

**LEWISTON CITY COUNCIL AGENDA  
CITY COUNCIL CHAMBERS  
DECEMBER 18, 2012**

**6:00 p.m. Executive Session** - To discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

**6:45 p.m. Executive Session** - To discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

**7:00 p.m. Regular Meeting**

Pledge of Allegiance to the Flag.  
Moment of Silence.

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 1.

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. Appointment to the Board of Assessment Review.
- \* 2. Appointment to the Planning Board.
- \* 3. Adoption of City Council meeting schedule for January 2013.

**REGULAR BUSINESS:**

- 4. Public Hearing & First Passage for Land Use Code Amendments regarding zoning definitions and zoning district regulations.
- 5. Resolve authorizing the transfer of \$180,000 from the Large Vehicle Wash Facility Project for the purpose of undertaking design and engineering required for the implementation of the Riverfront Island Master Plan - Phrase I.
- 6. Resolve renaming Pierce Street Park the Mark W. Paradis Park.
- 7. Order authorizing the City Administrator to apply for and accept a grant from the Maine Historic Preservation commission for interior improvements to the Clough Meeting House.
- 8. Resolve authorizing a zero percent interest rate loan of \$27,500 from the City's General Fund to the Lewiston-Auburn 911 Committee for telephone line conversion.
- 9. Reports and Updates.
- 10. Any other City Business Councilors or others may have relating to Lewiston City Government.
- 11. Executive Session to discuss labor negotiations regarding the International Association of Firefighters, Local 785.
- 12. Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

**LEWISTON CITY COUNCIL**  
**MEETING OF DECEMBER 18, 2012**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 6:00pm**

**SUBJECT:**

Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue 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:**

State statutes define the purposes for entering into an executive session.

*ETAB/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) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 6:45pm**

**SUBJECT:**

Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue 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:**

State statutes define the purposes for entering into an executive session.

*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) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

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

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 1**

**SUBJECT:**

Appointment to the Board of Assessment Review.

**INFORMATION:**

The City Administrator is nominating Andrew Choate to serve as a member of the Board of Assessment Review. This will be a re-appointment for Mr. Choate to this position. This is a three year term and will expire December 2015. The City Council makes the formal appointment, after receiving a nomination from the Administrator. The City Administrator is recommending Mr. Choate for this seat and the City Assessor concurs.

**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 accept the City Administrator's nomination of Andrew Choate of 70 Rachel Boulevard and to appoint Mr. Choate as a member of the Board of Assessment Review, for a three year term, said term to expire December 17, 2015.

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 2**

**SUBJECT:**

Appointment to the Planning Board.

**INFORMATION:**

In January of each year, various positions on the city's boards and committees are up for renewal. The City Clerk's Office tracks and maintains the appointments and terms of each committee position. Eric Potvin was appointed in 2009 to fill a vacancy on the Planning Board and was sworn into a term that expired January 2012. However, when his information was entered into the database in 2009, the incorrect expiration date was entered in error. Rather than an expiration date of January 2012, a date of 2014 was entered by mistake. When the City Clerk met with the Mayor a year ago for the 2012 committee appointments, Mr. Potvin's position was not listed as vacant and it should have been. The Planning Board and Planning staff recently brought this to the attention of the City Clerk. This position is technically vacant at this time. If Mr. Potvin was made aware in January 2012 that his term was expiring, he would have applied for reappointment and been eligible.

Mr. Potvin has been serving on the Planning Board since 2009 and is an active and engaged member of the board. He is interested in continuing his service. City staff is asking the Council to formally appoint Mr. Potvin to the Planning Board for a term to expire January 3, 2017 and to have this appointment effective January 3, 2012.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

Appointments to the various city boards and committees is a policy decision of the City Council.

*EAB/klmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To appoint Eric Potvin of 42 Tampa Street as a member of the Planning Board for a five year term, said term to expire January 3, 2017, and said term to be effective as of January 3, 2012.

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 20, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 3**

**SUBJECT:**

Adoption of City Council meeting schedule for January 2013.

**INFORMATION:**

Since the first Tuesday in January is New Year's Day and there are five Tuesdays in January 2013, the City Administrator is recommending the City Council meet on the second and fourth Tuesday of January rather than the first and third. By meeting on the second and fourth Tuesday, the meeting schedule will be in sync with the first February meeting and with the pattern of meeting every other week.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EARBKmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To suspend Section 1,(a) of the Rules Governing the City Council and to hold the regular Council meetings for January 2013 on Tuesday, January 8 and Tuesday, January 22.

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 4**

**SUBJECT:**

Public Hearing & First Passage for Land Use Code Amendments regarding zoning definitions and zoning district regulations.

**INFORMATION:**

The Planning Board voted 6-1 at their December 10, 2012 meeting to recommend that the Council amend the Land Use Code regarding zoning definitions and zoning district regulations. These amendments will result in zoning district regulations being placed in a table format, provide clarification of allowed uses and clarify and modify specific space and bulk standards within applicable zoning districts. Please see the attached memorandum from City Planner David Hediger for additional information.

Passage is recommended.

**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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That the proposed amendment to Appendix A, Article II "Definitions" and Article XI "District Regulations", of the City Zoning and Land Use Code, concerning zoning regulations, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regular meeting for final passage.



## CITY OF LEWISTON

### Department of Planning & Code Enforcement



**TO: Mayor and Members of the City Council**  
**FROM: David Hediger, City Planner**  
**DATE: December 12, 2012**  
**RE: Proposed Zoning and Land Use Amendment: Article II. Definitions  
Article XI. District Regulations**

Initiated nearly five years ago by the Planning Board, staff has prepared amendments to the Zoning and Land Use Code, Article II. Definitions, Section 2 Definitions and Article XI. District Regulations, Sections 1 through 24. The amendments will result in zoning district regulations being placed in a table format, provide clarification of allowed uses, and clarify and modify specific space and bulk standards within applicable zoning districts. On December 11, 2012, the Planning Board voted 6-1 to send a favorable recommendation for the City Council's consideration adoption of said amendments.

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 discussions as the city moves forward with updating the comprehensive plan.

The changes that have been made have been reduced 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 now 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 improvement 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 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.
- As mentioned at the November 20<sup>th</sup> Council workshop, the minimum lot size for single family dwellings in the Rural Agricultural (RA) district will remain 60,000 square feet versus the initially proposed increase to 120,000 square feet. The original changes proposed were to correspond with revised opens space/cluster subdivision provisions that have not occurred.
- Also referenced at the Council workshop were the density requirements for the NCB district. The Board has agreed to keep the density requirements the same. Upon further consideration and review, the initial changes proposed to simplify the density calculations to a single number may have resulted in undesirable increase in density depending upon lot sizes.

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

It should be noted that the one opposing vote cast by Bruce Damon was not made in opposition to the overall discussion and amendments being recommended for City Council consideration. Mr. Damon remained concerned that an earlier proposal reviewed by the Planning Board to increase the minimum lot size in the in the RA district from 60,000 square feet to 120,000 square feet had not been included. Initially, the staff and the Planning Board were proposing to create two RA districts with different minimum lot size requirements along with revised open space/cluster subdivision provisions. Staff believes there remains a need to revise the City's current open space/cluster provisions in effort to further preserve the rural areas of Lewiston while continuing to allow residential development. However, it became apparent that creating two RA districts and new open space/cluster provisions requires a larger discussion with potentially impacted property owners. Therefore, in effort to move the amendment process

forward, the recommended amendment makes no changes to the RA district. The development of new open space/cluster subdivision provisions in the RA is something that should be considered during the comprehensive planning process.

Overall, staff believes this process has been beneficial for the Planning Board and staff in providing a better understanding of Lewiston's district regulations. That said, even with the limited changes being proposed, the conversion of 69 pages of text document into a table has been challenging. Staff expects oversights and omissions may be found in the coming months requiring 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: the following summarizes the specific changes recommended by the Planning Board**

- **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.
  - Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities shall be allowed as a permitted use.
  - Equipment dealers and equipment repair garages will be allowed as a conditional use instead of 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:
  - 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 frontage for a religious facility will increase from 100' to 200'.
  - 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 side setback is reduced from 10' to 5'.
- Office Residential (OR):
  - Minimum lots size with public sewer for multifamily dwelling will increase from 12,000 sf to 20,000 sf.
  - Minimum lot size for a single family attached 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 15' for all uses.
- 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.
  - Maximum building height requirements varied between 50' and 65'. It will now be 60'
- Institutional Office (IO):
  - The minimum side and rear setback currently varies from 15' to 20'. It will be 20'.
  - Maximum lot coverage was 50% and maximum impervious area was from 75%. Both 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'
  - 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**



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**To:** City Clerk's Office  
City Council Members  
**From:** David Hediger  
**Date:** December 11, 2012  
**Subject:** Planning Board Action

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The Planning Board took the following action at their meeting held on December 10, 2012 regarding amendments to the Zoning & Land Use Matrix.

The following motion was made:

**MOTION:** by **Walter Hill** 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. Said amendments will result in zoning district regulations being placed in a table format, provide clarification of allowed uses, and clarify and modify specific space and bulk standards within applicable zoning districts.  
Second by **Sandra Marquis**.  
**VOTED: 6-1 (Passed) Bruce Damon Opposed**

Note: Bruce Damon noted he was not against the change in format or the proposed amendments as a whole. Rather, he expressed concerns explaining staff and the board spent a lot of time considering changes to the Rural Agricultural district in effort to preserve open space and promote cluster subdivision developments and that the lot size increases should have been incorporated into the proposed amendment.

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](http://www.lewistonmaine.gov) and click on the Non-Discrimination Policy.

12.18.11

**AN ORDINANCE PERTAINING TO THE ZONING AND LAND USE DISTRICT  
DEFINITIONS**

**THE CITY OF LEWISTON HEREBY ORDAINS:**

**APPENDIX A**

**ZONING AND LAND USE CODE**

**ARTICLE II. DEFINITIONS**

**Sec. 2. Definitions.**

Unless otherwise expressly stated, the following words shall, for the purpose of this Code, have the meaning herein indicated:

*Agriculture* means the cultivation of the soil, production of crops, including crops in commercial greenhouses, and raising and keeping of livestock and farm animals, including animal husbandry, orchards, truck gardens, plan nurseries, poultry and other nondomestic animals, bees, the use of manure and fertilizers, the processing of agricultural products.

*Automobile repair garages* means facilities for major maintenance and repair of passenger vehicles, motorcycles, pickup trucks and similar vehicles, including those uses listed under NAICS 8111-811198. The type of work normally provided by repair garages includes engine overhauls, transmission repairs, glass replacement, body work, painting and similar work not involving routine maintenance. Repair garages shall include muffler shops, brake shops, body shops, paint shops, and tune-up centers.

*Automotive services, except repair* means the uses listed under NAICS 8111-811198 U.S. Standard Industrial Classification Code 754, which include car washes, detailing, automotive diagnostic centers, lubricating services, road services, rustproofing and other service uses similar to those listed.

*BOCA code* ~~means a model building code issued by the Building Officials and Code Administrators International, Inc. entitled "The BOCA Basic National Building Code/1987," as amended.~~

*Business and professional office* means the uses listed under NAICS 52-56 and 62 8111-811198 U.S. Standard Industrial Classification Codes 60 through 67 and 73, as amended, which include financial, real estate, and insurance offices, tradesman's offices, social services, doctor's offices, legal offices, engineering offices, architectural offices, surveying services, research, development and testing services, and management services and other office uses similar to those listed. and Codes 81, 83, 87, and Industry Group Numbers 801 through 804, which include

*Civic and social organization Club* means a not-for-profit organization of a charitable, philanthropic, social or fraternal nature organized under the laws of the State of Maine.

*Engineering, research, management, and related services* ~~means the uses listed U.S. Standard Industrial Code 87, excluding Industry Group Number 872. These uses include~~

~~engineering, architectural and surveying services, research, development and testing services, and management services.~~

*Mixed-use structure* means a building containing one (1) or more dwelling units and nonresidential space. Said nonresidential space must be permitted in the underlying zoning district.

*North American Industry Classification System (NAICS)* is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. Reference is made to the NAICS throughout this Code to assist with defining permitted and conditional uses.

*Personal service* means a service exemplified by the types of services listed under NAICS 812 U.S. Standard Industrial Classification Code 72, including but not limited to laundry and cleaning services, photography studios, shoe repair shops, funeral homes, mortuaries, beauty salons, barber shops, day spas, and similar services to the general public. This definition does not include tattoo parlors.

~~*Professional office* means the uses listed under U.S. Standard Industrial Classification Codes 81, 83, 87, and Industry Group Numbers 801 through 804, which include social services, doctor's offices, legal offices, engineering offices, architectural offices and other office uses similar to those listed.~~

*Transit and ground transportation facilities* means urban transit systems, chartered bus, school bus, interurban bus and rail transportation, and taxis with either scheduled or nonscheduled service, as defined in NAICS subsection 485. ~~of the North American Industry Classification System, (NAICS) 1997.~~

12.18.12

**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 12.18.12	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF)	Neighborhood Conservation on "A" (NCA)	Neighborhood Conservation on "B" (NCB)	Office Residential (OR)	Downtown Residential (DR)	Institutional Office (IO)	Community Business (CB)	Highway Business (HB)	Centreville (CV) <sup>(24)</sup>	Office Service (OS)	Industrial (I)	Urban Enterprise	Mill (M)	Resource Conservation (RC) <sup>(11)</sup>	Groundwater conservation overlay district (GC) <sup>(25)</sup>	No Name Pond Conservation Overlay District (NNP) <sup>(26)</sup>	Mobile Home Park overlay district (MH) <sup>(28)</sup>
<b>Institutional</b>																					
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				
Hospitals, medical clinics					P		C	P	C	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				
<b>Residential(3)</b>																					
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	P													
Mixed use structures					P(11)		P	P	P(11)	P	P	P				P	P				
Lodging houses							P		P(11)												
Home occupations	P	P	P	P		P	P	P	P		P					C					
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								
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	P	P				
Shelters							C		C												
<b>Natural Resource</b>																					
Agriculture	P(8)																				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																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
<b>Recreation</b>																					
Campgrounds	C																				C
Public or private facilities for nonintensive outdoor recreation	C	C	C	C	P	C	C	C	C												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) Farm housing on the premise of an agricultural operation.
- (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) time, 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 is 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 12.18.12**

Dimensional Requirements (13)	Rural Agricultural (RA)	Low Density Residential (LDR)	Suburban Residential (SR)	Medium Density Residential (MDR)	Riverfront (RF) <sup>(2)</sup>	Neighborhood Conservation A (NCA)	Neighborhood Conservation B (NCB)	Office Residential (OR) <sup>(12)</sup>	Downtown Residential (DR) <sup>(2)</sup>	Institutional Office (IO)	Community Business (CB) <sup>(12)</sup>	Highway Business HB <sup>(18)</sup>	Centreville (CV)	Office Service (OS) <sup>(18)</sup>	Industrial (I) <sup>(11)</sup>	Urban Enterprise (UE)	MHI (M)	Resource Conservation (RC)	Groundwater Conservation Overlay District (GC)	No Name Pond Conservation Overlay District (NCP)	Mobile Home Park Overlay District (MH)	additional
Mixed residential development (14)		50 ft		30 ft					None													
Multifamily dwellings				30 ft																		
Mixed use structures																						
Agriculture	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)	30 ft (17, 27)	20 ft	20 ft	none (22)	50 ft	50 ft	25 ft (22)	none (22)	50 ft (8)					50 ft
<b>Minimum front yard</b>																						
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)	15 ft	15 ft	none (22)	20 ft	25 ft (6)	10 ft	none (22)	20 ft					25 ft
<b>Minimum side and rear setback</b>																						
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		10 ft																
Single family cluster development	50 ft	30 ft	30 ft	30 ft		30 ft																
Mixed single family residential development (14)	50 ft			30 ft																		
Mixed residential development (14)		30 ft																				
Multifamily dwellings				30 ft																		
Religious facilities	50 ft	50 ft	50 ft			30 ft																
Mixed use structures	30 ft																					
Veterinary facilities	30 ft																					
Farm structures for keeping of animals	100 ft																					
Other uses	50 ft	25 ft	30 ft	30 ft		30 ft																
All permitted uses					10 ft		5 ft	15 ft (23)	10 ft	20 ft	20 ft	20 ft (15)	none	25 ft	25 ft	20 ft	none	25 ft				
<b>Minimum side and rear yard</b>																						
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																		
Multifamily dwellings				30 ft																		
Mixed use structures				30 ft																		
Religious facilities		25 ft	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					
<b>Maximum height</b>																						
Agriculture	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 <sup>(20)</sup>	75 ft	100 ft	80 ft	100 ft	35 ft				
Hospital, nursing homes and medical offices									120 ft													
<b>Ratios</b>																						
Maximum lot coverage	0.15	0.3	0.20	0.30	0.25	0.40	0.65	0.30	0.75(28)	0.50	0.50	0.50	1.00	0.50	0.75	0.60	1.00	0.10				0.4
Maximum impervious coverage					0.75		0.85	0.60	0.75	0.75(28)	0.75	0.75	1.00	0.75	0.75	0.80	0.90	0.10	0.25	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.

- (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.
- (26) The required minimum lot area per dwelling unit for any residential use in the neighborhood conservation "B" district shall be 120 percent of the average lot area per dwelling unit of impacted properties as of the date of adoption of this Code. The maximum number of dwelling units that can be placed on a parcel in the district shall be figured by the following procedures: The total lot area of all developed impacted properties shall be calculated. In determining the total area of the impacted properties, the tax records of the City of Lewiston shall be used unless the applicant or the owner of an impacted property presents definitive evidence to the contrary. The total number of legally existing dwelling units as of the date of adoption of this Code shall be

calculated. The total lot area shall be multiplied by 120 percent and then divided by the total number of dwelling units existing on the impacted properties. This figure divided into the lot area of the subject parcel yields the total dwelling units which can be placed on the lot. If less than 50 percent of the impacted properties are in residential use, the minimum lot area per dwelling unit shall be the greater of: (1) One thousand five hundred square feet per dwelling unit; or (2) The minimum area derived by the procedure outlined above.

- (27) The minimum front setback and front yard requirements for hospitals, nursing homes and medical offices are zero provided the lot directly across the street is in the institutional-office (IO) district.
- (28) Maximum lot coverage and impervious ration in the institutional-office (IO) for hospitals, nursing homes and medical offices is 1.00.

#### **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)

### **REASON FOR PROPOSED AMENDMENT**

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 will result in zoning district regulations being placed in a table format, provide clarification of allowed uses, and clarify and modify specific space and bulk standards within applicable zoning districts. This will result 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 said 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 should also assist in discussion as the city moves forward with updating the comprehensive plan. Amendments to definitions have been limited to updating out of date references and providing clarification of use descriptions.

### **CONFORMANCE WITH THE COMPREHENSIVE PLAN**

The proposal is in conformance with the Comprehensive Plan, because it:

1. Review permitting and licensing policies and practices to see where they can be streamlined in order to better service the development community (Economy, Policy 1, Strategy C, p 38).
2. Encourage orderly growth and development in appropriate areas of the City, while protecting the City's rural character, making efficient use of public services and preventing development sprawl (Land Use, Goals 1, p 122).
3. Utilize those land use policies that were established in the 1988 Comprehensive Land Use Plan that remain valid to establish/revise zoning districts, and to enact, revise, administer and enforce other ordinances and programs (Land Use, Policy 1, Strategy B. p. 122).

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 5**

**SUBJECT:**

Resolve - Authorizing the Transfer of \$180,000 from the Large Vehicle Wash Facility Project for the purpose of undertaking design and engineering required for the implementation of the Riverfront Island Master Plan - Phase I.

**INFORMATION:**

This recommendation for a transfer of project budget funds is from Finance Director Heather Hunter. Mrs. Hunter is recommending transferring \$180,000 from the Large Vehicle Wash Facility Project since the project was stopped because it did not receive additional anticipated federal grant funding for the project so it will not move forward. She is recommending the money be transferred and used for the purpose of undertaking design and engineering required for the implementation of the Riverfront Island Master Plan - Phase I.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EAB/Kmm*

**REQUESTED ACTION:**

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To approve the Resolve authorizing the transfer of \$180,000 from the Large Vehicle Wash Facility Project for the purpose of undertaking design and engineering required for the implementation of the Riverfront Island Master Plan - Phase I.



**City of Lewiston Maine  
City Council Order  
December 18, 2012**

**RESOLVE,** Authorizing the transfer of \$180,000 from the Large Vehicle Wash Facility Project for Purpose of Undertaking Design and Engineering Required for the implementation of Riverfront Master Plan – Phase I.

**WHEREAS,** the City Council voted on May 15, 2012 to fund \$180,000 for a Large Vehicle Wash Facility; and

**WHEREAS,** the federal funding needed to support that project was not approved; therefore, the project would require significant additional funding at the local level; and

**WHEREAS,** the City Council and the Planning Board have identified a number of projects that can be undertaken immediately with the remaining \$720,000 from the Federal Grant for the Riverfront Master Plan; and

**WHEREAS,** the Federal Grant has a 20% limitation on planning and design work and the limit was reached with the completion of the Riverfront Master Plan;

**NOW, THEREFORE, BE IT RESOLVED by the CITY COUNCIL of the CITY of LEWISTON,**

That \$180,000 is hereby transferred from the 2013 Large Vehicle Wash Facility to the Riverfront Master Plan Project – Phase I Design.



## Finance Department

Heather Hunter  
Director of Finance/Treasurer  
[hhunter@ci.lewiston.me.us](mailto:hhunter@ci.lewiston.me.us)



**TO:** Mayor Robert E. Macdonald and Members of the City Council  
**FROM:** Heather Hunter, Finance Director  
**SUBJECT:** **Project Budget Transfer Request**  
**DATE:** December 10, 2012

The City Council approved the FY13 LCIP on May 15, 2012. One of the projects included in that funding order was a Large Vehicle Wash Facility for \$180,000. Project execution was predicated on receiving additional funds from a Federal Transit Grant. Unfortunately, the City was not an approved grant recipient.

In lieu of rescinding the project authorization, I am recommending that we transfer those project funds to the Riverfront Island Master Plan Phase I - design and construction support discussed in the City Administrator's memo included in this packet.

I would be happy to address any questions or concerns you may have about this request.



City of Lewiston  
Planning & Code Enforcement  
Gil Arsenault, Director



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## MEMORANDUM

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**To:** City Clerk's Office  
City Council Members

**From:** David Hediger

**Date:** December 11, 2012

**Subject:** Planning Board Action

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The Planning Board took the following action at their meeting held on December 10, 2012 regarding capital expenditures for Riverfront Master Plan Funding.

The following motion was made:

**MOTION:** by **Paul Robinson** pursuant to Article VII, Sections 4(f) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for a capital expenditure costing \$140,000.00 for the purpose of design, engineering, and construction management costs associated with implementation of the Riverfront Master Plan. Second by **Eric Potvin**.

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

Note: Pursuant to Article VII, Section 4(f) of the Zoning and Land Use Code, the Planning Board shall review and make a recommendation to the city council with regard to all capital expenditures costing \$100,000.00 or more which are not included in the annual capital program

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](http://www.lewistonmaine.gov) and click on the Non-Discrimination Policy.

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

**SUBJECT:**

Resolve renaming Pierce Street Park the Mark W. Paradis Park.

**INFORMATION:**

The Downtown Neighborhood Action Committee and the Lewiston Youth Advisory Council have undertaken a project to renovate and upgrade Pierce Street park. As part of this effort, the groups held a contest to rename the park and a Lewiston student suggested naming the park after former City Councilor Mark Paradis who passed away December 2011. This agenda item is to formally rename the park after Mr. Paradis in honor of his past service to the City of Lewiston.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

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To approve the Resolve renaming Pierce Street Park the Mark W. Paradis Park.



**City of Lewiston Maine  
City Council Resolve  
December 18, 2012**



**Resolve,** Renaming Pierce Street Park the Mark W. Paradis Park

Whereas, the late Mark W. Paradis deeply loved the City of Lewiston and contributed greatly to it through his commitment of time and effort; and

Whereas, he served three terms on the City Council; four years on the Planning Board; seven years on the Finance Committee; and represented the City on numerous other boards and commissions including the Downtown Advisory Board, Lewiston Mill Redevelopment Corporation, Auburn-Lewiston Airport Committee, and others; and

Whereas, the Downtown Neighborhood Action Committee (DNAC), assisted by the Lewiston Youth Advisory Council (LYAC), has undertaken a project to renovate and improve the City's Pierce Street Park; and

Whereas, as part of that effort, the LYAC sponsored a contest to rename the park; and

Whereas, Nicole Morin, a Lewiston student, submitted the following entry: "The late Mark Paradis lived in Lewiston all his life and contributed much of his life to our community. In his last days running for Mayor, his ultimate goal was to bring our community together once again. What better way to represent his dream than providing a place, named in his honor, where the community comes to gather;" and

Whereas, Nicole's entry was selected as the winning entry by the LYAC and endorsed by the DNAC; and

Whereas, in addition to Mark's service to the community, he is remembered as a loving husband and father and by his signature phrase, used whenever anyone asked him how he was: "The best, always the best"; and

Whereas, naming a park in his honor is an appropriate way to recognize his service and commitment;

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

In honor of the memory of Mark W. Paradis and his contributions to the City he loved, Pierce Street Park is hereby officially renamed the Mark W. Paradis Park. May all who gather in this park be inspired to follow Mark's example and joint with us all in making Lewiston "the best, always the best."

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 7**

**SUBJECT:**

Order Authorizing the City Administrator to apply for and accept a grant from the Maine Historic Preservation Commission for interior improvements to the Clough Meeting House.

**INFORMATION:**

The Clough Meeting House is owned by the Clough Cemetery Association. The Association would like to make some repairs to the building and would like to apply for a state grant, however the grant must be submitted by a municipal government. City staff is in support of applying for the grant to assist the Association in preserving this historic building and is seeking City Council approval for the grant application.

**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 Order authorizing the City Administrator to apply for and accept a grant from the Maine Historic Preservation Commission for interior improvements to the Clough Meeting House.



**City of Lewiston Maine  
City Council Resolve  
December 18, 2012**



**Order,** Authorizing the City Administrator to Apply for and Accept a Grant from the Maine Historic Preservation Commission for Interior Improvements to the Clough Meeting House

Whereas, the Clough Meeting House, owned by the Clough Cemetery Association, is an historic structure located in the Clough Cemetery near the intersection of Old Lisbon Road and South Lisbon Road; and

Whereas, the Cemetery Association desires to undertake certain interior improvements to the structure; and

Whereas, funding for this project is potentially available through a grant from the Maine Historic Preservation Commission; and

Whereas, to be eligible for grant funding, the grant must be applied for by a Certified Local Government such as the City of Lewiston; and

Whereas, the proposed grant is in the amount of \$14,100 and will be matched by the Cemetery Association in the amount of \$9,400; and

Whereas, the City will be responsible for accounting for these grant funds and insuring that they are used appropriately in accordance with the grant's conditions should it be awarded; and

Whereas, preservation of this structure is in the best interest of the City and its goal of retaining important historic properties;

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

The City Administrator is authorized to apply for and accept a grant from the Maine Historic Preservation Commission in the amount of \$14,100 for the purpose of undertaking certain interior improvement to the Clough Meeting House, such grant to be matched by the Clough Cemetery Association in the amount of \$9,400, and to take such other steps as may be necessary to meet the conditions required by the grant.

# MEMORANDUM

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

FR: Gildace J. Arsenault, Director of Planning and Code Enforcement

RE: Historic Preservation Fund Grants for the Clough Meeting House

DT: December 12, 2012

Peter J. Mendall, Treasurer of the Clough Cemetery Association, contacted me recently regarding the Clough Meeting House which is located at 32 South Lisbon Road at the intersection of Old Lisbon Road and South Lisbon Road. The Association is developing an application that they respectfully request the City submit to the Maine Historic Preservation Commission for interior improvements to the Clough Meeting House. The proposed improvements and estimated costs are as follows:

Replacing wiring and electrical entrance	\$3,500.00
Replacing/preserving historic plaster	\$15,000.00
Preparation of materials, walls & ceilings	\$2,000.00
Priming, painting and finishing meeting hall & 2 entrances	\$3,000.00
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Total project costs	\$23,500.00

The Maine Historic Preservation Commission anticipates awarding approximately \$65,000 in Federal (i.e. Department of the Interior) grants in FY 2013 to Certified Local Governments (CLG's). These grants must be matched on a 60% Federal, 40% non-Federal basis. Therefore, the proposed grant is for \$14,100. If awarded, the Clough Cemetery Association will provide cash in the amount of \$9,400. In order to be eligible for grant funds, the Clough Meeting House must either be eligible for or be listed on the National Register of Historic Places; therefore, the Maine Historic Preservation Commission is currently working to nominate this important structure for listing on the Register. I fully expect that the Lewiston Historic Preservation Review Board will take steps to protect this property via Appendix A, Article XV, Significant Buildings and Districts, of the Zoning and Land Use Code if the Commission is successful.

The City of Lewiston is a Certified Local Government as the City takes affirmative steps to preserve, protect, and enhance buildings and areas which represent or reflect distinctive and important elements of the city's architectural, archaeological, cultural, social, economic, ethnic, and political history; to safeguard the city's historic and cultural heritage; to provide procedures for local review of changes to significant structures and for new construction, reconstruction, building alteration, and demolition within designated historic districts; and to provide demolition delay provisions for designated

historic, contributing, and other important buildings and structures. The Lewiston Historic Preservation Review Board is charged with carrying out the duties identified in Appendix A, Article XV, Significant Buildings and Districts, of the Zoning and Land Use Code to achieve the above stated purpose.

In that these funds are earmarked for CLG's, the City Council must provide authorization to Administrator Barrett for the application to be submitted to the Maine Historic Preservation Commission. The application for the grant must be signed by Administrator Barrett and the City must ensure that the project is carried out according to Federal and State Requirements. Therefore, if authorization is given and if the grant is awarded, staff will work closely with the Maine Historic Preservation Commission and the Clough Cemetery Association to ensure that the project meets all applicable regulations. The Association will pay for 40% (\$9,400) of the project cost, and, once the project is complete and all requirements have been met and satisfied, the City will request the Maine Historic Preservation Commission to release the grant funds. Once the grant funds are received, the City will issue a check or checks made jointly payable to the Clough Cemetery Association and any unpaid vendors.

Peter Mendall and I plan to attend your December 18<sup>th</sup> meeting to answer any questions that you may have regarding this exciting preservation project.

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 8**

**SUBJECT:**

Resolve authorizing a zero percent interest rate loan of \$27,500 from the City's General Fund to the Lewiston-Auburn 911 Committee for telephone line conversion.

**INFORMATION:**

The Lewiston-Auburn 911 Center has received a recommendation to convert their telephone lines in order to obtain a savings on the cost of the lines. The total project cost to upgrade to the new technology is \$55,000 and the cities of Lewiston and Auburn have each been asked to loan half of the funds to the Center which will pay it back over two years. The 911 Center is a joint agency operation between the Cities of Lewiston and Auburn.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EAB/kmm*

**REQUESTED ACTION:**

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To approve the Resolve authorizing a zero percent interest rate loan of \$27,500 from the City's General Fund to the Lewiston-Auburn 911 Committee for telephone line conversion.



**City of Lewiston Maine  
City Council Order  
December 18, 2012**

**RESOLVE,** Authorizing a Zero Percent Interest Rate Loan of \$27,500 from the City's General Fund to the Lewiston-Auburn 9-1-1 Committee for telephone line conversion.

**WHEREAS,** the 9-1-1 Committee is a joint agency between the Cities of Lewiston and Auburn; and

**WHEREAS,** the Joint Agency Budget Subcommittee recommended the conversion from copper lines to new technology at a total project cost of \$55,000; and

**WHEREAS,** the operational savings resulting from this conversion is estimated to be \$3,073 per month, providing a project payback of about 18 months; and

**WHEREAS,** operational savings will directly benefit the Cities of Lewiston and Auburn by reducing the annual budget appropriations required for LA 911;

**NOW, THEREFORE, BE IT RESOLVED by the CITY COUNCIL of the CITY of LEWISTON,**

That a zero percent interest rate loan of \$27,500 is hereby authorized from the City's General Fund to the Lewiston-Auburn 9-1-1 Committee for their copper telephone line conversion. The loan will be repaid in eight quarterly payments of \$3,437.50, beginning the month following completion of the conversion.



## Finance Department

Heather Hunter  
Director of Finance/Treasurer  
hhunter@ci.lewiston.me.us



**TO:** Mayor Robert E. Macdonald and Members of the City Council  
**FROM:** Heather Hunter, Finance Director  
**SUBJECT:** **9-1-1 Committee Telephone Implementation Loan**  
**DATE:** December 10, 2012

During the FY2013 Joint Agency Budget Subcommittee review, the 9-1-1 Director provided information on the benefit of replacing the old copper telephone lines and the operational savings that would result. A summary of the discussion was included in the Joint Agency Subcommittee Report dated March 29, 2012. I have included the applicable excerpt from that report below.

*The Subcommittee also discussed the annual cost of telephone lines. The 9-1-1 Director indicated that a \$55,000 investment to shift from copper lines to newer technologies could yield a \$3,300 savings per month, resulting in an 18 month payback on the initial cost.*

*A 4-0 consensus was reached to fund the Lewiston-Auburn 9-1-1 Emergency Communication System at \$1,035,381. In addition, the Subcommittee urged the agency to move rapidly to complete its analysis of the potential to transition to newer telephone technology. Given verified preliminary costs and payback figures, the Cities should strongly consider loaning the Center \$55,000 to convert to a more cost-effective service, utilizing the \$3,300 savings per month to repay the municipal loans.*

The 9-1-1 Director is ready to move forward with the conversion from copper telephone lines. In speaking with the Auburn City Manager, he is in agreement to propose to their City Council a joint loan to the Committee for this purpose.

Based upon revised information, I am recommending that each City provide a zero percent interest rate loan to the 9-1-1 Committee in the amount of \$27,950 to upgrade the center's phone lines from copper to newer technology at a total cost of \$55,900. The estimated utility savings would be approximately \$3,073 per month, a payback of a little over 18 months.

In order to provide some allowance in the calculations and have the 9-1-1 Center benefit from the operational savings, I am recommending the loan be amortized over a 24-month period and payment be remitted to the two municipalities on a quarterly basis. Each municipality's quarterly payment would be \$3,493.75 for the eight quarterly payments.

I would be happy to address any questions or concerns you may have about this request.

# LEWISTON CITY COUNCIL

## MEETING OF DECEMBER 18, 2012

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 11**

**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:**

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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.

**LEWISTON CITY COUNCIL**  
**MEETING OF DECEMBER 18, 2012**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 12**

**SUBJECT:**

Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue 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:**

State statutes define the purposes for entering into an executive session.

*EAB/Kmm*

**REQUESTED ACTION:**

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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.