

**CITY OF LEWISTON
PLANNING BOARD MEETING**
Monday, February 9, 2015 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

- I. ROLL CALL**
- II. ADJUSTMENTS TO THE AGENDA**
- III. CORRESPONDENCE**
- IV. PUBLIC HEARINGS:**
 - a) Request to postpone an application submitted by A.R.C.C. Land Surveyors, Inc. on behalf of Giles LeBlanc and Edward Poulin for an amendment to lots 1, 2, and 3 of the Blue Heron Subdivision and the establishment of a frontage right-of-way for access to lots 2 and 3 to the March 23, 2015 meeting.
 - b) A recommendation from the Planning Board for the City Council's consideration on the FY 2016 Lewiston Capital Improvement Plan.
- V. OTHER BUSINESS:**
 - a) Recommendation on the disposition of 154 Blake Street.
- VI. READING OF THE MINUTES:** Motion to adopt the January 26, 2014 draft minutes
- VII. ADJOURNMENT**

From: [Arthur Montana](#)
To: [David Hediger](#)
Subject: LeBlanc
Date: Wednesday, February 04, 2015 5:51:59 AM

Giles LeBlanc conveyed the 58 acre parcel to Jesse LeBlanc after we started the application process and did not communicate that to me, I would like to table the application till the March 23rd meeting.

I will be out all day, you can reach me by my cell 576-7014

Arthur W. Montana, PLS 492
A.R.C.C. Land Surveyors, Inc.
P.O. Box 294
Auburn, ME 04212-0294

Phone: 346-3455
Cell: 576-7014



CITY OF LEWISTON



Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: February 5, 2015
RE: February 9, 2014 Planning Board Agenda Item IV(b)

Recommendation to City Council regarding the Lewiston Capital Improvement Program for fiscal year 2016.

As the Board is aware, the Charter and the Zoning and Land Use Code require the Board to review and provide a recommendation on Lewiston's Capital Improvement Plan (LCIP). Specifically, Section 6.05. of the City Charter states the following:

- (a) Submission to council. The administrator shall each year prepare and submit to the council a five-year capital program, including the capital program proposed for the school department, at least five and one-half (5 1/2) months prior to the end of the current fiscal year. The administrator shall concurrently refer the capital program to the planning board for its review.
- (c) Planning board review. The planning board shall review the proposed capital program each year, and following public hearing thereon, shall forward its recommendations to the city council at least four and one-half (4 1/2) months prior to the end of the current fiscal year.

Article VII, Section 4(e) of the Zoning and Land Use Code states:

The board shall review the annual capital program and report to the city council in accordance with Section 6.05 of the City Charter its findings regarding the needs of the city for the improvement, replacement and alteration of existing facilities and the acquisition or construction of additional facilities and the order in which such projects should be undertaken. The board shall hold at least one public hearing prior to making its recommendations to the city council.

At this time, the Board is being asked to provide a favorable recommendation for adoption of the FY 2016 Lewiston Capital Improvement Program.

ACTIONS NECESSARY:

1. Make a motion pursuant to Article VII, Section 4(e) of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration the adoption of the FY 2016 Lewiston Capital Improvement Program, subject to any concerns raised by the Planning Board or staff.



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: February 4, 2015
RE: February 9, 2015 Planning Board Agenda Item V(a)

Disposition of 154 Blake 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 Planning Board took the following action at their public meeting held on October 27, 2014 regarding the disposition of property at 154 Blake Street:

...to direct Administration to begin the Request For Proposal (RFP) process for the disposition of 154 Blake Street and for the Planning Board to provide a recommendation for the City Council's consideration pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code upon their review of the requests.

On December 2, 2014 the City Council authorized the City Administrator to offer the property at 154 Blake Street for disposition through the formal bid process and to sell the property to the successful bidder subject to a positive recommendation of the Planning Board.

This vacant lot of 5,000 square feet with 50' frontage is located in the Downtown Residential (DR) district. The lot is developable upon meeting the space and bulk requirements of the DR district. The site previously contained a four story, eight unit structure that the city acquired and demolished 1994 through a tax lien foreclosure.

The City received one proposal from the abutter at 158 Blake Street looking for parking, greenspace, and potentially a new four story structure. Staff has since met with bidder Shukri Abasheikh to explain the zoning and parking requirements that would apply to the redevelopment of this site. It was explained that the use of this site for parking accessory to her property at 158 Blake Street is an allowed use and that four parking spaces may be constructed on the site upon issuance of a driveway/parking lot permit (given existing impervious areas). Staff explained that regardless of her proposal for a garden or grass that no more than 25% of the lot may be impervious and that more than four spaces may raise concerns with respect to stormwater and drainage and likely require development review approval. She was also advised that the proposal for the construction of a four story structure will likely not be allowed due to City parking requirements. Given the current requirements, the site is unable to accommodate both a structure and parking for three residential units and retail space.

Staff is recommending the Board consider the following conditions be included in their recommendation to the City Council:

1. If no development activity is to occur within 180 days of the sale, the lot must be loamed, seeded and barricaded with rocks and or permanent fencing.
2. If development is to occur within 180 days, permits must be obtained within 180 days of the sale and development must be completed in 2015.
3. Any land area not supporting development must be loamed and seeded. All requisite codes must be met and satisfied.
4. Failure to comply with these conditions can result to the reversion of the lot to the city of Lewiston without any obligation to reimburse the bidder for any expenses.

Upon explaining the zoning and land use requirements and possible conditions of the sale, the bidder remains interested in purchasing the property.

ACTIONS NECESSARY:

- 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 disposition of the 154 Blake Street.



City of Lewiston
Planning & Code Enforcement
Gil Arsenault, Director



MEMORANDUM

To: Ed Barrett, City Administrator
City Clerk's Office
City Council Members
Mayor Robert E. Macdonald

From: David Hediger

Date: November 21, 2014

Subject: Planning Board Action: 154 Blake Street

The Planning Board took the following action at their public meeting held on October 27, 2014 regarding the disposition of property at 154 Blake Street.

The following motion was made:

MOTION:

by **Sandy Marquis** to direct Administration to begin the Request For Proposal (RFP) process for the disposition of 154 Blake Street and for the Planning Board to provide a recommendation for the City Council's consideration pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code upon their review of the requests. Second by **Norm Anctil**.

VOTED: 7-0 (Passed).

c: Planning Board Members

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



COUNCIL ORDER

Order, Authorizing the City Administrator to Dispose of the City Owned Property at 154 Blake Street.

Whereas, the City currently owns the vacant land at 154 Blake Street; and

Whereas, the owner of an abutting apartment building has approached the City with an offer to purchase the property; and

Whereas, after consultation with the City's various Department Directors, the City Administrator has determined that the City has no use for this land; and

Whereas, the Planning Board has reviewed the recommendation that the City dispose of this property and has recommended that the City begin the disposition process subject to its review of any proposed reuse; and

Whereas, in accordance with the City's property disposition policy, the City Administrator recommends that this property be disposed of through the formal bid process; and

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

The City Administrator is hereby authorized to offer the property at 154 Blake Street for disposition through the formal bid process and to sell the property to the successful bidder subject to a positive recommendation of the Planning Board.



154 Blake St
Aerial Photo Taken April 2013

1 inch = 50 feet

11/25/2014



CITY OF LEWISTON, MAINE

SALE & REUSE OF 154 BLAKE STREET

PROPOSAL DUE DATE: December 30, 2014 by 4:00 PM

PROPOSAL FORM

TO: Norman Beuparlant, Director of Budget/Purchasing
City of Lewiston
City Hall, 27 Pine Street
Lewiston ME 04240

Dear Sir:

The undersigned hereby declares that he/she has carefully examined the proposed Sale and Reuse of City Owned land items and that he/she proposes and agrees, if the proposal is accepted, to complete the transaction on the item(s) proposed.

Location Address	154 Blake Street
Price Offered	\$ 7,500
Reuse of Property (use separate sheet if applicable)	(See Attachment)

Bid Deposit Amount: \$ 750 (minimum 10% of the total amount of bid) include appropriate **Certified Check, Cashier's Check or Bond** (personal or business checks **will not be accepted**). Sign the proposal form in ink before returning it to the Director of Budget/Purchasing. Please return in a clearly marked sealed envelope with Bid Name and Number on the front.

NOTE: Minimum bid of \$7,500 has been set by the City.

The City Council reserves the right to accept or reject any and all proposals.

NAME	Shukri Abasheikh
SIGNATURE	Abasheikh
PRINTED/TYPED NAME	SHUKRI ABASHEIKH
TITLE	Owner of 158 Blake Street
LEGAL ADDRESS	240 Lisbon st. Lewiston, Maine 04240
MAILING ADDRESS	240 Lisbon st Lewiston, Maine 04240
DATE	12-29-14
TELEPHONE #	207-786-8754
FAX #	207-333-3391
E-MAIL ADDRESS	shukri.63@aol.com / mmohammed@student.gsu.edu

Shukri Abasheikh
240 Lisbon Street
Lewiston ME 04240
Home: (207)786-8754
Work: (207)777-7757
shukri63@aol.com

December 29, 2014

Norman Beauparlant, Director of Budget/Purchasing
City of Lewiston
City Hall, 27 Pine Street
Lewiston ME 04240

Dear Mr. Beauparlant,

The short term use of the property at 154 Blake Street is to use it as a parking lot area for our tenants at 158 Blake Street. Also, we would also like to possibly grow a small garden or field of grass for our tenants' children to play in. In our residential building at 158 Blake Street, there are four floors, and on each floor there are four bedrooms. Only two parking spaces are available to the tenants now, so more parking space would be quite beneficial to our tenants, to say the least. The length we are planning to keep it a parking lot area ranges from 12-18 months, or until we have reached sufficient funds to build on our long term use for the land.

The long term use for the property will be to build a four story residential building, with a business on the first floor, and rentable units on the floors above.

Sincerely,



Shukri Abasheikh

Bid Name: Sale/Reuse of 154 Blake Streets
Bid Number:
Bid Due Date: Tuesday, December 30, 2014 by 4:00 P.M.
Mandatory Pre-Bid: none
Advertised Date: Monday, December 8, 2014
Requesting Dept: Finance
Submittal Location: Lewiston City Hall, Purchasing Dept., 27 Pine Street, Lewiston ME 04240

Contractor	Address	City	State	Zip Code	Telephone	E-Mail
Abasheikh Shudkris	240 Lisbon Street	Lewiston	ME	04240		
Agora LLC	1 Walnut Street	Lewiston	ME	04240		
Allen Don Corporation Inc	38 Walnut Street	Lewiston	ME	04240		
Allen, Paul & Maire	138 Blake Street	Lewiston	ME	04240		
Arel, Donald & Celine	50 Old Farm Road	Lewiston	ME	04240		
Bates Street Senior Housing Assoc.	17 Market Square	So. Paris	ME	04281		
Carbonneau, Daniel & Ronda	109 Pierce Street	Lewiston	ME	04240		
Casbo Bay Housing Co LLC	50 Portland Pier Ste 400	Portland	ME	04101		
D & D Apartments LLC	P O Box 100	Lewiston	ME	04240		
Detnorske LLC	7 John Adams Court	Naples	ME	04055		
Dobson, Stanley	280 Presumpscot Street	Portland	ME	04103		
Double Eagle Properties LLC	P O Box 737	Auburn	ME	04212		
Eastman, Brian	P O Box 385	Lisbon Falls	ME	04252		
Gilbert, Denis	50 Shawmut Street	Lewiston	ME	04240		
Girsch, Robert & Dawn	29 Belfield	Portland	ME	04103		
Jones, Henry H	166 Blake Street	Lewiston	ME	04240		
Kilimanjaro LLC	P O Box 256	Auburn	ME	04210		
Kirouac Properties LLC	30 Acadia Avenue	Lewiston	ME	04240		
Marsh, Donald & Pauline	85 Pierce Street	Lewiston	ME	04240		
McDonough, Halsey William	61 Winter Street	Gardiner	ME	04345		
New Beginnings Inc	436 Main Street	Lewiston	ME	04240		
Six Sigma Property LLC	10 Higgins Lane	So. Portland	ME	04106		
St. Laurent, Phyllis	91 Dyer Road	Lewiston	ME	04240	576-9393	pst47@roadrunner.com
St. Mary's Regional Medical Center	P O Box 291	Lewiston	ME	04240		
Tierney, Doris	36 Fifth Street	Auburn	ME	04210		



City of Lewiston
Finance Department

Norman Beauparlant, Director of Budget/Purchasing



Sale & Reuse of 154 Blake Street
December 8, 2014

Sir/Madam:

Sealed proposals will be received in the office of the Purchasing Agent on **Tuesday, December 30, 2014 until 4:00 p.m.** for the **Sale & Reuse of 154 Blake Street.**

The Lewiston City Council reserves the right to accept or reject any and all proposals.

Please use a clearly marked envelope with "Sale & Reuse of 154 Blake Street" when submitting your proposal. **Only sealed proposals will be accepted. Faxed proposals will not be considered.**

Sincerely,

Norman J. Beauparlant
Director of Budget/Purchasing

NJB/syt

CITY OF LEWISTON, MAINE

SALE & REUSE OF 154 BLAKE STREET

PROPOSAL DUE DATE: December 30, 2014 by 4:00 PM

This is an invitation for proposals to purchase and reuse property at 154 Blake Street owned by the City of Lewiston. The property is being offered for sale and reuse by the City as a means to enhance in the area.

Background:

The City recently took possession of the property at 154 Blake Street. The property consists of approximately .11 acres and is located in the Downtown Residential District (DR). The Assessor has assigned a current value of \$19,130 on the land only.

SECTION I: GENERAL INSTRUCTIONS

- 1.1 A complete written purchase and reuse proposal shall be submitted to the City of Lewiston, attention of the Director of Budget/Purchasing, City Hall, 27 Pine Street, Lewiston, Maine 04240, not later than **4:00 p.m. on Tuesday, December 30, 2014**. Proposals received after that time and date shall not be accepted.
- 1.2 The City of Lewiston City Council will review and award or reject proposals within sixty (60) days of their submission.
- 1.3 Each proposal submitted shall be accompanied by a **certified check, cashier's check or bond** made payable to the City of Lewiston in the amount of **ten (10%) percent** of the total amount offered. The required proposal deposit shall be applied to the purchase price for the successful proposal or shall be returned within ten (10) days of the selection of a proposal. If any proposer fails to abide by his/her proposal, the bid security will be forfeited to the City.
- 1.4 The City has established a minimum bid of \$7,500.
- 1.5 Each proposal shall include the legal name of the prospective purchaser and a statement whether the prospective purchaser is a sole proprietor, a partnership, or a corporation. If a corporation, the corporation shall also give the state of incorporation and have a corporate seal affixed.
- 1.6 Each proposal shall be signed by the person or persons legally authorized to bind the prospective purchaser to a contract.
- 1.7 The prospective purchaser, in his/her proposal, shall signify that he/she has read and understands all conditions concerning the reuse of the site, as outlined in this invitation for proposals and that his/her proposal is made in accordance with the invitation.

- 1.8 The prospective purchasers, in submitting the proposal, shall agree and so state in the proposal that no person acting for or employed by the City of Lewiston has a direct or indirect financial interest in the proposal or in any portion of the profits which may be derived therefrom.
- 1.9 No prospective purchaser will be permitted to withdraw a proposal for a period of sixty (60) days. All proposals will remain valid and binding for that period of time.
- 1.10 For questions regarding proposal requirements contact Norman Beuparlant, Director of Budget/Purchasing at Telephone: (207) 513-3040; Fax (207) 784-2959; or e-mail nbeuparlant@lewistonmaine.gov.
- 1.11 The City of Lewiston reserves the right to select a proposal and sell the subject property based upon its determination of the highest and best use of the property. **The City Council reserves the right to refuse any and all proposals.**

SECTION II: INFORMATION FOR DEVELOPERS

- 2.1 The parcel being offered for sale is described as follows:

Property:	154 Blake Street
Approximate Acreage	.11 acres
Map/Lot	196-74
Zoning	DR (Downtown Residential)
Minimum Bid	\$7,500.00
- 2.2 The proposed reuse for the subject property will be a consideration in judging what the City deems to be the most acceptable proposal.
- 2.3 Closing on all sales transactions will be within 90 days of award unless otherwise requested and approved by the City prior to award of bid.
- 2.4 If prospective purchasers require additional contact:

Norman Beuparlant, Director of Budget/Purchasing
City Hall, 27 Pine Street
Lewiston, Maine 04240
Tel. #: 207-513-3040
Fax #: 207-784-2959
e-mail: nbeuparlant@lewistonmaine.gov

Questions will be answered or confirmed in writing. Proposers should not rely on any statements, oral or written, which are not made as an addendum to this "Request for Proposals".

SECTION III: CONTENTS OF THE PROPOSAL

- 3.1 The proposal shall contain the price being offered for the purchase of this property.

- 3.2 Submitted proposals shall provide specific details on the proposed reuse of this site. The provision of additional data, exhibits, statements, drawings, etc. are recommended to insure a total understanding and proper evaluation of each proposal by the City.

SECTION IV: NEGOTIATION AND EXECUTION OF CONTRACT

- 4.1 Negotiation is intended to result in a contract for the sale and subsequent reuse of the site deemed to be most beneficial to the public and in the best interest of the City.
- 4.2 The contract for the sale and reuse of this site will be executed only after final approval by the Lewiston City Council. The successful bidder will be required to undergo Development Review before the Lewiston Planning Board or Development Review Committee as a condition of conveyance of the property.
- 4.3 **At closing, the City will deliver a Municipal Release Deed with conditions, if applicable,** which will cover negotiated requirements. There may also be a covenant which establishes the time period for the project to be completed.
- 4.4 The City will require as part of the deed a permanent easement to allow for access to the sewer main that crosses the property at the rear of said property. The exact location of the sewer main has not been determined at this time. Before any permanent improvements are done or constructed (excluding landscaping or paving), the sewer will need to be located and avoided.

SECTION V: RESERVATION OF RIGHTS

- 5.1 The City reserves the right to waive or disregard any informality, irregularity or deficiency in any proposal received.
- 5.2 The City reserves the right to accept or reject any or all proposals received.