					
Recreational vehicle, mobile home dealers												P				P					
Equipment dealers and equipment repair															P	P					
Automotive services including repair											p ⁽⁹⁾	P				P	C ⁽⁹⁾				
Registered dispensary ⁽²⁷⁾												C		C	C	C					
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.												P		P	P	P					
Industrial																					
Light industrial uses												p ⁽⁹⁾		P	P	P	P				
Industrial uses													p ⁽¹⁶⁾		P	C	C				
Building and construction contractors												p ⁽⁶⁾		p ⁽⁶⁾			p ⁽⁶⁾				
Fuel oil dealers and related facilities															P	p ^(6,7)					
Wholesale sales, warehousing and distribution facilities and self-storage facilities												P		P	P	P	P				
Self storage facilities														P		P	P				
Commercial solid waste disposal facilities															C						
Junkyards and auto graveyards															C						
Recycling and reprocessing facilities															C	C	C	p ⁽⁹⁾			
Private industrial/commercial developments ⁽²³⁾											P	P		C	P	P	P				
Transportation																					
Airports or heliports	C																				
Commercial parking facilities					P		C		C ⁽³⁾	C	C	P	P			P	P				
Transit and ground transportation facilities					P				C				P				P				
Transportation facilities												P		C	P	P	p ⁽¹⁰⁾				
Public and Utility																					
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			
Municipal buildings and facilities	C	C	C	C	P	C	C	C	P	C	P	P	P	P	P	P	P	C			
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways																		P			
Dams																		C			

Land Use Table: All Zoning Districts 11.20.12	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF)	Neighborhood Conservation "A" (NCA)	Neighborhood Conservation "B" (NCB)	Office Residential (OR)	Downtown Residential (DR)	Institutional Office (IO)	Community Business (CB)	Highway Business (HB)	Centreville (CV) ⁽³⁶⁾	Office Service (OS)	Industrial (I)	Urban Enterprise	Mill (M)	Resource Conservation (RC) ⁽¹⁸⁾	Groundwater conservation overlay district (GC) ⁽²⁸⁾	No Name Pond Conservation Overlay District (NNP) ⁽²⁹⁾	Mobile Home Park overlay district (MH) ⁽³⁰⁾
Institutional																					
Religious facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P				
Cemeteries	P	P	P	P		P	P														
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities				C	P		C	P	P	P	P	P	P	P		P	P				
Hospitals, medical clinics,					P		C	P	C	P	P	P	P	P		P	P				
Museums, libraries, and non-profit art galleries and theaters					P				P	P			P				P				
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures.				C ⁽¹³⁾	P		C ⁽¹³⁾	C	P	P ⁽¹²⁾⁽²⁴⁾	P	P	P	P	P	P	P				
Civic and social organizations							C	P		C			P								
Public community meeting and civic function buildings including auditoriums					P				P	P			P				P				
Residential																					
Single-family detached dwellings on individual residential lots	P	P	P	P		P	P ⁽²⁾	P	P ⁽¹¹⁾	P ⁽²⁾											
Mobile homes on individual residential lots	P			P ⁽³⁵⁾																	
Two-family dwellings				P		P ⁽³⁷⁾	P	P	P ⁽¹¹⁾			P ⁽¹⁴⁾									
Multifamily dwellings in accordance with the standards of Article XIII				P ⁽³⁴⁾	P ⁽¹¹⁾		P	P	P ⁽¹¹⁾	P	P		P			P	P				
Single-family attached dwelling in accordance with the standards of Article XIII	C			P ⁽³⁴⁾	P ⁽¹¹⁾		P	P	P ⁽¹¹⁾	P											
Mixed single-family residential developments in accordance with the standards of Article XIII	C	P		P			P														
Mixed residential developments in accordance with the standards of Article XIII		P		P				P													
Mixed use structures					P ⁽¹¹⁾		P	P	P ⁽¹¹⁾	P	P	P	P			P	P				
Lodging houses							P		P ⁽¹¹⁾												
Home occupations	P	P	P	P		P	P	P	P		P										
Bed and breakfast establishments as a home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P				
In-law apartments in accordance with the standards of Article XII	P	P	P	P		P	P	P	P				P				P				
Single family cluster development	P	P	P	P																	
Family day care home	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P				
Shelters							C		C												
Natural Resource																					
Agriculture	P	P																P			
Farm Stands	P																				
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P	P	P	P		P	P	P			P	P		P	P	P		P			
Earth material removal	C													C	C						
Community gardens ⁽²⁰⁾	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Water dependent uses, e.g. docks and marinas					P												P	C			
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet																		C			
Recreation																					
Campgrounds	C																	C			
Public or private facilities for nonintensive outdoor recreation	C	C		C	P	C	C	C	C								P	P			
Commercial outdoor recreation and drive-in theaters					P						C	C		C			P ⁽³²⁾				
Fitness and recreational sports centers as listed under NAICS Code 713940								C							P						

Land Use Table Notes

- (1) Excludes drive-in restaurants.
- (2) Allowed only on existing lot of record as of the date of adoption of this code.
- (3) Limited to two (2) parking levels.
- (4) Limited to less than twenty-five (25) rooms.
- (5) If accessory to an allowed use.
- (6) Provided there is no exterior storage of materials or equipment visible from a public street or abutting property.
- (7) Screening shall be at least eight (8) feet tall
- (8) New and used car dealerships are prohibited in the downtown portion of the city as defined as north of Gulley Brook and south of Island Avenue.
- (9) Must be fully enclosed with no exterior storage.
- (10) Except those that include truck transportation as classified under group 484, NAICS ~~1997~~ 2012 unless approved as a conditional use.
- (11) All new residential construction shall comply with the design standards of Article XII Sec. 22.
- (12) Dormitories must be at least 125 feet from all district boundaries unless approved as a conditional use.
- (13) Excluding residential facilities and dormitories.
- (14) Existing non-conforming single-family dwellings in lawful existence as of January 9, 1988 may be converted to a two-family dwelling as long as the conversion is done within the existing building envelope.
- (15) Buildings, structures and uses accessory to permitted or conditional uses are allowed in all districts.
- (16) Limited to commercial bakeries and printing facilities including newspaper publishers and information services.
- (17) Used car dealerships may be deemed an accessory use to gasoline service station, auto repair garages and automotive services, except repair uses, if the following criteria are met: that all the criteria outlined in the definition of accessory use under Article II, section 2 are adhered to; that the parking and on-site circulation for both the existing and proposed use is reviewed and approved pursuant to development

review under Article XIII; that the maximum number of used vehicles for sale on site, at any one (1) item, does not exceed six (6) vehicles. Used car dealerships which are not an accessory use to gasoline service stations, auto repair garages and automotive services, except repair uses, are permitted only after the issuance of a conditional permit in accordance with Article X of this Code, and the project is reviewed and approved pursuant to development review under Article XIII.

- (18) Any use involving the construction of nonresidential floor space or the conversion of an existing structure from one (1) use to another shall be subject to the development review requirements of Article XIII of the Code.
- (19) Limited to group homes.
- (20) Shall comply with Article XII, Section 4.
- (21) Neighborhood stores as part of a multifamily development, mixed single-family residential development or mixed residential development provided that the gross floor area devoted to retail use shall not exceed ten percent of the total floor area of the development.
- (22) Accessory to public schools, religious facilities, multifamily or mixed residential developments and mobile home parks.
- (23) Shall comply with Article XIII, Section 10.
- (24) Includes housing facilities on the premise of academic institutions permitted for staff members of such institutions and service buildings or structures ancillary to and affiliated with permitted institutional uses including but not limited to pharmacies and medical supply outlets.
- (25) Drive-in restaurants are allowed as part of and subordinate to restaurants.
- (26) Includes drive-in restaurants.
- (27) Only one allowed in the city.
- (28) Any land located within the Ground Water Conservation Overlay District shall apply to the applicable criteria of Article XI, Section 19 of the Code.
- (29) Any land located within the No Name Pond Conservation Overlay District shall apply to the applicable criteria of Article XI, Section 20 of the Code.
- (30) Any land located within the Mobile Home Park Overlay District shall apply to the applicable criteria of Article XI, Section 21 of the Code.
- 31) Limited to business and professional offices, not including research, experimental, testing laboratories, engineering, research, management and related services.

- (32) Excluding drive-in theaters.
- (33) The performance standards of Article XII shall apply, unless otherwise specified.
- (34) Only permitted if serviced by public sewerage.
- (35) Placement of mobile homes on individual lots are permitted only in areas within a mobile home park overlay district.
- (36) For those historic building and structure identified in Appendix A, Article XV, Sections 6 through 10 of this Code located in the Centreville district, a nonconforming use may be reestablished to its original use pursuant to Article VI, Section 4 of this Code.
- (37) A parcel may be developed with a two-family dwelling, only if both of the following criteria are met:
 - a. More than 50 percent of the impacted properties that are developed contain residential structures with two or more dwelling units; and
 - b. More than 50 percent of the adjoining properties that are developed contain residential structures with two or more dwelling units.

An existing single-family dwelling may be converted to a two-family dwelling only if both of the following criteria are met:

- a. Forty percent or more of the impacted properties that are developed contain residential structures with two or more dwelling units; and
- b. Forty percent or more of the adjoining properties that are developed contain residential structures with two or more dwelling units.

Sec. 23. Space and Bulk Requirements

- (a) *Space and Bulk Table* - Lots in each District shall meet or exceed the following minimum space and bulk standards as noted in the Space and Bulk Standards Table.

Space and Bulk Table: All Zoning District 11.20.12

Dimensional Requirements ⁽¹³⁾	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF) ⁽²⁾	Neighborhood Conservation A (NCA)	Neighborhood Conservation B (NCB)	Office Residential (OR) ⁽¹²⁾	Downtown Residential (DR) ⁽²⁾	Institutional Office (IO)	Community Business (CB) ⁽¹²⁾	Highway Business HB ⁽¹⁸⁾	Centreville (CV)	Office Service (OS) ⁽¹⁸⁾	Industrial (I) ⁽¹¹⁾	Urban Enterprise (UE)	Mill (M)	Resource Conservation (RC)	Groundwater Conservation Overlay District (GC)	No Name Pond Conservation Overlay District (LC)	Mobile Home Park Overlay District (MH) additional
Mixed single family residential development ⁽¹⁴⁾	50 ft	50 ft		30 ft																	
Mixed residential development ⁽¹⁴⁾		50 ft		30 ft					None												
Multifamily dwellings				30 ft																	
Mixed use structures																					
Farms	50 ft								None												
Religious facilities	25 ft	50 ft	50 ft	50 ft		20 ft ^(21,22)															
Veterinary facilities	25 ft								None												
Other uses	25 ft	20 ft	25 ft	50 ft		20 ft ^(21,22)															
All permitted uses					None		10 ft ^(21,22)	20 ft ^(22,23)	None ⁽²²⁾	20 ft ^{(7) add P3}	20ft	20ft	none ⁽²²⁾	50 ft	50 ft	25ft ⁽²²⁾	none ⁽²²⁾	50 ft ⁽⁸⁾			50 ft
Minimum front yard																					
Single family detached, mobile homes on individual lots	25 ft	20 ft	25 ft	20 ft		15 ft ⁽²¹⁾															
Single family attached	50 ft			20 ft																	
Two-family dwellings				20 ft		15 ft ⁽²¹⁾															
Single family cluster development	50 ft	50 ft	50 ft	30 ft		50 ft															
Mixed single family residential development ⁽¹⁴⁾		50 ft		30 ft																	
Mixed residential development ⁽¹⁴⁾		50 ft																			
Multifamily dwellings				30 ft																	
Mixed use structures	25 ft																				
Religious facilities	25 ft	20 ft	25 ft	30 ft		20 ft ⁽²¹⁾															
Veterinary facilities	25 ft																				
Other uses	25 ft	20 ft	25 ft	30 ft		20 ft ⁽²¹⁾															
All permitted uses					None		10 ft ^(21,22)	10 ft ⁽²³⁾	None ⁽²²⁾	10 ft ⁽¹⁷⁾	10 ft	15ft	none ⁽²²⁾	20 ft	25 ft ⁽⁶⁾	10 ft	none ⁽²²⁾	20 ft			25 ft
Minimum side and rear setback																					
Single family detached, mobile homes on individual lots	25 ft	10 ft	15 ft	10 ft		10 ft															
Single family attached				30 ft																	
Two-family dwellings				30 ft		10ft															
Single family cluster development	50 ft	30 ft	30 ft	30 ft		30 ft															
Mixed single family residential development ⁽¹⁴⁾	50 ft	30 ft		30 ft																	
Mixed residential development ⁽¹⁴⁾		30 ft		30 ft																	
Multifamily dwellings				30 ft																	
Religious facilities	50 ft	50 ft	50 ft			30 ft															
Mixed use structures																					
Veterinary facilities	50 ft																				
Farm structures for keeping of animals	100 ft																				
Other uses	50 ft	25 ft	30 ft	30 ft		30 ft		15 ft ⁽²³⁾													
All permitted uses					10 ft		5 ft	10 ft ⁽²³⁾	10 ft	20 ft	20 ft	20 ft ⁽¹⁵⁾	none	25 ft	25 ft	20 ft	none	25 ft			
Minimum side and rear yard																					
Single family detached, mobile homes on individual lots	10 ft	10 ft	15 ft	30 ft		10 ft															
Single family attached	50 ft			30 ft																	
Two-family dwellings				30 ft		10 ft															
Single family cluster development			30 ft	30 ft		30 ft															
Mixed single family residential development ⁽¹⁴⁾	50 ft	30 ft		30 ft																	
Mixed residential development ⁽¹⁴⁾	50 ft	30 ft		30 ft																	
Multifamily dwellings		30 ft		30 ft											10 ft ^(10,20)						
Mixed use structures				30 ft																	
Religious facilities			30 ft			30 ft ⁽¹⁶⁾															
Veterinary facilities	25 ft	25 ft																			
Farm structures for keeping of animals	25 ft																				
Other uses	25 ft		30 ft	30 ft		30 ft ⁽¹⁶⁾															
All permitted uses	25 ft	25 ft			10 ft		5 ft ^(16,21)	10 ft ^(16,23)	10 ft (required on one side)	10 ft ^(16,17)	10 ft	10 ft	None	10 ft ^(7,10)	10 ft ^(10,20)	10 ft ^(10,16)	None	15 ft			
Maximum height																					
Farms	75 ft																				
Other permitted uses	35 ft	35 ft	35 ft	35 ft	75 ft	35 ft	65 ft	35 ft	60 ft	75 ft	50 ft	65 ft	No less than 20 ft, no greater than 150 feet ⁽²⁵⁾	75 ft	100 ft	80 ft	100 ft	35 ft			
Hospital, nursing homes and medical offices										120 ft											
Ratios																					
Maximum lot coverage			0.20	0.30	0.25	0.40	0.65	0.30		0.75	0.50	0.50	1.00	0.50	0.75	0.60	1.00	0.10			0.4
Maximum impervious coverage	0.15	0.30			0.75		0.85	0.60	0.75	0.75	0.75	0.75	1.00	0.75	0.75	0.80	0.90	0.10	0.25 add section g	0.1	

Space and Bulk Table Notes

- (1) This development shall meet the requirements set forth in Article XIII, Section 8.

- (2) All new residential development shall comply with the design standards of Article XII, Section 22.

- (3) Or a larger minimum lot size based on the requirements of the Maine Subsurface Wastewater Disposal Rules

- (4) All uses _____

- (5) Reference must be made Use Matrix and Use Matrix Additional Standards.

- (6) Where the front yard area for uses other than residential is located across the street from an abutting property in a residential zoning district and in residential use, a twenty-five (25) foot buffer area shall be maintained in the front yard area meeting the standards of Article XIII. In the Industrial district, buffer areas may not be reduced by modification or variance.

- (7) Where the side or rear yard area is located within fifty (50) feet of a residential zoning district, a fifty-foot wide buffer strip shall be maintained in accordance with the buffer standards of Article XIII.

- (8) 75 ft minimum setback from shoreline all structures other than permitted piers, docks, marinas, dams, bridges and other water dependent uses; 50 ft minimum shoreline and 25 ft minimum stream buffers to be maintained in natural vegetative state

- (9) Minimum shoreline frontage 100 ft _____

- (10) Any required side or rear yard area located within fifty (50) feet of a lot containing a dwelling not in a residential zoning district shall be maintained as a buffer area meeting the standards of Article XIII. In the Industrial district, buffer areas may not be reduced by modification or variance.

- (11) The industrially-zoned land on the east side of River Road, from Alfred A. Plourde Parkway to the northwesterly property line of 380 River Road, is subject to the following additional standards:
 - a. The minimum front setback for all uses is 100 feet.
 - b. The minimum front yard for all uses is 100 feet, and shall be maintained as a buffer area meeting the standards of article XIII.
 - c. No new vehicular access points are allowed along the frontage between 326 River Road and that portion of 9 Gendron Drive that has frontage on River Road.
 - d. The above referenced setback, yard, and buffer requirements shall also apply to the portion of 380 River Road located directly across from 367 River Road.

e. Only one vehicular access point no wider than 50 feet within the 100-foot buffer of 380 River Road shall be permitted.

(12) The land on the on the east side of Main Street from Brooks Avenue to the Russell Street overpass, including 579 Main Street and 15-18 Pettingill Street, and the land on the west side of Main Street to the Maine central Railroad right-of-way from Strawberry Avenue south to the Russell Street overpass is subject to the following additional standards:

a. Modifications of the space and bulk standards may not be granted by granted by the board of appeals, planning board, staff review committee or code enforcement officials, with the exception of side and rear yards where the abutting use is nonresidential.

b. In all cases, trees on the entire site with a diameter of greater than six (6) inches shall be preserved unless removal is necessary for development activity as determined by the appropriate reviewing authority.

c. The front yard must be planted with deciduous street trees (not including flowering ornamental trees) at intervals of fifteen (15) to thirty (30) feet on center, shall have a minimum two and one-half (2 1/2) inch caliber, and shall be at least eight (8) to twelve (12) feet high at the time of planting. Existing impervious front yard areas must be revegetated to these standards, when a property is subject to development review.

d. Each premises is permitted one (1) free standing ground sign not exceed seventy-two (72) square feet. Each business entity is permitted a wall sign not to exceed five (5) percent of the ground floor principal facade area of that business or a minimum of sixteen (16) square feet, whichever is greater. Ground signs are encouraged to be pedestal type ground signs not exceeding eight (8) feet in height.

e. Access is prohibited onto Brooks Avenue, with the exception of single-family homes.

f. The following design standards are encouraged for any project subject to development review; however, may be waived by the appropriate reviewing authority due to site limitations and the nature of the development:

(1) Off street parking is to be located on the side and rear of buildings;

(2) Any new development or renovations shall generally relate in design features to the surrounding building, showing respect for the local context of Main Street, as seen from Holland Street to Montello Street;

(3) Gable or hipped roofs should be used to the greatest extent possible with any new development or renovations. Flat and shed style roofs are discouraged, unless architectural features are applied to minimize the roofs appearance from Main Street (i.e., false fronts, parapets, etc.)

(4) Shared driveway entrances shall be encouraged with adjacent sites, in order to minimize curb cuts.

(5) Additional landscaping, buffering, and screening are encouraged to minimize views of parking areas from streets and abutting properties.

(13) Modifications (i.e. relaxation of standards) of setbacks, yards, maximum lot coverage ratios, maximum impervious surface ratios, minimum open space ratios, and maximum building height as contained in the district space and bulk standard may be granted by

the board of appeals, planning board, staff review committee and the code enforcement official pursuant to Articles V, VII, VIII, IX, and XIII of this Code.

(14) This development shall meet the requirements set forth in Article XIII, Section 8.

(15) Ten (10) foot minimum side and rear setback in HB District for structures measuring less than 125 square feet accessory to residential uses

(16) Any required side or rear yard area for uses other than residential located within fifty (50) feet of a residential zoning district or dwelling shall be maintained as a buffer area meeting the standards of Article XIII.

(17) For the purpose of determining compliance with front, rear and side setback and yard requirements, an enclosed walkway connecting structures on abutting lots in the institutional-office (IO), whether it be underground, elevated or at grade, shall not be considered a structure but shall be considered a walkway. Similarly, awnings and canopies installed on lots in the institutional-office (IO) district that provide shelter from the elements, whether made of permanent or non-permanent material shall not be considered as structures and may extend into the front, side, and rear yard areas to the extent necessary to provide adequate shelter from the elements as long as the installation will not result in undue impact on adjacent properties, due to the placement of the awnings or canopies, location of service, parking or storage areas, or blocking of solar access, and shall in no way interfere with utilities or with the convenient and safe use of the sidewalk and street right-of-way by all pedestrians and vehicles, but in no case may the canopy be closer than two (2) feet from the property line.

(18) Existing lots of record having 150 feet or less of frontage on a street functionally classified as an arterial shall be limited to one point of vehicular access to the arterial to serve all development on the lot including the division of the lot into additional lots.

Existing lots of record having more than 150, but less than 500 feet of frontage on a street functionally classified as an arterial shall be limited to two points of vehicular access to the arterial to service all development on the lot including the division of the lot into additional lots. Existing lots of record having 500 feet or more of frontage on a street functionally classified as an arterial shall be limited to two points of vehicular access to the arterial for up to 1,000 feet of frontage, plus one additional point of access to the arterial for each additional 500 feet of frontage on the arterial or portion thereof. These points of access shall service all development on the lot, including the division of the lot into additional lots.

Prior to the division of any existing lot of record having a gross lot area of five acres or more or 500 or more feet of street frontage on a road functionally classified as an arterial or the submission of a development plan for all or a portion of the lot, the owner shall file a master development plan with the planning board. The master development plan shall be conceptual in nature and shall be based upon a site inventory plan identifying the major development opportunities and constraints associated with the site. This inventory shall be prepared by a registered landscape architect or registered professional engineer

and shall show in a conceptual manner natural drainage features, environmentally sensitive areas, prime development areas, potential points of vehicular access, and other significant manmade and natural features of the site.

The master development plan shall address the overall use of the parcel, the overall vehicular circulation system within the parcel, the coordination of accesses onto the arterial street, the general layout of utilities and drainage and provisions for buffering. The master development plan shall also demonstrate how the requirements of the office service district and the standards of article XIII will be met. Once the master development plan has been filed with the planning board, any division of land or application for approval shall be consistent with the plan unless a revised master development plan is filed.

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- (19) The land on the on the west side of Main Street from Brooks Avenue to the Main Central railroad right-of-way from Strawberry Avenue south to the Russell Street overpass is subject to the following additional standards:
- a. Modifications of the space and bulk standards may not be granted by granted by the board of appeals, planning board, staff review committee or code enforcement officials, with the exception of side and rear yards where the abutting use is nonresidential.
 - b. In all cases, trees on the entire site with a diameter of greater than six (6) inches shall be preserved unless removal is necessary for development activity as determined by the appropriate reviewing authority.
 - c. The front yard must be planted with deciduous street trees (not including flowering ornamental trees) at intervals of fifteen (15) to thirty (30) feet on center, shall have a minimum two and one-half (2 1/2) inch caliper, and shall be at least eight (8) to twelve (12) feet high at the time of planting. Existing impervious front yard areas must be revegetated to these standards, when a property is subject to development review.
 - d. Each premises is permitted one (1) free standing ground sign not exceed seventy-two (72) square feet. Each business entity is permitted a wall sign not to exceed five (5) percent of the ground floor principal facade area of that business or a minimum of sixteen (16) square feet, whichever is greater. Ground signs are encouraged to be pedestal type ground signs not exceeding eight (8) feet in height.
 - e. The following design standards are encouraged for any project subject to development review; however, may be waived by the appropriate reviewing authority due to site limitations and the nature of the development:
 - (1) Off street parking is to be located on the side and rear of buildings;
 - (2) Any new development or renovations shall generally relate in design features to the surrounding building, showing respect for the local context of Main Street, as seen from Holland Street to Montello Street;
 - (3) Gable or hipped roofs should be used to the greatest extent possible with any new development or renovations. Flat and shed style roofs are discouraged, unless architectural features are applied to minimize the roofs appearance from Main Street (i.e., false fronts, parapets, etc.)
 - (4) Shared driveway entrances shall be encouraged with adjacent sites, in order to minimize curb cuts.

- (5) Additional landscaping, buffering, and screening are encouraged to minimize views of parking areas from streets and abutting properties.
- (20) Where the side or rear yard area for uses other than residential is located within fifty (50) feet of a residential zoning district, a minimum fifty (50)-foot wide buffer area shall be maintained along the side and rear yards in accordance with the buffer standards of Article XIII. In the Industrial district, buffer areas may not be reduced by modification or variance.
- (21) Notwithstanding, applicable setback and yard requirements and the provisions of Article XII, section 17(f)(3), the area between the required front yard and the front wall of the portion of the building or structure closest to the street and running the full width of that portion of the building shall be maintained as a yard area, except that only one (1) of the two (2) following options may be instituted: a. Access roads or drives in this area are permitted only when a minimum of twenty (20) feet of front yard area can be maintained (forty (40) feet in the NCA District); or b. No more than one (1) parking space shall be created in this area.
- (22) In areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district. An established uniform setback relationship is deemed to exist when the distances between the front face of the building and the edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five (5) feet of mean of this distance for the four (4) parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.
- (23) Fifty (50) percent of the area between the required front yard and the front wall of the portion of the building or structure closest to the street and running the full width of that portion of the building shall not be used for parking and shall be maintained as additional yard area, except that access roads or drives and sidewalks are permitted in this area.
- (24) Minimum lot size may be reduced by the Planning Board for single family cluster developments pursuant to Article XIII section 7.
- (25) Building height to be measured at principal facade of the building or structure.

Sec. 24. Additional District Regulation Requirements

1) Groundwater conservation overlay district (GC).

- (a) Statement of purpose. The purpose of the groundwater conservation overlay district is to protect, preserve and maintain the quality and quantity of the existing and potential groundwater supply within the city by controlling the use, storage and disposal of potential contaminants of the groundwater in areas of the city and identified significant sand and gravel aquifers and by assuring the groundwater recharge areas associated with these aquifers are protected from overdevelopment.

- (b) Applicability. The standards of the groundwater conservation overlay district shall apply to any land meeting any of the following criteria:
 - (1) Is located above a significant sand and gravel aquifer as identified by the Maine Geologic Survey, Maine Department of Conservation, "Hydrogeologic Data for Significant Sand and Gravel Aquifers," Maps 11 and 16; or
 - (2) Is located within 100 feet of a significant sand and gravel aquifer; or
 - (3) Is located within the recharge area of a significant sand and gravel aquifer as defined by the extent of permeable stratified sand and gravel and recharging wetlands within them that drain into the aquifer; or
 - (4) Is located within the seasonal high water limits of any stream that flows into a recharge area of a significant sand and gravel aquifer.

Where the bounds delineated are in doubt or in dispute, the burden of proof shall be upon the owner(s) of the land in question to show where they should properly be located. At the request of the owner(s), the city may engage a professional geologist, geotechnical engineer, or soil scientist to determine more accurately the location and extent of an aquifer or recharge area, and shall charge the owner(s) for the cost of the investigation.

These standards shall apply in addition to the standards of the underlying zoning district in which the property is located.

- (c) Permitted uses. Any use permitted in the underlying zoning district and not prohibited by subsection (e) shall be permitted in the groundwater conservation overlay district.
- (d) Conditional uses. Any use permitted with a conditional use permit in the underlying zoning district and not prohibited by subsection (e) shall be permitted as a conditional use in the groundwater conservation overlay district.
- (e) Prohibited uses. Any use prohibited in the underlying zoning district together with the following uses, even if permitted in the underlying zoning district, shall be prohibited in the groundwater conservation overlay district:
 - (1) The disposal of solid wastes, other than brush and stumps in accordance with Solid Waste Disposal Rules and Regulations of the State of Maine;
 - (2) The storage of gasoline or other refined petroleum products except as heating fuel stored within a building or accessory to an allowed use and in accordance with the standards of the Maine Department of Environmental Protection for Permitting Underground Oil Storage Facilities;
 - (3) The storage of road salt or other deicing chemicals;
 - (4) The dumping of snow brought in from outside of the district;
 - (5) The storage or disposal of hazardous wastes as defined by the hazardous waste regulations promulgated by the Bureau of Land Quality Control, Maine Department of Environmental Protection;
 - (6) Automotive and equipment service and repair shops;

- (7) Junkyards and salvage yards;
- (8) Cemeteries.
- (f) Space and bulk standards. Any building, structure or use of land within the groundwater conservation overlay district shall comply with the following requirements in addition to the space and bulk regulations of the underlying zoning district:

Maximum impervious surface ratio	0.25 or as otherwise provided in subsection
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- (g) Additional standards. Any building, structure or use of land within the groundwater conservation overlay district shall comply with the following requirements:
 - (1) Timber harvesting.
 - a. Over any ten-year period, harvesting shall not remove more than 50 percent of the volume of trees over four inches in diameter. For the purpose of these standards, volume may be considered equivalent to basal area.
 - b. Burning of slash is prohibited. Export of woodchips to wood-to-energy plants or on-site chipping and broadcast application to the land are recommended for slash disposal.
 - (2) Agriculture.
 - a. Land application of sludge and spray irrigation of industrial wastewater or sewage are prohibited in the groundwater conservation district.
 - b. Manure spreading is permitted if carried out in conformance with a conservation plan which meets the standards of the state soil and water conservation commission and is approved by the Androscoggin Valley Soil and Water Conservation District. The conservation plan must include provisions for control of surface water runoff and nonpoint source pollution.
 - (3) Animal husbandry.
 - a. Animal husbandry and associated manure handling must be carried out in conformance with a conservation plan which meets the standards of the state soil and water conservation commission and is approved by the Androscoggin Valley Soil and Water Conservation District. The conservation plan must include provision for control of surface water runoff and nonpoint source pollution.
 - (4) Impervious surface.
 - a. The impervious surface ratio for nonresidential uses may be increased if a groundwater study prepared by a groundwater hydrologist demonstrates that such increase will not have an adverse impact on either the quality or quantity of groundwater or that proposed mitigation measures will result in there being no adverse impact to either the quality or quantity of the

groundwater.

- (5) Industrial and commercial uses.
 - a. Facilities shall be designed so that all stored, spilled or leaked hazardous materials are contained on-site;
 - b. Facilities shall be designed so that no stored, spilled or leaked hazardous materials can infiltrate into the ground;
 - c. Permanent disposal of any waste containing hazardous materials shall not be allowed on-site;
 - d. Interior floor drains shall not be directed to any stream, storm drain, dry well or subsurface wastewater disposal system. They shall be directed to holding tanks, treatment systems or the public sewer system;
 - e. Above ground storage tanks for hazardous materials shall be located within a diked area which is impervious to the substance(s) being stored and large enough to contain the entire contents of the tank(s);
 - f. Storage areas for drums shall be contained within a diked area which is impervious to the substances being stored. All drums shall be stored in product-tight containers which are protected from leakage, accidental damage and vandalism;
 - g. Commercial or industrial activities which have uncovered storage areas shall have specially designed stormwater drainage facilities which provide for disposal of stormwater in a manner that will not adversely affect groundwater quality;
 - h. Dumpsters used to store industrial or commercial wastes shall be covered;
 - i. The design of storage and containment storage shall be approved by the city engineer for conformance with standard engineering practice.
- (6) Subsurface wastewater disposal systems.
 - a. In areas which are not served by public sewer, no more than one dwelling unit may be connected to a subsurface waste disposal system, and no "engineered systems" are permitted unless a full hydrogeologic study which examines the specific groundwater impacts of the proposed system indicates that there will be no off-site impacts on groundwater quality. The study must be conducted by a state certified geologist with proven experience in hydrogeology.
 - b. Disposal of hazardous materials to wastewater disposal systems is prohibited.
- (7) Earth material extraction.
 - a. Extraction shall not be allowed below the average seasonal high water table. No ditches, trenches, pumping or other methods shall be used to artificially lower the water table to permit more gravel extraction than could occur under natural conditions.

- b. All petroleum products shall be kept out of the pit. If refueling and oil changes must be conducted in the pit, a special area must be constructed that would prevent the maximum possible spill from entering the ground. Absorbent pads shall be kept onsite to be used immediately, should any petroleum products be spilled on the soil.
 - c. The pit shall not be used for storage or dumping of any substances that could produce a harmful leachate.
 - d. Any washing or crushing operations shall be conducted in a manner that will minimize runoff and evaporation.
 - e. Access and haul roads into and around the pit shall not be oiled or salted.
 - f. Access to the pit shall be strictly controlled at all times with locking gates. When the pit is permanently closed, all vehicular entrances shall be made impassable.
 - g. When the pit is permanently closed, it shall be loamed and seeded. Application of fertilizer, manure or other soil amendments to bare soil whose topsoil has been removed is prohibited.
- (8) Pesticides and herbicides. The application of pesticides and herbicides for nondomestic or nonagricultural uses shall be carried out with all necessary precautions to prevent hazardous concentrations of pesticides and herbicides in the water and on the land within the groundwater conservation district as a result of such application. Such precautions include, but are not limited to; erosion control techniques, the control of runoff water (or the use of pesticides having low-solubility in water), the prevention of volatilization and redeposition of pesticides and the lateral displacement (i.e. wind drift) of pesticides.
- (9) Development approval. All nonresidential projects requiring development review shall prepare a groundwater protection plan which shall identify proposed measures for protecting the groundwater from adverse impacts from loss of recharge capacity, exfiltration from sewer pipes and contamination by oils, chemicals or nutrients.

(Ord. No. 92-5, 3-5-92; Ord. No. 00-19, 10-5-00)

2) *No name pond conservation overlay district (LC).*

- (a) *Statement of purpose.* The purpose of the no name pond conservation overlay district is to protect the water quality of no name pond by controlling the discharge of surface runoff into the lake, thereby limiting nutrient loading to levels which will not result in substantial degradation of the pond's water quality.
- (b) *Applicability.* The standards of the no name pond conservation overlay district shall apply to any land located within the watershed of no name pond which discharges surface water either directly or indirectly to no name pond, as shown on the Official Zoning Map, City of Lewiston. These standards shall apply in addition to the standards of the underlying zoning district in which the property is located.
- (c) *Permitted uses.* Any use permitted by right in the underlying zoning district shall be permitted in the no name pond conservation overlay district.

- (d) Conditional uses. Any use permitted with a conditional use permit in the underlying zoning district shall be permitted as a conditional use in the No Name Pond conservation overlay district.
- (e) Prohibited uses. Any use prohibited in the underlying zoning district shall be prohibited in the No Name Pond conservation overlay district.
- (f) Space and bulk standards. Any building, structure or use of land within the no name pond conservation overlay district shall comply with the following requirements in addition to the space and bulk regulations of the underlying zoning district:

Minimum setback from shoreline (all structures other than permitted piers, docks, marinas and similar water dependent uses)	100 feet
Minimum shoreline buffer retained in natural vegetated state	50 feet
Minimum shoreline frontage for any abutting on the pond	100 feet
Minimum buffer from perennial or intermittent stream or open stormwater drainage course retained in natural vegetated state	50 feet
Maximum impervious surface ratio	0.1
- (g) Additional standards. Any building, structure or use of land within the no name pond conservation overlay district shall comply with the following requirements:
 - (1) Fertilizer use:
 - a. The use of fertilizers within the required shoreline, stream or drainage course buffers is prohibited.
 - b. The use of solid chemical fertilizers for agricultural or other nondomestic purposes is prohibited.
 - c. The use of liquid chemical fertilizers or manure for agricultural or other nondomestic purposes shall be done in accordance with a fertilizing plan approved by the District Conservationist of the Androscoggin Valley Soil and Water Conservation District. This plan shall be filed with the code enforcement official at least 48 hours prior to application of any fertilizer. A plan for a year-long or similar time period may be submitted to the code enforcement official to avoid having to file a separate plan for each application.
 - (2) The total area of any lot devoted to lawns and gardens shall not exceed 30 percent of the total area of the lot. Any lot exceeding this requirement as of January 9, 1988 shall be permitted to retain all existing lawn and garden areas. No new lawn or garden area shall be established within the required shoreline, stream or drainage course buffers.
 - (3) Private sewage disposal systems:
 - a. For all proposed on-site sewage disposal systems within the no name pond conservation overlay district and within 250 feet of the shoreline of no name pond, the minimum separation distance required by the applicable state subsurface wastewater disposal rules, between the disposal area bottom and the most limiting soil

or groundwater condition (seasonable high groundwater table, restrictive layer or bedrock), must be increased by a factor of 1.5.

- b. For all proposed on-site sewage disposal systems within the no name pond conservation overlay district within 1,000 feet but greater than 250 feet of the shoreline of no name pond, the minimum separation distance required by the applicable state subsurface wastewater disposal rules, between the disposal area bottom and the most limiting soil condition, must be increased by a factor of 1.25.
 - c. The installation of any on-site sewage disposal system within 250 feet of the shoreline of no name pond, any perennial or intermittent stream tributary to no name pond or any open stormwater drainage course shall comply with the above standard and all the other requirements of the applicable state subsurface wastewater disposal rules without variance.
 - d. The installation of any on-site sewage disposal system with a design capacity in excess of 1,000 gallons per day shall be permitted only if a detailed groundwater hydrology study, acceptable to the city engineer, demonstrates that the system will not have an adverse impact on the water quality of no name pond.
 - e. Replacement or reconstruction of lawfully-existing private residential sewage disposal systems in existence and in use on the effective date of this ordinance and systems on lots in subdivisions approved prior to the effective date of this ordinance, shall not be subject to the requirements of subsections (3)a and (3)b, but shall be required to comply with the applicable requirements of the state subsurface wastewater disposal rules.
- (4) Proposals for the development of all new or existing lots within the no name pond conservation overlay district, including single-lot residential development, shall comply with the following additional requirements as part of the approval of the project:
- a. The applicant shall demonstrate, using methodology approved in advance by the Maine Department of Environmental Protection, that the proposed development will incorporate appropriate stormwater best management practices based on standards to assure that development within the watershed will not increase the total phosphorous concentration of no name pond by more than 0.75 part per billion. If the analysis demonstrates that this standard will not be met, the applicant shall propose modifications to the plan to bring the project into conformance with the standard.
 - b. The applicant shall demonstrate, using the soil conservation service methodology for small urban watersheds for a 25-year, 24-hour storm, that the total volume of stormwater discharged from the site in its post development condition shall not exceed the total runoff in its predevelopment condition by more than 20 percent. If this analysis demonstrates that this standard will not be met, the

applicant shall propose modifications to the plan to retain runoff on the site to bring the project into conformance with the standard.

- c. The applicant shall prepare an erosion and sedimentation control plan to minimize, to the maximum extent possible, the discharge of sediments to no name pond. This plan shall be consistent with the practices set forth in the most recent edition of the Environmental Quality Handbook - Maine, published by the Maine Soil and Water Conservation Service and shall be reviewed and approved by the District Conservationist of the Androscoggin County Soil and Water Conservation District.

- (5) Projects within the no name pond conservation overlay district that include one acre or more of disturbed area, must comply with the Maine Stormwater Management Law, 38 MRSA Section 420-D, and any regulations issued thereunder, specifically Rules 500 and 502, having an effective date of December 31, 1997, repealed and replaced on November 16, 2005, and further amended on December 21, 2006. Furthermore, all projects within 250 feet distance from the normal high water line from no name pond must meet the standard under article XII, shoreland area standards.

- (h) Conflicts. In any case in which a provision of article XI, section 20 conflicts with provisions contained in other articles of this Code, the more stringent standard shall apply.

(Ord. No. 92-5, 3-5-92; Ord. No. 00-19, 10-5-00; Ord. No. 02-24, 2-6-03; Ord. No. 06-17, 2-8-07; Ord.No. 08-08, 10-2-08)

3) *Mobile home park overlay district (MH).*

- (a) *Statement of purpose.* The purpose of the mobile home park overlay district is to provide for the accommodation of mobile homes in planned, integrated mobile home parks, and mobile homes on individual residential lots, at a standard consistent with the protection of the health, safety and general welfare of the residents of the city while establishing safeguards to minimize the adverse impacts on neighboring property owners.
- (b) *Applicability.* The standards of the mobile home park overlay district shall apply to all land shown on the "Official Zoning Map, City of Lewiston" as being located within the mobile home park overlay district.
- (c) *Permitted uses.* Any use permitted in the underlying zoning district shall be permitted in the mobile home park overlay district. In addition the following uses shall be permitted whether or not they are permitted in the underlying district:
 - (1) Mobile home parks consisting of:
 - a. Residential mobile homes and accessory buildings or structures;

- b. Facilities for the operation and maintenance of the mobile home park including:
 1. A dwelling for the owner or manager;
 2. Laundry and restroom facilities;
 3. Offices and common areas for the management of the park;
 4. Indoor recreation facilities, meeting rooms and common facilities for the exclusive use of park residents and their guests;
 5. Outdoor recreation facilities for the exclusive use of park residents and their guests;
 6. Service and utility buildings for the storage and repair of equipment used in the operation and maintenance of the park; and
 7. Storage facilities for the exclusive use of park tenants.
- c. Facilities for the sales of mobile homes including a sales office and not more than five model units for parks having 50 or fewer sites plus one additional model for each 25 additional approved sites in excess of 50 to a maximum of 12 model units.

(2) Mobile homes on individual residential lots.

- (d) Conditional uses. Any use permitted with a conditional use permit in the underlying zoning district shall be permitted as a conditional use in the mobile home park overlay district unless such use is made a permitted use by subsection (c) above.
- (e) Prohibited uses. Any use prohibited in the underlying zoning district which is not a permitted or conditional use in the mobile home park overlay district shall be prohibited in the district.
- (f) Space and bulk standards. Any use other than a mobile home park shall comply to the space and bulk standards of the underlying district. Mobile home parks shall comply with the following requirements:

Minimum lot size	5 acres	Minimum
street frontage	200 feet	
Minimum net lot area per dwelling unit	6,500 square feet	
Minimum setback of mobile home from the perimeter of the site	50 feet	
Minimum front yard	25 feet	
Minimum side and rear	yard	
50 feet	Minimum side and rear	buffer
25 feet	Maximum lot coverage	ratio

.040

(g) Additional standards.

- (1) The general standards of performance of article XII shall apply.
- (2) The expansion or development of a mobile home park shall be subject to the development review requirements of article XIII of this Code.
- (3) The mobile home park shall conform to the off-street parking requirements of article XII.
- (4) The layout, design and construction of individual mobile home sites and related facilities shall conform to the standards set forth in article XII of this Code.
- (5) No development which is approved under this section as a mobile home park may be converted to another use without the approval of the planning board, and meeting the appropriate lot size, frontage, setbacks and other requirements. The plan to be recorded at the registry of deeds and filed with the city shall include the following restrictions as well as any other notes or conditions of approval:
 - a. The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.
 - b. No dwelling unit other than a manufactured housing unit shall be located within the park.
 - c. The owner or operator of a mobile home park shall be responsible for ensuring the maintenance of the park and code compliance with all provisions of the Revised Code of Ordinances of the City of Lewiston for all park owned structures, including recreation and open space areas and mobile home sites.

(Ord. No. 90-10, 10-4-90; Ord. No. 92-31, 1-7-93; Ord. No. 00-19, 10-5-00)

LEWISTON CITY COUNCIL
MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Resolve Accepting a Donation from Aaron's of Lewiston for the purpose of sponsoring the Basketball Program at the Lewiston Recreation Department.

INFORMATION:

Aaron's of Lewiston (a store that offers leases of household equipment) has donated \$500 to purchase new basketball equipment in support of the City's basketball program. The City Council must authorize acceptance of any donations to the City.

The Council is asked to vote to accept the donation for the Recreation Program.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To adopt the Resolve accepting a donation from Aaron's of Lewiston for the purpose of sponsoring the Basketball program at the Lewiston Recreation Department.



**City of Lewiston, Maine
City Council Order
November, 2012**



RESOLVE, Accepting a Donation from Aaron's of Lewiston for the Purpose of Sponsoring the Basketball Program at the Lewiston Recreation Department.

Whereas, Aaron's is a company dedicated to community outreach and supporting community programs; and

Whereas, Aaron's is donating \$500 to purchase new basketball equipment in support of the Recreation Department's basketball program;

Now, therefore, be it Ordered by the City Council of the City of Lewiston that

the City Administrator is authorized to accept the donation in the amount of \$500 from Aaron's of Lewiston for the purpose of purchasing equipment for the Basketball Program.

Be it Further Resolved that

the City Council expresses its thanks and appreciation to Aaron's of Lewiston and their employees for their contribution.

**LEWISTON CITY COUNCIL
MEETING OF NOVEMBER 20, 2012**

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Authorization to accept transfer of forfeiture funds.

INFORMATION:

The Lewiston Police Department is requesting that the City Council authorize the acceptance of funds, in the amounts outlined below, as reimbursement for costs associated with assisting in a criminal investigation.

The funds are available to the Lewiston Police Department due to its substantial contribution to the investigation of this or a related criminal case.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of the proceeds from the sale of a 2002 BMW 3001, or any portion thereof, less administrative fees, in the case of the US Department of Justice Drug Enforcement Administration vs. David Leonard, case reference CE-12-0047, 12-DEA-572998; the transfer of 11.43%, less administrative fees, of \$4098 or any portion thereof, in the case of the US Department of Justice Drug Enforcement Administration vs. David Jones, case reference CE-12-0050, 12-DEA-571372. Being funds forfeited pursuant to court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program'.



MEMO



Date: October 30, 2012
To: Kelly Mercier, Deputy City Clerk
From: Michael Bussiere, Chief of Police
Re: Forfeiture funds

The following investigations are pending in federal court and upon a favorable final disposition, the funds in the cases listed below will be released to the Lewiston Police Department. Please make the necessary notifications to the City Council that would allow them to address the issue and consent to the acceptance of these funds. Please credit these funds to the Federal Drug Forfeiture Account, number 590-3514050.

<u>Name</u>	<u>Docket #</u>	<u>Asset ID#</u>	<u>Asset</u>
David Leonard	CE-12-0047	12-DEA-572998	2002 BMW 300I
David Jones	CE-12-0050	12-DEA-571372	11.43% of \$4,098 less administrative fee

LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Resolve making an Appropriation for municipal budget year 2013 to purchase an additional Criminal Investigation Vehicle from State Drug Forfeiture Funds.

INFORMATION:

During the spring 2012 budget deliberations, the Council eliminated approximately \$20,000 from the Police Department budget request for a vehicle with the expectation that the vehicle could be purchased with money from the Drug Forfeiture account. The fund now has available money to acquire the vehicle. The Council is asked to adopt the Resolve authorizing release of \$21,400 in funds to purchase the vehicle for the Criminal Investigate unit.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Resolve making an Appropriation for municipal budget year 2013 to purchase an additional Criminal Investigation Vehicle from State Drug Forfeiture Funds.



**City of Lewiston Maine
City Council Order
November 20, 2012**

RESOLVE, Making an Appropriation for Municipal Budget Year 2013 to Purchase an Additional Criminal Investigation Vehicle from State Drug Forfeiture Funds

WHEREAS, during budget deliberations, the City Council approved a General Fund budget reduction of \$19,400 for the purchase of a second Criminal Investigation vehicle; and

WHEREAS, it was the intention of the City Council to fund the second Criminal Investigation vehicle purchase with a State Drug Forfeiture appropriation; and

WHEREAS, the State Drug Forfeiture account has available funds with which to purchase a second vehicle;

NOW, THEREFORE, BE IT RESOLVED by the CITY COUNCIL of the CITY of LEWISTON that \$21,400 is hereby appropriated to purchase a second Criminal Investigation vehicle with State Forfeiture Funds.



Finance Department

Heather Hunter
Director of Finance/Treasurer
hhunter@lewistonmaine.gov



TO: Mayor Robert E. Macdonald
And Members of the City Council

FROM: Heather Hunter, Finance Director

SUBJECT: **Drug Forfeiture Fund Appropriation**

DATE: November 13, 2012

During the fiscal year 2013 budget deliberations, the City Council voted to remove the purchase of and corresponding trade-in credit for a Criminal Investigation (CID) vehicle. The amount of the adjustment was \$19,400 -- \$21,400 less a \$2,000 trade-in. The intention at the time was to fund this purchase through the State portion of the Drug Forfeiture Fund. This is an allowable use of funds as long as the municipality supplants the vehicle inventory. The Police Chief's intention was to retain the existing vehicle as a back-up for a couple of years then use it as an additional trade-in.

During the final budget resolve approved on May 1st, I neglected to include the additional adjustment for the CID vehicle purchase in the Drug Forfeiture authorization. The current resolve of \$50,566 should have been approved at \$71,966, which includes the CID vehicle. As of the close of fiscal year 2012, the State portion of available Drug Forfeiture fund balance was \$37,279. FY2013's budgeted appropriation included \$5,000 in State-only revenues and \$18,950 in state-only expenditures, leaving a remaining balance of \$23,329. If approved, the remaining surplus would be \$1,929.

I am recommending that the City Council appropriate \$21,400 to purchase a second CID vehicle from State Drug Forfeiture funds as was intended.

LEWISTON CITY COUNCIL
MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Order Authorizing the City Administrator to apply for and accept a Project Canopy Grant for the development of a McMahon Elementary School Nature Trail.

INFORMATION:

The Public Works Director recently submitted a grant application to the Maine Forest Service for a Project Canopy grant for funds to support a School Nature Trail behind McMahon School. The total project cost is \$20,000 and requires a 50% local match which would be met with volunteers, staff labor and equipment costs. The proposed project grant funding would be used to clear trails, mark the trails, build bridges and improve trail surfaces with steps, retaining walls and wood chips. The Council is asked to approve the Order authorizing approval to apply for the grant and to accept and execute the grant if it is awarded.

Please see the background material for additional information on this project.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

ETAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Order authorizing the City Administrator to apply for and accept a Project Canopy Grant for the development of a McMahon Elementary School Nature Trail.



City of Lewiston Maine

November 20, 2012

ORDER, Authorizing the City Administrator to Apply for and Accept a Project Canopy Grant for the development of a McMahon Elementary School Nature Trail.

Whereas, the City recently harvested a 60 acre woodlot behind McMahon Elementary School as part of the City's Urban Forest program; and

Whereas, the Maine Forest Service recently announced applications were being solicited for USDA Forest Service grants under the Project Canopy Program for Planning and Education; and

Whereas, development of a nature trail near the school meets all of the goals of the Project Canopy grant program; and

Whereas, the maximum grant application is for a total project cost of \$20,000 with a requirement of a 50% local match; and

Whereas, the proposed \$10,000 local match can be in the form of in-kind services such as volunteer and staff labor and equipment costs; and

Whereas, an application was submitted to meet grant program deadlines; and

Whereas, the proposed project grant funding would be used to clear trails of wood and debris, mark the trails, build bridges and improve trail surfaces with steps, retaining walls, and woodchips where necessary; and

Whereas, an amphitheater or outdoor classroom to be used by teachers or students will be created; kiosks and trail map boards will be installed; and the trails will be GPS located and plotted on the City GIS and maps trail users can use will be created;

Now, therefore, be it Ordered By the City Council of the City of Lewiston that

The City Administrator is Authorized to apply for the Project Canopy Grant and, if approved, to accept and execute the grant according to the application.



Department of Public Works

David A. Jones, P.E.
Director



November 13, 2012

To: City Administrator Ed Barrett, City Clerk Kathy Montejo

Re: Project Canopy Grant

Ed & Kathy,

Recently, the Maine Forest Service announced applications were being solicited for USDA Forest Service grants under the Project Canopy Program for Planning and Education. Applications were due October 22, 2012, with a maximum grant amount of \$10,000 with a local match of in-kind services or funds required. City Arborist Steve Murch prepared the attached application and submitted it within the deadlines with the approval of myself and City Administration. We are submitting the information for the City Council to consider, approve application for the grant, and, if a grant is awarded, approve to accepting the grant.

McMahon Elementary School Nature Trail

The project will establish a nature trail system in a 60 acre woodlot which was recently harvested behind McMahon Elementary School. Funding from the grant would be used to clear trails of wood and debris, mark the trails, build bridges and improve trail surfaces with steps, retaining walls and woodchips where necessary. Additionally, an amphitheater or outdoor classroom to be used by teachers or students will be created. Kiosks and trail map boards will be installed and the trails will be GPS located and plotted on the City GIS and maps trail users can use.

The total project cost is estimated to be \$20,000. The requested grant funding from the Maine Forest Service would be \$10,000. The remaining \$10,000 would be the local match and would be made up of in-kind services such as volunteer and staff labor and equipment rental from the municipal garage.

I have attached a draft order for consideration and approval by City Council.

Sincerely,

David A. Jones, P.E.
Director

**2012 PROJECT CANOPY ASSISTANCE
PLANNING AND EDUCATION**
USDA FOREST SERVICE-URBAN AND COMMUNITY FORESTRY CFDA 10:675

Applicant Name: City of Lewiston

*Designated Representative: Steve Murch

Title: City Arborist

Address: 103 Adams Ave

Phone Number: 513-3003 ext 3443

Email Address: Smurch@ci.lewiston.me.us

Applicant's Federal Identification Number: 01-6000030

Project/Program will take place on non-federal land owned or controlled

by: City of Lewiston Population: 36,000

Previously Received Community Forestry Assistance Funding x Yes No

A. Amount of Project Canopy Funds Requested	<u>\$10,000.00</u>
B. Local Match: (See Guidelines)	<u>\$10,000.00</u>
C. Total Project Cost (A + B = C)	<u>\$20,000.00</u>

Does your community have a comprehensive plan that includes forestry? x Yes No

Date certified by State Planning Office: 1997 _____

Short Project Title: McMahon Elementary School Nature Trail

Brief Description of Project:

(Describe the project, including what is to be developed, produced, performed, and/or implemented. Include project purpose and objectives)

The City of Lewiston would like to establish a nature trail system in a 60 acre woodlot which was recently harvested behind McMahon Elementary School. With this grant, we will identify main trails, create a trail loop and include some cut-through trails. We will clear the trails of wood and debris, mark the trails, build bridges and improve the trail surface with steps, retaining walls and woodchips where necessary. We will create an amphitheater or outdoor classroom to be used by teachers and students from McMahon School. We will build and install kiosks trail maps boards which will be used to identify the area and provide information to recreational users. Trails will be GPS located and plotted on a map to be made available to trail users which would identify property lines and the trail system. We will also install signage to identify parking areas and other additional information.

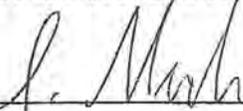
Name of State Senator Margaret Rotundo
Name of State Representative Honorable Margaret M. Craven

Grant applications must include:

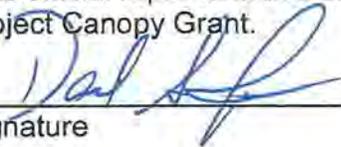
(Refer to the Project Canopy Planning and Education Grant guidelines for specific instructions)

- **Completed Application Form**
- **Narrative**
- **Detailed Budget**
- **3-Year Maintenance Plan**
- **Letters of Support**

*As designated representative of said applicant, I hereby agree to implement this project according to the attached cost and technical proposals and to abide by all local ordinances and restrictions that apply.


Signature _____ Date 10/22/12

**As official representative of said applicant, I hereby authorize the project submitted for the proposed Project Canopy Grant.


Signature _____ Date 10/22/12

Please submit proposals in PDF format to the following e-mail: jan.santerre@maine.gov, no later than 5 PM, October 22, 2012. Required information for the proposal should not exceed five (5) pages (excluding budget tables), with a print font size of 12 preferred. Note: the proposal submission inbox can accept message up to 10 MB in size. Multiple messages per proposal may be submitted if necessary. Additional information such as maps, tables, and letter of support may be included in addition to the proposal.

* Designated representative refers to the person authorized by the applicant to submit a grant application, sign documents and take necessary actions to undertake, direct and complete the approved project.

**Official representative refers to the Mayor or Town Board Official for a municipality; a Superintendent or Principal for a school; and the Board Director or President in the case of a non-profit organization.

Project Canopy Community Capacity Checklist



Please rate your community's capacity for urban and community forestry management. Put a check mark next to each capacity component that applies to your community.

1. Inventories and management plans:

Community has a tree and forest management plan developed from professionally-based resource assessments and inventories.

Lewiston completed an inventory of 4000 city trees in 2001. Each tree in the inventory is also identified and located on the city GIS system. The inventory is updated on a regular basis. We also have a management plan that is part of our Standard Operating Procedure.

2. Professional staff:

Community employs or has written agreement with professional forestry staff who possess at least one of the following credentials: degree in forestry or related field, and ISA certified arborist or equivalent professional certification.

The City of Lewiston employees a full time Arborist. The city Arborist has a BS in Urban Forestry, ISA Certification and Licensed by the State of Maine. The City Arborist supervises a crew of 4 individuals who are responsible for all the Tree Work and Landscaping within the city.

3. Tree care ordinance:

Community has local ordinances or policies that focus on planting, protecting, and maintaining urban and community trees and forests.

A Community Forest Ordinance was approved by Lewiston City Council in May 2012

4. Local advisory /advocacy organization:

Community has local advocacy/advisory organizations such as active tree boards, commissions, or non-profit organizations that are formalized or chartered to advise and/or advocate for the planting, protection, and maintenance of urban and community trees and forests.

The Lewiston Auburn Community Forest Board (LACFB) was established in 2000 "To enhance, preserve, and maintain the community forest in Lewiston and Auburn." The board is made up of nine residents from both communities, the City Arborists, and staff from the Parks and Recreation departments. All of the citizen board members are volunteers.

Narrative:

Applicants are required to submit a narrative with their application containing the following information:

- *A brief history of your community program, school or nonprofit organization, including mission and goals for the next several years.*
- *A description of the project, including what you expect to be developed, produced, performed and/or implemented; a clear and measurable work plan for the project; and a timeline for completion of the process.*
- *A description of how your project will effectively contribute to Project Canopy and USDA Forest Service goals.*
- *A description of how this project will enhance your community's capacity for long-term and sustainable urban and community forestry management.*

A. Overview: The City of Lewiston has had a City Arborist for over 20 years. In the year 2000, the Lewiston Auburn Community Forestry Board (LACFB) was established "to enhance, preserve, and maintain the community forest in Lewiston and Auburn". This 9 member board meets monthly to work towards these goals. In addition, our city has been a Tree City USA for 12 years. We have a trained staff which works year round maintaining the health, safety and appearance of the urban forest within the City of Lewiston. Our goals in the next 5 years are to continue to manage our woodlots utilizing our Forest Management Plan, work with our Tree Board to educate the public about the importance of trees in our Urban Forest, and more importantly, the role trees play in the economic growth and development of our Community. We will also continue to prune, remove and plant trees to provide an enjoyable and safe environment for our residents.

B. Project Description: For the past 15 years the City of Lewiston has utilized opportunities from Project Canopy to plant and maintain trees, educate the public, complete a tree inventory and create a Forest Management Plan. The Lewiston Auburn Community Forest Council mission statement, our strategic plan and the City of Lewiston Forest Management Plan all identify improving education and awareness about trees and providing better recreational opportunities as primary goals for our city. **The McMahon Elementary School Nature Trail Project** does that. Our objective is to, with grants funds from Project Canopy, volunteer labor and Public Works contribution, establish a trail system which can be improved on and enhanced over the next several years with the partnerships created by this project.

Utilizing a Forest Management Plan which was funded by a Project Canopy Grant in 2009, a 60 Acre woodlot was harvested behind McMahon Elementary School in August 2012. This woodlot is also bordered by a residential neighborhood and within a very short walk of several other neighborhoods. Prior to our harvest, the property was utilized by the local snowmobile club, ATV's and hunters. These uses provide an established limited trail system which we can use and improve.

The harvest was completed in a very organized and clean manner. A selective cut was completed removing less than 30% of the existing canopy. In addition, skidder trails were pre-marked by the Forester and strictly followed to minimize additional impact to the woodlot. Finally, all tree tops, slash and brush was removed and bio-massed providing a very clean and passable woodlot.

Our objective is to create a loop trail around the perimeter of the property utilizing parts of the existing snowmobile trail, then to create a few shorter "cut-through" trails utilizing some of the skidder trails. We will post signage to identify where trail users should park and enter the property, then create and post kiosks and trail map boards which would provide information about the trail and the property.

Kiosks: information provided in the kiosks will include the following:

- A trail map identifying the property lines and marked trails.
- A brief description of the Forest Management Plan, how this property was harvested and when it will be harvested again.
- A history of the property, detailing any historical information we can find.
- Identification and general information about trees and wildlife found within the trail system.

Using pressure treated lumber, bridges will be built, trails will be improved and an outdoor classroom or amphitheater will be constructed to allow teachers at McMahon School to bring out their students and teach in a natural environment. In addition, several pockets of mature trees will be identified within the property and trail system and protected in future cuts to allow some older growth to enhance the experience for future trail users.

Recreational users of the trail system will be pedestrians, dog walkers, bicyclists, snowmobilers, hunters, snow shoeing, snow sledding, nature lovers, cross country skiers and elementary school students and teachers.

Participants involved in assisting in creating this trail will be:

- The City of Lewiston
- Lewiston Auburn Community Forest Board
- McMahon Elementary School Staff and Students
- Hillside Riders Snowmobile Club
- Lewiston Regional Technical College (High School Students)
- Various local volunteer groups and organizations

The ongoing maintenance of the nature trail will be the responsibility of the City of Lewiston. This will be supervised by the Public Works Department. However, partnerships will be created with the groups listed above and involvement of various volunteer groups will allow us to act as a mediator, coordinating and organizing their efforts needed for the general maintenance and upkeep.

Meeting Project Canopy and USDA Forest Service Goals:

The Macmahon School Nature Trail Project clearly addresses many of the stated Project Canopy and USFS National goals. By creating a nature trail to be used by residents within our city, we are conserving open space and enhancing recreational opportunities. Also with this trail system, we are stimulating and heightening public awareness of the community forest, its role, and benefits. We are promoting comprehensive resource management of community forests and related natural resources and creating and maintaining partnerships within our community.

Enhancing Long Term Community Forest Management:

Upon completion, the trail will be promoted through the media, McMahon School and the Tree Board. This will specifically highlight the importance of our Forest Management Plan and how the management plan created opportunities for our residents. The success of this project will provide recreational opportunities for residents for years to come along these trails, but more importantly, its success will pave the way for us to create similar trails within other woodlots we harvest through our management plan.

Detailed Budget:

- Costs eligible for reimbursement: \$10,000.00 to purchase materials for construction of 3 bridges, benches along the trail, benches for the outdoor classroom, signs within the trail, signs at the entrances, and 3 Kiosks and trail map boards.
- Applicant's share match: \$10,000.00 Matching funds will be "In Kind" Services by volunteers, labor contributed by the City of Lewiston or if necessary, funds contributed by the City of Lewiston.

Three-Year Maintenance Plan:

None needed. No tree planting is part of this project.

Letters of Support:

Applications that include a broad range of participants will be favored. Applicants are required to include letters of support from partners that include specific commitments and contributions to the project, e.g. amount of volunteer labor committed, estimated services provided, donated equipment or labor, and not just a general statement of support. **For applicants that are not a municipality, a letter of support from a sponsoring municipality is required.**

Additional Attachment: I have attached an aerial photo of the property. This photo was provided by our Forester. The solid lines show existing snowmobile trails. The dotted lines show skidder trails used during our harvest in August 2012.

2012 PROJECT CANOPY PLANNING AND EDUCATION GRANT – BUDGET ITEM EXPLANATION

Total Amount of Project Canopy Funds Requested: \$ 10,000.00

1. Consultants and Services

			Reimbursable Costs		Non-reimbursable Costs
Name	Title	Work Description	A. Costs Eligible for Reimbursement	B. Applicant's Share (Match)	C. Total Project Cost

2. Educational and Promotional Supplies

				Reimbursable Costs		Non-reimbursable Costs
Item	Description	Cost/ Unit	# of Units	A. Costs Eligible for Reimbursement	B. Applicant's Share (Match)	C. Total Project Cost
(3) Kiosks	placed at each entrance to trail	\$500.00	3	\$1,500.00	0	\$1,500.00
(3) Signs	placed at each entrance, to indicate parking, hours of use etc.	\$100.00	3	\$300.00	0	\$300.00
(3) Trail Map Boards	Large scale permanent property and trail identification boards to be posted at each entrance	\$500.00	3	\$1,500.00	0	\$1,500.00

3. Tree Purchase, Planting and Maintenance

				Reimbursable Costs		Non-reimbursable Costs
Job Description	Cost/ Tree	# of Trees	Tree Caliper Size	A. Costs Eligible for Reimbursement	B. Applicant's Share (Match)	C. Total Project Cost

4. Administrative Costs

				Reimbursable Costs	Non-reimbursable Costs	
Employee Name	Title	Cost/ Hour	# of Hours	A. Costs Eligible for Reimbursement	B. Applicant's Share (Match)	C. Total Project Cost
Steve Murch	City Arborist	\$21.00	80.00	Not Applicable	\$1,680.00	\$1,680.00
LPW Employee/Labor	Highway Worker/ Parks Worker/Equipment Operator/ Landscape Treeworker	\$16.00	80	Not Applicable	\$1,280.00	\$1,280.00
				Not Applicable		
				Not Applicable		

5. Volunteer Labor, Machinery and Equipment

				Reimbursable Costs	Non-reimbursable Costs	
Name	Description	Cost/ Hour	# of Hours	A. Costs Eligible for Reimbursement	B. Applicant's Share (Match)	C. Total Project Cost
Hillside Riders Snowmobile Club	trail clearing and bridge building	\$10.00	100	Not Applicable	\$1,000.00	\$1,000.00
Tree Board Members	trail identification, marking and clearing	\$10.00	109	Not Applicable	\$1090.00	\$1090.00
Misc Volunteer Groups	trail clearing, hauling woodchips	\$10.00	200	Not Applicable	\$2000.00	\$2000.00
LPW trucks and equipment	trail clearing, hauling chips, chipping,	\$15.00	80	Not Applicable	\$1,200.00	\$1,200.00

6. Donated Materials

				Reimbursable Costs	Non-reimbursable Costs	
Item	Description	Cost/ Unit	# of Units	A. Costs Eligible for Reimbursement	B. Applicant's Share (Match)	C. Total Project Cost
Hillside Riders Snowmobile Club	4x4 and chain saws, tools	\$10.00	50	Not Applicable	\$500.00	\$500.00
woodchips	for trail improvement	\$5.00/per yard	250	Not Applicable	\$1,250.00	\$1,250.00
				Not Applicable		
				Not Applicable		

7. Other Costs

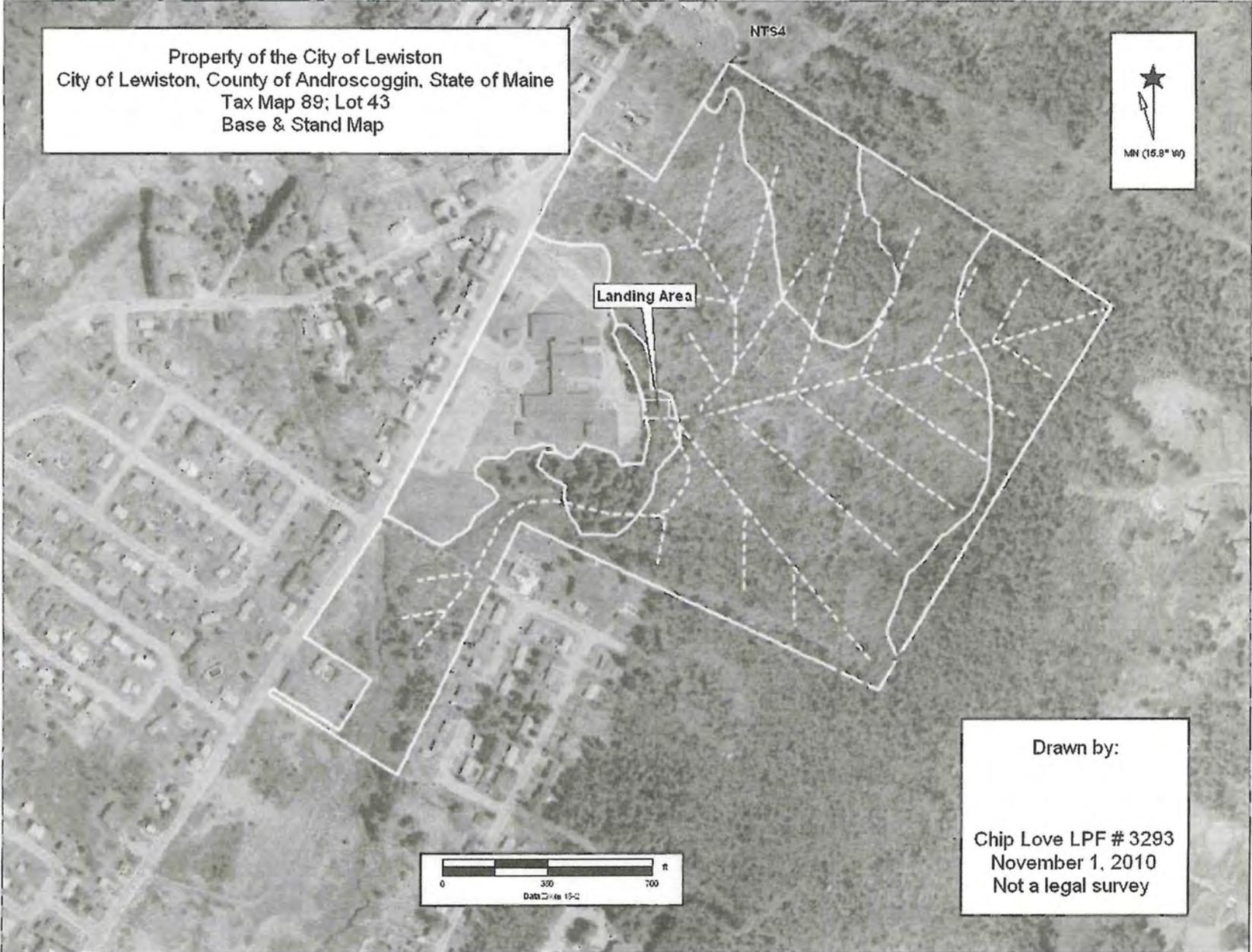
Item	Description	Cost/ Unit	# of Units	Reimbursable Costs	Non-reimbursable Costs	C. Total Project Cost
				A. Costs Eligible for Reimbursement	B. Applicant's Share (Match)	
Pressure treated Lumber	for bridges, benches, steps, retaining walls	N/A	N/A	\$6,000.00	0	\$6,000.00
Misc Hardware	screws, nuts bolts etc.			\$700.00	0	\$700.00

A. Total Costs Eligible for Reimbursement: \$ \$10,000.00

B. Total Costs Not Eligible for Reimbursement: \$ \$10,000.00

C. Total Project Cost (A+B=C): \$ \$20,000.00

Note: Amount Eligible for Reimbursement is Limited to \$10,000.
Please attach additional information and explanation of budget items on a separate sheet.



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www.delorme.com



Department of Public Works

David A. Jones, P.E.
Director



October 22, 2012

Jan Ames Santerre, Project Canopy Coordinator
Maine Forest Service
22 State House Station
Augusta, ME 04333

Re: Project Canopy Planning and Education Grant

Dear Jan,

I am writing in support of the grant proposal being submitted to your office by the City of Lewiston.

The City of Lewiston has made large investments in the landscaping and the urban forest within our city. We understand the important contributions trees make to a community. Their impact on both the economy and quality of life cannot be understated. Project Canopy grants have been a great assistance to the City of Lewiston in the past. Tree planting, educational workshops, a detailed tree inventory and most recently a Forest Management Plan are just some of the great projects that would not have been completed if it were not for Project Canopy assistance.

The establishment of a nature trail system behind McMahon Elementary School meets almost every goal which Project Canopy and the United States Forest Service have set in the guidelines for this grant. The trail system will be a place for the public to get out and exercise, enjoying nature and wildlife, all without leaving their own community. In addition, creating recreational opportunities like this trail system is one of the stated goals listed in our Forest Management Plan.

This trail system will help educate the public and bring much needed awareness to our Forest Management Program and the benefits of responsible forestry. This type of awareness will benefit Project Canopy and the Maine Forest Service and allow us to develop support for future similar projects within our community. As Director of Public Works, I can assure you this project will have all the support necessary from this Department and the City of Lewiston. I ask that you look favorably on our application and strongly consider this proposal.

Thank you for your consideration,
Sincerely,

A handwritten signature in blue ink, appearing to read 'David A. Jones'.

David A. Jones, P.E.
Director

Cc: S. Murch

To: Jan Ames Santerre, Community Forestry Specialist
Maine Forest Service
22 State House Station
Augusta, ME 04333

From: Richard Shea
Chair, Lewiston-Auburn Community Forest Board

Date: October 18, 2012

Re: Project Canopy Planning and Education Grant

Dear Jan,

I am writing in support of the City of Lewiston and the grant proposal they are submitting to your office.

The Lewiston-Auburn Community Forest Board works very closely with the City of Lewiston and as you would guess we are in full support of this project. Members of the Board have walked the wooded area behind McMahan School many times. We have also toured a many other nature areas and trails that are already well established. Ideas for outdoor classrooms, kiosks, signage, bridges, and trails have arisen because of these trips.

Our board will also be involved in reviewing this grant and will continue to make recommendations to City Council. Many of the goals in our Five Year Strategic Plan are in the education area. As an professional educator of thirty-nine years, I am excited about the potential to share nature and especially forest information with the students. There are two professional foresters on our board who have experience in working with children and have indicated that they will help.

I can assure your that this area, when fully developed, will be appreciated by countless residents of the City of Lewiston for both education and recreation.

Thank you for your consideration,



Richard Shea, Chair, Lewiston-Auburn Community Forest Board
17 Rita Ave.
Lewiston, ME 04240 207-782-7018

LEWISTON CITY COUNCIL
MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing on a new liquor license application and special amusement permit for Rondevu, Inc., 16-18 Park Street.

INFORMATION:

We have received an application for a liquor license and special amusement permit for Rondevu, Inc., 16-18 Park Street. The liquor license application is for spirituous, malt & vinous.

The police department has reviewed and approved the application.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EWB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for Rondevu, Inc., 16-18 Park Street.

**Department of Public Safety
Division**



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

<u>BUREAU USE ONLY</u>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

<input type="checkbox"/> RESTAURANT (Class I,II,III,IV)	<input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI)
<input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A)	<input type="checkbox"/> HOTEL (Class I,II,III,IV)
<input type="checkbox"/> CLASS A LOUNGE (Class X)	<input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I)
<input type="checkbox"/> CLUB (Class V)	<input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)
<input type="checkbox"/> TAVERN (Class IV)	<input type="checkbox"/> OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Lynn McCarthy</u> DOB: <u>3-19-59</u>	2. Business Name (D/B/A) <u>Rondero Inc.</u>
DOB:	<u>16-18 Park St</u>
DOB:	Location (Street Address)
Address <u>8930 SW 49 Court</u>	<u>Lewiston Me 04240</u>
City/Town <u>Cooper City Fla</u> State <u>33328</u> Zip Code	City/Town <u>Lewiston</u> State <u>Me</u> Zip Code <u>04240</u>
Telephone Number <u>954 252 5700</u> Fax Number	City/Town <u>Lewiston</u> State <u>Me</u> Zip Code <u>04240</u>
Federal I.D. # <u>46-0859681</u>	Business Telephone Number <u>740 3363</u> Fax Number
	Seller Certificate #

3. If premises are a hotel, indicate number of rooms available for transient guests: _____
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: _____
8. If business is NEW or under new ownership, indicate starting date: Oct 5 2012
Requested inspection date: Oct. 4 2012 Business hours: 11am - 1am
9. Business records are located at: 16 Park St. Lewiston Me 04240
10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Lynn McCarthy	3-19-59	Lisbon Falls

Residence address on all of the above for previous 5 years (Limit answer to city & state)
8930 SW 49 Court Cooper City Fla 33328 (15yrs)

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
Offense: _____ Location: _____
Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1000' Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Lewiston on Sept. 18, 2012
Town/City, State Date

Please sign in blue ink

Lynn McCarthy
Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

MAINE DEPT OF PUBLIC SAFETY

STATE OF MAINE
Liquor Licensing & Inspection Division
164 State House Station
Augusta ME 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424



SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES, AND LIMITED PARTNERSHIPS

- Exact Corporate Name: Rondero Inc.
Business D/B/A Name: _____
- Date of Incorporation: 8/16/12
- State in which you are incorporated: Maine
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
Lynn McCarthy	8930 SW 49 Court Cooper City, Fla 33328	3-19-59	100%	owner

- What is the amount of authorized stock? 0 Outstanding Stock? 0
- Is any principal officer of the corporation a law enforcement official? Yes No
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes No
- If YES, please complete the following: Name: _____
Date of Conviction: _____ Offense: _____
Location: _____ Disposition: _____
Dated at: _____ City/Town _____ On: _____ Date _____

Lynn McCarthy
Signature of Duly Authorized Officer
Lynn McCarthy
Print Name of Duly Authorized Officer

Sept. 18 2012
Date

STATE OF MAINE
Liquor Licensing & Inspection Unit
 164 State House Station
 Augusta, Maine 04333-0164
 Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: Rondevo Inc.

Business D/B/A Name: _____

2. Date of Incorporation: 8/16/12

3. State in which you are incorporated: Maine

4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Lynn McCarthy	8930 SW 49 Court Casper City, Fla 33328	3/19/59	100%	owner

6. What is the amount of authorized stock? 0 Outstanding Stock? 0

7. Is any principal officer of the corporation a law enforcement official? () YES NO

8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES NO.

9. If yes, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ City/Town On: _____ Date

Lynn McCarthy
Signature of Duly Authorized Officer

Date: Sept. 18 2012

Lynn McCarthy
Print Name of Duly Authorized Officer

To: KATHLEEN MANTEJO

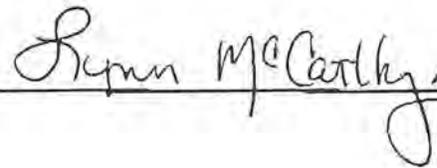
From: LYNN MCCARTHY

SUBJECT: RONDEVU, INC 16-18 PARK ST., LEWISTON, MAINE 04240

CATHLEEN COSTELLO IS NOW OUR GENERAL MANAGER OF THE ABOVE LOCATION AND WILL BE OVER SEEING THE ENTIRE BUILDING.

ANY QUESTIONS PLEASE CALL 954-252-5700

LYNN MCCARTHY 10/29/2012:



A handwritten signature in cursive script that reads "Lynn McCarthy". The signature is written over a horizontal line that extends across the page.

10-29-12

To Whom it may concern:

Cat Costello will be the General Manager of both the Restaurant as well as the night club, named Rendezvous.

Chad Edward Fitzherbert is incarcerated as of the 17th of October 2012, and will no longer have any affiliation with the premise & business of 16 Park - 18 Park St.

Thank you for your time.
Sincerely,

Cat Costello 10/29/12.
Cat Costello G.M.

Cat Costello .GM
16 Park St. - work
~~440~~ 440-0006

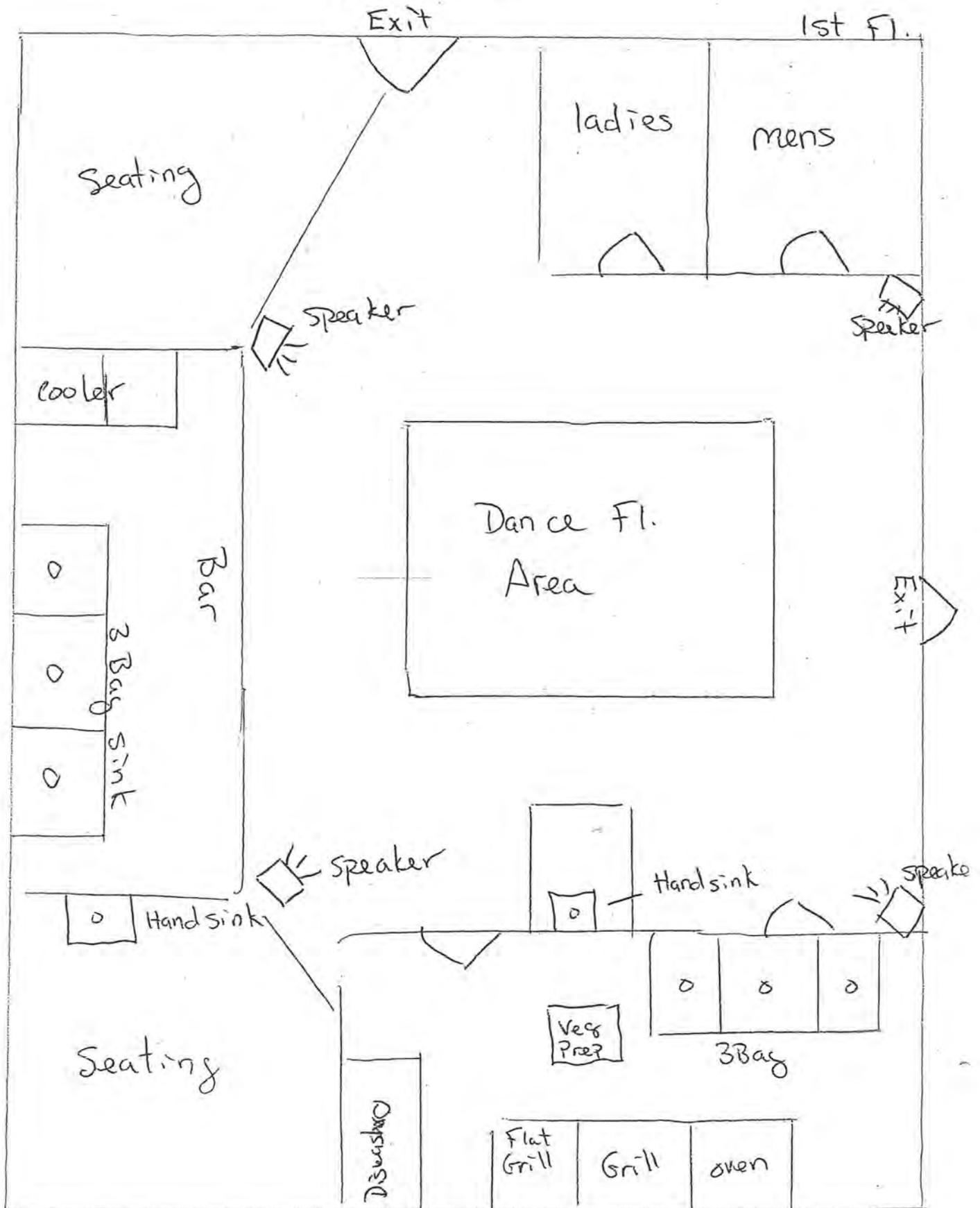
Home Address
167 Stetson Rd
Auburn, ME 04240

RECEIVED

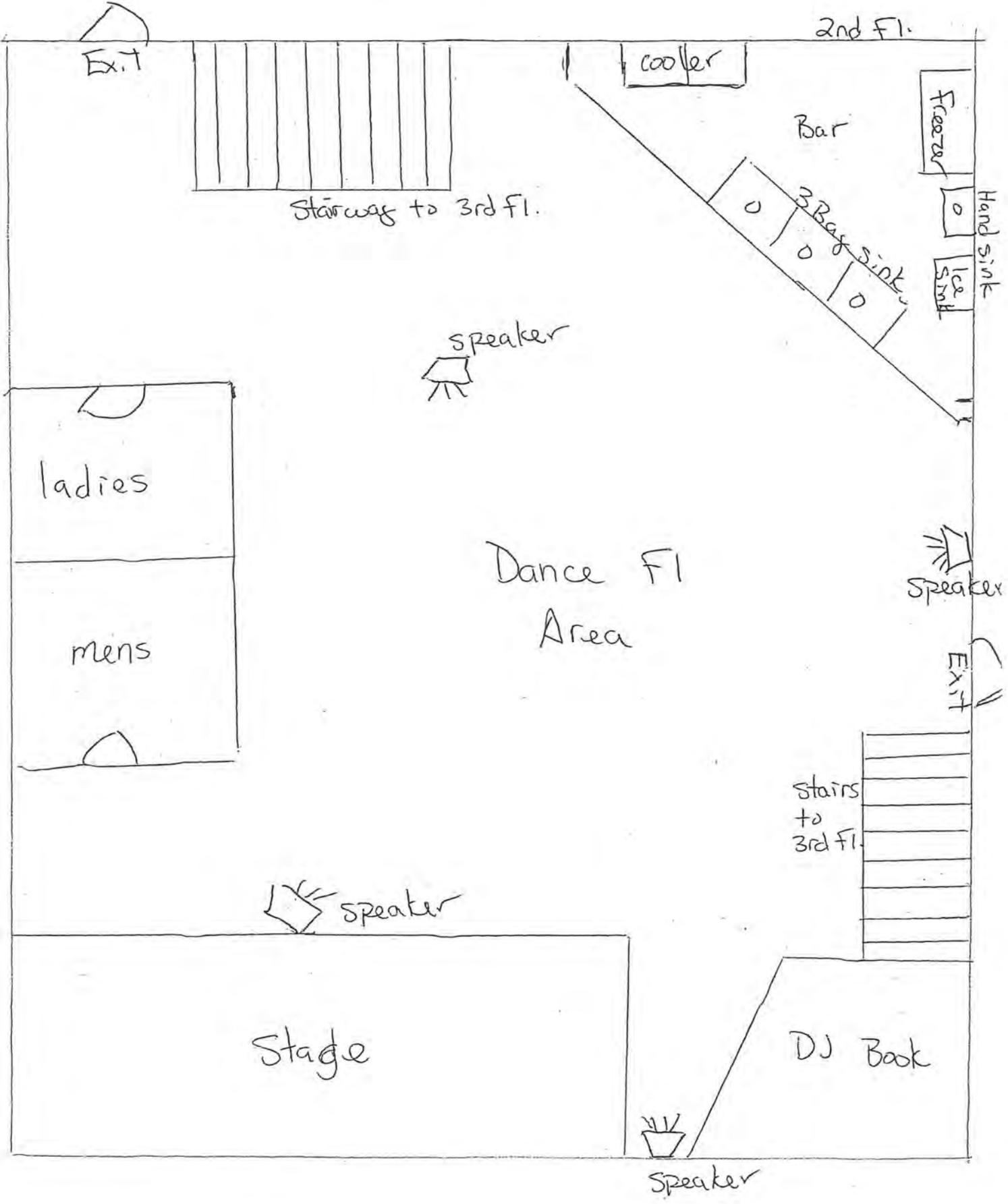
OCT 29 2012

LEWISTON
CITY CLERK'S OFFICE

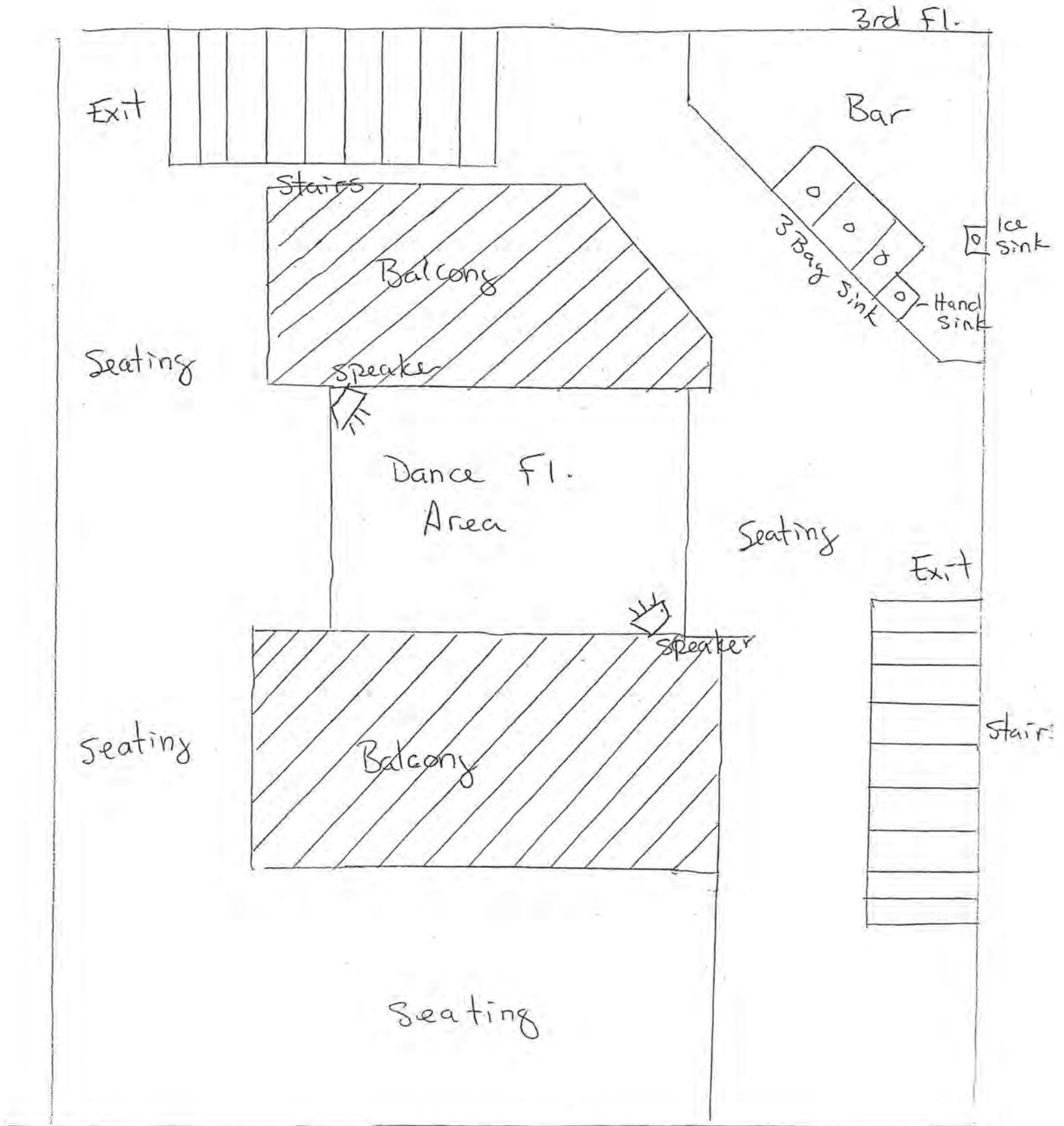
PREMISE DIAGRAM



PREMISE DIAGRAM



PREMISE DIAGRAM



**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: Sept. 18 2012 Expiration Date: _____ License fee: \$116.00

- Class A - restaurants with entertainment, which does not have dancing
 Class B - lounges/bars with entertainment, which does not have dancing
 Class C - either restaurants or lounges/bars with entertainment, including dancing
 Class D - function halls with entertainment, including dancing
 Class E - dance hall or nightclub that admits persons under the age of 21
 Class F - "chem-free" dance hall or nightclub for patrons aged 18 years and older, with no liquor service

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: Rondevu Inc. **Business Phone:** 740 3363

Location Address: 16-18 Park St. Lewiston Me 04240

(If new business, what was formerly in this location: Altera)

Mailing Address: 16 Park St. Lewiston Me 04240

Contact Person: Lynn McCarthy **Home Phone:** 954 252 5700

Owner of Business: Lynn McCarthy **Date of Birth:** 3-19-59

Address of Owner: 8930 SW 49 Court Cooper City Fla. 33328

Manager of Establishment: _____ **Date of Birth:** _____

Owner of Premises (landlord): Lynn McCarthy

Address of Premises Owner: 8930 SW 49 Court Cooper City Fla. 33328

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: Rondevo Inc.

Corporation Mailing Address: 16 Park St. Lewiston Me 04240

Contact Person: Lynn McCarthy Phone: 9542525700

Do you permit dancing on premises? Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? approx. 250'

Please describe the type of proposed entertainment:

- dancing
- stand up comedian
- piano player
- music by DJ
- karaoke
- other, please list _____
- live band/singers
- magician
- other, please list _____

If new applicant, what is your opening date?: October 4 2012

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: Lynn McCarthy Title: owner Date: Sept. 18 2012

Printed Name: Lynn McCarthy

Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

Sent to Police & Fire: _____

Hearing Date: _____ Approved by Council: _____ Vote No: _____

CITY OF LEWISTON, MAINE

Department of City Clerk

Supplementary Questionnaire for Corporate Applicants

- Exact corporate name: Rondero Inc.
- Date of incorporation: 8/16/12
- State in which you are incorporated: Maine
- If not a Maine corporation, date corporation was authorized to transact business within the State of Maine: _____
- List the names, addresses previous 5 years, birth dates, title of all officers, directors, and % of stock owned:

NAME	ADDRESS . PREVIOUS 5 YEARS	BIRTH DATE	% OF STOCK	TITLE
Lynn McCarthy	8930 SW 49 Court Cooper City, Fla	3-19-59 33328	100%	owner

- 6. What is the amount of authorized stock? 0 Outstanding stock? 0
- 7. Is any principal officer of the corporation a law enforcement official?
no

Dated at Lewiston on Sept. 18 2012
City or Town Date

Lynn McCarthy (owner)
SIGNATURE OF DULY AUTHORIZED OFFICER

**RONDEVU, INC.
16-18 PARK STREET
LEWISTON, ME. 04240**

9/25/2012

TO: CITY CLERK OFFICE

**FROM: LYNN MCCARTHY, PRESIDENT
RONDEVU, INC.**

**SUBJECT: ADDITIONAL INFORMATION TO BE INCLUDED WITH LICENSE
APPLICATION.**

**Please include the additional correspondence with the application that has been
filed at the October 2nd City Council Meeting.**

7 Pages including Cover

**RONDEVU, INC.
16-18 PARK STREET
LEWISTON, ME 04240**

To Whom It May Concern,

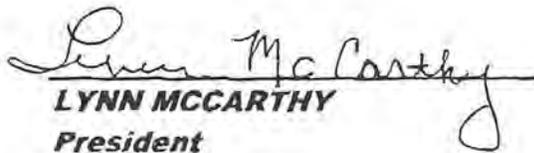
***Our apologies for not being present for the City Council Meeting,
A previous engagement made could not be changed. We would like to
Schedule a meeting in the future, so we can personal meet the City Council
And Officers.***

***Our Corporate Attorney Verne Paradie, the Operational Manager &
The Contracted Security Company will attend to answer any questions.***

An outline of Goals and Objectives will be forwarded for 16-18 Park St.

We Thank You for your consideration and look forward to meeting you.

Sincerely,


LYNN MCCARTHY
President

**RONDEVU, INC.
16-18 PARK STREET
LEWISTON, MAINE 04240**

SUBJECT: PAST RELATED ISSUES WITH THE ABOVE LOCATION

THE MAIN SUBJECT AND FOCUS WILL REFLECT THE PAST ISSUES THAT HAVE COME TO THE ATTENTION OF THE CITY. THE LOCATION HAS BEEN UNDER WATCHFULL EYE'S MORE SO THEN ANY ESTABLISHMENT IN THE LEWISTON AREA.

HAVING A LARGE AMOUNT OF PEOPLE GATHER IN ONE LOCATION YOU CAN SOMETIME EXPECT TO HAVE SOME MINOR INCIDENCES.

OUR GOAL IS TO MAKE A DEVOTED EFFORT TO KEEP PEACE IN THE AREA.

I WOULD LIKE TO MAKE THE CITY COUNCIL AWARE OF SOME OF THE ALLEGATION THAT HAS COME ABOUT TO DISCREDIT THE OPERATION OF PREVIOUS TENANT'S:

- **DIS-ORDERLY CONDUCT:
THE TWO FEMALES WERE FIGHTING IN FRONT OF THE BUILDING THAT WERE NOT PATRONS OF EITHER CLUB KARMA OR ALTERA.**
- **INDECENT EXPOSURE:
THIS WAS NOT AT OUR LOCATION BUT ACROSS THE STREET IN THE BANK PARKING LOT. AGAIN, THIS PERSON WAS NOT A PATRON.**
- **SERVING LIQUOR TO SOMEONE UNDER 21:
A PROMOTER GAVE A DRINK TO HIS GUEST AND WAS CHARGED.
THE ESTABLISHMENT DID NOT SERVE A MINOR.**
- **FOUR CHARGES OF UNDER AGE BATES STUDENTS WITH FALSE I.D.'S:
I.D FOR EACH STUDENT WAS PROVIDED AND ONCE AGAIN, IT WAS NOT THE ESTABLISHMENTS FAULT.**
- **LEUD BEHAVIOR IN PARKING LOT:
A COUPLE WERE "MAKING OUT".**
- **EXCESSIVE NOISE:
NOT ONE TIME WAS 16-18 PARK STREET CITED FOR EXCESSIVE NOISE.**

THE ESTABLISHMENT USED DECIMAL READER IN THE BUILDING NOT TO EXCEED THE LIMIT AS A PRECAUTION.

- **FIXTURE'S FALLING OFF THE OLDER FOLK'S HOME WALLS:
A STRUCTURAL ENGINEER WAS CONSULTED AND SAID IT WAS VIRTUALLY IMPOSSIBLE.**
- **SHOUTING/FIGHTING "OAK PARK":
NO CHARGES OF ANY PATRON OF 16-18 PARK STREET.
THESE KIND OF INCIDENCES CAN AND WILL HAPPEN AT ANY ESTABLICHMENT AND OR LOCATION WHICH DOES NOT SEEM TO GET THE ATTENTION AS 16-18 PARK STREET.**

IT IS VERY FRUSTRATING THAT THE LOCATION STATED ABOUT RECEIVES ALL NEGATIVE PUBLICITY WITHOUT THE FACTS TOLD.

A FOLLOW UP BRIEFING (INCLUDED) ON WHAT OUR PLANS TO ENFORCE CROWD CONTROL AND A BREAKDOWN OF WHAT WILL BE EXPECTED OF OUR PATRONS.

**Thank you,
Lynn McCarthy, President**

RONDEVU, INC.**OBJECTIVE FOR 16-18 PARK ST, LEWISTON, ME.**

***FIRST FLOOR: OPEN TUESDAY-SATURDAY 11 AM TO 11 PM**

RESTURANT/LOUNGE WILL OFFER A NICKELODEON THEME WITH OLD TIME MOVIES ON SEVERAL FULL SCREENS OR GOLDEN OLDIES MUSIC ON SUROUND SOUND SYSTEM.

MENU WILL OFFER THE "LARGEST SUBS" IN THE TWIN CITIES WITH A WIDE RANGE OF HOMEMADE SOUPS, SALADS & SIDE DISHES OFFERED FROM 11:00 AM UNTIL 7:00.

7:00 PM - 11:00 WILL FEATURE ENTERTAINMENT, PROFESSION PROMOTIONS, COMDEIDANS, SOLOIST, TALENT CONTEST WITH CASH PRIZES, SPEED DATING EVENTS, ALTERNATIVE EVENTS, ETC.

A SPECIAL MENU WILL BE OFFERED FROM 7:00 PM UNTIL 11:00.

***2ND & 3RD FLOORS WILL FEATURE DJ ENTERTAINMENT AS WELL AS HEAD LINE SHOWS FROM LOCAL AREA'S AND OUT OF STATE.**

***IMMEDIATE IMPROVEMENTS WILL INCLUDE A MUCH NEEDED "FACELIFT" INSIDE AND OUT. FRESH PAINT, FLOORING, LIGHTS, NEW FURNISHINGS WILL HELP CREATE A NEW AND EXCITING ENVIROMENT.**

***THE OUTSIDE OF THE BUILDING WILL BE CLEANED UP. EXTERIOR NEW SIGNAGE LED WALL WASH LIGHTS WILL BE ADDED.**

***A DESIGNATED SMOKING AREA ON THE SIDE OF THE BUILDING WILL NOT ONLY KEEP PATRONS OFF PARK STREET BUT HELP KEEP THE STREET CLEAN.**

***SPRING 2013, OUR GOAL IS HAVE EXTERIOR REHAB TO UPDATE THE APPEARANCE. ALSO AT THAT TIME, PLANS FOR A BALCONY ON THE BACK SIDE OF THE BUILDING FOR SMOKING WILL KEEP PATRONS ON THE**

RONDEVU, INC.

CROWD CONTROL AGENDA FOR 16-18 PARK STREET, LEWISTON, ME.

- *CONTRACTING A CERTIFIED SECURITY COMPANY TO MONITOR AND DIRECT PATRONS TO HELP ELIMINATE DISTRIANCE.**
- *SECURITY COMPANY WILL HAVE PROFESSIONAL ATTIRE TO BE EASILY RECOGNIZED.**
- *CERTIFIED DOORMEN AT DOOR WILL HAVE PROFESSIONAL ATTIRE.**
- *DRESS CODE FOR PATRON'S SHALL BE REQUIRED TO WEAR PROPER ATTIRE. (NO GANG RELATED COLORS, PATCHES, HOODIES, TANK TOPS, ETC.)
PATRON'S NOT FOLLOWING RULES WILL BE TURNED AWAY. REPEAT OFFENDER'S WILL BE BARRED.**
- *I.D. SCANNER**
- *I.D. REFERRAL MANUAL**
- *METAL SCANNER**
- *DECIMAL READER ON PREMISES FOR OFFICIALS TO MONITOR NOISE LEVEL IF NEEDED.**
- *SURVALANCE VIDEO MONITOR INSIDE AND OUTSIDE TO HELP IDENTIFY ANY PROBLEM IF ONE SHOULD OCCUR AND MONITOR POLICE PATROL ACTIVITY OUTSIDE THE BUILDING.**
- *DURING ANY EVENT AT 16-18 PARK STREET, WRIST BAND OF TWO DIFFERENT COLORS WILL BE GIVEN OUT AT THE DOOR. ONE COLOR WILL BE FOR 18-20 YEAR OLD AND THE OTHER COLOR WILL BE USED TO INDICATE 21 YEARS OF AGE AND OLDER.**
- *BEVERAGES WILL BE IN A SPECIFIED CUP TO INDICATE A "NON-ALCHOLIC" DRINK.**
- *ALL PATRONS WILL BE ASK TO DISBURST THROUGH PARKING LOT DOOR TO ELIMINATE NOISE ON PARK STREET.**

CROWD CONTROL PAGE 2:

- *NO DRINKING & NO LOITORING SIGN'S TO BE POSTED ON BUILDING.**
- *DESINATED SMOKING AREA ON THE SIDE OF THE BUILDING TO KEEP NOISE DOWN. (SPRING OF 2013 OUTSIDE BALCONY IN THE BACK OF THE BUILDING WILL BE AVAILABLE).**
- *ALL DOORS WILL BE SELF CLOSING TO ELIMINATE MUSIC FILTERING ONTO PARK STREET.**
- *WILL ASK THE CITY IF WE CAN BE PERMITTED TO USE NO PARKING SOCKS ON METERS IN FRONT OF OAK PARK DURING EVENING EVENTS.**
- *SEEKING PERMISSION TO USE ANDROSCOGGIN & TD BANK PARKING LOT'S AFTER HOURS TO LESSEN TRAFIC FLOW BY OAK PARK.**
- *WOULD LIKE A MONTHLY MEETING WITH CITY POLICE & OAK PARK TO IDENTIFY AND RECTIFY ANY CONCERNS.**
- *WE WILL OFF COURTESY VAN ON FEATURED EVENT NIGHT'S FOR PATRON'S.**

CITY OF LEWISTON
PUBLIC NOTICE

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on ***Tuesday, October 2, 2012, at 7:00 p.m.***, or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Rondevo, Inc.
16-18 Park Street
Lynn McCarthy, owner

The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

Kathleen Montejo, MMC
City Clerk
Lewiston, Maine

PUBLISH ON: September 26, 27 & 28, 2012

Please bill the City Clerk's Dept. account. Thank you.



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: November 14, 2012

RE: Liquor License/Special Amusement Permit – **Rondevu, Inc.**

This establishment location was open under the name Club Karma and the owner of the business closed it down and moved locations. The bar manager (Chad Fitzherbert) of Club Karma was attempting to be the manager of the new bar (Rondevu Inc.) but was arrested and is currently in jail.

Lynn McCarthy who lives in Florida and is the wife of the building owner (Dennis Anderson) is currently the person trying to obtain a Liquor License/Special Amusement Permit. Since Mr. Fitzherbert is in jail the new managers are going to be Cathleen Costello & Shawna Peckham. Shawna is the long-time girlfriend of Chad Fitzherbert. We have met with both Cathleen & Shawna in reference to their plan. When Mr. Fitzherbert was managing Club Karma there were several police complaints involving that location and Mr. Fitzherbert.

While the organizational changes and potential use of the facility give us some concern, we do not have enough cause to recommend a denial of the license & permit. The police department will be closely monitoring the establishment to ensure compliance with the liquor license and special amusement provisions.

Rondevu Inc.
16-18 Park St.



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



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LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for the Ramada Conference Center, 490 Pleasant Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from the Ramada Conference Center, 490 Pleasant Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EMTS/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to the Ramada Conference Center, 490 Pleasant Street.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 10/19/12 Expiration Date: 11/23/12 License fee: \$116.00

- Class A - restaurants with entertainment, which does not have dancing
- Class B - lounges/bars with entertainment, which does not have dancing
- Class C - either restaurants or lounges/bars with entertainment, including dancing
- Class D - function halls with entertainment, including dancing
- Class E - dance hall or nightclub that admits persons under the age of 21
- Class F - "chem-free" dance hall or nightclub for patrons aged 18 years and older, with no liquor service

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

ADAMAR ASSOC. ****PLEASE PRINT****

Business Name: Ramada Conference Center Business Phone: 207-784-2331

Location Address: 490 Pleasant St., Lewiston, ME 04240

(If new business, what was formerly in this location: _____)

Mailing Address: 490 Pleasant St., Lewiston, ME 04240

Contact Person: George Gendron Home Phone: 207-577-0496

Owner of Business: George Gendron Date of Birth: 5/26/49

Address of Owner: 490 Pleasant St., Lewiston, ME 04240

Manager of Establishment: same as above Date of Birth: 5/26/49

Owner of Premises (landlord): George Gendron

Address of Premises Owner: N/A

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Ramada Conference Center, 490 Pleasant St., Lewiston, ME 04240
Gendron U-SAVE

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: _____

Corporation Mailing Address: _____

Contact Person: _____ Phone: _____

Do you permit dancing on premises? Yes ___ No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? ___ Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? _____

Please describe the type of proposed entertainment:

- dancing
- music by DJ
- live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: George Gendron Title: owner Date: 10/25/12

Printed Name: George Gendron

Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

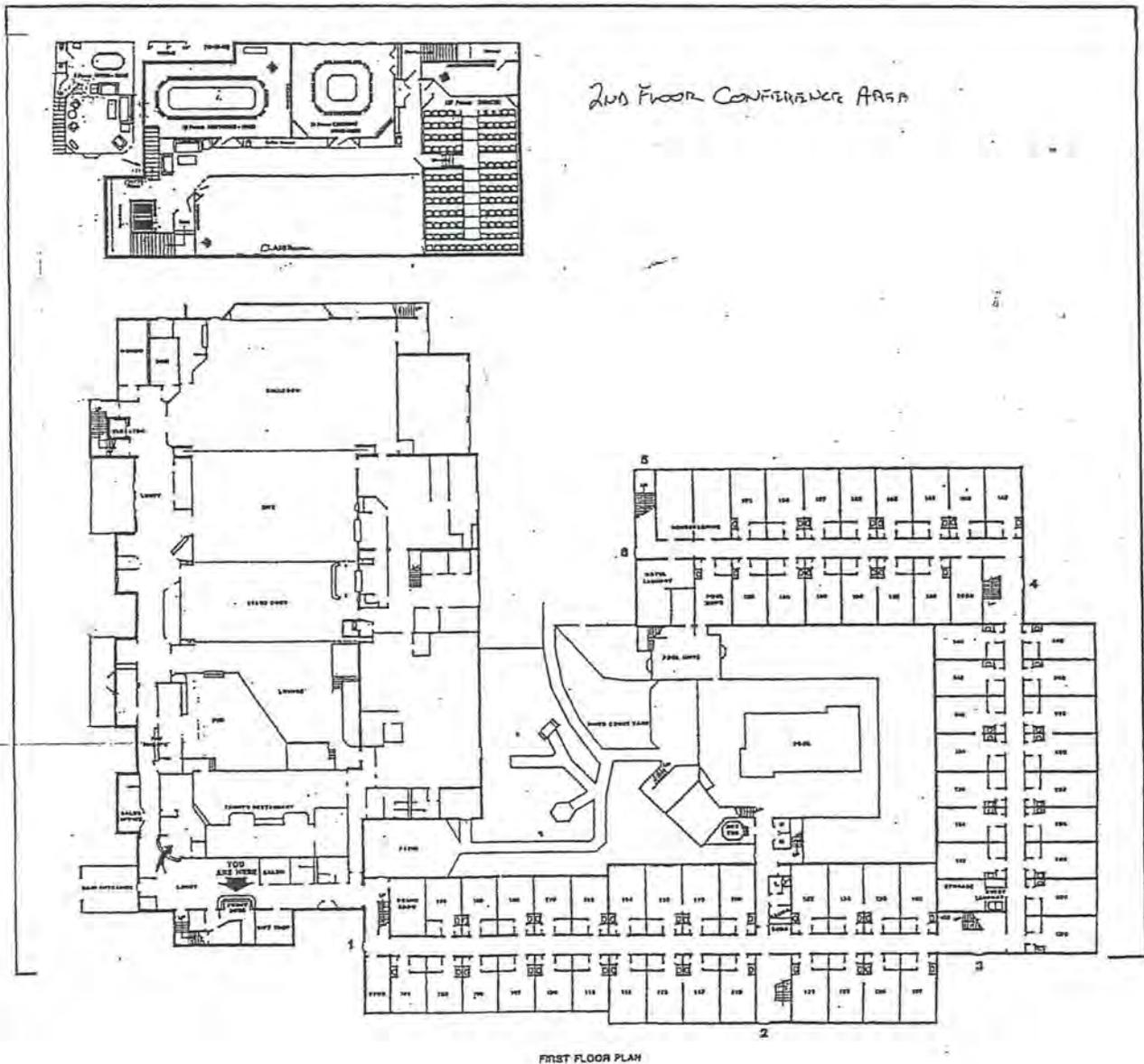
Sent to Police & Fire: _____

Hearing Date: _____ Approved by Council: _____ Vote No: _____

**SPECIAL AMUSEMENT PERMIT
SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your licensed premise and areas that the entertainment is allowed, the City of Lewiston is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram showing where in the facility the entertainment will be, the direction of any speakers and where the dance floor, if any will be located.





POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 3, 2012

RE: Liquor License/Special Amusement Permit – **Ramada Inn**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Ramada Inn
490 Pleasant Street



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www.lewistonpd.org



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[REDACTED]

2012 02 16 0033

POL-Assault

Report Taken

12-13878

[REDACTED]

LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Public Hearing on a renewal application for a Special Amusement Permit for Live Entertainment for LBK Events, LLC, 1 Bates Street.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from LBK Events, LLC, 1 Bates Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EMM/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to LBK Events, LLC, 1 Bates Street.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 10/8/12 Expiration Date: 11/07/12 License fee: \$116.00

- Class A - restaurants with entertainment, which does not have dancing
- Class B - lounges/bars with entertainment, which does not have dancing
- Class C - either restaurants or lounges/bars with entertainment, including dancing
- Class D - function halls with entertainment, including dancing
- Class E - dance hall or nightclub that admits persons under the age of 21
- Class F - "chem-free" dance hall or nightclub for patrons aged 18 years and older, with no liquor service

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: LBK Events LLC Business Phone: 207-333-324

Location Address: 1 Bates Street, Lewiston ME 04240

(If new business, what was formerly in this location: n/a)

Mailing Address: PO Box 1478 Scarborough ME 04070-1478

Contact Person: Laura Kibort Home Phone: 510-1743

Owner of Business: Laurel Kibort Date of Birth: 3/8/81

Address of Owner: 5 Meadowood Dr Scarborough ME 04074

Manager of Establishment: Laura Kibort Date of Birth: 3/8/81

Owner of Premises (landlord): Robert Roy Jr

Address of Premises Owner: 1750 Lisbon St Lewiston ME 04240

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): LBK Events / Royal Oak Room - 1 Bates St Lewiston

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: LBK Events LLC

Corporation Mailing Address: PO Box 1478, Scarborough ME 04070-1478

Contact Person: Laura Kibort Phone: 207-333-3242

Do you permit dancing on premises? Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? approx 150 yards

Please describe the type of proposed entertainment:

- dancing
- music by DJ
- Live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: Laura B Kibort Title: Owner Date: 10/8/12

Printed Name: Laura B Kibort

Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

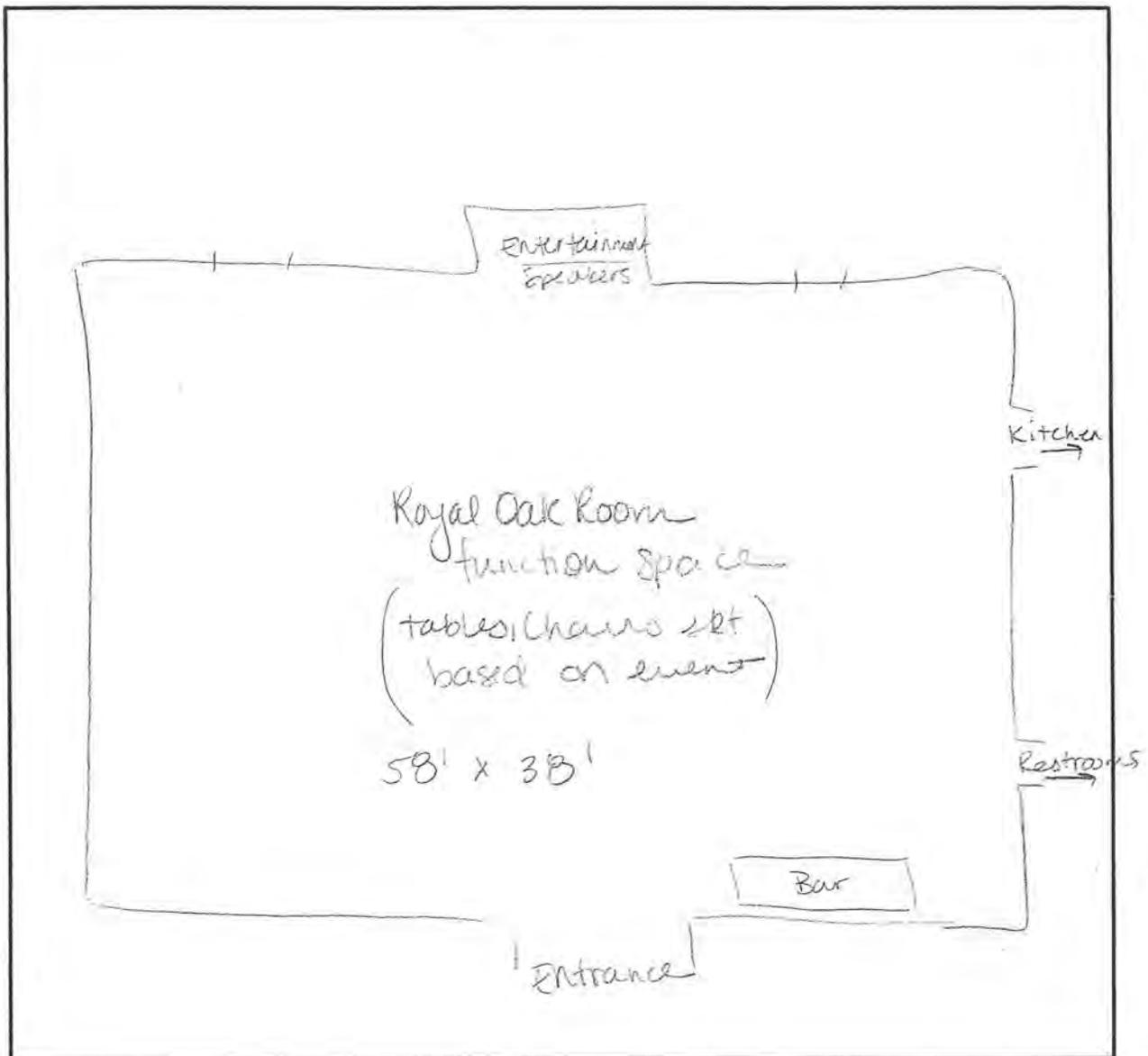
Sent to Police & Fire: _____

Hearing Date: _____ Approved by Council: _____ Vote No: _____

**SPECIAL AMUSEMENT PERMIT
SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your licensed premise and areas that the entertainment is allowed, the City of Lewiston is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram showing where in the facility the entertainment will be, the direction of any speakers and where the dance floor, if any will be located.





POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: October 3, 2012

RE: Liquor License/Special Amusement Permit – **LBK Events**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

LBK Events
1 Bates Street



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LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Public Hearing on a new application for a Special Amusement Permit for Live Entertainment for Sea Asian Bistro, 40 East Avenue.

INFORMATION:

We have received a new application for a Special Amusement Permit for Live Entertainment from Sea Asian Bistro, 40 East Avenue.

The Police Department has reviewed and approved the application.

There was no reference to the business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAS/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Sea Asian Bistro, 40 East Avenue.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: Nov 8 2012 Expiration Date: _____ License fee: \$116.00

- Class A - restaurants with entertainment, which does not have dancing
 Class B - lounges/bars with entertainment, which does not have dancing
 Class C - either restaurants or lounges/bars with entertainment, including dancing
 Class D - function halls with entertainment, including dancing
 Class E - dance hall or nightclub that admits persons under the age of 21
 Class F - "chem-free" dance hall or nightclub for patrons aged 18 years and older, with no liquor service

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: Sea Asian Bistro & Sake Japanese Business Phone: 207-795-6888

Location Address: 40 East Ave Lewiston ME 04240

(If new business, what was formerly in this location: Retail Business)

Mailing Address: 40 East Ave Lewiston ME 04240

Contact Person: Franki Tam Home Phone: 917 969 6306

Owner of Business: SAI QIN PONG Date of Birth: 4/15/83

Address of Owner: 36 Pindad Street Lewiston ME 04240

Manager of Establishment: Franki Tam Date of Birth: Nov 25 1977

Owner of Premises (landlord): _____

Address of Premises Owner: _____

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? Yes No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: Sea Asian Bistro

Corporation Mailing Address: 60 East Ave Lewiston ME 04240

Contact Person: Franki Tam Phone: 207-795-6888

Do you permit dancing on premises? Yes No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? Yes No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? Six Hundred feet

Please describe the type of proposed entertainment:

- dancing
- music by DJ
- live band/singers
- stand up comedian
- karaoke
- magician
- piano player
- other, please list _____
- other, please list _____

If new applicant, what is your opening date?: Nov 11 2012

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: Manager Date: Nov 8 2012

Printed Name: Franki Tam

Sent to Code Enforcement: _____ Need reply by: _____ Approved: _____

Sent to Police & Fire: _____

Hearing Date: _____ Approved by Council: _____ Vote No: _____

CITY OF LEWISTON, MAINE

Department of City Clerk

Supplementary Questionnaire for Corporate Applicants

Exact corporate name: Soo Asian Bistro Inc.

Date of incorporation: Dec 10 2010

State in which you are incorporated: Maine.

4. If not a Maine corporation, date corporation was authorized to transact business within the State of Maine: _____

5. List the names, addresses previous 5 years, birth dates, title of all officers, directors, and % of stock owned:

NAME	ADDRESS PREVIOUS 5 YEARS	BIRTH DATE	% OF STOCK	TITLE
Sai Qin Dong	36 Pineland Street Lewiston ME 04240	4/15/83	100	owner

6. What is the amount of authorized stock? 100%. Outstanding stock? _____

7. Is any principal officer of the corporation a law enforcement official? _____

Dated at _____ on _____ Date
City or Town

SIGNATURE OF DULY AUTHORIZED OFFICER



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Mercier, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: November 12, 2012

RE: Special Amusement Permit – **Sea Asian Bistro Inc.**

We have reviewed Special Amusement Permit Application and have no objections to the following establishment;

Sea Asian Bistro Inc.
40 East Ave.



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LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Hearing on an Appeal for a denial of a Tattoo Artist License.

INFORMATION:

Aaron Aldrich applied for a tattoo artist license on October 4, 2012. A Police Department background check is required prior to issuance of this license. The background check showed criminal convictions of Class A, B and C crimes.

The Business License ordinance of the City Code of Ordinances states a license shall be denied to an applicant if they are convicted of a Class A - C crime and if the crime is rationally related to the regulation of the business license being sought. The Police Department feels this is related and therefore has denied the license.

On October 24, Mr. Aldrich submitted a request to appeal the denial. Under the Code of Ordinances, the City Council shall conduct a hearing to hear the applicant's appeal and to make a determination. The applicant has been notified of the hearing date.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator reserves comment on this issue until the hearing.

EAB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To conduct a hearing for the appeal and to make a determination on Mr. Aldrich's request for the issuance of his tattoo license.

City of Lewiston Maine
Police Department
171 Park Street

Michael J. Bussiere

Chief of Police

TO: Kelly Mercier, Deputy City Clerk
FROM: Lt. Adam D. Higgins
DATE: October 12, 2012
REF: Tattoo license application for **Aaron Aldrich DOB 02-24-77**

We have reviewed the Lewiston Police Department records as well as Mr. Aldrich's SBI records. I found that Aaron Aldrich DOB 02-24-77 has been convicted in Maine for 5 separate felonies.

On 06-16-99 Mr. Aldrich was convicted of Theft by Receiving Stolen Property (Class B)
On 09-08-00 Mr. Aldrich was convicted of Theft by Unauthorized Taking or Transfer (Class C)
On 04-03-00 Mr. Aldrich was convicted of Burglary (Class C)
On 04-30-01 Mr. Aldrich was convicted of Theft by Unauthorized Taking or Transfer (Class C)
On 10-14-03 Mr. Aldrich was convicted of Robbery (Class A)

Sec. 22-35. Compliance with rules and regulations required; approval, disapproval by city officials, council.

(3) The applicant has been convicted of (a) any Class A, Class B or Class C crime, or (b) a crime committed under the laws of the United States of America or of any other state or territory thereof, which is punishable (whether or not such punishment was actually imposed) by a sentence at least as harsh as that which is authorized for the commission of a Class C crime under Maine law provided that such conviction was for an offense which is rationally related to the regulation of the business sought to be licensed;

With the above information I am denying Mr. Aldrich's application for a tattoo license.

RECEIVED

OCT 24 2012

Council members,

LEWISTON
CITY CLERK'S OFFICE

Oct. 23-2012

My name is Aaron A. Aldrich
I have been denied my tattoo license
Due to my criminal record.

I do not deny that I have
a not so nice past at all. I was a
very young punk back then. My felonies
are 10 years old, and in that 10 years
since I've done good.

I did my time for my
crimes. I have a family now. My
wife is a teacher at the local high
school. We have two children and
one on the way. We are very much
involved in the community. My children
do sports and school activities that
we attend as a family.

This is my life now. I have
no time or desire to be a criminal.
I have grown up. I'm a tattoo artist.
That's how I take care of my family.
I'm an accomplished artist as well, not
just a job to me. It's what I love.

I'm asking that you give me
a chance to be heard. I have people
in the community, as well as business

owners that will stand behind
me.

I really need to keep on this
path ~~and~~ on. This is my ~~career~~
I am currently a state licensed
tattooist, but have a great shop, and
family atmosphere right here in Lew.
I just need a chance to prove
it.

I'm even asking if I
can have a probationary license
if need be. I am rehabilitated
it has been 10 years.

Thank you
for your time.
Sincerely
Aaron A. Aldrich

**CITY OF LEWISTON, MAINE
Business License Application**

Application date 10-4-12 Opening date _____ Expiration date _____

License applied for: Tattoo Lic / tattoo artist

New Other _____ Application fee 185.00
Non-Refundable

Full year fee 105.00 Half year fee _____
+ 21.00 SBI

Total \$311.00

ALL QUESTIONS MUST BE ANSWERED IN FULL

BUSINESS

APPLICANT

Business name Ink Junkies
Business address 892 Lisbon Street
City Lewiston State Me Zip 04240
Mailing address _____
City Lewiston State Me Zip 04240
Business phone 207-782-8288
Cell phone _____

Full name Aaron A. Aldrich
Maiden name A/K/A _____
Date of birth 2-24-1977
Home address 25 S. Main St. Apt. 1
City Auburn State Me Zip 04210
Home phone 207-513-6010
Driver's Lic.# & State 8299235 Maine

Is applicant a corporation? Yes ___ No (If yes, complete Supplement Questionnaire)

Has applicant(s) ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes ___ No (If yes, complete the following)

Name _____ Date of conviction _____
Offense _____ Location _____
Disposition _____

Does applicant(s) own the premises? Yes ___ No (If no, give name and address of owner.)

Name _____ Address _____

If manager is to be employed, complete the following:

_____	_____	_____	_____
Name	Home Address	Phone	Date of Birth
Maiden Name _____			

Has manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States, within the past 5 years? Yes _____ No _____ (If yes, complete the following)

Name _____ Date of conviction _____

Offense _____ Location _____

Disposition _____

IF Adult Amusement Device, number of devices _____

IF Boardinghouse, do you serve liquor? _____
Yes No Malt only # of people

IF Flammable Liquid Storage, is it _____ or _____
Retail Not for retail sale

Specify _____
Type of flammable liquid Amount in gallons

IF Group Care Facility, do you serve liquor? _____
Yes No Malt only # of people

IF Inn Keeper, do you serve liquor? _____
Yes No Malt only # of rooms

IF Lodging House, Number of rooms _____

IF Mobile Home Park, Number of spaces _____

IF Theater, Seating _____ Occupancy load _____

THE OMISSION OF FACTS OR ANY MISPRESENTATION OF ANY OF THE INFORMATION ON THIS APPLICATION SHALL BE SUFFICIENT GROUNDS FOR THE REFUSAL OF SUCH LICENSE.

CERTIFICATE OF APPLICANT AND WAIVER OF CONFIDENTIALITY

****READ CAREFULLY BEFORE SIGNING****

I hereby authorize the release of any criminal history record information to the City Clerk's Office or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

Aaron A. Aldridge
Signature of Applicant

Oct. 4 - 2012
Date



MAINE STATE BUREAU OF IDENTIFICATION
45 Commerce Drive, Suite 1 / STATE HOUSE STATION # 42
AUGUSTA, ME 04333
(207) 624-7240 (VOICE) (207) 624-4478 (TDD)

Transaction Response #: MIQ99B649152

Criminal History Record

Introduction

This rap sheet was produced in response to the following request (Produced on 2012-10-11) :

Inquiries Name(s) AARON A. ALDRICH (1977-02-24)

The information in this rap sheet is provided subject to the following caveats:

Important! When a criminal history record and juvenile crime information record check is processed by the State Bureau of Identification using personal identifiers such as name and date of birth, it is possible that the record supplied belongs to another person with the same or essentially similar name and date of birth. Assurance that the person sought are one and the same requires verification through fingerprint comparison. If the information contained in this response will be used to disqualify an applicant for employment, housing or credit, the person making the eligibility determination should provide the applicant with an opportunity to complete or contest the accuracy of the criminal history information in the response. An individual may request amendment or correction of criminal history record information by a criminal justice agency pursuant to 16 M.R.S.A. SUBSECTION 620. (CRSA; 2003-09-08)

****THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2012-10-11 (CRSA)**

1.) This record, effective September 1, 2000, contains information relating solely to persons either arrested as a fugitive from justice [15 M.R.S.A. SUBSECTION 201(4) or arrested or charged with a State of Maine criminal offense. It does not include Class D or E crimes in Title 12 or Title 29-A (formerly Title 29), unless the crime is alcohol-related or drug-related [25 M.R.S.A. SUBSECTION 1541 (4-A) (A)], and certain former crimes no longer classified as criminal. 2.) For information regarding excluded Marine Resources crimes in Title 12, contact

the Department of Marine Resources. 3.) For information regarding excluded Inland Fisheries and Wildlife crimes in Title 12, contact the Department of Inland Fisheries and Wildlife. 4.) For information relating to excluded crimes in Title 29-A (formerly Title 29), contact the Secretary of State, Motor Vehicle Division. 5.) A list of former crimes is available from this Bureau. (CRSA; 2002-08-28)

THE FOLLOWING ATN(S) ARE UNSUPPORTED BY FINGERPRINTS IN STATE BUREAU OF IDENTIFICATION FILES: (100087A, 100094A, 100103A, 100083A, 100085A, 068744A, 100099A). (CRSA)

Identification

Subject Name(s)

ALDRICH, AARON
ALDRICH, AARON A
TREBILCOCK, AARON
TREBILCOCK, AARON (AKA)
TREBILCOCK, AARON A (AKA)

Subject Description

FBI Number

State Id Number
MEQ006757 (ME)

DOC Number
Unknown/NA

Social Security Number
Unknown/NA

Driver's License Number
Unknown/NA

Miscellaneous Numbers
Unknown/NA

Sex
MALE

Race
White

Skin Tone
FAIR

Height
6'0"

Weight
185 Pounds

Date of Birth
1977-02-24

Hair Color
Brown

Eye Color
Brown

Fingerprint Pattern
Unknown/NA

Scars, Marks, and Tattoos

Code
Unknown Code

Description, Comments, and Images
TAT RF ARM SCORPION OF FOREARM TAT RF ARM
(ME0090000)
Contact agency for image

Blood Type

Unknown/NA

Medical Condition

Unknown/NA

Place of Birth

MA

Citizenship

US

Ethnicity

Unknown/NA

Marital Status

Unknown/NA

Religion

Unknown/NA

Employment

Unknown/NA

Residence

Residence as of
Location Type
Mailing Address

2011-06-30
MAILING
PO BOX 3
NORTH TURNER, ME 04266 US

Telephone

Residence as of
Location Type
Mailing Address

2003-06-20
PHYSICAL
PO BOX 3, RT 4
TURNER, ME US

Telephone

Residence as of
Location Type
Mailing Address

2003-06-20
PHYSICAL
50 UPPER SWALLOW
SOUTH PARIS, ME US

Telephone

Residence as of
Location Type
Mailing Address

2003-06-20
PHYSICAL
62 UPPER SWALLOW RD.
OXFORD, ME US

Telephone

Residence as of
Location Type
Mailing Address

2003-06-20
PHYSICAL
62 UPPER SWALLOW RD.
SOUTH PARIS, ME US

Telephone

Residence as of
Location Type
Mailing Address

2003-06-20
PHYSICAL
PO BOX 3
NORTH TURNER, ME US

Telephone
 Residence as of 2003-06-20
 Location Type PHYSICAL
 Mailing Address 26 REPUBLICAN AVE.
 OXFORD, ME US
 Telephone

Fingerprint Images

Unknown/NA

Palmprint Images

Unknown/NA

Photo Images

Unknown/NA

DNA Data

Unknown/NA

Caution Information

Firearms Disqualified D - Disqualified

Criminal History**Cycle 001**

Tracking Number 100083A
Earliest Event Date 1997-05-05

Arrest (Cycle 001)
Arrest Date 1997-05-05
Arresting Agency ME0010000
Subject Name(s) ALDRICH, AARON A

Arrest Type Adult

Charge

Charge Number 100083A 001
 Charge Tracking Number 100083A
 Charge Case Number
 Agency ME0010000
 Offense Date 1997-05-05
 Charge Description NEGOTIATING A WORTHLESS INSTRUMENT (Charge Class E)

Statute 17-A MRSA SUBSECTION 708
State Offense Code 4907 (ME)
Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 001)

Court Agency ME001035J

Charge

Charge Number 100083A 001

Charge Tracking Number 100083A

Charge Case Number CR-99-467

Agency ME001035J

Offense Date 1997-05-05

Charge Description NEGOTIATING A WORTHLESS INSTRUMENT (Charge Class E)

Statute MRSA

State Offense Code 4907 (ME)

Severity Misdemeanor

Disposition GUILTY (2000-03-22; ME)

Sentencing (Cycle 001)

Sentencing Agency ME001035J

Court Case Number CR-99-467

Charge Number 100083A 001

Charge Tracking Number 100083A

Sentence 2000-03-22: FINED \$75.00 (2000-03-22)

Corrections No data supplied

Cycle 002

Tracking Number 100085A

Earliest Event Date 1997-11-24

Arrest (Cycle 002)

Arrest Date 1997-11-24

Arresting Agency MESPSBI00

Subject Name(s) TREBILCOCK, AARON

Arrest Type Adult

Charge

Charge Number 100085A 001

Charge Tracking Number 100085A
 Charge Case Number
 Agency MESPSBI00
 Offense Date 1997-11-24
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class E)
 Statute 17-A MRSA SUBSECTION 353
 State Offense Code 5089 (ME)
 Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 002)

Court Agency ME009035J

Charge

 Charge Number 100085A 001
 Charge Tracking Number 100085A
 Charge Case Number 98-00089
 Agency ME009035J
 Offense Date 1997-11-24
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class E)
 Statute MRSA
 State Offense Code 5089 (ME)
 Severity Misdemeanor
 Disposition GUILTY (1998-03-16; ME)

Sentencing (Cycle 002)

Sentencing Agency ME009035J

 Court Case Number 98-00089

 Charge Number 100085A 001

Charge Tracking Number 100085A

 Sentence 1998-03-16: FINED \$500.00 (1998-03-16)

 1998-03-16: RESTITUTION \$471.08 (1998-03-16)

Corrections No data supplied

Cycle 003

Tracking Number 100094A

Earliest Event Date 1997-12-06

Arrest (Cycle 003)
Arrest Date 1997-12-06
Arresting Agency ME0010000
Subject Name(s) ALDRICH, AARON A

Arrest Type Adult

Charge

Charge Number 100094A 001
 Charge Tracking Number 100094A
 Charge Case Number
 Agency ME0010000
 Offense Date 1997-12-06
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class E)
 Statute 17-A MRSA SUBSECTION 353
 State Offense Code 5089 (ME)
 Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 003)

Court Agency ME001035J

Charge

Charge Number 100094A 001
 Charge Tracking Number 100094A
 Charge Case Number 98-00021
 Agency ME001035J
 Offense Date 1997-12-06
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class E)
 Statute MRSA
 State Offense Code 5089 (ME)
 Severity Misdemeanor
 Disposition GUILTY (1998-01-28; ME)

Sentencing (Cycle 003)

Sentencing Agency ME001035J

Court Case Number 98-00021

Charge Number 100094A 001

Charge Tracking Number 100094A

Sentence 1998-01-28: FINED \$100.00 (1998-01-28)

Corrections No data supplied

Cycle 004

Tracking Number 100087A
Earliest Event Date 1997-12-06

Arrest (Cycle 004)
Arrest Date 1997-12-06
Arresting Agency ME0010000
Subject Name(s) ALDRICH, AARON A
 Arrest Type Adult

Charge

Charge Number 100087A 001
 Charge Tracking Number 100087A
 Charge Case Number
 Agency ME0010000
 Offense Date 1997-12-06
 Charge Description CARRYING CONCEALED WEAPON (Charge Class D)
 Statute 25 MRSA SUBSECTION 2001
 State Offense Code 834 (ME)
 Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 004)
Court Agency ME001035J
Charge

Charge Number 100087A 001
 Charge Tracking Number 100087A
 Charge Case Number 98-00020
 Agency ME001035J
 Offense Date 1997-12-06
 Charge Description CARRYING CONCEALED WEAPON (Charge Class D)
 Statute MRSA
 State Offense Code 834 (ME)
 Severity Misdemeanor
 Disposition GUILTY (1998-01-28; ME)

Sentencing (Cycle 004)
Sentencing Agency ME001035J
 Court Case Number 98-00020

Charge Number 100087A 001
 Charge Tracking Number 100087A
 Sentence 1998-01-28: FINED \$75.00 (1998-01-28)

Corrections No data supplied

Cycle 005

Tracking Number 100099A
Earliest Event Date 1998-11-01

Arrest (Cycle 005)
Arrest Date 1998-11-01
Arresting Agency MESPSBI00
Subject Name(s) ALDRICH, AARON
 Arrest Type Adult

Charge

Charge Number 100099A 001
 Charge Tracking Number 100099A
 Charge Case Number
 Agency MESPSBI00
 Offense Date 1998-11-01
 Charge Description THEFT BY RECEIVING STOLEN PROPERTY (Charge Class B)
 Statute 17-A MRSA SUBSECTION 359
 State Offense Code 5106 (ME)
 Severity Felony

Prosecutor Disposition No data supplied

Court Disposition (Cycle 005)
Court Agency ME009015J

Charge

Charge Number 100099A 001
 Charge Tracking Number 100099A
 Charge Case Number CR 99-98
 Agency ME009015J
 Offense Date 1998-11-01
 Charge Description THEFT BY RECEIVING STOLEN PROPERTY (Charge Class B)
 Statute MRSA
 State Offense Code 5106 (ME)

Severity Felony
Disposition GUILTY (1999-06-16; ME)
PROBATION VIOLATED (2000-03-08; ME)
PROBATION VIOLATED (2000-07-13; ME)

Sentencing (Cycle 005)
Sentencing Agency ME009015J
Court Case Number CR 99-98
Charge Number 100099A 001
Charge Tracking Number 100099A
Sentence 1999-06-16: FINED \$200.00 (1999-06-16)
1999-06-16: INCARCERATED 18 months DOC, ALL BUT 7
DAYS COUNTY JAIL, SUSPENDED (1999-06-16)
1999-06-16: PROBATION 2 years (1999-06-16)
1999-06-16: RESTITUTION UNKNOWN (1999-06-16)
2000-03-08: PROBATION CONTINUED 40 days COUNTY
JAIL (2000-03-08)
2000-07-13: PROBATION CONTINUED 9 months COUNTY
JAIL (2000-07-13)

Corrections No data supplied

Cycle 006

Tracking Number 100103A
Earliest Event Date 1999-04-15

Arrest (Cycle 006)
Arrest Date 1999-04-15
Arresting Agency ME0010600
Subject Name(s) ALDRICH, AARON
Arrest Type Adult

Charge
Charge Number 100103A 001
Charge Tracking Number 100103A
Charge Case Number 99-958
Agency ME0010600
Offense Date 1999-04-15
Charge Description THEFT BY UNAUTHORIZED USE OF PROPERTY (Charge
Class D)
Statute 17-A MRSA SUBSECTION 360
State Offense Code 5112 (ME)
Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 006)

Court Agency ME001025J

Charge

Charge Number 100103A 001

Charge Tracking Number 100103A

Charge Case Number 99-03057

Agency ME001025J

Offense Date 1999-04-15

Charge Description THEFT BY UNAUTHORIZED USE OF PROPERTY (Charge Class D)

Statute MRSA

State Offense Code 5112 (ME)

Severity Misdemeanor

Disposition GUILTY (1999-07-14; ME)

Sentencing (Cycle 006)

Sentencing Agency ME001025J

Court Case Number 99-03057

Charge Number 100103A 001

Charge Tracking Number 100103A

Sentence 1999-07-14: FINED \$100.00 (1999-07-14)

1999-07-14: RESTITUTION \$185.00 (1999-07-14)

Corrections No data supplied

Cycle 007

Tracking Number 100126A

Earliest Event Date 2000-04-03

Arrest (Cycle 007)

Arrest Date 2000-04-10

Arresting Agency ME0090000

Subject Name(s) ALDRICH, AARON A

Arrest Type Adult

Charge

Charge Number 100126A 001

Charge Tracking Number 100126A

Charge Case Number

Agency ME0090000
 Offense Date 2000-04-03
 Charge Description BURGLARY (Charge Class C)
 Statute 17-A MRSA SUBSECTION 401
 State Offense Code 5116 (ME)
 Severity Felony

Charge

Charge Number 100126A 002
 Charge Tracking Number 100126A
 Charge Case Number
 Agency ME0090000
 Offense Date 2000-04-03
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class C)
 Statute 17-A MRSA SUBSECTION 353
 State Offense Code 5087 (ME)
 Severity Felony

Prosecutor Disposition No data supplied

Court Disposition (Cycle 007)

Court Agency ME009015J

Charge

Charge Number 100126A 001
 Charge Tracking Number 100126A
 Charge Case Number CR-00-126
 Agency ME009015J
 Offense Date 2000-04-03
 Charge Description BURGLARY (Charge Class C)
 Statute MRSA
 State Offense Code 5116 (ME)
 Severity Felony
 Disposition GUILTY (2000-09-08; ME)

Charge

Charge Number 100126A 002
 Charge Tracking Number 100126A
 Charge Case Number CR-00-126
 Agency ME009015J
 Offense Date 2000-04-03
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class C)
 Statute MRSA

State Offense Code 5087 (ME)
 Severity Felony
 Disposition GUILTY (2000-09-08; ME)

Sentencing (Cycle 007)
Sentencing Agency ME009015J
 Court Case Number CR-00-126
 Charge Number 100126A 002
 Charge Tracking Number 100126A
 Sentence 2000-09-08: CONCURRENT with case CR99-98 charge
 number 1 (2000-09-08)
 2000-09-08: INCARCERATED 9 months (2000-09-08)

Sentencing (Cycle 007)
Sentencing Agency ME009015J
 Court Case Number CR-00-126
 Charge Number 100126A 001
 Charge Tracking Number 100126A
 Sentence 2000-09-08: INCARCERATED 5 years DOC, ALL BUT 9
 MONTHS SUSPENDED (2000-09-08)
 2000-09-08: PROBATION 4 years (2000-09-08)
 2000-09-08: RESTITUTION \$9500.00 (2000-09-08)

Corrections No data supplied

Cycle 008

Tracking Number 100133A
Earliest Event Date 2000-10-21

Arrest (Cycle 008)
Arrest Date 2000-10-21
Arresting Agency OXFCJ
Subject Name(s) ALDRICH, AARON
 Arrest Type Adult

Charge
 Charge Number 100133A 001
 Charge Tracking Number 100133A
 Charge Case Number
 Agency OXFCJ
 Offense Date 2000-10-21
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class C)

Statute 17-A MRSA SUBSECTION 353(1)
 State Offense Code 8313 (ME)
 Severity Felony

Charge

Charge Number 100133A 002
 Charge Tracking Number 100133A
 Charge Case Number
 Agency OXFCJ
 Offense Date 2000-10-21
 Charge Description CRIMINAL MISCHIEF (Charge Class D)
 Statute 17-A MRSA SUBSECTION 806(1)(B)
 State Offense Code 4960 (ME)
 Severity Misdemeanor

Prosecutor Disposition No data supplied

Court Disposition (Cycle 008)

Court Agency ME009015J

Charge

Charge Number 100133A 001
 Charge Tracking Number 100133A
 Charge Case Number CR 2001-00025
 Agency ME009015J
 Offense Date 2000-10-21
 Charge Description THEFT BY UNAUTHORIZED TAKING OR TRANSFER
 (Charge Class C)
 Statute MRSA
 State Offense Code 8313 (ME)
 Severity Felony
 Disposition GUILTY (2001-04-30; ME)
 PROBATION VIOLATED (2003-05-08; ME)

Charge

Charge Number 100133A 002
 Charge Tracking Number 100133A
 Charge Case Number CR 2001-00025
 Agency ME009015J
 Offense Date 2000-10-21
 Charge Description CRIMINAL MISCHIEF (Charge Class D)
 Statute MRSA
 State Offense Code 4960 (ME)
 Severity Misdemeanor
 Disposition GUILTY (2001-04-30; ME)

Sentencing (Cycle 008)
Sentencing Agency ME009015J
 Court Case Number CR 2001-00025
 Charge Number 100133A 002
 Charge Tracking Number 100133A
 Sentence 2001-04-30: INCARCERATED 364 days OXFORD COUNTY JAIL (2001-04-30)

Sentencing (Cycle 008)
Sentencing Agency ME009015J
 Court Case Number CR 2001-00025
 Charge Number 100133A 001
 Charge Tracking Number 100133A
 Sentence 2001-04-30: INCARCERATED 5 years DOC, ALL BUT 18 MONTHS SUSPENDED (2001-04-30)
 2001-04-30: PROBATION 4 years (2001-04-30)
 2003-05-08: PROBATION REVOKED 3 years 6 months DEPARTMENT OF CORRECTIONS (2003-05-08)

Corrections No data supplied

Cycle 009

Earliest Event Date 2003-03-08

Arrest No data supplied

Prosecutor Disposition No data supplied

Court Disposition (Cycle 009)
Court Agency ME009015J
Charge
 Charge Number 068744A 001
 Charge Tracking Number 068744A
 Charge Case Number SOPSCCR200300089
 Agency ME009015J
 Offense Date 2003-03-08
 Charge Description ROBBERY (Charge Class A)
 Statute MRSA
 State Offense Code 747 (ME)
 Severity Felony
 Disposition GUILTY (2003-10-14; ME)

PROBATION VIOLATED (2012-03-08; ME)

Sentencing (Cycle 009)
Sentencing Agency ME009015J
 Court Case Number SOPSCCR200300089
 Charge Number 068744A 001
 Charge Tracking Number 068744A
 Sentence 2003-10-14: INCARCERATED 15 years ALL BUT 7 years 0 months 0 days 0 hours suspended (2003-10-14)
 2003-10-14: PROBATION 6 years (2003-10-14)
 2012-03-08: INCARCERATED 48 hours ALL BUT 0 years 0 months 0 days 0 hours suspended (2012-03-08)
 2012-03-08: PROBATION PARTIALLY REVOKED 6 years (2012-03-08)

Corrections No data supplied

Index of Agencies

Agency ANDROSCOGGIN CO SO AUBURN; ME0010000
 Contact
 Agency Telephone 207-7847361
 Agency Facsimile
 Agency Email Address
 Mailing Address 2 TURNER STREET
 AUBURN, ME 04210

Agency 8TH DISTRICT COURT LEWISTON; ME001025J
 Contact
 Agency Telephone 207-7954800
 Agency Facsimile
 Agency Email Address
 Mailing Address PO BOX 1345
 LEWISTON, ME 04243

Agency 11TH DISTRICT COURT LIVERMORE FALLS; ME001035J
 Contact
 Agency Telephone 207-8973800
 Agency Facsimile
 Agency Email Address
 Mailing Address 2 MAIN STREET
 LIVERMORE FALLS, ME 04254

Agency MECHANIC FALLS PD; ME0010600
 Contact
 Agency Telephone 207-3459021
 Agency Facsimile
 Agency Email Address
 Mailing Address 108 LEWISTON STREET
 MECHANIC FALLS, ME 04256

Agency MAINE CORRECTIONAL, WINDHAM; ME003015C
 Contact
 Agency Telephone 207-8937111
 Agency Facsimile
 Agency Email Address
 Mailing Address PO BOX 260
 SOUTH WINDHAM, ME 04082

Agency OXFORD CO SO SOUTH PARIS; ME0090000
 Contact
 Agency Telephone 207-7439554
 Agency Facsimile
 Agency Email Address
 Mailing Address PO BOX 179
 SOUTH PARIS, ME 04281

Agency SUPERIOR COURT PARIS; ME009015J
 Contact
 Agency Telephone 207-7438936
 Agency Facsimile
 Agency Email Address
 Mailing Address PO BOX 179
 SOUTH PARIS, ME 04281

Agency 11TH DISTRICT COURT SOUTH PARIS; ME009035J
 Contact
 Agency Telephone 207-7438942
 Agency Facsimile
 Agency Email Address
 Mailing Address 26 WESTERN AVE
 SOUTH PARIS, ME 04281

Agency MAINE STATE BUREAU OF IDENTIFICATION; MESPSBI00
 Contact

Agency Telephone 207-6247240
Agency Facsimile
Agency Email Address
Mailing Address SHS 42 45 COMMERCE DRIVE
AUGUSTA, ME 04333

Agency OXFORD COUNTY JAIL; OXFCJ
Contact
Agency Telephone
Agency Facsimile
Agency Email Address

LEWISTON CITY COUNCIL
MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Public Hearing and First Passage regarding the repeal of the Informed Growth Act ordinance.

INFORMATION:

The State of Maine passed the Informed Growth Act in 2007 and the City adopted it's own version shortly after. The State law was repealed in 2011 and it is recommended that Lewiston repeal it's adoption as well. Please see the attached material from Lincoln Jeffers for additional information and background on this topic.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To approve first passage of the proposed repeal of Section 14 "Additional standards for large scale retail development", of the Lewiston Zoning and Land Use Code, and that the public hearing on said ordinance be continued to the next regular City Council meeting for final passage.

Executive Department

Lincoln Jeffers

Economic and Community Development Director



To: Mayor Macdonald and Lewiston City Council
From: Lincoln Jeffers
RE: Proposed Repeal of Lewiston Informed Growth Act Ordinance
Date: November 14, 2012

Background

The state of Maine passed the Informed Growth Act (IGA) in 2007. The legislation grew out of anti-big box sentiment in the mid-coast area. Briefly, the legislation placed another level of review, inexact and poorly defined in nature, on new retail developments of 75,000 s.f. or larger. Developers had to evaluate whether the project would have any adverse impacts on the community, neighboring towns, or existing businesses, and, if adverse impacts were found, the application was to be denied.

The determination of whether the impacts were positive or negative based on the required criteria were subjective in nature. For example, if 100 net jobs were added to a community, but retail wages went down 25 cents per hour, is that positive or negative? If a locally owned shop saw sales decrease, but area residents benefitted from significantly lower prices and more choices, is that positive or negative?

Under the IGA, developers were required to make a \$40,000 payment to the Maine State Planning Office, which took an administrative fee, then passed the remainder through to the municipality where the project was proposed. From a list approved by the state planning office, the community would choose and pay for a consultant to conduct the study. All large scale retail development had to pass through this screen, whether it was located at Exit 80 or Bates Mill #5.

The city provided testimony against the legislation during its hearings and asked that the legislation have an "opt in" provision rather than being applied uniformly across the state. The City argued that there are places, such as service centers, where large scale retail development may be appropriate. It should be up to each community to determine if they wish to adopt the Informed Growth criteria, rather than having every community in the state bound by ordinances that evolved out of a zoning conflict in Damariscotta.

The IGA was passed without an "opt in" provision, but a small measure of flexibility was provided by a clause stating that the IGA wouldn't apply in communities that had local ordinances that were substantially similar to the IGA. Lewiston created a local ordinance, working to make it as business friendly as possible while still being defensible as substantially similar. It is that section of the Land Use Code that is being recommended for repeal.

In 2011 the IGA was amended with the following provision:

**Title 30-A: MUNICIPALITIES AND COUNTIES HEADING:
PL 1987, C. 737, PT. A, §2 (NEW)**

**Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A, §2
(NEW)**

**Subpart 6-A: PLANNING AND LAND USE REGULATION
HEADING: PL 1989, C. 104, PT. A, §45 (NEW)**

**Chapter 187: PLANNING AND LAND USE REGULATION
HEADING: PL 1989, C. 104, PT. A, §45 (NEW)**

Subchapter 3-A: INFORMED GROWTH ACT

§4365-A. Municipal opt-in

The provisions of this subchapter do not apply to a municipality unless the municipality has adopted an ordinance that specifically adopts by reference the provisions of this subchapter. Nothing in this subchapter limits the home rule authority of municipalities to adopt ordinances on the same subject matter as this subchapter. [2011, c. 89, §1 (NEW) .]

This change in legislation provides what Lewiston first asked for. Because we have a local ordinance on the books that was modeled on the IGA, the additional criteria for large scale retail development still apply in Lewiston.

Action

Staff asked the Planning Board to consider and make a recommendation to the City Council on whether the pertinent section of our local ordinance should be repealed. The Planning Board voted 5-2 to recommend repeal of the ordinance. Dave Hediger's memo on that action provides more detail. A copy of the ordinance to be repealed is attached.

The City Council is asked to hold a first public hearing and schedule for a second hearing to amend the *Zoning and Land Use Code to repeal Article XIII. Development Review Standards, Section 14, Additional standards for large-scale retail development.* Doing so will remove a local ordinance created solely to mitigate some of the impacts forced upon the city through state legislation.



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Mayor and Members of the City Council
FROM: David Hediger, City Planner
DATE: November 7, 2012
RE: Repeal Article XIII. Development Review Standards, Section 14, Additional standards for large-scale retail development.

On October 22, 2012, the Planning Board voted 5-2 to send a favorable recommendation for the City Council's consideration of a proposal to amend the Zoning and Land Use Code to repeal Article XIII. Development Review Standards, Section 14, Additional standards for large-scale retail development.

Lewiston's additional standards for large-scale retail development were adopted in response to the Informed Growth Act (IGA) enacted by the Legislature in 2007 mandating local planning board review of "big box" retail development based on its potentially adverse economic impact. In 2011, this law was effectively repealed. Public Law 2011, c. 89 (eff. September 28, 2011) amended the IGA to make local participation voluntary. The IGA does not apply now unless a municipality has an ordinance specifically adopting the provisions of 30-A M.R.S.A. §§ 4365-4372 by reference.

Lewiston adopted additional standards for large-scale retail development in May 2008 for "big box" retail development, working to make the mandated State regulations as business friendly as possible while still being defensible as substantially similar.

With the State's repeal of the mandate, this amendment will eliminate a no longer required local ordinance originally adopted primarily to meet a state mandate. Developments of this size and scope will remain subject to approval from the Lewiston Planning Board and must meet the requirements of our local development review ordinances and other applicable sections of the Zoning and Land Use Code.

As previously note, the Planning Board voted 5-2 to send a favorable recommendation to the Council for the repeal of Lewiston's additional standards for large-scale retail development. The opposing votes were not necessarily in favor of the existing ordinance; however, they felt the existing language could be used to encourage development in downtown areas versus larger undeveloped lots out by Exit 80.

10.22.12

**AN ORDINANCE PERTAINING TO THE REPEAL OF ADDITIONAL STANDARDS
FOR LARGE SCALE RETAIL DEVELOPMENT**

THE CITY OF LEWISTON HEREBY ORDAINS:

APPENDIX A

ZONING AND LAND USE CODE

Article XIII. Development Review and Standards

Sec. 14. ~~Reserved. Additional standards for large-scale retail development.~~

~~In addition to the criteria set forth in article XIII, section 4, applications for large-scale retail development as defined below, shall meet the following additional standards of this section:~~

~~(a) — Purpose. The State of Maine passed the Informed Growth Act (30-A MRSA Chapter 187, Sub-Chapter. 3-A) to add additional development review criteria that evaluate the economic impact of large-scale retail development. Subsection 4371 of the Informed Growth Act provides an exemption to municipalities that have (adopted economic and community impact review criteria that apply to large-scale retail development land use permit applications and that require a study of the comprehensive economic and community impacts of the proposed large-scale retail development for consideration among other evidence in applying the review criteria to the application. (The following ordinance provisions meet that criteria, exempting large-scale retail projects proposed in Lewiston from 30-A MRSA Chapter 187, Sub-Chapter. 3-A.~~

~~(b) —
Definitions:~~

- ~~(1) — Comprehensive economic impact area means the geographic area affected by a proposed large-scale retail development. The area includes Lewiston and may include abutting municipalities.~~
- ~~(2) — Comprehensive economic impact study means a study that estimates the effects of a large-scale retail development on the local economy, downtown and community. It will identify the economic effects of large-scale retail development on existing retail operations; supply and demand for retail space; number and locations of existing retail establishments where there is overlap of goods and services offered; projected net job creation/loss; projected net retail related payroll increase/decrease; captured share of existing retail sales; sales revenue retained and reinvested in the comprehensive economic impact area; municipal revenues generated; increased municipal costs caused by the development's construction and operation, including municipal costs of roads, water, sewer, police and fire; and the costs or return on investment of any public subsidies including tax increment financing; and public water, sewer and solid waste disposal capacity.~~
- ~~(3) — Land use permit means approval granted by the planning board for major developments pursuant to article XIII, subsections 3(b) and (c) of this Code. This~~

- ~~definition of land use permit applies to any large-scale retail development approved by the planning board prior to September 20, 2007.~~
- (4) ~~Large-scale retail development means any single retail business establishment having a gross floor area of 75,000 square feet or more in one or more building at the same location and any expansion or renovation of an existing building that will result in a single retail business having a gross floor area of 75,000 square feet or more except when the expansion or renovation is 20,000 square feet or less.~~
- (e) ~~Preparation of comprehensive impact study. As part of its review of a land use permit application for a large-scale retail development the planning board shall require the preparation and submittal of a comprehensive impact study.~~
- (1) ~~Qualified preparer. A comprehensive economic impact study must be prepared by a person or firm, other than the applicant, that is qualified by education, training and experience to prepare such a study.~~
- (2) ~~Selection of preparer. The applicant shall choose the preparer and directly pay the preparer for their services.~~
- (3) ~~Peer review. The city may choose to have the study peer reviewed, at the applicant's expense, by a consultant of the city's choice.~~
- (d) ~~Public hearing.~~
- (1) ~~Public hearing required. As part of the development review process the planning board shall provide the public with at least one public hearing to be heard prior to the approval of a land use permit for a large-scale retail development.~~
- (2) ~~Notice. Notice of the public hearing on the land use permit application for a large-scale retail development must state that the comprehensive economic impact study will be presented at the hearing and that the planning board will take testimony on the comprehensive impact of the proposed project. The notice shall advertise said public hearing in a newspaper of general circulation in the city at least two times, the date of the first publication to be at least six days prior to the date of the hearing. Notice of the hearing will be sent by regular mail to abutters within 1,000 feet of the proposed development and to the municipal officers of abutting municipalities.~~
- (e) ~~Land use permit process approval. The applicant must complete and submit for planning board review and findings a comprehensive impact study. At the applicants option, the study can be completed and submitted for planning board review and determination prior to or concurrent with other development review criteria set forth in article XIII. If the study is submitted independently of other development review criteria, the development review process will be a two-step process. Each step of the two-step processes must meet the above referenced notice requirements.~~
- (f) ~~Land use permit approval. In addition to other applicable development review criteria required by this Code, the planning board shall evaluate the impacts of the proposed large-scale retail development based on the comprehensive economic impact study, other materials submitted to the planning board by the city's peer review consultant, and other persons and entities, including the applicant, state agencies, nonprofit organizations and~~

~~members of the public; and testimony received during the public hearing to determine whether the overall negative effects of the proposed project outweigh the overall positive effects. The planning board may deny the land use permit on the basis of economic impact only if it determines that there is likely to be a significant adverse impact.~~

~~(Ord. No. 08-03, 5-15-08)~~

Reason For Proposed Amendment

The Informed Growth Act (IGA) enacted by the Legislature in 2007 mandated local planning board review of “big box” retail development based on its potentially adverse economic impact.

Public Law 2011, c. 89 (eff. September 28, 2011) amends the IGA to make local participation voluntary. The IGA does not apply now unless a municipality adopts an ordinance specifically adopting the provisions of 30-A M.R.S.A. §§ 4365-4372 by reference. Lewiston adopted additional standards in May 2008 for large scale retail development working to make the mandated State regulations as business friendly as possible while still being defensible as substantially similar.

With the State repeal of this mandate, this amendment will repeal a no longer required local ordinance. Developments of this size and scope will remain subject to approval from Lewiston Planning Board and our local development review ordinances and other applicable sections of the Zoning and Land Use Code.

Conformance with the 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 I, Strategy C, p 39).

PUBLIC Law, Chapter 89

HP0255 Signed on 2011-05-17 00:00:00.0 - First Regular Session -
LD 322 125th Maine Legislature

[Bill Tracking](#), [Additional Documents](#) [Chamber Status](#)

An Act To Amend the Informed Growth Act

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §4365-A is enacted to read:

§ 4365-A. Municipal opt-in

The provisions of this subchapter do not apply to a municipality unless the municipality has adopted an ordinance that specifically adopts by reference the provisions of this subchapter. Nothing in this subchapter limits the home rule authority of municipalities to adopt ordinances on the same subject matter as this subchapter.

Sec. 2. 30-A MRSA §4366, sub-§8, as enacted by PL 2007, c. 347, §1, is repealed.

Sec. 3. 30-A MRSA §4366, sub-§10, as enacted by PL 2007, c. 347, §1, is amended to read:

10. Undue adverse impact. "Undue adverse impact" means that, within the comprehensive economic impact area, the estimated overall negative effects on the factors listed for consideration in section 4367, subsection 4 outweigh the estimated overall positive effects on those factors ~~and that the estimated negative effects of at least 2 of the factors listed in section 4367, subsection 4, paragraph A outweigh the positive effects on those factors.~~

Sec. 4. 30-A MRSA §4367, sub-§1, as enacted by PL 2007, c. 347, §1, is amended to read:

1. Qualified preparer. A comprehensive economic impact study must be prepared by a person, other than the applicant for a large-scale retail development, ~~listed by the office as qualified by education, training and experience to prepare such a study. The office shall provide the list of qualified preparers to a municipal reviewing authority and land use permit applicant upon request. The office shall adopt routine technical rules under Title 5, chapter 375, subchapter 2-A to carry out the purposes of this subsection.~~

Sec. 5. 30-A MRSA §4367, sub-§3, as enacted by PL 2007, c. 347, §1, is amended to read:

3. Payment. The applicant for the permit shall pay a fee of \$40,000 to the office to be deposited into a dedicated revenue account municipality. The municipality shall establish the amount of the fee. The development application is not complete for processing until the office confirms that the fee has been paid.

~~The office shall disburse to the municipality from the dedicated account an amount equal to the municipality shall use the fee to cover the municipality's projected costs of the comprehensive economic impact study contract, notice of the public hearing and related municipal staff support. The municipality's contract for the study must be defined and priced to ensure that the \$40,000 fee will be sufficient to cover both the costs of the study and the costs listed in this subsection. The office may charge against the fee an amount sufficient to cover its costs to record, administer and disburse the fee, but which may not exceed \$1,000.~~ Any unexpended funds from the \$40,000 fee must be returned to the applicant.

Sec. 6. 30-A MRSA §4367, sub-§4, ¶A, as enacted by PL 2007, c. 347, §1, is amended to read:

A. The municipality may require that the comprehensive economic impact study, using existing studies and data and through the collection and analysis of new data, ~~must~~ identify the economic effects of the large-scale retail development on existing retail operations; supply and demand for retail space; number and location of existing retail establishments where there is overlap of goods and services offered; employment, including projected net job creation and loss; retail wages and benefits; captured share of existing retail sales; sales revenue retained and reinvested in the comprehensive economic impact area; municipal revenues generated; municipal capital, service and maintenance costs caused by the development's construction and operation, including costs of roads and police, fire, rescue and sewer services; the amount of public subsidies, including tax increment financing; and public water utility, sewage disposal and solid waste disposal capacity.

Sec. 7. 30-A MRSA §4371, as repealed and replaced by PL 2009, c. 260, §1, is repealed.

Effective 90 days following adjournment of the 125th Legislature, First Regular Session, unless otherwise indicated.



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: City Clerk's Office
City Council Members

From: David Hediger

Date: October 23, 2012

Subject: Planning Board Action

The Planning Board took the following action at their public meeting held on October 22, 2012 regarding the repeal of Article XIII, Section 14 of the Zoning and Land Use Code, Additional standards for large-scale retail development.

The following motion was made:

MOTION: by **Paul Robinson** 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 the Zoning and Land Use Code to repeal Article XIII. Development Review Standards, Section 14, Additional standards for large-scale retail development. Second by **Bruce Damon**.

VOTED: **5-2 (Passed)**
Kevin Morissette & Eric Potvin Opposed

c: Ed Barrett, City Administrator
Planning Board Members

LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Resolve providing direction on the future of Pettingill School and property.

INFORMATION:

The City Council recently held a workshop regarding the future use of the Pettingill School building and related property. Many neighbors attended the workshop and offered their thoughts and comments as well. This Resolve will begin the steps for demolition of the building and develop a plan to pursue residential development on portions of the land while retaining a playground and green space area.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Resolve providing direction on the future of Pettingill School and the related property.



**City of Lewiston Maine
City Council Resolve
November 20, 2012**



Resolve, Providing Direction on the Future of Pettingill School and Property

Whereas, the School Department returned the Pettingill School and surrounding property to the City in 2008; and

Whereas, prior to taking this action, a Committee established by the School Department determined that the school building was not an appropriate candidate for reuse due to the estimated costs of upgrades for continued occupation, the small size of the site; and current zoning restrictions; and

Whereas, after the property was returned, the City received no responses when reuse proposals were formally solicited; and

Whereas, this year, the Pettingill Building was further evaluated by the School Department for potential reuse as a school in response to escalating enrollments and the City evaluated it as a potential location for programs then operating from the Multi-Purpose Center; and

Whereas, both of these evaluations concluded that the cost to return the building to use was prohibitive; and

Whereas, after several parties approached the City expressing a potential interest, a second request for proposals was recently issued that resulted in two responses, one which was unacceptable due to the proposed density of redevelopment and a second that was subsequently withdrawn; and

Whereas, the school building has now been vacant and unheated for five years, resulting in additional deterioration; and

Whereas, the building now constitutes a blight and potential public safety hazard; and

Whereas, residents in the area have expressed a desire to retain the existing playground and green space as a neighborhood amenity; and

Whereas, it is appropriate that the Council establish a direction for staff to pursue regarding the future of the building and its associated property;

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy.

27 Pine Street Lewiston, Maine 04240 Telephone (207) 513-3017 Fax (207) 784-2959

Now, therefore, be It Resolved by the City Council of the City of Lewiston that

City staff is hereby directed to take steps that will lead to the demolition of the Pettingill School Building. Toward this end, staff shall develop and submit such a project as an element of the next Lewiston Capital Improvement Plan.

Be it Further Resolved, that

The City Council also desires to pursue residential development on portions of the former Pettingill School land while retaining a playground and green space as a neighborhood amenity. Toward this end, staff shall develop a proposed redevelopment plan that will address the following questions:

What portion of the Pettingill Property should be set aside for playground and green space purposes?

Where within the overall property should the playground/green space be located?

How many housing lots should be considered?

How should the residential portion of the property be subdivided?

A project for the relocation/development of the playground/green space area of this property shall be prepared and submitted as an element of the next Lewiston Capital Improvement Plan.



City of Lewiston Executive Department

EDWARD A. BARRETT
City Administrator

PHIL NADEAU
Deputy City Administrator



October 25, 2012

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Pettingill School

Background

On December 8, 2008, the Committee on the Disposition of Pettingill Elementary School presented its findings to the School Committee. The Disposition Committee found that the economic constraints on the building and site limited available options. These included: the estimated costs of upgrades for continued occupation – 1.3 million dollars; small site (2.11 acres); and zoning restrictions. It was explained that state statute provided the School Committee with the following guidelines regarding disposal or other use of a closed school building:

- 1) Lease if there is a reasonable likelihood that the building will be needed again for educational purposes.
- 2) Transfer to municipality.
- 3) Sale.
- 4) Demolition.

The School Committee then approved a motion offering the land and accompanying structure to the City and suggesting that the most affordable and satisfactory solution would be to demolish the building and convert the site into a neighborhood park with a playground.

On May 19, 2009, the City Council accepted the property from the School Department and issued a proposal for its sale and redevelopment. While this was advertised and proposals were solicited, the closing date of July 14, 2009 passed without response. Subsequently, the City was approached by a number of parties who expressed interest in the property. A second request was issued on August 14, 2012, and two (2) proposals were received by September 13, 2012.

The first, from Bertrand St. Pierre, proposed paying the City \$10,000 for the property in order to renovate/construct 180 student/residential/assisted living rental units. This would add a second level onto the 1960 wing and add a second building of equal size. This proposal is inconsistent with the property's zoning and with the adjacent neighborhood and should not be considered.

Under the second proposal from St. Laurent & Son, the City would pay \$10,000 and transfer the property. In exchange, St. Laurent & Son would demolish existing structures and pay for

Asbestos Containing Material (ACM) abatement. Any other hazardous waste removal or remediation would be at City cost, although we do not anticipate that there will be such issues. St. Laurent would sub-divide property into five (5) residential lots (see attached property map). Upon completion of demolition, the site would be graded and temporarily seeded. Houses would be constructed at a pace allowed by today's economy. St. Laurent will act as general contractor for all construction.

This proposal is in line with the property's zoning and compatible with existing development in the area.

Staff has further clarified this proposal with representatives of St. Laurent. Based on that conversation, the proposer is continuing to evaluate the number of lots planned for the property and whether those plans would or would not allow for the existing playground to remain. While still being evaluated, the proposer may prefer that the playground not remain. We hope to have this further clarified by Tuesday's meeting. Further, the \$10,000 payment from the City could be reduced or eliminated in return for the City covering the tipping fees associated with the non-masonry demolition debris from the project. Through an existing arrangement with KTI, this material could be disposed of at no cost to the City by using part of the our tonnage credit with KTI.

Options

There are three basic options available to the City:

1. Accept the St. Laurent proposal with or without the playground
2. Demolish the building at City cost and develop the property into a park
3. Demolish the building at City cost and subdivide the property into house lots either with or without the playground

St Laurent Proposal

The primary advantages of the St. Laurent proposal are that it would remove the existing building at effectively no or low cost to the City, return the property to the tax rolls, and, eventually, result in the construction of additional single family homes. The property (excluding existing buildings) is currently assessed at \$160,000 and would yield \$4,126 in annual taxes. Assuming an average assessed value of \$125,000, 5 houses (land and buildings) would be assessed at \$625,000 (\$16,119 in annual taxes); 6 would be \$750,000 (\$19,342 in taxes). As noted, we are in the process of clarifying the number of lots that would be sought.

City Demolition and Development

The City could act as the developer of the project. The City would demolish the building at an estimated cost of about \$121,000 (see attached estimate). We would then subdivide the property and sell individual lots at an estimated cost of \$25,000 to \$30,000 each. With five lots, this might produce \$125,000 to \$150,000. Six might realize \$150,000 to \$180,000. However, the City would be required to fund the initial demolition and subdivision costs as well as any legal and closing costs associated with individual parcels. The City would also face certain carrying costs for basic lot maintenance while awaiting sale and, until sold, no property taxes could be levied. Given the current housing market, it is difficult to predict the time required to market and sell the lots. Municipalities are generally not well suited to undertake such development projects given our other basic service responsibilities.

Redevelop as a Park

Redeveloping the entire property as a park would incur the cost of demolition and certain initial capital costs for landscaping, fencing, lighting, and some basic amenities. Cost estimates are:

Demolition of School Building	\$121,000
Landscaping	25,000
Fencing (along College Street)	5,500
Lighting	10,000
4 Picnic Tables; 5 Benches; 6 Trash Receptacles	14,500
TOTAL	\$176,000

Annual operating costs are estimated at about \$18,000.

Playground

Public Works estimates that retaining the playground will require on-going maintenance costs in the range of \$3,500 per year. If there is residential development on the site, the City might also incur some additional costs in the range of \$5,000 to \$10,000 associated with removing pavement, relocating certain pieces of play equipment, and adding fencing. Some capital costs will also be required in future years for replacing/repairing the playground equipment.

The School Department estimates that 42 pre-K through 6th grade children live within ¼ mile of the playground. The next closest public playground is located at Geiger School, approximately .8 mile from Pettingill.

At the present time, the Public Works Department is challenged to maintain the existing public green space owned by the City. A listing of these spaces is attached.

Preferred Options and Recommendations

I do not recommend that the City directly undertake redevelopment of the site for housing. This would require an additional capital expenditure and costs associated with creating, marketing, and selling the individual lots. This is a task best left to the private sector.

The Council should give strong consideration to the proposal from St. Laurent for the reasons identified above. With this proposal, the City may have the option of retaining the existing playground with a roughly 90' by 175' footprint (a little over a third of an acre). Some of the existing playground equipment toward the back of the lot might have to be relocated to adapt to possible lotting. While small, playgrounds of this size are not unknown and, if focused on play equipment for younger children, may well be compatible with nearby residential uses. While some maintenance costs are required, these costs are already in place and funded. The Council may wish to hear from current park neighbors and those who use the playground in regard to continuing the playground in this fashion.

While there is value in establishing a larger park in this area, as well as potentially in other areas of the City with relatively dense residential development, this option carries both additional capital and operating costs. While it might prove to be an amenity that will strengthen the neighborhood, we remain in a time of fiscal and economic stress and we have been reducing staff for at least the last ten to fifteen years. Public Works is stressed to meet its current

workload. While an additional 2 acres of green space is not a huge addition to the Department's workload, it is one of a number of such additions that we can anticipate in the coming years, especially in regard to the public spaces planned for Riverfront Island. The Council should weigh whether a project such as this is in line with the priorities it has established and the limited financial and personnel resources we are working with.

Given all of this, I would recommend that the Council continue to work with St. Laurent and Son to fully clarify their proposal and, if possible once the proposers intentions are clarified, consider retaining a small neighborhood playground generally in its current location.

LEWISTON CITY COUNCIL
MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Receive and review a report from the Planning Board regarding the establishment of a Business Transition Zone.

INFORMATION:

During the October 16 City Council meeting, the Council asked the Planning Board to study and review the concept of establishing a Business Transition Zone as part of the City's Zoning and Land Use plan. Attached is the Planning Board's finding and recommendations on the issue.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To receive and review a report from the Planning Board regarding the establishment of a Business Transition Zone as part of the City's Zoning and Land Use regulations.



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Mayor and Members of the City Council
FROM: David Hediger, City Planner
DATE: November 7, 2012
RE: Planning Board action regarding establishment of a Business Transition Zone.

On October 16, 2012, the City Council passed a resolve requesting that the Planning Board consider establishing a Business Transition Zone and recommend areas where such a zone might be appropriate. At an earlier workshop, the Council discussed the City's zoning as it impacts businesses located on commercially zoned streets where the limited depth of such zones greatly limit or prevents a business expansion or development.

As noted in Ed Barrett's September 25th memo to the City Council, a number of options on how to proceed were suggested. First, the Council could have requested that this issue be fully reviewed and considered in the forthcoming update of the City's comprehensive plan. This option is supported by Planning and Code Enforcement. The option chosen by the Council was to request that the Planning Board revisit this issue now – simply to consider adopting the newly proposed zone and/or to adopt the new zone and initiate an actual zone change on the Sabattus/Atwood area and/or other potential areas where such a zoning change might prove valuable.

On October 22, 2012, the Planning Board voted 7-0 to table the City Council's request to initiate an amendment to the Zoning and Land Use Code pursuant to Article XVII, Section 5 for the consideration of establishing a Business Transition Zone and to recommend areas where such a zone might be appropriate. The Planning Board spent a considerable amount of time in 2008 and 2011 discussing the establishment of a Business Transition Zone for a specific Sabattus Street neighborhood, a proposal which was ultimately opposed for reasons including not wanting to create an additional zoning district, that new district regulations would not resolve existing neighborhood disputes, and that it is not the right time to focus on this neighborhood without having a specific project requesting the rezoning. With respect to this request from the Council, the Board's position is that this issue should be fully reviewed and considered in the forthcoming update of the City's comprehensive plan. The comprehensive review process is scheduled to commence in January 2012. For this reason, Planning and Code Enforcement staff supports the Board's action.



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: City Clerk's Office
City Council Members

From: David Hediger

Date: October 29, 2012

Subject: Planning Board Action

The Planning Board took the following action at their public meeting held on October 22, 2012 City Council's resolve requesting that the Planning Board consider establishing a Business Transition Zone and recommend areas where such a zone might be appropriate.

The following motion was made:

MOTION: by **Walter Hill** for the Planning Board table the request to initiate an amendment to the Zoning and Land Use Code pursuant to Article XVII, Section 5 for the consideration of establishing a Business Transition Zone and to recommend areas where such a zone might be appropriate. The reason to table the requested amendment is for this issue be fully reviewed and considered in the forthcoming update of the City's comprehensive plan.
Second by **Bruce Damon**.

VOTED: 7-0 (Passed)

c: Ed Barrett, City Administrator
Planning Board Members

**LEWISTON CITY COUNCIL
MEETING OF NOVEMBER 20, 2012**

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Receive and review a report from the Planning Board regarding the establishment of a Parks and Recreation zoning district.

INFORMATION:

During the August 14 City Council meeting, the Council asked the Planning Board to study and review the concept of establishing a Parks and Recreation Zone as part of the City's Zoning and Land Use plan. Attached is the Planning Board's finding and recommendations on the issue.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To receive and review a report from the Planning Board regarding the establishment of a Parks and Recreation Zone as part of the City's Zoning and Land Use regulations.



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Mayor and Members of the City Council
FROM: David Hediger, City Planner
DATE: October 16, 2012
RE: Proposed amendment to the Zoning and Land Use Code, Article XI. District Regulations, Section 22 to create a Parks and Recreation District

On August 14, 2012 the City Council voted to refer to the Planning Board a proposal to amend Appendix A, Article XI to make a recommendation on the creation of a Parks and Open Space District for the Council's consideration. Upon discussing the matter with the Planning Board on two occasions, the Board voted on October 22, 2012 pursuant to Article XVII, Section 5 of the Zoning and Land Use Code to table sending a recommendation for the City Council's consideration a proposal to amend to the Zoning and Land Use Code, Article XI. District Regulations, Section 22 to create a Parks and Recreation District. The reason to table the requested amendment was for this issue be fully reviewed and considered in the forthcoming update of the City's comprehensive plan.

This proposed new district was in part driven by the recently adopted Riverfront Island Master Plan. The purpose for the creation of this new district was to ensure that our parks and open spaces are preserved for the public while at the same time ensuring that they will support appropriate uses such as those identified in the new Master Plan for Simard-Payne Park.

As drafted, this new district would apply specifically to properties managed or owned by the City of Lewiston for park and recreation purposes. The map and property list provided identifies 73 lots or areas of the city currently recognizes as land being used as a city park, dedicated open space required by a development, land held in conservation easement, city athletic parks as part of a school property, private athletic parks, and vacant city lots of greater than one acre. At a minimum, staff recommended the following properties be considered for the Parks and Recreation District:

Table with 3 columns: Address, Acres, and Property Name. Rows include: 140 BRADBURY RD (35.08 acres, Conservation Easement), 132 WINTER ST (8.48 acres, SunnySide Park), 120 PARK ST (7.57 acres, Kennedy Park), 46 BEECH ST (9.33 acres, Simard-Payne Memorial Park), and 180 PIERCE ST (1.41 acres, Pierce St.).

		Park
1 CEDAR ST	1.61	Lionel Potvin Park
236 PINE ST	0.28	Leeds Park
509 LINCOLN ST	0.98	Lincoln St Carry-In Boat Launch
2 MAIN ST	1.67	Veterans Memorial Park
16 LINCOLN ST	0.26	Laurier T. Raymond Jr. Gateway Park
69 KNOX ST	0.28	Knox Street Park
72 LISBON ST	0.52	Judge Armand A. Dufresne, Jr. Plaza
526 COLLEGE ST	0.18	Mayer Park
496 OLD GREENE RD REAR	52.96	Vacant Land
64 NO NAME POND RD	4.36	Vacant Land

Also considered was the split zoning portions of 161 Birch Street/Franklin Pasture for those areas that consist of Marcotte Park and Ricker Park. The split zoning said property would result in areas of Franklin Pasture including the high school and elementary school remaining zoned Institutional Office.

It should be noted, the Planning Board raised the following concerns:

- Should a new zoning district be added while the City is in the process of updating the comprehensive plan.
 - The comprehensive update process will likely taken 12 months to complete, to be followed by amendments to the Zoning and Land Use Code and zoning map. The Board certainly could choose to wait and have this matter considered as part of the comprehensive review process.
- Should there be a concern about spot zoning.
 - Spot zoning (rezoning a single parcel or a limited area, usually for the benefit of a specific property owner or special interest) is not illegal under Maine law unless the rezoning is inconsistent with the comprehensive plan. The comprehensive plan clearly supports such efforts. The proposed district specifically addresses properties found to be unique for their public use as scenic, recreation, and conservation or natural resource areas.

- Should this apply to public and private property.
 - As drafted, the district would govern land uses for those properties managed or owned by the City of Lewiston for park and recreation purposes. However, there may be consideration for making this district available for other property owners should there be a desire or concern for preserving and protecting areas in Lewiston with inherent open space characteristics and the possibly availability for public use as scenic, recreation, and conservation or natural resource areas.

In the end, the Planning Board unanimously agreed to table sending a recommendation to the Council for said amendment agreeing the matter should be fully reviewed and considered in the forthcoming update of the City's comprehensive plan. Planning and Code Enforcement support the Board's action. While staff believes a district of this nature has value with the intent to ensure that our parks and open spaces are preserved for the public while at the same time ensuring that they will support appropriate uses, the timing is such that the creation this type of zoning district should be discussed and considered from a larger perspective with renewed support from an updated comprehensive plan. Said comprehensive planning process is tentatively scheduled to begin January 2013.



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: City Clerk's Office
City Council Members

From: David Hediger

Date: October 29, 2012

Subject: Planning Board Action

The Planning Board took the following action at their public meeting held on October 22, 2012 regarding proposed amendment to the Zoning and Land Use Code, Article XI. District Regulations, Section 22 to create a Parks and Recreation District to govern land uses for those properties managed or owned by the City of Lewiston for park and recreation purposes:

The following motion was made:

MOTION: by **Eric Potvin** pursuant to Article XVII, Section 5 of the Zoning and Land Use Code to table sending a recommendation for the City Council's consideration a proposal to amend to the Zoning and Land Use Code, Article XI. District Regulations, Section 22 to create a Parks and Recreation District to govern land uses for those properties managed or owned by the City of Lewiston for park and recreation purposes, said properties specifically identified. Second by **Walter Hill**. The reason to table the requested amendment is for this issue be fully reviewed and considered in the forthcoming update of the City's comprehensive plan

VOTED: 7-0 (Passed)

c: Ed Barrett, City Administrator
Planning Board Members

The City of Lewiston is an EOE. For more information, please visit our website at www.lewistonmaine.gov and click on the Non-Discrimination Policy.

**AN ORDINANCE PERTAINING TO THE OFFICIAL ZONING BOUNDARIES AND
PARKS AND RECREATION DISTRICT**

THE CITY OF LEWISTON HEREBY ORDAINS:

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE XI. DISTRICT REGULATIONS

Sec. 22. Parks and Recreation District (PR).

1. *Statement of purpose.* The purpose of the parks and recreation district is to govern land uses for those properties managed or owned by the City of Lewiston for park and recreation purposes; to preserve and protect open space as a limited and valuable resource; and, to permit the reasonable use of open space, while simultaneously preserving and protecting its inherent open space characteristics to assure its continued availability for public use as scenic, recreation, and conservation or natural resource area.

2. *Applicability.* The standards of the parks and recreation district shall apply to all land shown on the "Official Zoning Map, City of Lewiston, as being located within the parks and recreation district.

3. *Permitted Uses.* In a parks and recreation district, any new building or structure which is constructed, any existing building or structure or part thereof which is used, altered or enlarged and any parcel of land, whether in whole or in part, may be used for one or more of the following:

- (1) Open space uses, which include the retention of land in its natural state or the provision of such uses which are compatible with the natural state and the natural environment, including but not limited to walking and hiking trails, nature trails and rehabilitating land to its natural state;
- (2) Municipal parks, public open spaces, picnic areas;
- (3) Facilities, structures and uses that are designed for park, outdoor recreation, educational and sport activities;
- (4) Park infrastructure including but not limited to parking, access roads, utilities, sanitary dump stations, restrooms, showers, vault toilets, safety and security lighting, fee stations, park offices, park residential units for caretakers, park manager and other;
- (5) Outdoor courts without night play lighting for soccer, football, baseball, softball, lacrosse, field hockey, rugby, etc.
- (6) Playgrounds;
- (7) Water front uses, which include but are not limited to, walking and hiking trails, boat ramps, pedestrian bridges, beaches, and marinas for public uses;

- (8) Forest and wildlife reservations;
 - (9) Parking areas;
 - (10) Cemeteries;
 - (11) Accessory uses, including structures or buildings of less than two thousand five hundred (2,500) square feet of floor area.
4. *Conditional uses.* In a parks and recreation district, any new building or structure which is constructed, any existing building or structure or part thereof which is used, altered or enlarged and any parcel of land, whether in whole or in part, may be used for one or more of the following uses only after the issuance of a conditional use permit in accordance with Article X of the Code:
- (1) Dams;
 - (2) Public utility structures and facilities;
 - (3) Piers, docks and marinas;
 - (4) Nonresidential structures for educational, scientific or nature interpretation purposes containing a maximum floor area of not more than 10,000 square feet;
 - (5) Municipal buildings and facilities;
 - (6) Accessory uses with structures or buildings of two thousand five hundred (2,500) square feet or more of floor area;
 - (7) Concessions in support of any permitted or conditional use;
 - (8) Lighted outdoor courts for night play for soccer, football, baseball, softball, lacrosse, field hockey, rugby, etc.;
 - (9) Amphitheatres;
 - (10) Places of indoor amusement or assembly.
- (e) *Space and bulk standards.*
- Minimum lot size all uses: None
 - Minimum frontage all uses: None
 - Minimum front setback all uses: None
 - Minimum front yard all uses: None
 - Minimum side and rear setbacks all uses: None
 - Minimum side and rear yards all uses: None
 - Maximum lot coverage ratio: 100.0
 - Minimum open space ration: None
 - Maximum building height residential district: 35 feet
 - Maximum building height non-residential district: 50 feet
5. *Additional standards.* Any building, structure or use of land within the parks and recreation district shall comply with the general performance standards of Article XII.

Reason for Proposed Amendment

The purpose of the parks and recreation district is to govern land uses for those properties managed or owned by the City of Lewiston for park and recreation purposes; to preserve and protect open space as a limited and valuable resource; and, to permit the reasonable use of open space, while simultaneously preserving and protecting its inherent open space characteristics to

10.22.2012

assure its continued availability for public use as scenic, recreation, and conservation or natural resource area.

Conformance with Comprehensive Plan

1. To promote and protect the availability of indoor and outdoor recreation opportunities for all Lewiston citizens (Recreation and Open Space, Goals, p. 94.).
2. Improve public awareness and utilize all possible opportunities for public participation in the acquisition, planning, and management of facilities (Recreation and Open Space, Policy 6, p. 104.).
3. Create opportunities for continued public input into planning and implementation (Recreation and Open Space, Strategy C, p. 105.).
4. Develop strategies for protection of open space and areas of significant visual and scenic value, and to create new open space which will serve the future needs of Lewiston residents (Recreation and Open Space, Policy 10, p. 111.).
5. Continue to protect the City's natural resources from inappropriate land use activities (Long Range Planning, Policy 6, p. 135.).

Properties Identified For Parks and Recreational Areas							
Highlighted Properties Proposed To Be Located Within The Parks and Recreation District 10.22.2012							
GIS_ID	ACRES	FULL_LOCAT	OWNER1_1	OWNER2_1	COMMENTS	NAME	CLASS
175-103	0.28	10 SAINT JAMES PL					OPEN SPACE
116-COM	0.26	AMOS CT					OPEN SPACE
118-38	1.48						OPEN SPACE
107-3	3.03	COMMONS DR RR					OPEN SPACE
118-50	2.03						OPEN SPACE
32-15	0.29	WATERS EDGE DR					OPEN SPACE
40-17	5.43	GROVE ST					OPEN SPACE
114-19	4.93	BOWDOIN DR					OPEN SPACE
101-23	35.33						OPEN SPACE
16-4	35.08	140 BRADBURY RD	LEWISTON CITY OF		LAND OFF BRADBURY RD ON NN POND		LAND TRUST OR EASEMENT
190-2	13.86	11 TALL PINES DRIVE	ANDROSCOGGIN LAND TRUST				LAND TRUST OR EASEMENT
63-72	1.00	4 STONE LEDGE DR	LAMONTAGNE SANDRA				OPEN SPACE
118-4	361.09	314 MONTELLO ST	STANTON BIRD CLUB		THORNCRAG	THORNCRAG	STANTON BIRD CLUB
64-126	1.45	GINA ST					OPEN SPACE
39-68	1.27	JUDITH ST					OPEN SPACE
144-180	3.41	420 EAST AVE	GLADU ROBERT R				OPEN SPACE
31-COM	2.78	669 OLD GREENE RD					OPEN SPACE
175-1	0.22	161 BIRCH ST	LEWISTON CITY OF		P/O FRANKILN PASTURE	Marcotte Softball Field	CITY ATHLETIC PARK
173-119	4.67	75 CENTRAL AVE	LEWISTON CITY OF			Lewiston Athletic Park (LAP)	CITY ATHLETIC PARK
175-1	1.65	161 BIRCH ST	LEWISTON CITY OF		P/O FRANKILN PASTURE	Marcotte Park	CITY ATHLETIC PARK
175-1	2.92	161 BIRCH ST	LEWISTON CITY OF		P/O FRANKILN PASTURE	Upper Franklin Softball Leauge	CITY ATHLETIC PARK
175-1	2.04	161 BIRCH ST	LEWISTON CITY OF		P/O FRANKILN PASTURE	Marcotte Softball Field	CITY ATHLETIC PARK
190-6	0.19	24 TALL PINES DR	CALEB MAINE DELEOPMENT CORP			River Valley Basketball Courts	ATHLETIC PARK
146-306	3.47		ROMAN CATHOLIC BISHOP	OF PORTLAND		Holy Family Field	ATHLETIC PARK
66-3	13.57	381 RANDALL RD	LEWISTON CITY OF			Randall Road Softball Complex	CITY ATHLETIC PARK
175-1	16.55	161 BIRCH ST	LEWISTON CITY OF		P/O FRANKILN PASTURE	Franklin Pasture Athletic Complex	CITY ATHLETIC PARK
175-1	2.46	161 BIRCH ST	LEWISTON CITY OF		P/O FRANKILN PASTURE	Franklin Pasture Tennis Courts	CITY ATHLETIC PARK
195-167	3.44	119 WALNUT	ROMAN CATHOLIC BISHOP	OF PORTLAND		Druin Field	ATHLETIC PARK
142-49	9.68		ELLIOT AVENUE PLAYGROUND INC			Elliot Ave Little Leauge Field	ATHLETIC PARK
145-144	7.25		LEWISTON CITY OF			Montello Track	CITY ATHLETIC PARK
178-27	7.71	20 MARTIN DR	ROMAN CATHOLIC BISHOP	OF PORTLAND		South Lewiston Fields St Croix Park	ATHLETIC PARK
205-12	8.48	132 WINTER ST	LEWISTON CITY OF			SunnySide Park	CITY PARK
196-37	7.57	120 PARK ST	LEWISTON CITY OF			Kennedy Park	CITY PARK
208-11	9.33	46 BEECH ST	LEWISTON CITY OF			Simard-Payne Memorial Park	CITY PARK
196-199	1.41	180 PIERCE ST	LEWISTON CITY OF			Pierce St. Park	CITY PARK
208-3	1.61	1 CEDAR ST	LEWISTON CITY OF			Lionel Potvin Park	CITY PARK
195-112	0.28	236 PINE ST	LEWISTON CITY OF			Leeds Park	CITY PARK
208-145	0.16	152 OXFORD ST	LEWISTON CITY OF			St. Mary's Park	CITY PARK
199-2	0.98	509 LINCOLN ST	LEWISTON CITY OF			Lincoln St Carry-In Boat Launch	CITY PARK
207-5	1.67	2 MAIN ST	LEWISTON CITY OF			Veterans Memorial Park	CITY PARK
196-269	0.17	106 KNOX ST	LEWISTON CITY OF			Smilie Park	CITY PARK
175-1	1.51	161 BIRCH ST	LEWISTON CITY OF		P/O FRANKILN PASTURE	George Ricker Park	CITY PARK
207-150	0.26	16 LINCOLN ST	LEWISTON CITY OF			Laurier T. Raymond Jr. Gateway Park	CITY PARK
196-284	0.28	69 KNOX ST	LEWISTON CITY OF			Knox Street Park	CITY PARK
207-85	0.52	72 LISBON ST	LEWISTON CITY OF			Judge Armand A. Dufresne, Jr. Plaza	CITY PARK
197-8	2.16	333 LINCOLN ST	NORTHERN UTILITIES INC		MAINT BY CITY	Gas Light Park	PARK
170-163	0.18	526 COLLEGE ST	LEWISTON CITY OF			Mayer Park	CITY PARK
207-12	1.87	6 MILL ST	LEWISTON CITY OF				VACANT CITY LAND
147-40	1.19	103 GENEST ST	LEWISTON CITY OF				VACANT CITY LAND
147-39	1.15	102 GENEST ST	LEWISTON CITY OF				VACANT CITY LAND
129-1	71.25	177 FERRY RD REAR	LEWISTON CITY OF				VACANT CITY LAND
149-48	3.10	76 COTE ST	LEWISTON CITY OF				VACANT CITY LAND
63-136	2.81	32 GOODALE ST	LEWISTON CITY OF				VACANT CITY LAND
179-26	17.16	94 RIVER RD	LEWISTON CITY OF				VACANT CITY LAND
63-132	1.04	1 OSGOOD ST	LEWISTON CITY OF				VACANT CITY LAND
63-127	1.15	54 KNOWLTON ST	LEWISTON CITY OF				VACANT CITY LAND

Properties Identified For Parks and Recreational Areas							
Highlighted Properties Proposed To Be Located Within The Parks and Recreation District 10.22.2012							
GIS_ID	ACRES	FULL_LOCAT	OWNER1_1	OWNER2_1	COMMENTS	NAME	CLASS
147-38	1.40	30 STEWART ST	LEWISTON CITY OF				VACANT CITY LAND
207-4	1.06	1 MAIN ST	LEWISTON CITY OF				VACANT CITY LAND
63-133	2.34	31 HOMER ST	LEWISTON CITY OF				VACANT CITY LAND
193-42	2.60	237 SUMMER ST REAR	LEWISTON CITY OF	POTTERS FIELD			VACANT CITY LAND
179-23	7.85	142 GODDARD RD	LEWISTON CITY OF				VACANT CITY LAND
63-125	1.11	42 KNOWLTON ST	LEWISTON CITY OF				VACANT CITY LAND
63-140	1.88	12 REARDON ST	LEWISTON CITY OF				VACANT CITY LAND
207-7	1.16	7 MILL ST	LEWISTON CITY OF				VACANT CITY LAND
149-48	3.58	76 COTE ST	LEWISTON CITY OF				VACANT CITY LAND
149-48	1.69	76 COTE ST	LEWISTON CITY OF				VACANT CITY LAND
149-48	3.07	76 COTE ST	LEWISTON CITY OF				VACANT CITY LAND
63-128	1.36	70 KNOWLTON ST	LEWISTON CITY OF				VACANT CITY LAND
86-10	52.96	496 OLD GREENE RD REAR	LEWISTON CITY OF				VACANT CITY LAND
120-36	8.69	85 PERLEY ST	LEWISTON CITY OF				VACANT CITY LAND
32-11	4.36	64 NO NAME POND RD	LEWISTON CITY OF				VACANT CITY LAND
148-113	95.50	603 WEBBER AVE	LEWISTON CITY OF		ANDRO LAND TRUST CONSERVATION EASE	GARCELON BOG	LAND TRUST OR EASEMENT
199-2	1.45	509 LINCOLN ST	LEWISTON CITY OF				VACANT CITY LAND



Legend

-  Open Space
-  City Park
-  Park
-  Land Trust or Easement
-  City Athletic Park
-  Athletic Park
-  Stanton Bird Club
-  Vacant City Land 1+ Acres
-  Lake or Pond; River
-  Swamp or Apparent Wetland



Date: 8/19/2012

For information only. Not for use in any other project.

**City of Lewiston
Parks and Open Spaces**

0 1,000 2,000 4,000 6,000 8,000 Feet



LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 14

SUBJECT:

Executive Session to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To enter into Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Real Estate negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL

MEETING OF NOVEMBER 20, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 15

SUBJECT:

Executive Session to discuss labor negotiations regarding the International Association of Firefighters, Local 785.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (D) to discuss Labor Negotiations regarding the International Association of Firefighters, Local 785.