

**CITY OF LEWISTON**  
**PLANNING BOARD MEETING**  
Monday, September 22, 2014 – 5:30 P.M.  
City Council Chambers – First Floor  
Lewiston City Building  
27 Pine Street, Lewiston

## **AGENDA**

**I. ROLL CALL**

**II. ADJUSTMENTS TO THE AGENDA**

**III. CORRESPONDENCE**

**IV. PUBLIC HEARINGS:**

An application submitted by ARCC Land Surveyors on behalf of Lewiston Raceway, Inc. for the partial abandonment of a paper street in the Spare Time Recreation Subdivision and to combine Lots 45, 46, 47, 24, 23, 22 and 21 into a single lot located at 41 Mollison Way.

**V. OTHER BUSINESS:**

- a) Pierce Place Redevelopment: discussion regarding proposed Bartlett Street housing development.
- b) Update from the Regional Image Committee.
- c) Recommendation to the City Council on the acquisition of 159-177 Lisbon Street and disposition of 60 Canal Street.
- d) Recommendation to Mayor for Planning Board representation on the CDBG Review Committee.
- e) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

**VI. READING OF THE MINUTES:** Motion to adopt the July 28, 2014, August 11, 2014 and September 8, 2014 draft minutes

**VII. ADJOURNMENT**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement



**TO:** Planning Board  
**FROM:** David Hediger, City Planner  
**DATE:** September 18, 2014  
**RE:** September 2, 2014 Planning Board Agenda Item IV(a)

**An application submitted by ARCC Land Surveyors on behalf of Lewiston Raceway, Inc. for the partial abandonment of a paper street in the Spare Time Recreation Subdivision and to combine Lots 45, 46, 47, 24, 23, 22 and 21 into a single lot located at 41 Mollison Way.**

ARCC Land Surveyors, Inc. has submitted a request on behalf of LRI, Inc. to amend the Spare - Time Recreation Subdivision plan dated January 15, 1993. LRI, Inc. owns lots 45, 46, 47, 24, 23, 22 and 21 within said subdivision. These lots are located across the street from Lever Daycare at 50 Mollison Way and to the left of Pediatric Associates at 33 Mollison Way. LRI, Inc. also owns an unbuilt private street – Jaydee Way – that provides access and frontage to a number of these lots. The applicant’s proposed amendment will abandon a specific section of Jaydee Way and combine said lots and street in to one parcel (new lot #24). The amendment will result in a single parcel of approximately 5.7 acres located in the Community Business (CB) district. The purpose of the proposed amendment is to create one large parcel to accommodate a proposed residential care facility.

The remaining portion of Jaydee Way will continue to exist as currently configured as a proposed private street between 17 and 33 Mollison Way (McKesson and Pediatric Associates). All impacted lots will meet the space and bulk standards of the CB district. The new lot will have frontage on Mollison Way. Lot 25 (9 Jaydee Way) not owned by LRI, Inc. will continue to have access and frontage from the proposed private street, Jaydee Way.

This request is being heard by the Planning Board pursuant to Article XIII, Section 2(a)(10) and Sections 4 and 5 of the Zoning and Land Use Code.

#### **ACTIONS NECESSARY:**

1. Make a motion to consider a request by ARCC Land Surveyors, Inc. to amend the Spare Time Recreation Subdivision.
2. Make a determination that the request is complete;
3. Make a motion finding that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Section 4 and 5 of the Zoning and Land Use Code and to grant approval to LRI, Inc. to amend the subdivision plan entitled Eighth Revision, Spare Time Recreation Subdivision Amendment for the partial abandonment of a private road – Jaydee Way - and to combine Lots 45, 46, 47, 24, 23, 22 and 21 in the Spare Time Recreation into a single lot – lot 24 - located at 41 Mollison Way, with/without any concerns raised by the Planning Board or staff.

**From:** [Kim Visbaras](#)  
**To:** ["James Day"](#); [David Hediger](#)  
**Cc:** ["Arthur Montana"](#)  
**Subject:** RE: Sparetime Amendment  
**Date:** Tuesday, September 16, 2014 1:35:23 PM

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Jim, David and Art:

I've been asked to respond to some of David's comments (emailed to Art) on the proposed revisions to the Sparetime subdivision plan. For your information, I have not been provided a copy of Art's plan....only David's comments.

First, the current owner is LRI, Inc. This corporation was previously known as Lewiston Raceways, Inc., but was changed to its current name by filing with the Maine Secretary of State on or about August 23, 1999. As for the corporate officer(s) with authority to bind the corporation, we had recently prepared a number of corrective instruments, now recorded in the Registry of Deeds, relating to another lot in the Sparetime development. Based upon our contact with LRI's counsel at that time, Jim was the President of LRI, Inc. I presume he holds the same corporate office today. Jim and/or his corporate counsel can confirm this to you as well. Second, as to the setback issue and the description of Mollison Way, I will leave those items in Art's competent hands. Third, as to the Association question, the following recorded documents confirm that no Association action is required.

According to the recorded Declaration for Sparetime (Registry of Deeds reference Book 3129, Page 68), the Declarant (now LRI, Inc.) expressly retained ownership of numerous private ways in the subdivision under Article II, Section 1. Those ways are listed as Finale Way, Falcon Road, Pacific Street, Thornton Road and Jaydee Way (the latter being involved in the current proposed amendment). Only 3 of these private ways (Finale, Falcon and Pacific) were conveyed to the Association, i.e., by deed from LRI, Inc. dated August 3, 2007 recorded in Book 7233, Page 306. Thornton and Jaydee were not and have not been so conveyed, and remain in the complete control of LRI, Inc. Section 1 of the Declaration also expressly provides that these private ways will be conveyed to the Association when built. Since Jaydee has not been built, there has been no transfer of Jaydee to the Association. This same transfer language appears in Article III of the Declaration as well. In addition, Article II, Section 1 expressly retains the right, in the Declarant, to convey unbuilt private ways with abutting lots so that the unbuilt private way and lots become an integrated whole. There is additional express language that no lot owners obtain any rights to any such unbuilt private ways if they are attached to and conveyed to an abutting lots. Since there has been no conveyance to the Association for Jaydee, neither the Association nor any Sparetime lot owners have any rights in Jaydee. Based on all of the above, there is no authority vested in or conveyed to the Association with respect to the proposed subdivision amendment, and no Association action is warranted.

If any of you have any further questions or concerns, I'll be glad to address them. David, I trust that this communication will be sufficient in lieu of a formal letter from me. If not, please advise. Thank you. Kim

K. Alexander Visbaras, Esq.

Visbaras Law, LLC

195 Center Street

Auburn, Maine 04210

Telephone: 207-376-3126 and 207-376-3127

Telecopier: 207-376-3198 and 207-783-4994

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# Maine Secretary of State



## 2013 Annual Report Electronic Filing Acknowledgment

For Business Corporations on file as of December 31, 2012

**Charter Number:** 19610097 D

**DCN Number:** 2130019002367

**Legal Name:** LRI, INC.

### **Clerk's Name and Address:**

JENNIE L. CLEGG  
ONE CANAL PLAZA SUITE 600  
PORTLAND, ME 04101-4035

### **Brief statement of the character of the business:**

RECREATION FACILITY AND REAL ESTATE DEVELOPERS

### **Name and Address of Officers:**

TREASURER  
JAYNE THORNTON  
4 MOLLISON WAY, LEWISTON, ME 04240

PRESIDENT  
JAMES P. DAY  
4 MOLLISON WAY, LEWISTON, ME 04240

### **Name and Address of Directors:**

JAMES P. DAY  
4 MOLLISON WAY, LEWISTON, ME 04240

SYLVIA B. DAY  
4 MOLLISON WAY, LEWISTON, ME 04240

JAYNE THORNTON  
4 MOLLISON WAY, LEWISTON, ME 04240

THOMAS PERKINS  
MAIN STREET, BLUE HILL, ME 04614

PATRICIA MOLLISON  
10 BAYSITE LANE, FALMOUTH, ME 04105

**Date of Filing:** August 28, 2013

**Name and Capacity of Authorizing Party:**

JENNIE L. CLEGG, CLERK

**SPARE-TIME RECREATION**

**EIGHTH REVISION**

**MOLLISION WAY**

**Lewiston, MAINE**

## TABLE OF CONTENTS

Cover Letter	1 page
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Right, Title and Interest	1 page

September 9, 2014

David Hediger, City Planner  
Lewiston City Building  
27 pine Street  
Lewiston, Maine 04240

Dear David:

On behalf of Spare-Time Recreation I am submitting 15 Copies of the eighth revision of Spare-Time Subdivision.

The revision consist of combining lots 21,22,23,24,45,46,& 47, vacating a portion of Jaydee Way and eliminating a proposed power & telephone easement located on lots 23 and 24.

Sincerely,

Arthur W, Montana, PLS



Arthur W. Montana PLS 492  
pls492@yahoo.com  
Robert W. Gagnon Jr. PLS 2177  
arcc@roadrunner.com



# Development Review Application

City of Auburn Planning and Permitting Department  
City of Lewiston Department of Planning and Code Enforcement



PROJECT NAME: SPARE-TIME SUBDIVISION EIGHTH REVISION

PROPOSED DEVELOPMENT ADDRESS: 41 MOLLISON WAY

00-012218, 00-012219, 00-012220, 00-012221

PARCEL ID#: 00-012244, 00-012243, 00-012242

REVIEW TYPE:    Site Plan/Special Exception   
                         Subdivision

Site Plan Amendment   
Subdivision Amendment

PROJECT DESCRIPTION: PARTIAL ABANDONMENT OF PAPER STREET IN THE  
SPARE-TIME RECREATION SUBDIVISION AND COMBINATION OF LOTS 45, 46, 47,  
24, 23, 22, 21 AND ADJOINING PAPER STREET

**CONTACT INFORMATION:**

Applicant LRI, INC.  
Name: James Day  
Address: 4 MOLLISON WAY  
Zip Code: 04240  
Work #: 207-784-6457  
Cell #: 207-576-7441  
Fax #: 207-786-3537  
Home #: 207-946-2060  
Email: JDAY@LRI-INC.COM

Project Representative  
Name: ARCC LAND SURVEYORS  
Address: 160 STONE RD  
Zip Code: AUBURN, ME 04210  
Work #: 207-782-3685  
Cell #: 207-346-3455  
Fax #:  
Home #:  
Email:

Property Owner LRI, INC.  
Name: James Day  
Address: 4 MOLLISON WAY  
Zip Code: 04240  
Work #: 207-784-6457  
Cell #: 207-576-7441  
Fax #: 207-786-3537  
Home #: 207-946-2060  
Email: JDAY@LRI-INC.COM

Other professional representatives for the project (surveyors, engineers, etc.).  
Name: ARTHUR W. MONTANA  
Address: 85 OAK ST MECHANIC FALLS  
Zip Code: 06256  
Work #: 346-3455  
Cell #: 576-7014  
Fax #:  
Home #:  
Email: PL5492@YAHOO.COM

# PROJECT DATA

The following information is required where applicable, in order to complete the application

## IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	<u>2/0</u>	sq. ft.
Proposed Total Paved Area	<u>2/0</u>	sq. ft.
Proposed Total Impervious Area	<u>2/0</u>	sq. ft.
Proposed Impervious Net Change	<u>2/0</u>	sq. ft.
Impervious surface ratio existing	<u>2/0</u>	% of lot area
Impervious surface ratio proposed	<u>2/0</u>	% of lot area

## BUILDING AREA/LOT

### COVERAGE

Existing Building Footprint	<u>2/0</u>	sq. ft.
Proposed Building Footprint	<u>2/0</u>	sq. ft.
Proposed Building Footprint Net change	<u>2/0</u>	sq. ft.
Existing Total Building Floor Area	<u>2/0</u>	sq. ft.
Proposed Total Building Floor Area	<u>2/0</u>	sq. ft.
Proposed Building Floor Area Net Change	<u>2/0</u>	sq. ft.
New Building	<u>2/0</u>	(yes or no)
Building Area/Lot coverage existing	<u>2/0</u>	% of lot area
Building Area/Lot coverage proposed	<u>2/0</u>	% of lot area

### ZONING

Existing	<u>CO</u>
Proposed, if applicable	<u>2/0</u>

### LAND USE

Existing	<u>CO</u>
Proposed	<u>2/0</u>

### RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units	<u>0/0</u>
Proposed Number of Residential Units	<u>0/0</u>
Subdivision, Proposed Number of Lots	<u>2/0</u>

### PARKING SPACES

Existing Number of Parking Spaces	<u>2/0</u>
Proposed Number of Parking Spaces	<u>2/0</u>
Required Number of Parking Spaces	<u>2/0</u>
Number of Handicapped Parking Spaces	<u>2/0</u>

### ESTIMATED COST OF PROJECT

0

## DELEGATED REVIEW AUTHORITY CHECKLIST

### SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	<u>2/0</u>	sq. ft.
Proposed Disturbed Area	<u>2/0</u>	sq. ft.
Proposed Impervious Area	<u>2/0</u>	sq. ft.

1. If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.
2. If the proposed impervious area is greater than one acre including any impervious area created since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.
3. If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.
4. If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.

### TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing (Since July 1, 1997) 2/0 passenger car equivalents (PCE)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) 2/0 passenger car equivalents (PCE)  
 If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

### Zoning Summary

1. Property is located in the CO zoning district.  
 2. Parcel Area: \_\_\_\_\_ acres / \_\_\_\_\_ square feet(sf).

Regulations	Required/Allowed	Provided
Min Lot Area	N/A	/
Street Frontage	N/A	/
Min Front Yard	N/A	/
Min Rear Yard	N/A	/
Min Side Yard	N/A	/
Max. Building Height	N/A	/
Use Designation	N/A	/
Parking Requirement	1 space/ per _____ square feet of floor area	
Total Parking:	N/A	/
Overlay zoning districts (if any):	N/A	/
Urban impaired stream watershed?	YES/NO If yes, watershed name <u>N/A</u>	

## DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submission shall include payment of fee and fifteen (15) complete packets containing the following materials:

1. Full size plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

L/A's development review process and requirements have been made similar for convenience and to encourage development.

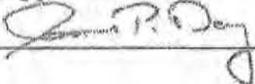
Each City's ordinances are available online at their prospective websites:

**Auburn:** [www.auburnmaine.org](http://www.auburnmaine.org) under City Departments/ Planning and Permitting/Land Use Division/Zoning Ordinance

**Lewiston:** <http://www.ci.lewiston.me.us/clerk/ordinances.htm> Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant: 	Date: 8-29-14
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**Development Review Checklist**  
 City of Auburn Planning and Permitting Department  
 City of Lewiston Department of Planning and Code  
 Enforcement



THE FOLLOWING INFORMATION IS REQUIRED WHERE APPLICABLE TO BE  
 SUBMITTED FOR AN APPLICATION TO BE COMPLETE

PROJECT NAME: SPARE-TIME RECREATION EIGHTH REVISION

PROPOSED DEVELOPMENT ADDRESS and PARCEL #: MOLLISON WAY

Required Information	Check Submitted	Applicable Ordinance	
		Lewiston	Auburn
<b>Site Plan</b>	<b>Applicant</b>	<b>Staff</b>	
Owner's Names/Address	X		
Names of Development	X		
Professionally Prepared Plan	X		
Tax Map or Street/Parcel Number	X		
Zoning of Property	X		
Distance to Property Lines	X		
Boundaries of Abutting land	X		
Show Setbacks, Yards and Buffers	X		
Airport Area of Influence (Auburn only)			
Parking Space Calcs	N/A		
Drive Openings/Locations	N/A		
Subdivision Restrictions	X		
Proposed Use	X		
PB/BOA/Other Restrictions	N/A		
Fire Department Review			
Open Space/Lot Coverage	X		
Lot Layout (Lewiston only)	N/A		
Existing Building (s)			
Existing Streets, etc.			
Existing Driveways, etc.			
Proposed Building(s)			
Proposed Driveways			
<b>Landscape Plan</b>			
Greenspace Requirements	N/A		
Setbacks to Parking			
Buffer Requirements			
Street Tree Requirements			
Screened Dumpsters			
Additional Design Guidelines			

	Planting Schedule	N/A			
<b>Stormwater &amp; Erosion Control Plan</b>					
	Compliance w/ chapter 500				
	Show Existing Surface Drainage				
	Direction of Flow				
	Location of Catch Basins, etc.				
	Drainage Calculations				
	Erosion Control Measures				
	Maine Construction General Permit				
	Bonding and Inspection Fees				
	Post-Construction Stormwater Plan				
	Inspection/monitoring requirements				
	Third Party Inspections (Lewiston only)				
<b>Lighting Plan</b>		N/A			
	Full cut-off fixtures				
	Meets Parking Lot Requirements				
<b>Traffic Information</b>		N/A			
	Access Management				
	Signage				
	PCE - Trips in Peak Hour				
	Vehicular Movements				
	Safety Concerns				
	Pedestrian Circulation				
	Police Traffic				
	Engineering Traffic				
<b>Utility Plan</b>		N/A			
	Water				
	Adequacy of Water Supply				
	Water main extension agreement				
	Sewer				
	Available city capacity				
	Electric				
	Natural Gas				
	Cable/Phone				
<b>Natural Resources</b>					
	Shoreland Zone	N/A			
	Flood Plain	N/A			
	Wetlands or Streams	NONE			
	Urban Impaired Stream	N/A			
	Phosphorus Check	N/A			
	Aquifer/Groundwater Protection	N/A			
	Applicable State Permits	N/A			
	No Name Pond Watershed (Lewiston only)				

	Lake Auburn Watershed (Auburn only)				
	Taylor Pond Watershed (Auburn only)				
<b>Right Title or Interest</b>		X			
	Verify				
	Document Existing Easements, Covenants, etc.	X			
<b>Technical &amp; Financial Capacity</b>		N/A			
	Cost Est./Financial Capacity				
	Performance Guarantee				
<b>State Subdivision Law</b>					
	Verify/Check				
	Covenants/Deed Restrictions	X			
	Offers of Conveyance to City				
	Association Documents	X			
	Location of Proposed Streets & Sidewalks	N/A			
	Proposed Lot Lines, etc.	X			
	Data to Determine Lots, etc.	X			
	Subdivision Lots/Blocks	X			
	Specified Dedication of Land				
<b>Additional Subdivision Standards</b>					
	Single-Family Cluster (Lewiston only)				
	Multi-Unit Residential Development (Lewiston only)				
	Mobile Home Parks				
	Private Commercial or Industrial Subdivisions (Lewiston only)				
	PUD (Auburn only)				
<b>A jpeg or pdf of the proposed site plan</b>					
<b>Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving</b>					

CLERK'S CERTIFICATE

I, Willis A. Trafton, Jr., certify that I am the duly elected and qualified Clerk of Lewiston-Gorham Raceways, Inc., and in my said capacity have the custody of the records of the stockholders of said corporation.

That on February 19, 1969 pursuant to notices timely sent to each stockholder, setting forth the proposed actions, all in accordance with the By-laws of said corporation, a meeting of the stockholders, at which a quorum of the outstanding stock was present in person or by proxy, was held, at Lewiston, Maine.

That at said meeting it was unanimously:

VOTED that the name of the corporation be changed to Lewiston Raceways, Inc.

*Willis A. Trafton, Jr.*  
Clerk

April 10, 1969

RECEIVED APR 17 1969 2:15 PM  
and recorded from the original

DISCHARGE OF MORTGAGE

Know all Men by these Presents,

THAT Lisbon Community Federal Credit Union, 35 Main St., Lisbon Falls, Maine

owner of a certain mortgage given by Clifford J. Rodrigue and Sonia M. Rodrigue, Durham, to Lisbon Community Federal Credit Union. dated October 27, A.D. 1967 and recorded in Androscoggin Registry of Deeds, Book 981, Page 264, do hereby acknowledge that they have received full payment and satisfaction of the same, and of the debt thereby secured, and in consideration thereof do hereby cancel and discharge said mortgage, and release unto the said Clifford J. Rodrigue and Sonia M. Rodrigue heirs and assigns forever the premises therein described.

IN WITNESS WHEREOF, I the said Dorothy S. Livernois, Assistant Treasurer of Lisbon Community Federal Credit Union have hereunto set my hand and seal this 11th day of April, A.D. 1969

SIGNED, SEALED AND DELIVERED  
IN PRESENCE OF

*[Signature]*

LISBON COMMUNITY FEDERAL CREDIT UNION,  
*[Signature]*

STATE OF MAINE, COUNTY OF Androscoggin.

Then personally appeared the above named Dorothy S. Livernois and acknowledged the foregoing instrument to be her free act and deed Before me.

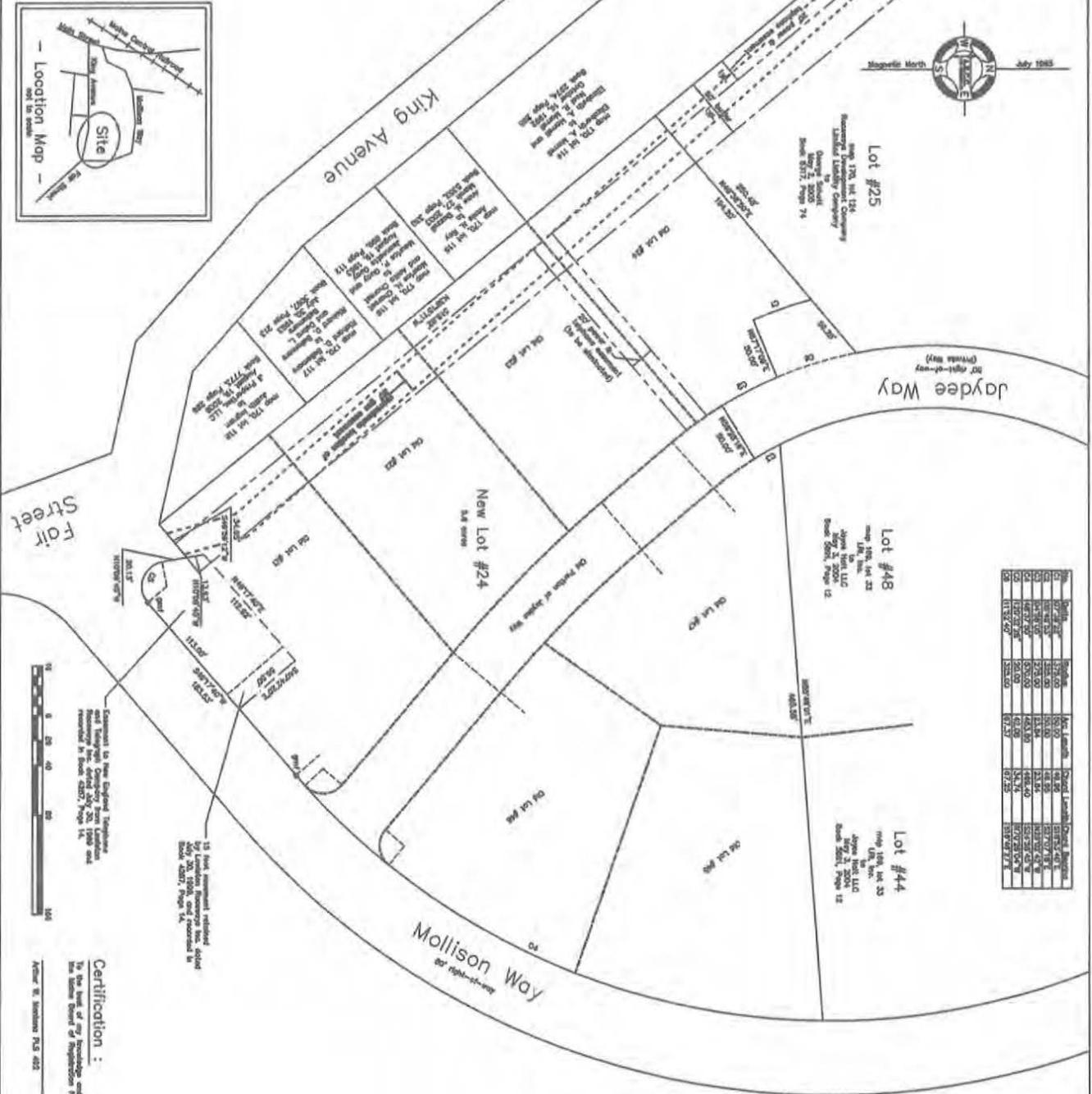
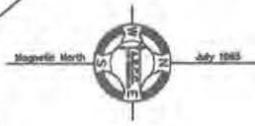
*[Signature]*  
Justice of the Peace Notary Public

State of Maine, ANDROSCOGGIN SS.  
REGISTRY OF DEEDS. Received APR 17 1969  
and recorded in Book 1001 PAGE 619

ATTEST.

Register.

*[Handwritten notes]*  
Lisbon Community Federal Credit Union  
35 Main St.  
Lisbon Falls, Maine  
10/27/67



Lot	Area	Acres	Front	Side	Back	Depth	Perimeter
24	113,200	2.58	113.00	113.00	113.00	113.00	452.00
48	113,200	2.58	113.00	113.00	113.00	113.00	452.00
44	113,200	2.58	113.00	113.00	113.00	113.00	452.00
25	113,200	2.58	113.00	113.00	113.00	113.00	452.00



Customer to pay Engineer's Professional Fee, Survey Fee, and Recording Fee, dated July 20, 1988 and recorded in Book 0257, Page 14.

15 foot easement retained for utility purposes, recorded in Book 0257, Page 14.

**Certification:**  
To the best of my knowledge and belief the above conforms to the State Board of Registration for the Surveying Professions.

Arthur E. Swanson PLS 402

Approved the City of Lewiston Planning Board

Date Filled: \_\_\_\_\_  
Approved Date: \_\_\_\_\_  
Signature Date: \_\_\_\_\_

**Legend:**

- 1/4" = 1' profile
- 5" = 1' profile
- 1/8" = 1' profile
- 1/16" = 1' profile

**Special Note:**

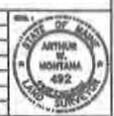
The purpose of this plan is to establish the boundaries of the subdivision as shown on the attached plat. The boundaries of the subdivision are shown on the attached plat. The boundaries of the subdivision are shown on the attached plat. The boundaries of the subdivision are shown on the attached plat.

1. All Book and Page Numbers in these books are from the Adair County Registry and recorded in said Registry in Book 1000, Page 810.
2. General Order -
3. Zoning District is Community Business (CB).
4. Property as shown on the City's tax maps, Map 170, lots 120 to 123 to 127.
5. Property as shown on the City's tax maps, Map 170, lots 120 to 123 to 127.
6. Property as shown on the City's tax maps, Map 170, lots 120 to 123 to 127.
7. Property as shown on the City's tax maps, Map 170, lots 120 to 123 to 127.
8. Property as shown on the City's tax maps, Map 170, lots 120 to 123 to 127.
9. Property as shown on the City's tax maps, Map 170, lots 120 to 123 to 127.
10. The Owner (landlord) and/or the lot owner's condition shall establish, repair and replace any private improvements constructed with this development, including roads, sanitary and storm sewers, and water supply systems.

Adair County Registry of Deeds  
Recorded \_\_\_\_\_ at \_\_\_\_\_  
and Recorded in Book \_\_\_\_\_ Page \_\_\_\_\_  
Actual \_\_\_\_\_

Revised Subdivision Plan  
for  
Record Owner  
Lewiston Roseways, Inc.  
720 Main Street, Lewiston, Idaho 83404

Third Revision  
Spare-Time Recreation  
Subdivision  
Adair County Lewiston, Idaho 83404





# CITY OF LEWISTON



## Department of Planning & Code Enforcement

**TO: Planning Board**  
**FROM: David Hediger, City Planner**  
**DATE: September 18, 2014**  
**RE: September 22, 2014 Planning Board Agenda Item V(a)**

### **Pierce Place Redevelopment: discussion regarding proposed Bartlett Street housing development.**

St. Laurent Housing Associates Limited Partnership has submitted preliminary plans for the redevelopment of dwelling units lost to fire in May 2013. The applicant is proposing to replace the 29 units they lost with the construction of five, three-story structure on three lots. At this time, the applicant is looking for feedback from the Board on the proposed design and site layout prior to making a formal submission for development review approval.

Staff has been working with the applicant in effort to address provisions of the Zoning and Land Use Code. Specifically, the Board should note the following:

- The development is located in the Downtown Residential (DR) district. This requires a minimum lot size of 5,000 SF with a net lot area per dwelling unit of 1,250 SF. In order to construct 29 units, a total net lot area of 35,250 SF is needed. As proposed, a total lot area of 40,000 SF is being provided of which three lots are being created, each meeting the required net lot area for the number of units proposed.
- In effort to avoid the construction of one massive building with 29 units, the applicant is proposing three structures. These structures are proposed to be located on individual lots as required by Article V, Section 3(1) which states that no lot in any zoning district may contain more than one (1) principal structure in residential use. 110 Pierce Street and 139 Bartlett Street shall be one lot (Parcel A); 145, 149, and 155 Bartlett Street shall be Parcel B; and 114, 116, and 122 Pierce Street shall be Parcel C.
- The net lot area for Parcel A is met by combining 110 Pierce Street with 139 Bartlett Street. Article II, Section 2 allows for this by way of the definition of "abutting property" meaning any lot which is physically contiguous with the lot in question even if only at a point.
- As proposed, each of the three lots meets or exceeds the minimum space and bulk requirements of the DR district, including setbacks and impervious surface. As proposed, there will be fewer units and more green space provided than sites conditions prior to the fire.
- Located in the DR district, the development is subject to residential design standard pursuant Article XII, Section 22. Staff is of the opinion the proposed design meets the intent of these standards, as follows:
  - (a) New residential development in the downtown residential (DR) and riverfront (RF) districts shall be reviewed for compliance with the following development standards. The general intent of these standards is to achieve an attractive city neighborhood environment, fostering a sense of community and place. Varied and human-scaled building facades are key to making a place "pedestrian-oriented", as

well as friendlier and safer. Building designs should provide a high level of visual interest and include design elements that enhance the streetscape.

- (1) Porches and bays should face the street;
  - (2) Primary ground floor residential entries to multifamily building must orient to streets, not to interior blocks or parking lots. Secondary and upper-floor entries from the interior of a block are acceptable. The front door to single-family homes, duplexes and townhouses must be visible from the street;
  - (3) The design approach shall provide an architecture that will be a visible and permanent expression of the character of the neighborhood through appropriately scaled entries, porches, fenestration, landscaping and architectural details;
  - (4) The facade shall be varied and articulated to provide visual interest to pedestrians;
  - (5) Each project must provide visual and acoustical privacy between units and shall maximize natural light and ventilation within units.
- The development is proposing a total of 32 parking spaces to be shared amongst the three structures. Article XII, Section 17(e) allows for shared off-street as a matter of right when located within 500 feet of the structure.
  - Article XII, Section 17(d) provides the standards for off-street parking. Based upon the number of units and bedrooms proposed, the code requires 58 parking spaces. A total of 32 spaces are being provided (1.1 spaces per unit). However, the aforementioned section of code also states that the number of required off-street parking spaces for uses which can be clearly shown to have a differing parking need (either fewer or greater) than otherwise required shall be determined by the Planning Board when it has been determined that sufficient spaces to accommodate the normal parking demand of the use has been provided without requiring on-street parking. The applicant has indicated that the lots being developed originally consisted of 56 dwellings units of which 29 units were the applicants. The previous parking demand for those 29 units was 62 spaces. Assuming the remaining 27 units consisted of 1 or 2 bedroom units, the demand would have been 46 spaces. Therefore, the properties proposed to be developed as part of this project would have required a minimum of 108 spaces. Based upon aerial photography, all of the lots being utilized for this development appear to have been nonconforming with respect to off-street parking; however, it looks like there may have been approximately 40 off street spaces available toward the 108 required. It's also worth noting on September 23, 2013 Planning Board approved a 30 unit development on these same lots. The parking demand for that development was 59 spaces; the project was approved with 37 spaces (1.23 spaces per unit).

Based upon the previous parking demand for the 29 units to be replaced, the nonconforming parking that was available to the previous 57 units, and the Boards approval for a 30 unit development on this site, and that over all there are fewer units with more parking being provided, the applicant believe adequate parking is being provided.

At this time, no action is needed by the Board. The applicant is simply looking for guidance, comments, and suggestions on the plan being presented.

**NO ACTIONS NECESSARY**

St. Laurent Housing Associates Limited Partnership  
1180 Lisbon Street P.O. Box 11  
Lewiston, ME 04240

September 16, 2014

Mr. Bruce Damon, Chair  
Lewiston Planning Board  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240

Re: Pierce Place Redevelopment

Dear Mr. Damon and Members of the Planning Board:

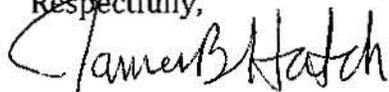
The planned redevelopment of units lost to fire on Pierce and Bartlett Streets has garnered a large amount of interest from the Lewiston Community. We understand that the proposal for one large elevator building previously presented by Volunteers of America was not received favorably by either the Planning Board or the general public. Since Ms. St. Laurent has determined to go forward with the redevelopment on her own, we have worked with our architect, Winton Scott, to create a plan that is much more in keeping with the surrounding neighborhood. We seek to provide a housing community that sets and example of the best architecture and urban planning.

Before we proceed beyond the concept phase we felt it prudent to share our initial ideas with both the Planning Board and the community. We would like to have initial input early on so that we will be better able to incorporate it into the final design. Meeting with David Hediger in preparation for our presentation to the Planning Board we discovered that there are some nuances to the existing codes that make it difficult to do the smaller scale buildings that we feel will best fit into the neighborhood. We would like to hear the Planning Board's reaction to the concept plans we are developing.

To compare the proposed redevelopment to what existed on those lots prior to the fire, please note that there were 56 units in the seven buildings containing between 165 and 170 bedrooms. Our proposal reduces this to 29 units with a total of 77 bedrooms. The prior off street parking consisted of one 9-space lot and several narrow driveways that could accommodate 3 to 5 cars parked behind each other. We are proposing 32 off street spaces. There was little or no green space previously; our plan maintains 25% open space.

We look forward to a productive discussion with the Board on September 22. Thank you for providing us time on your busy agenda.

Respectfully,



James B. Hatch, Development Consultant  
For Phyllis St. Laurent, General Partner



	TOTAL AREA	SF PER DWELLING	IMPERVIOUS
PARCEL A	11,250 SF	1,865 SF	70%
PARCEL B	13,750 SF	1,250 SF	70%
PARCEL C	15,000 SF	1,250 SF	68%

SITE PLAN 4/ GENERAL NOTES

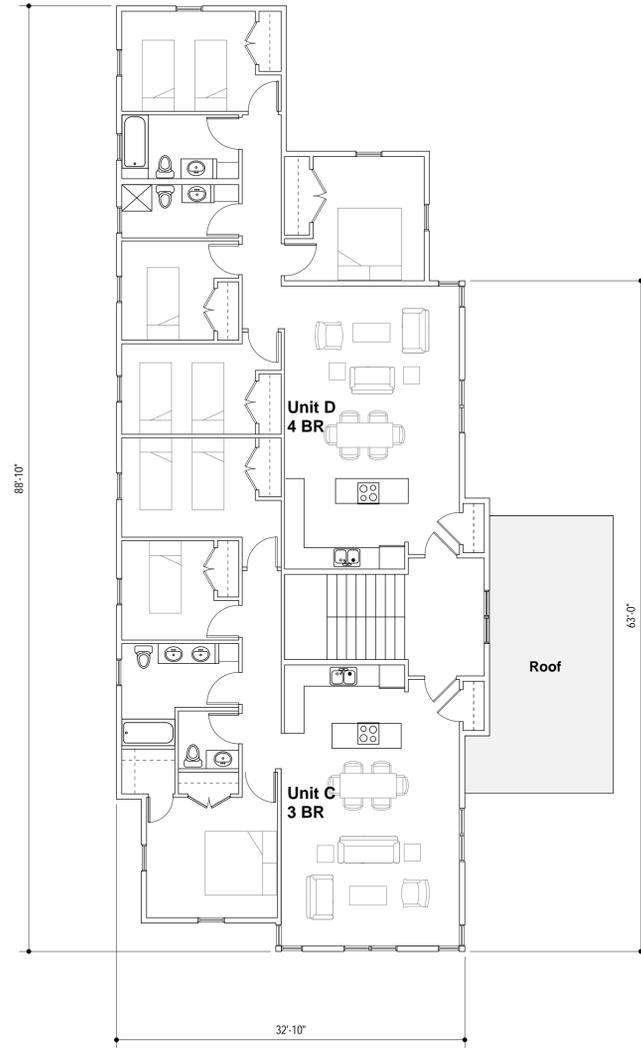
1. SETBACKS - 10' AT SIDE AND REAR  
NONE AT FRONT.
2. OFF STREET PARKING PROPOSED - 32
3. TOTAL # OF UNITS - 29  
1BR - 3 UNITS  
2BR - 9 UNITS  
3BR - 12 UNITS  
4BR - 5 UNITS
4. TOTAL SITE AREA = 8 - 50 X 100 LOTS  
40,000 SF

**Site Plan**  
1" = 20'-0"

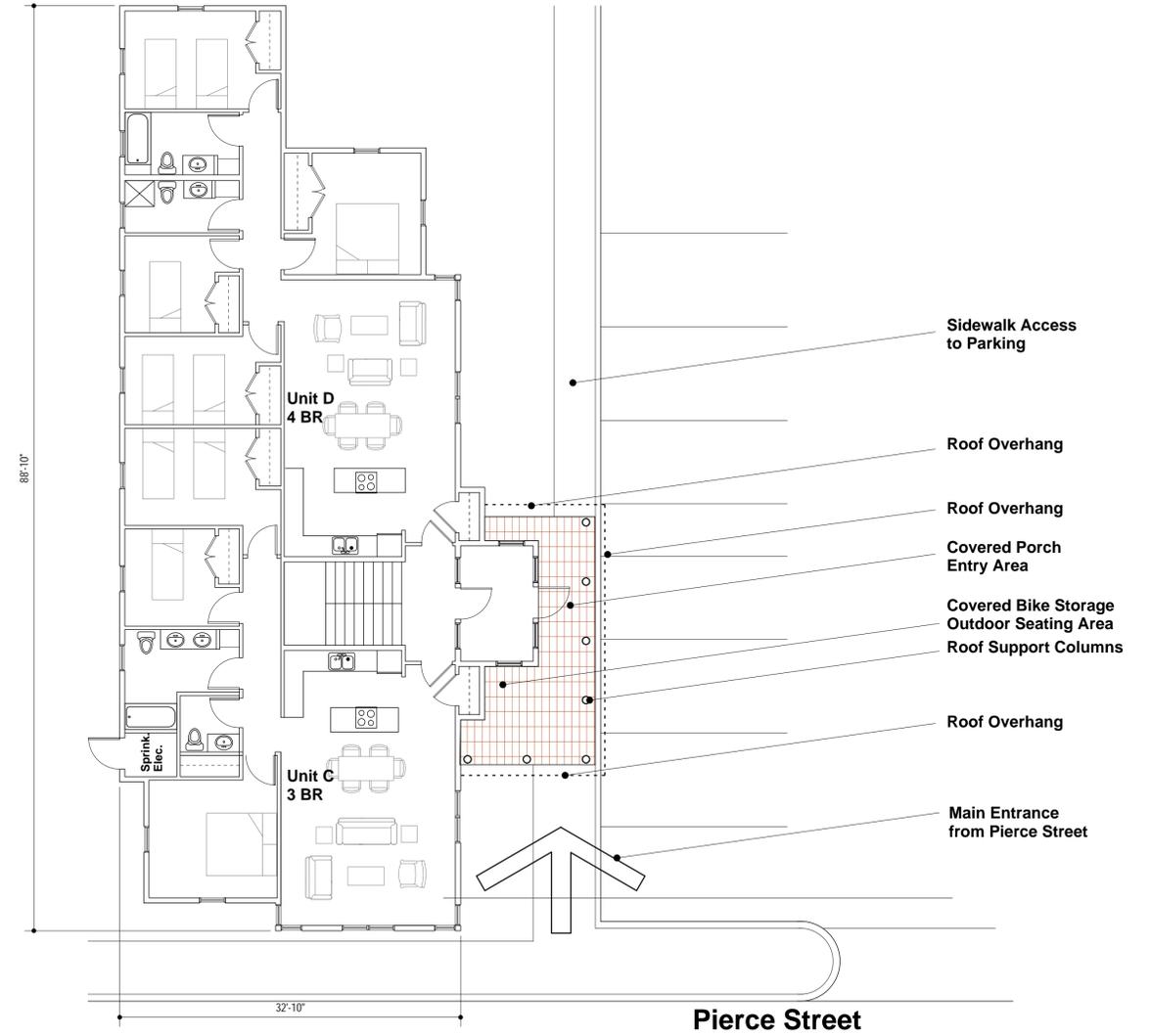
**Pierce Place**  
**Lewiston, Maine**  
St. Laurent Housing Associates  
Limited Partnership

Winton Scott Architects  
Conceptual Design Drawings

September 16, 2014



**Second & Third Floor Plans**  
1/8" = 1'-0"



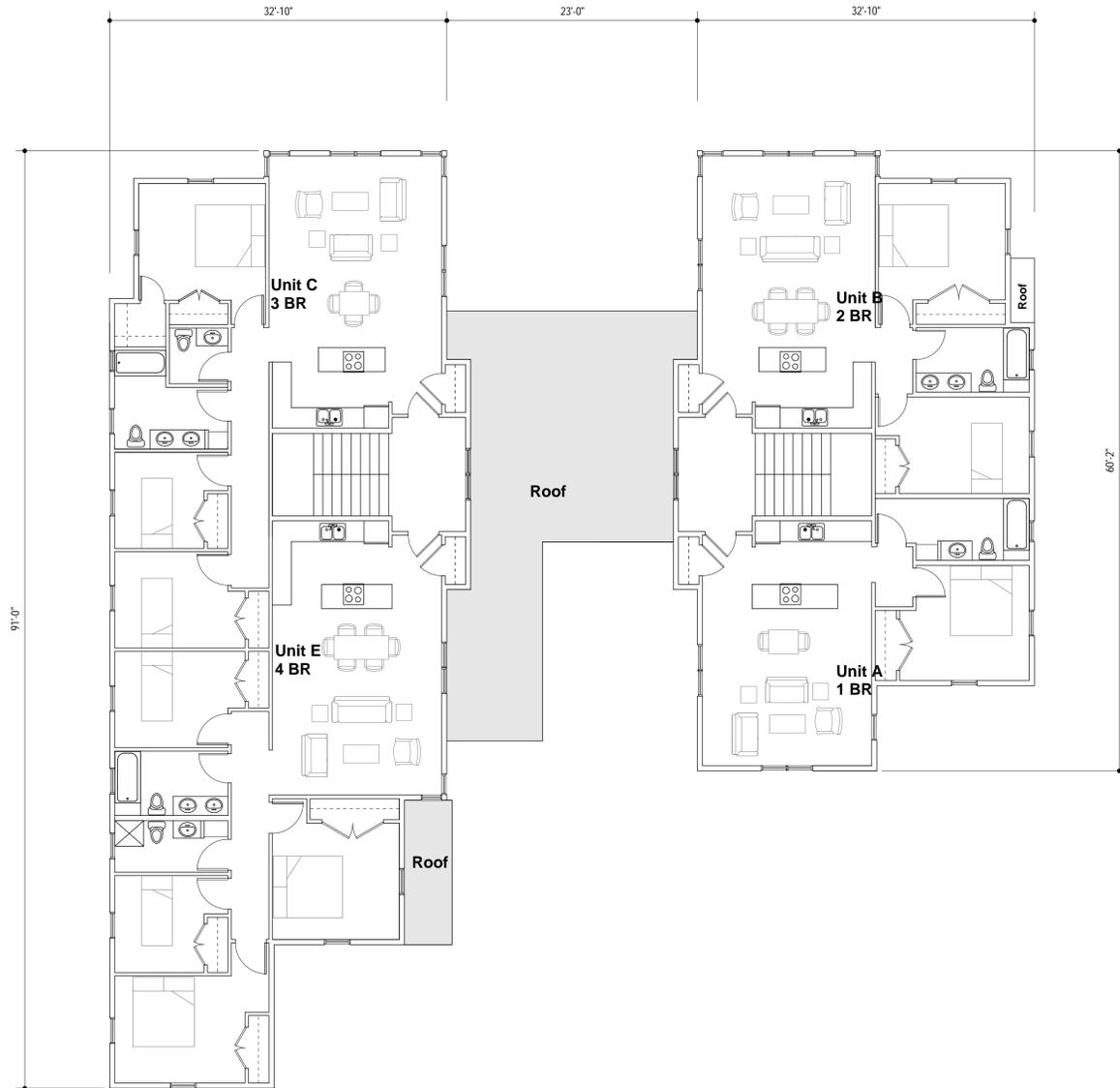
**Ground Floor Plan**  
1/8" = 1'-0"

**Building 1  
Floor Plans**  
1/8" = 1'-0"

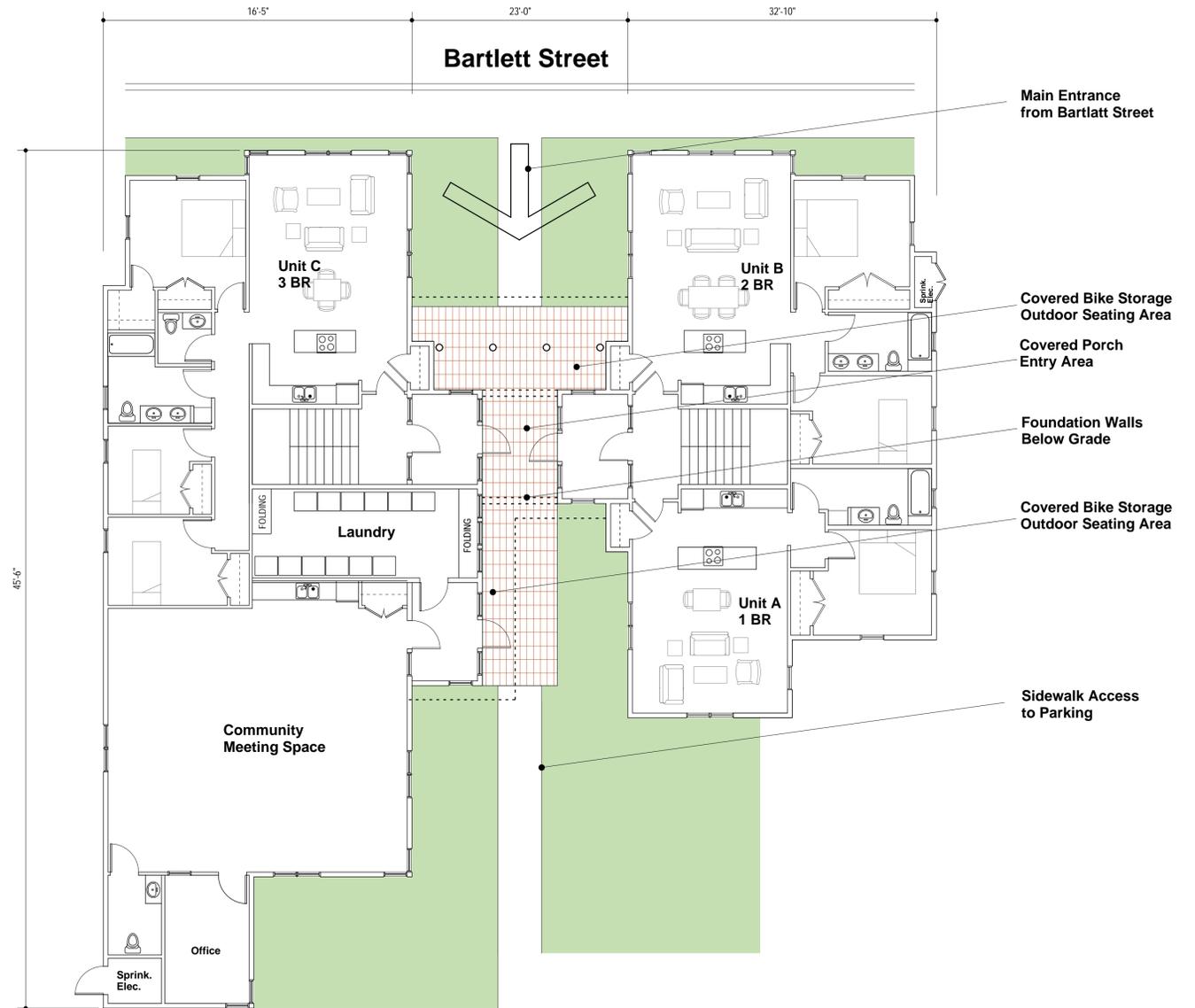
**Pierce Place  
Lewiston, Maine**  
St. Laurent Housing Associates  
Limited Partnership

Winton Scott Architects  
Conceptual Design Drawings

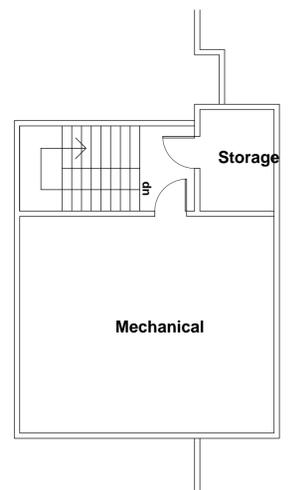
September 15, 2014



**Second & Third Floor Plans**  
1/8" = 1'-0"



**Ground Floor Plan**  
1/8" = 1'-0"



**Basement Plan**  
1/8" = 1'-0"

**Building 2  
Floor Plans**  
1/8" = 1'-0"

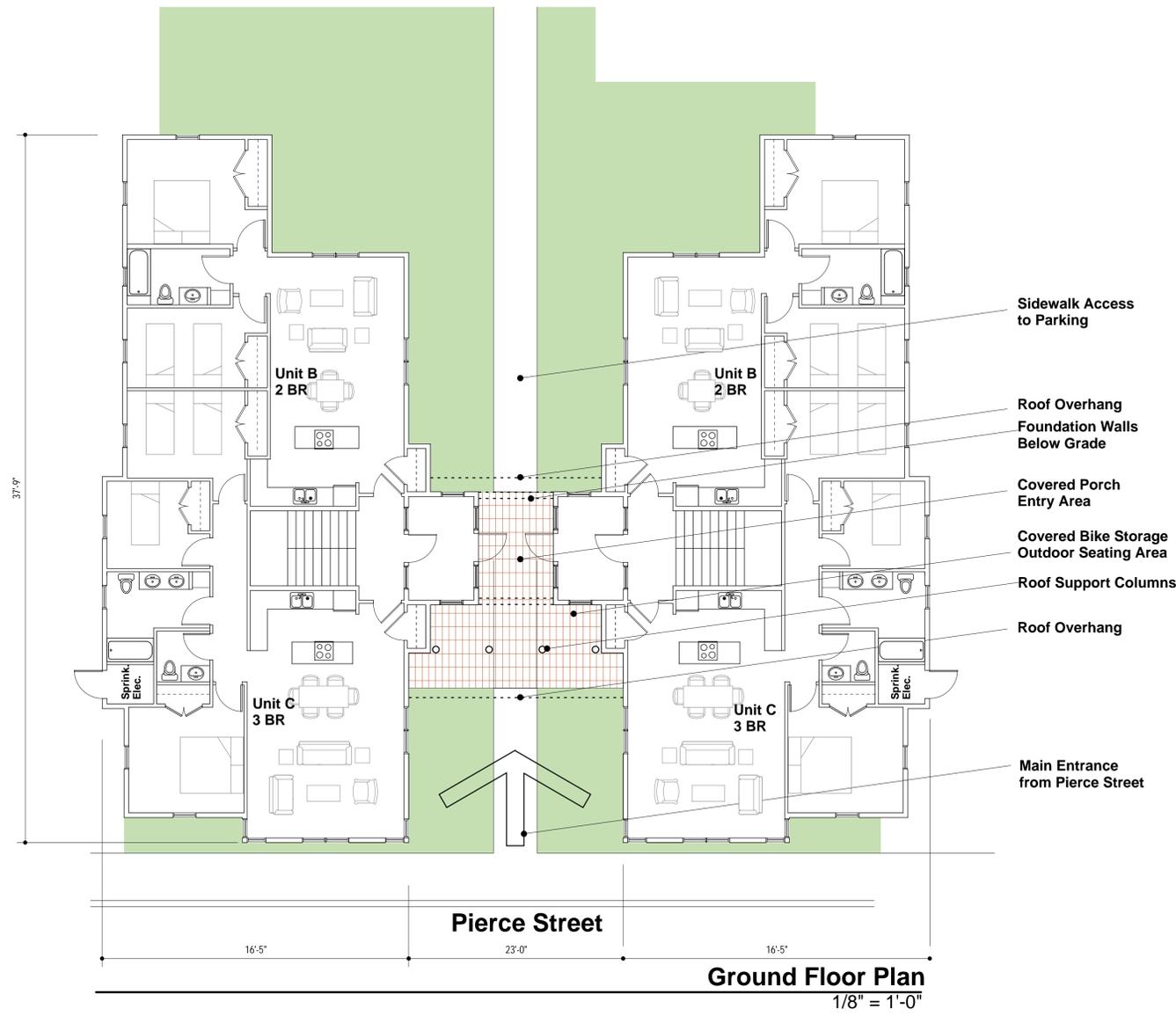
**Pierce Place  
Lewiston, Maine**  
St. Laurent Housing Associates  
Limited Partnership

Winton Scott Architects  
Conceptual Design Drawings

September 15, 2014



**Second & Third Floor Plans**  
1/8" = 1'-0"



**Ground Floor Plan**  
1/8" = 1'-0"

**Building 3  
Floor Plans**  
1/8" = 1'-0"

**Pierce Place  
Lewiston, Maine**  
St. Laurent Housing Associates  
Limited Partnership

Winton Scott Architects  
Conceptual Design Drawings

September 15, 2014



108 Pierce Street

126 Pierce Street

Covered Porch  
Entry Area Facing  
Pierce Street

Driveway to  
Parking Area

Covered Porch  
Entry Area Facing  
Pierce Street

**Pierce Street  
Elevations**

1/8" = 1'-0"

**Pierce Place  
Lewiston, Maine**  
St. Laurent Housing Associates  
Limited Partnership

Winton Scott Architects  
Conceptual Design Drawings

September 15, 2014



9.15.14 Alternative Plan to increase Total parking from 32 to 58 spaces. Impervious surface would be approximately 75%.

**Site Plan**  
1" = 20'-0"

**Pierce Place**  
Lewiston, Maine  
St. Laurent Housing Associates  
Limited Partnership

Winton Scott Architects  
Conceptual Design Drawings

September 12, 2014



# CITY OF LEWISTON

## Department of Planning & Code Enforcement



**TO:** Planning Board  
**FROM:** David Hediger, City Planner  
**DATE:** September 19, 2014  
**RE:** September 22, 2014 Planning Board Agenda Item V(c)

### **Recommendation to the City Council on the acquisition of 159-177 Lisbon Street and disposition of 60 Canal Street.**

Pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code, the Board shall review and make a recommendation to the city council with regard to the acquisition and disposition of all public ways, lands, buildings and other municipal facilities.

The properties at 159-177 Lisbon Street are currently owned by 159 Lisbon Street, LLC (Jim Pitman). These vacant lots consist of a combined total area of approximately 12,834 SF and are located in the Centreville (CV) district. The property at 60 Canal Street is owned by the City of Lewiston. This lot of approximately 11,469 SF is located in the CV district and consists of 27 leased parking spaces. Mr. Pitman has approached the city to swap the land he owns on Lisbon Street for the Canal Street property. Please refer to Development Director Lincoln Jeffers memorandum dated September 18, 2014.

Staff is recommending a single motion specific to the request being made; that being a recommendation for the City Council's consideration that the City exchange the property at 60 Canal Street for the properties at 159-177 Lisbon Street owned by 159 Lisbon Street, LLC.

### **ACTIONS NECESSARY:**

1. Make a motion pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for the acquisition of 159-177 Lisbon Street from 159 Lisbon Street, LLC in exchange for the disposition of the City owned lot at 60 Canal Street.

# Economic and Community Development

Lincoln Jeffers  
Director



**To:** Lewiston Planning Board  
**From:** Lincoln Jeffers  
**RE:** Exchange of 60 Canal Street for 159–177 Lisbon Street  
**Date:** September 18, 2014

A request has been made by a private sector entity to exchange municipally owned land for privately owned land. As required by ordinance the Planning Board is asked to make a recommendation the City Council regarding the disposition of the land. Following are the details of the proposed exchange.

Last winter Jim Pittman acquired 159 -177 Lisbon Street for \$85,000. He has approached the city about exchanging the Lisbon Street real estate for 60 Canal Street, a city owned parking lot located at the corner of Ash and Canal Street. 60 Canal Street is located behind 133 Lisbon Street, a building Pittman played a role in the historic renovation redevelopment of into 8 market rate apartments. The parcel is useful to Pittman in that it provides parking for tenants in 133 Lisbon Street, and allows him to control future development on the site. A tall building built behind 133 Lisbon Street could have an adverse impact on the investment made in the building.

A map showing the location of the properties in question is attached, as are a photo of each of the parcels.

60 Canal Street is 12,384 s.f. in size. The city acquired a former bowling alley located on the parcel in 2000 for \$85,000. The city demolished and disposed of the building for \$18,876. The lot was developed as a parking lot several years later. The City's finance office reports that the parking lot starting generating revenue in 2006. From 2006 through 2014 the lot will generate \$127,660 in revenue. The City has fully recouped its investment in 60 Canal Street through the parking revenues received to date. The lot is projected to generate \$17,200 in 2015.

Recognizing that the site may not be redeveloped immediately, and being sensitive to the possibility of lost parking revenue to the City, Pittman has offered to allow the city to maintain the parking revenue from current tenants for a period of five years after ownership transfer, with parking spaces transitioning to Pittman control as tenants stop leasing them on a monthly basis. The lot has 27 spaces; 21 of them are currently leased on a monthly basis. The city would plow and maintain the lot during the 5 year period so long as it was had 14 or more

monthly parkers. Pittman would take over plowing and maintenance responsibilities once the city received revenue on less than 50% of the spaces.

Attached is a spreadsheet that compares the current revenue generated from parking and taxes on each parcel today, and the tax revenue projected to be generated with a 2 story or a 3 story building on the Lisbon Street parcel. Even with just a two story building, the tax revenue generated would exceed the parking revenue; \$41,300 from a new building compared to \$17,200 in parking revenue.

If the Lisbon Street land remains undeveloped for a period longer than 5 years the city may suffer from a small decline in parking revenues. However, it is possible that tenants currently parking in the Canal Street lot could transition to the Centreville Garage as Pittman takes over the lot for his own needs. As the attached proforma illustrates, the tax revenue from even a modest building will significantly exceed current Canal Street parking revenues,

In my role as Lewiston's development director I believe the Lisbon Street property has much better development potential than the Canal Street lot. It is a larger parcel in the heart of downtown. It has greater visibility and pedestrian activity. Lisbon Street is seeing new investment, with retail, restaurant, service, and residential activity. As the market recovers, downtown continues to see new investment and existing building stock is redeveloped, the parcel will become increasingly attractive for new the development. Canal Street is the downtown's back door, Lisbon Street is the front door. If the city owns the Lisbon Street real estate it will have much greater control over how the site is developed and will be able to influence and shape the character of how it is redeveloped, and for what uses.

I recommend a positive recommendation to the City Council regarding this proposed land exchange.

**Current Revenue to City**

	<b>Owner</b>	<b>Square feet</b>	<b>Land AV</b>	<b>Bldg. AV</b>	<b>Taxes</b>	<b>Parking (annual)</b>	<b>Total Rev.</b>
<b>159- 177 Lisbon Street</b>	Pittman	12,834	\$ 129,360	\$ -	\$ 3,440	\$ -	\$ 3,440
<b>60 Canal</b>	COL	11,469	\$ 37,500	\$ -	\$ -	\$ 17,200	\$ 17,200
							<b>\$ 20,640</b>

**Estimated Annual Revenue for Five Years with COL Retaining Parking Revenue**

<b>159- 177 Lisbon Street</b>	COL	12,834	\$ 129,360	\$ -		\$ -	\$ -
<b>60 Canal</b>	Pittman	11,469	\$ 37,500	\$ -	\$ -	\$ 17,200	\$ 17,200
							<b>\$ 17,200</b>

**Possible Future Revenue to City with 2 story building**

<b>159- 177 Lisbon Street</b> <sup>(1)</sup>	COL	12,834	\$ 129,360	\$ 1,386,072	\$ 40,295	\$ -	\$ 40,295
<b>60 Canal</b>	Pittman	11,469	\$ 37,500	\$ -	\$ 997		\$ 997
							<b>\$ 41,292</b>

(1) Site developed with a 2 story building totaling 25,600 s.f. that is assessed at \$54 psf (current AV of 133 Lisbon Street)

**Possible Future Revenue to City with 3 story building**

<b>159- 177 Lisbon Street</b> <sup>(2)</sup>	COL	12,834	\$ 129,360	\$ 2,079,108	\$ 58,723	\$ -	\$ 58,723
<b>60 Canal</b>	Pittman	11,469	\$ 37,500	\$ -	\$ 997		\$ 997
							<b>\$ 59,720</b>

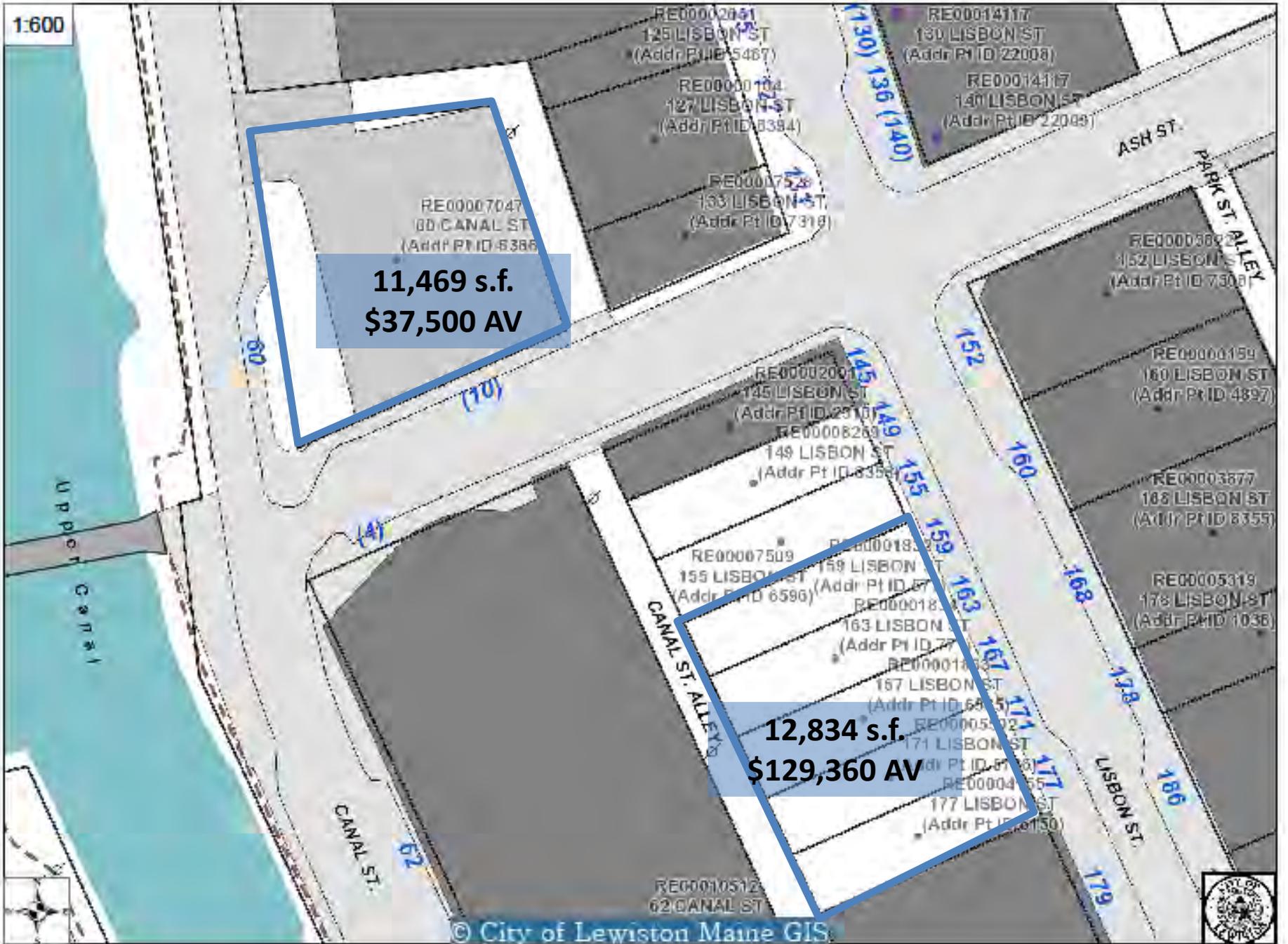
(2) Site developed with a 3 story building totaling 38,500 s.f. that is assessed at \$54 psf (current AV of 133 Lisbon Street)

18-Sep-14

1:600

**11,469 s.f.**  
**\$37,500 AV**

**12,834 s.f.**  
**\$129,360 AV**



# 60 Canal Street



# 159-177 Lisbon Street



# COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CITIZEN PARTICIPATION PLAN

## I. Introduction

The City of Lewiston was designated a Community Development Block Grant Entitlement Community in 1974. Every year since then, the City has received a formula based allocation of CDBG funds. These funds are used for programs including housing rehabilitation and economic development loans, public facilities and infrastructure improvements, and financial assistance to social services agencies,

The Department of Housing and Urban Development (HUD) requires recipients of these grant funds to prepare a formal plan known as the Citizen Participation Plan as a condition of receiving those funds. What follows is the City of Lewiston's Citizen Participation Plan in accordance with Section 104(a)(3) of the Housing and Community Development Act of 1974, (42 U.S.C.5304(A) (3)), and 24 CFR Part 91 Sections 91.105 and 91.200

## II. CDBG Citizens Advisory Committee (CAC)

This Citizen Participation Plan (CPP) encourages participation from Lewiston residents in developing the 5-Year Consolidated Plan, any substantial amendments to the Consolidated Plan, and developing the annual action plans and performance reports. The City especially encourages participation by residents of Census Tracts 201, 202, 203 and 204, which constitute the CDBG target area and which is defined as a low and moderate income area. The City also encourages participation by low and moderate income persons, the homeless, persons with disabilities, and of organizations representing these groups.

To ensure that all constituents are provided with an opportunity to be included in this important planning and implementation process, the City appoints and convenes a CDBG Citizens Advisory Committee (CAC) to assist in developing the specific goals and objectives of the Consolidated Plan, the annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER). Committee members are appointed by the Mayor to two year terms coinciding with the City's fiscal year (July 1- June 30). This seven-person Committee includes one Lewiston City Councilor, one representative from the Lewiston Planning Board, and one voting City Administration staff member. Of the 4 remaining members, at least two must be citizens from the City's CDBG Target Area (Census Tracts 201-204) with the remainder from the community at large. The Committee is staffed by the Economic and Community Development Department.

The role of the CAC is to provide citizen input into the CDBG budget process to ensure that the goals and objectives of the 5 year Consolidated Plan are reflected in the annual Action Plan and reviewed for progress and evaluated for appropriateness in the City's CAPER. During its first meeting, the CAC will appoint a Chairperson from among its members to serve as a meeting facilitator, a spokesperson for the committee, and a liaison to the Economic and Community Development Department staff. The CDBG CAC will meet during the CDBG budget process to review and evaluate requests for CDBG funding. The CAC's important role in this process includes reviewing funding applications for appropriateness and compliance with the national objectives of the CDBG program, verifying that the goals and objectives described in the funding request address the goals and objectives in the current consolidated plan, and recommending to

## COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CITIZEN PARTICIPATION PLAN

the Lewiston City Council the appropriate activities and funding levels for projects to be included in the next annual Action Plan.

The meetings of the CDBG Citizens Advisory Committee are open to the public with meeting times and dates published in advance in a publication of general circulation and on the City's website. Each year the Lewiston City Council will act to accept the Action Plan according to the City's Budget timeline, with final City Council approval no later than May 1<sup>st</sup>. Final approval will take place at a City Council Meeting following a public hearing. Notice of the City Council meeting and public hearing on the Consolidated Plan and Action Plan will be provided in the local newspaper approximately 10 days before the hearing is to take place.

Consolidated Planning Meetings

Meeting	Topic	Auburn	Lewiston
		Tuesdays 5:30-7:30 Community Room, City Hall	Wednesdays 5:30-7:30 pm Admin Conference Room, City Hall
1	Orientation	Tuesday, October 7	Wednesday, October 8
**	Neighborhood meeting	Tuesday, October 14 (7-8 pm)	-----
**	Neighborhood meeting	Wednesday, October 15 (7-8 pm)	-----
**	Neighborhood meeting	Thursday, October 16 (7-8 pm)	-----
2	Housing stock: conditions, lead	Tuesday, October 21	Wednesday, October 22
3	Housing: people (renters and owners)	Tuesday, November 4	Wednesday, November 5
4	Economic development and public infrastructure	Tuesday, November 18	Wednesday, November 19
5	Antipoverty plan, Homelessness Plan, special needs populations, social service consultation results	Wednesday, December 3	
**	Neighborhood meeting and survey results	Tuesday, December 9 or 16	-----
6	Priorities	Tuesday, January 6	Wednesday, January 7