

**CITY OF LEWISTON
PLANNING BOARD MEETING**
Monday, January 11, 2016 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston

AGENDA

- I. ROLL CALL**
- II. ELECTION OF OFFICERS: Election of Chairman, Vice President and Secretary**
- III. ADOPTION OF PLANNING BOARD RULES AND PROCEDURES**
- IV. ADJUSTMENTS TO THE AGENDA**
- V. CORRESPONDENCE**
- VI. PUBLIC HEARINGS:**

A request by Sprinkler Systems, Inc. to rezone a portion of 2-4 Avon Street from the Resource Conservation (RC) District to the Urban Enterprise (UE) District to reflect changes in the boundaries of the flood zone as shown on the 2013 FEMA Flood Insurance Rate Map.

VII. OTHER BUSINESS:

- a) Review of the draft comprehensive plan: implementation matrix.
- b) Discussion of Formed Based Codes.
- c) Staff request to initiate an amendment to the Office Residential (OR) district.
- d) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

VIII. READING OF THE MINUTES: Motion to adopt the November 23, 2015, November 30, 2015, December 7, 2015 and December 14, 2015 draft minutes

IX. ADJOURNMENT

City of Lewiston Planning Board Meeting Protocol, 2016
(The purpose of this document is to provide guidance to Planning Board members
when conducting a meeting)

A. *Call to Order (by chairman)*

I am, _____, Chairman of the Lewiston Planning Board. I welcome all here this evening and call this meeting to order (gavel). Roll Call please.

B. *Roll Call (by secretary)*

Planning Board Members:

Bruce Damon
Michael Marcotte
Pauline Gudas
Sandy Marquis
Paul Madore
Walter Hill
Normand Anctil
Sonia Talyor
Zachery Pettingill

City Staff:

David Hediger, City Planner

Identify any other Staff or City representative in attendance.

C. *Planning Board's Procedures (when appropriate, this section may want to be read aloud by the chairman)*

The Planning Board is comprised of seven (7) appointed members. A quorum necessary to conduct an official meeting of the Planning Board shall consist of at least four (4) members.

Agendas for this meeting are available in the wall container at the entrance to this room, should anyone in attendance not have a copy. The agenda for this evening consists of the following items. Is there anyone in attendance present for a matter not on tonight's agenda?

Regarding the agenda items before the Planning Board, I shall first identify the item, and Staff will make a brief presentation followed by Planning Board questions. I will then request a presentation by the applicant/petitioner to explain their proposal followed by board questions. I will then open the meeting for public comment with proponents speaking first followed by anyone in opposition or having questions regarding the proposal. I please ask that everyone who speaks for or against or has a question concerning the subject matter to use the microphone provided by Staff as this meeting is being recorded and to identify themselves by name and address for our record. The applicant/petitioner shall be given the opportunity to make any responses to public comments. The public portion will then be closed and the Planning Board will deliberate and vote on the matter before us. Once the public comment portion of the meeting is closed,

unless there is a specific question from a Board Member to the public, the public portion will remain closed.

The Planning Board must decide on all matters in accordance with the Code of Ordinances of the City of Lewiston along with any other provisions of law within our jurisdiction. Some decisions that this Board makes may also be contrary to public opinion and it is possible that some Board Members may have philosophical differences with some proposals; however, this Board must base its decisions on the law and ordinances rather than on individual sentiments. The concurring vote of at least four (4) members is required to constitute an action on any matter requiring a Public Hearing. All other matters require a simple majority vote.

D. Correspondence

The Chairman will request a motion to accept and place on file correspondence (to be identified) and to include Planning Staff memoranda (this will establish the record as Staff memoranda will reference all submittals the Planning Board has received).

E. Hearings

Any agenda items requiring a public hearing by ordinance or law (i.e. development review, zoning amendments).

F. Other Business (these items are typically not public hearings, but rather public meetings. Public meetings are not required to be open to the public for comment.)

1. New Business
2. Old Business

G. Minutes

I am proposing to review and accept Minutes at the end of a meeting as a means to address matters of greater public interest first and in addition the Board may take time for Minute modifications without feeling pressured for time.

H. Adjournment



PLANNING BOARD HANDBOOK

Adopted: January 2016

PLANNING BOARD HANDBOOK

CONTENTS

- I. Article IV, City Charter**
- II. Rules of Procedure**
- III. Public Procedures and Freedom of Access Law (Maine Public Right to Know Law)**
- IV. Ethical Principles in Planning**

ALL ORDINANCE PROVISIONS GOVERNING AND REGULATING DEVELOPMENT ACTIVITY IN THE CITY OF LEWISTON, AS REVIEWED BY THE PLANNING AND CODE ENFORCEMENT DEPARTMENT, PLANNING BOARD AND BOARD OF APPEALS ARE CONTAINED IN APPENDIX A OF THE LEWISTON REVISED CODE OF ORDINANCES ENTITLED, "ZONING AND LAND USE CODE".

I. Article IV, City Charter

EXCERPTS FROM CHARTER OF THE CITY OF LEWISTON EFFECTIVE JANUARY 1, 2003

Article IV. Administrative Organization

4.05 PLANNING BOARD

- (a) APPOINTMENTS. There shall be a Planning Board consisting of seven (7) members, each of whom shall be a qualified voter of the City of Lewiston and who shall be appointed by the Mayor. No more than two (2) members may reside in the same ward. The terms of office of members of the Board, appointed following the adoption of this Charter shall be established by the Mayor who shall appoint one (1) member to serve one (1) year; two (2) members to serve two (2) years; one (1) member to serve three (3) years; two (2) members to serve four (4) years; and one (1) member to serve five (5) years. Thereafter, all members shall be appointed for five (5) year terms.

There shall be, in addition to the seven (7) members of the Board, two (2) associate members of the Board, each of whom shall be a qualified voter of the City of Lewiston, appointed by the mayor. The associate members are subject to the same ward residency requirements as the regular members. They shall serve for five-year staggered terms, with initial terms being one (1) associate member serving for four (4) years and one (1) for five (5) years. An associate member shall serve in the place of a member who is absent, disqualified or otherwise unable to participate when designated by the chair person to do so.

- (b) COMPENSATION. Each member shall receive salary at the rate of six hundred (\$600.00) dollars per year, payable monthly.
- (c) DUTIES. The Planning Board shall carry out those duties assigned to it by general law and by ordinance.
- (d) RULES OF PROCEDURE. The Planning Board shall adopt appropriate rules of procedure consistent with the provisions of this Charter to enable it to carry out its functions.

- 4.07. COMPENSATION. Compensation paid to members of the Personnel Board, Planning Board and Board of Appeals may be changed by ordinance.
- 4.08 FORFEITURE OF OFFICE. A member of the Personnel Board, Planning Board, or Board of Appeals shall forfeit his office and a vacancy therein shall exist, if he (1) dies; (2) resigns; (3) moves from the City; (4) in the case of the Planning Board and Board of Appeals if he moves from his ward into a ward in which there are currently two (2) members of the same Board; (5) is convicted of a crime or offense involving moral turpitude while in office; (6) is found to be in violation of Section 8.04 of this Charter; or (7) exceeds the tenure authorized for the office. If any vacancy should occur, it shall be filled for the remainder of the unexpired term by appointment of the Mayor.
- 4.09 LIMITATION OF TERMS. No member of any Board established by this Article shall serve more than a full five (5) year term on the same Board within any ten (10) year period. Said period shall be deemed to commence at the time of their first appointment.

Article VI. Financial Procedures

6.05 CAPITAL PROGRAM.

- (a) SUBMISSION TO COUNCIL. The administrator shall each year prepare and submit to the Council a five (5) year capital program, including the capital program proposed for the School Department, at least five and on-half (5½) months prior to the end of the fiscal year. The Administrator shall concurrently refer the Capital Program to the Planning Board for its review.
- (b) CONTENTS. The capital program shall include:
- (1) A clear general summary of its contents;
 - (2) A list of all capital improvements which are proposed to be undertaken during the five (5) years next ensuing, with appropriate supporting information as to the necessity for such improvements;
 - (3) Cost estimates, method of financing and recommended time schedules for each improvement; and;
 - (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

- (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 (4½) months prior to the end of the current fiscal year.

Article VIII. General Provisions

- 8.01 (b) APPOINTIVE OFFICERS AND EMPLOYEES: TERMS. Except as may otherwise be provided in this Charter, all City officers, employees and appointees shall serve at the pleasure of the appointing power.
- 8.03 SWEARING IN OFFICERS. All officers provided for in this Charter, whether elective or appointive, shall, before assuming their respective duties, qualify by being sworn to the faithful performance thereof before the City Clerk or some magistrate thereto qualified.
- 8.04 PERSONAL/ FINANCIAL INTEREST. If any elected or appointed official, officer or employee, or the spouse of any such person has financial interest, direct or indirect, in any contract with the City or in the purchase or sale of any land, material, supplies or services to the City or to a contractor supplying the City, he shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as an elected or appointed official, officer or employee, in the making of such purchase or sale or in the making or performance of such contract. Any such person who willfully conceals the financial interest of himself or his spouse, or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit his office or position. Violation of this section with the knowledge, express or implied, of the person or corporation contracting with or making a purchase from or a sale to the City, shall render the contract, purchase or sale voidable by the City.
- 8.05 PROHIBITIONS.
- (a) ACTIVITIES PROHIBITED. No person shall be appointed to or removed from or in any way favored or discriminated against with respect to any City position or appointive City administrative office because of race, sex, political or religious opinions or affiliations, or on any other basis prohibited by Statute of general application.
- (b) PENALTIES. Any person convicted of any crime involving falsification in official matters, bribery, corrupt practices, or obstructing governmental administration, as these crimes are defined in the Revised Statutes of Maine, as amended, shall be ineligible for a period of two (2) years following said conviction to hold any City office or employment, except as otherwise provided by law.

II. Rules of Procedure Lewiston Planning Board

1. Officers.

The first regular meeting in January shall constitute an annual organizational meeting of the Board. A chairman, vice-chairman, and secretary shall then be elected by a majority vote of members present. The officers will serve for one (1) year until their successors are elected at the next organizational meeting.

Officers may be elected for a shorter term at the discretion of the Planning Board with new elections to be held upon that term's expiration. Should an officer cease to serve for whatever reason, the Planning Board may hold new elections.

2. Duties.

- A. The chairman shall call regular meetings of the Planning Board as required. The chairman shall also call meetings of the Planning Board when requested to do so by four (4) members of the Planning Board. The chairman shall preside at all meetings and hearings of the Board, decide all points of order and procedure, be the official spokesman for the Board, act as liaison between the Board and other agencies of the City of Lewiston, and perform any duties required by law, ordinance, charter or the Board.
- B. In the absence or disqualification of the chairman, the vice-chairman shall assume the duties of the chairman. In the absence and/or disqualification of both the chairman and vice-chairman, a member shall be chosen by a majority vote of all members present and will assume the duties of chairman for that meeting.
- C. The secretary, with the assistance of the Planning and Code Enforcement Staff, shall keep a permanent record of all Board Meetings or other official actions of the Board and shall keep all correspondence of the Board on file in the City Planning and Code Enforcement Department's office. The secretary, with the assistance of the Planning and Code Enforcement Department Staff, shall also be responsible for keeping the records of the various proceedings which may be brought before the Board. All records to be prepared or retained by the secretary are deemed public and may be inspected at reasonable times. The secretary, with the direction of the

Planning and Code Enforcement Department Staff, shall conduct, at the direction of the Planning Board, all official correspondence of the Board, send out all required notices, and perform all other duties required by law, ordinance, or the Board.

All correspondence from the City Staff as well as all recommendations presented and actions suggested as necessary shall be incorporated without need for a specific motion into the record and shall be part of the record of the hearing on the specific issue.

- D. The Planning Board shall request an advisory opinion from the Historic Preservation Review Board concerning development proposals that may potentially impact significant structures or districts as defined in Appendix A, Article XV, Sec. 3 of the Zoning and Land Use Code.

3. Meetings.

- A. Regular meetings of the Planning Board shall be held on the second and fourth Mondays of each month beginning at 5:30 p.m. in the City Building. No new agenda item shall be heard after 9:00 p.m., with meetings adjourning no later than 9:30 p.m. Whenever there are no business matters to be considered at any regular meeting, other than the organizational meeting, the chairman may dispense with such meetings by notifying each member of the Board and each other person who may have been given notice of the meeting at least 24 hours prior to the time set for the meeting, provided that when at least four (4) other members of the Board request that such regular meeting be held, the chairman shall not dispense with it.

Notification by use of electronic mail shall be considered an acceptable means of communication.

- B. Special meetings and executive sessions may be held upon call of the Mayor, the chairman, and at such other times as the Planning Board may determine, provided that at least 24 hours notice of the meeting be given to each member.
- C. A member who misses three (3) consecutive meetings without just cause, as determined by the chairman, shall be reported to the Mayor for an evaluation of his/her willingness to continue to serve on this Board.
- D. Material related to both development and non-development review agenda items which are not included in the Planning Board packet may only be considered if agreed to by a majority vote of the Board.
- E. The order of business at all regular meetings of the Planning Board shall be as follows:
 - 1. Roll Call - Planning Board Members, City Staff, and identify other Staff or City representatives in attendance.

2. Adjustments to the Agenda.
3. Correspondence - The Chairman will request a motion to accept and place on file correspondence (to be identified), other submitted material not in the Planning Board packet, and -Staff memoranda (this will establish the record as Staff memoranda will reference all submittals the Planning Board has received.) Pursuant to 2.C. all correspondence from the City Staff is, without need for motion, incorporated into the record. All other correspondence may be adopted by motion at this point or later in the proceedings as decided by the Planning Board by four (4) affirmative votes.
4. Public Hearings.
5. Review of Development Proposals.
6. Other Business - New and Old Business.
7. Reading of Minutes of the previous meeting.
8. Adjournment.

- F. Protocol - The Planning Board is comprised of seven (7) appointed members. A quorum necessary to conduct an official meeting of the Planning Board shall consist of at least four (4) members. There shall be, in addition to the seven (7) members of the Board, two (2) associate members. Associate members will sit with the rest of the members and may participate in all Board deliberations, but are not able to vote unless designated by the chair or acting chair to serve in the place of a member who is absent, substantially tardy, recuses themselves, is disqualified or otherwise unable to participate. Such designations should be on a rotating basis between associate members as the opportunity arises during the course of the meeting.

Agendas for meetings shall be made available at the entrance to the meeting room.

Regarding the agenda items before the Planning Board, the chair shall first identify the item, and Staff will make a brief presentation followed by Planning Board questions. The chair will then request a presentation by the applicant/ petitioner to explain their proposal followed by Board questions. The chair will then open the meeting for public comment with proponents speaking first followed by anyone in opposition or having questions regarding the proposal. The chair shall request that everyone who speaks for or against or has a question concerning the subject matter to identify themselves by name and address for our record. The applicant/petitioner shall be given the opportunity to make any responses to public comments. The public portion will then be closed and the Planning Board will deliberate and vote on the matter before us. Once the public comment portion of the meeting is closed, unless there is a specific question from a Board Member to the public, the public portion will remain closed.

The Planning Board must decide on all matters in accordance with the Code of Ordinances of the City of Lewiston along with any other provisions of law within the Board's jurisdiction. Some decisions that this Board makes may also be contrary to public opinion and it is possible that some Board

Members may have philosophical differences with some proposals. However, the Board must base its decisions on the law and ordinances rather than on individual sentiments. The concurring vote of at least four (4) members is required to constitute an action on any matter requiring a Public Hearing. All other matters require a simple majority vote.

- G. The Planning Board shall act in accordance with the provisions of Appendix A of the Lewiston Revised Code of Ordinances and shall follow as guidance, the standards of development review outlined in the Site Plan Review and Design Guidelines adopted by the Planning Board on October 22, 1987, and as amended.
- H. The secretary, with the assistance of the Planning and Code Enforcement Department staff, shall keep minutes of the proceedings of each meeting of the Planning Board, including workshops, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and the final disposition of matters shall be recorded by resolution indicating the reasons of the Board therefore.
- I. All meetings of the Planning Board shall be conducted in accordance with Maine's Public Right to Know Law. A copy of this statute, Title I, M.R.S.A., Sections 401—410 is enclosed in this handbook and deemed a part of these Rules.
- J. An applicant or petitioner or their agent must appear at the scheduled meeting at which the subject case is to be heard. Failure to appear may result in the dismissal of the case. The Planning Board may, upon majority vote, continue the matter to a date specific for the hearing. Reinstatement of the case shall be allowed upon the filing of a written request. Reinstatement shall be allowed only upon payment of any required fees incurred from re-advertising the case.
- K. A continuance may be granted to an applicant when good cause is shown that they are unable to present their case at the scheduled meeting.

4. Notice.

- A. The secretary of the Planning Board, with the assistance of the Planning and Code Enforcement Department staff, will coordinate with the City Clerk of the City of Lewiston to ensure compliance with required legal notice for public meetings. In addition, it will be assumed by implication that notice of public hearings held by the Planning Board is mandatory and legal notice will consist of a notice conspicuously posted in the office of the City Clerk a reasonable time in advance of the meeting which under normal circumstance will be construed to mean at least seven (7) days before the date of each meeting. The Board at its discretion may determine that a given matter is of particular importance or interest to the community and in addition to posting as required above may insert a paid notice of the subject public hearing in the local newspaper.

On all proposals to amend the code, including rezoning proposals, notice shall be provided in accordance with Title 30-A, Chapter 187 §4352, section 8, 9, and 10 of the Maine Revised Statutes Annotated. In the case of a proposal for conditional or contract zoning, a copy of the proposed conditions and restrictions must be included. Mailed notices shall be sent first class to the addresses shown on the property tax records of the City of Lewiston and shall be deemed given when mailed.

- B. The secretary of the Planning Board, with the assistance of Planning and Code Enforcement Department Staff, will coordinate with the City Clerk of the City of Lewiston to serve notice of such public hearings detailing subject, time, and place of hearing a reasonable time in advance of the hearing, upon those individuals meriting personal notice because of their relationship to the subject matter at issue. By way of example, the following are parties who because of their relationship to the subject matter at issue shall be given official notice of such public hearing: developer of a proposed development, petitioners of a zoning amendment, all land owners whose property abuts the lot or lots involved, and other property owners potentially affected by the proposed development or zoning amendment as determined by the Planning and Code Enforcement Department Staff. Notice shall be by any method of personal service or substituted personal service authorized by the ordinances of the City of Lewiston and the laws of the State of Maine.
- C. Notice of Abutters.

Procedure for Notification of Development to Affected Property Owners.

For projects requiring Planning Board review and approval, the Planning and Code Enforcement Department Staff shall notify abutting and affected property owners, in writing, of the specific nature of the development plans.

The word, “abutting” shall be defined to mean any property which shares a common physical boundary with the area under review and properties located directly across any previously accepted city street.

The word, “affected” shall be defined to mean any property not sharing a common physical boundary but upon whom the proposed development would have impact, as determined by the Planning and Code Enforcement Department Director or designee.

Notification shall be by first-class mail and include a brief description of the project. Notice shall be mailed at least seven (7) days in advance of formal review by the Planning Board and shall include the date(s) and time(s) of review by the reviewing authority.

5. Ad Hoc Committees.

The chairman may from time to time appoint committees necessary to perform special functions of the Board.

6. Parliamentary Procedures.

- A. In all cases where parliamentary procedure questions arise in the conduct of the Board's affairs, the current edition of Robert's Rules of Order shall be taken as the source of authority to decide the orderly course of the proceedings except as otherwise provided herein.
- B. Reconsideration of Items - When an item is voted on by the Board, it shall be in order for any member who voted on the prevailing side to move a reconsideration thereof, during the same meeting or at the immediate next regularly scheduled Planning Board meeting, but not afterwards. No motion to reconsider a vote taken at a previous meeting shall be in order for consideration at the immediate next regularly scheduled Planning Board meeting unless an item to that effect is scheduled on the agenda for such meeting or unless five of the members consent to such reconsideration.

7. Hearing Procedures for all Planning Board Public Hearings.

- I. Staff presentation
- II. Applicant presentation
- III. Public Comment:
 - A. Proponents or their representatives
 - B. Opponents or their representatives.
 - C. Other interested parties.
 - D. When all parties or representatives have presented their position, other parties may ask questions through the chair.
 - E. Testimony or other evidence may be submitted or received in writing when the same shall benefit convenience. This shall not be construed to abridge the right of any person or party to be heard orally by the Board.
- IV. After determining all public representatives have been provided opportunity to be heard, the Chair shall close the review to public comment. (The Board shall reserve the right to question through the Chair, any person present).
- V. The Board shall deliberate on the evidence and take appropriate action which may include tabling the item to a future meeting.
- VI. Within five (5) working days of the meeting, written notification of Board action shall be sent to the applicant.

8. Guide to Ethical Conduct.

The Planning Board adopts for the Board and its staff as a guide to ethical conduct The American Planning Association's (APA) "Ethical Principles in Planning", as applicable, copies of which are enclosed in this handbook and deemed a part of these Rules.

9. Amendment.

These Rules may be suspended, amended, or repealed on an affirmative vote of a majority of all members present.

10. Review and Adoption.

These Rules of Procedure shall be reviewed and adopted annually at the Board's organizational meeting, or during the year should the need arise.

11. Student Members.

Student members are appointed by the Mayor. They will enjoy full honorary Board privileges and should be extended the same courtesy as full Board Members. The only exception is that they have no voting privileges. Student members will have full access to information as regular Board Members and receive meeting information packets as regular Board Members. Student Members will conduct themselves appropriately.

Student members serve at the pleasure of the Planning Board Chair and/or the Mayor.

III. Public Procedures and Freedom of Access Law (Maine Public Right to Know Law)

Maine Revised Statute Title 1, Chapter 13: PUBLIC RECORDS AND PROCEEDINGS
A portion of which acquired from
<http://www.mainelegislature.org/legis/statutes/1/title1ch13sec0.html> on December 26, 2013.

Maine Revised Statutes Title 1: GENERAL PROVISIONS Chapter 13: PUBLIC RECORDS AND PROCEEDINGS

Subchapter 1: FREEDOM OF ACCESS

§400. SHORT TITLE

This subchapter may be known and cited as "the Freedom of Access Act." [2011, c. 662, §1 (NEW).]

SECTION HISTORY

2011, c. 662, §1 (NEW).

§401. DECLARATION OF PUBLIC POLICY; RULES OF CONSTRUCTION

The Legislature finds and declares that public proceedings exist to aid in the conduct of the people's business. It is the intent of the Legislature that their actions be taken openly and that the records of their actions be open to public inspection and their deliberations be conducted openly. It is further the intent of the Legislature that clandestine meetings, conferences or meetings held on private property without proper notice and ample opportunity for attendance by the public not be used to defeat the purposes of this subchapter. [1975, c. 758, (RPR).]

This subchapter does not prohibit communications outside of public proceedings between members of a public body unless those communications are used to defeat the purposes of this subchapter. [2011, c. 320, Pt. B, §1 (NEW).]

This subchapter shall be liberally construed and applied to promote its underlying purposes and policies as contained in the declaration of legislative intent. [1975, c. 758, (RPR).]

SECTION HISTORY

1975, c. 483, §1 (AMD). 1975, c. 758, (RPR). 2011, c. 320, Pt. B, §1 (AMD).

§402. DEFINITIONS

1. Conditional approval. Approval of an application or granting of a license, certificate or any other type of permit upon conditions not otherwise specifically required by the statute, ordinance or regulation pursuant to which the approval or granting is issued.

[1975, c. 758, (NEW) .]

1-A. Legislative subcommittee. "Legislative subcommittee" means 3 or more Legislators from a legislative committee appointed for the purpose of conducting legislative business on behalf of the committee.

[1991, c. 773, §1 (NEW) .]

2. Public proceedings. The term "public proceedings" as used in this subchapter means the transactions of any functions affecting any or all citizens of the State by any of the following:

A. The Legislature of Maine and its committees and subcommittees; [1975, c. 758, (NEW).]

. Any board or commission of any state agency or authority, the Board of Trustees of the University of Maine System and any of its committees and subcommittees, the Board of Trustees of the Maine Maritime Academy and any of its committees and subcommittees, the Board of Trustees of the Maine Community College System and any of its committees and subcommittees; [1989, c. 358, §1 (AMD); 1989, c. 443, §1 (AMD); 1989, c. 878, Pt. A, §1 (RPR); 2003, c. 20, Pt. 00, §2 (AMD); 2003, c. 20, Pt. 00, §4 (AFF).]

C. Any board, commission, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision; [1991, c. 848, §1 (AMD).]

D. The full membership meetings of any association, the membership of which is composed exclusively of counties, municipalities, school administrative units or other political or administrative subdivisions; of boards, commissions, agencies or authorities of any such subdivisions; or of any combination of any of these entities; [1995, c. 608, §1 (AMD).]

E. The board of directors of a nonprofit, nonstock private corporation that provides statewide noncommercial public broadcasting services and any of its committees and subcommittees; [2009, c. 334, §1 (AMD).]

F. Any advisory organization, including any authority, board, commission, committee, council, task force or similar organization of an advisory nature, established, authorized or organized by law or resolve or by Executive Order issued by the Governor and not otherwise covered by this subsection, unless the law, resolve or Executive Order establishing, authorizing or organizing the advisory organization specifically exempts the organization from the application of this subchapter; and [2009, c. 334, §2 (AMD).]

G. The committee meetings, subcommittee meetings and full membership meetings of any association that:

(1) Promotes, organizes or regulates statewide interscholastic activities in public schools or in both public and private schools; and

(2) Receives its funding from the public and private school members, either through membership dues or fees collected from those schools based on the number of participants of those schools in interscholastic activities.

This paragraph applies to only those meetings pertaining to interscholastic sports and does not apply to any meeting or any portion of any meeting the subject of which is limited to personnel issues, allegations of interscholastic athletic rule violations by member schools, administrators, coaches or student athletes or the eligibility of an individual student athlete or coach. [2009, c. 334, §3 (NEW).]

[2009, c. 334, §§1-3 (AMD) .]

3. Public records. The term "public records" means any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business, except:

A. Records that have been designated confidential by statute; [1975, c. 758, (NEW).]

B. Records that would be within the scope of a privilege against discovery or use as evidence recognized by the courts of this State in civil or criminal trials if the records or inspection thereof were sought in the course of a court proceeding; [1975, c. 758, (NEW).]

C. Legislative papers and reports until signed and publicly distributed in accordance with legislative rules, and records, working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee to prepare proposed Senate or House paper

or reports for consideration by the Legislature or any of its committees during the legislative session or sessions in which the papers or reports are prepared or considered or to which the paper or report is carried over; [1991, c. 773, §2 (AMD).]

C-1. Information contained in a communication between a constituent and an elected official if the information:

(1) Is of a personal nature, consisting of:

(a) An individual's medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;

(b) Credit or financial information;

(c) Information pertaining to the personal history, general character or conduct of the constituent or any member of the constituent's immediate family;

(d) Complaints, charges of misconduct, replies to complaints or charges of misconduct or memoranda or other materials pertaining to disciplinary action; or

(e) An individual's social security number; or

(2) Would be confidential if it were in the possession of another public agency or official; [2011, c. 264, §1 (NEW).]

D. Material prepared for and used specifically and exclusively in preparation for negotiations, including the development of bargaining proposals to be made and the analysis of proposals received, by a public employer in collective bargaining with its employees and their designated representatives; [1989, c. 358, §4 (AMD).]

E. Records, working papers, interoffice and intraoffice memoranda used by or prepared for faculty and administrative committees of the Maine Maritime Academy, the Maine Community College System and the University of Maine System. The provisions of this paragraph do not apply to the boards of trustees and the committees and subcommittees of those boards, which are referred to in subsection 2, paragraph B; [1989, c. 358, §4 (AMD); 1989, c. 443, §2 (AMD); 1989, c. 878, Pt. A, §2 (RPR); 2003, c. 20, Pt. 00, §2 (AMD); 2003, c. 20, Pt. 00, §4 (AFF).]

F. Records that would be confidential if they were in the possession or custody of an agency or public official of the State or any of its political or administrative subdivisions are confidential if those records are in the possession of an association, the membership of which is composed exclusively of one or more political or administrative subdivisions of the State; of boards, commissions, agencies or authorities of any such subdivisions; or of any combination of any of these entities; [1991, c. 448, §1 (AMD).]

G. Materials related to the development of positions on legislation or materials that are related to insurance or insurance-like protection or services which are in the possession of an association, the membership of which is composed exclusively of one or more political or administrative subdivisions of the State; of boards, commissions, agencies or authorities of any such subdivisions; or of any combination of any of these entities; [1991, c. 448, §1 (AMD).]

H. Medical records and reports of municipal ambulance and rescue units and other emergency medical service units, except that such records and reports must be available upon request to law enforcement officers investigating criminal conduct; [1995, c. 608, §4 (AMD).]

I. Juvenile records and reports of municipal fire departments regarding the investigation and family background of a juvenile fire setter; [1999, c. 96, §1 (AMD).]

J. Working papers, including records, drafts and interoffice and intraoffice memoranda, used or maintained by any advisory organization covered by subsection 2, paragraph F, or any member or staff of that organization during the existence of the advisory organization. Working papers are public records if distributed by a member or in a public meeting of the advisory organization; [2001, c. 675, §1 (AMD).]

K. Personally identifying information concerning minors that is obtained or maintained by a municipality in providing recreational or nonmandatory educational programs or services, if the municipality has enacted an ordinance that specifies the circumstances in which the information will be withheld from disclosure. This paragraph does not apply to records governed by Title 20-A, section 6001 and does not supersede Title 20-A, section 6001-A; [2003, c. 392, §1 (AMD).]

L. Records describing security plans, security procedures or risk assessments prepared specifically for the purpose of preventing or preparing for acts of terrorism, but only to the extent that release of information contained in the record could reasonably be expected to jeopardize the physical safety of government personnel or the public. Information contained in records covered by this paragraph may be disclosed to the Legislature or, in the case of a political or administrative subdivision, to municipal officials or board members under conditions that protect the information from further disclosure. For purposes of this paragraph, "terrorism" means conduct that is designed to cause serious bodily injury or substantial risk of bodily injury to multiple persons, substantial damage to multiple structures whether occupied or unoccupied or substantial physical damage sufficient to disrupt the normal functioning of a critical infrastructure; [2003, c. 614, §1 (AMD).]

M. Records or information describing the architecture, design, access authentication, encryption or security of information technology infrastructure, systems and software. Records or information covered by this paragraph may be disclosed to the Legislature or, in the case of a political or administrative subdivision, to municipal officials or board members under conditions that protect the information from further disclosure; [2011, c. 662, §2 (AMD).]

N. Social security numbers; [2011, c. 320, Pt. E, §1 (AMD).]

O. Personal contact information concerning public employees, except when that information is public pursuant to other law. For the purposes of this paragraph:

(1) "Personal contact information" means home address, home telephone number, home facsimile number, home e-mail address and personal cellular telephone number and personal pager number; and

(2) "Public employee" means an employee as defined in Title 14, section 8102, subsection 1, except that "public employee" does not include elected officials; [2009, c. 1, §1 (COR).]

P. Geographic information regarding recreational trails that are located on private land that are authorized voluntarily as such by the landowner with no public deed or guaranteed right of public access, unless the landowner authorizes the release of the information; [2011, c. 149, §1 (AMD).]

(Paragraph P as enacted by PL 2009, c. 339, §3 is REALLOCATED TO TITLE 1, SECTION 402, SUBSECTION 3, PARAGRAPH Q)

Q. (REALLOCATED FROM T. 1, §402, sub-§3, ¶P) Security plans, staffing plans, security procedures, architectural drawings or risk assessments prepared for emergency events that are prepared for or by or kept in the custody of the Department of Corrections or a county jail if there is a reasonable possibility that public release or inspection of the records would endanger the life or physical safety of any individual or disclose security plans and procedures not generally known by the general public. Information contained in records covered by this paragraph may be disclosed to state and county officials if necessary to carry out the duties of the officials, the Department of Corrections or members of the State Board of Corrections under conditions that protect the information from further disclosure; [2013, c. 339, §1 (AMD).]

R. Social security numbers in the possession of the Secretary of State; and [2013, c. 339, §2 (AMD).]

S. E-mail addresses obtained by a political subdivision of the State for the sole purpose of disseminating noninteractive notifications, updates and cancellations that are issued from the political subdivision or its elected officers to an individual or individuals that request or regularly accept these noninteractive communications. [2013, c. 339, §3 (NEW).]

[2013, c. 339, §§1-3 (AMD) .]

3-A. Public records further defined. "Public records" also includes the following criminal justice agency records:

A. Records relating to prisoner furloughs to the extent they pertain to a prisoner's identity, public criminal history record information, as defined in Title 16, section 703, subsection 8, address of furlough and dates of furlough; [2013, c. 267, Pt. B, §1 (AMD).]

B. Records relating to out-of-state adult probationer or parolee supervision to the extent they pertain to a probationer's or parolee's identity, public criminal history record information, as defined in Title 16, section 703, subsection 8, address of residence and dates of supervision; and [2013, c. 267, Pt. B, §1 (AMD).]

C. Records to the extent they pertain to a prisoner's, adult probationer's or parolee's identity, public criminal history record information, as defined in Title 16, section 703, subsection 8, and current address or location, unless the Commissioner of Corrections determines that it would be detrimental to the welfare of a client to disclose the information. [2013, c. 267, Pt. B, §1 (AMD).]

[2013, c. 267, Pt. B, §1 (AMD) .]

4. Public records of interscholastic athletic organizations. Any records or minutes of meetings under subsection 2, paragraph G are public records.

[2009, c. 334, §4 (NEW) .]

5. Public access officer. "Public access officer" means the person designated pursuant to section 413, subsection 1.

[2011, c. 662, §3 (NEW) .]

6. Reasonable office hours. "Reasonable office hours" includes all regular office hours of an agency or official.

[2011, c. 662, §3 (NEW) .]

SECTION HISTORY

1973, c. 433, §1 (AMD). 1975, c. 243, (RPR). 1975, c. 483, §2 (AMD). 1975, c. 758, (RPR). 1977, c. 164, §§1,2 (AMD). 1977, c. 696, §9 (AMD). 1985, c. 695, §§1,2 (AMD). 1985, c. 779, §§1,2 (AMD). 1987, c. 20, §1 (AMD). 1987, c. 402, §A1 (AMD). 1987, c. 477, §1 (AMD). 1989, c. 358, §§1-4 (AMD). 1989, c. 443, §§1,2 (AMD). 1989, c. 878, §§A1,2 (AMD). 1991, c. 448, §§1,2 (AMD). 1991, c. 773, §§1,2 (AMD). 1991, c. 848, §1 (AMD). 1995, c. 608, §§1-5 (AMD). 1997, c. 714, §1 (AMD). 1999, c. 96, §§1-3 (AMD). 2001, c. 477, §1 (AMD). 2001, c. 675, §§1-3 (AMD). 2003, c. 20, SOO2 (AMD). 2003, c. 20, SOO4 (AFF). 2003, c. 392, §§1-3 (AMD). 2003, c. 614, §§1-3 (AMD). 2005, c. 381, §§1-3 (AMD). 2007, c. 597, §1 (AMD). RR 2009, c. 1, §§1-3 (COR). 2009, c. 176, §§1-3 (AMD). 2009, c. 334, §§1-4 (AMD). 2009, c. 339, §§1-3 (AMD). 2011, c. 149, §§1-3 (AMD). 2011, c. 264, §1 (AMD). 2011, c. 320, Pt. E, §1 (AMD). 2011, c. 662, §§2, 3 (AMD). 2013, c. 267, Pt. B, §1 (AMD). 2013, c. 339, §§1-3 (AMD).

§402-A. PUBLIC RECORDS DEFINED

(REPEALED)

SECTION HISTORY

1975, c. 483, §3 (NEW). 1975, c. 623, §1 (RPR). 1975, c. 758, (RP).

§403. MEETINGS TO BE OPEN TO PUBLIC; RECORD OF MEETINGS

1. Proceedings open to public. Except as otherwise provided by statute or by section 405, all public proceedings must be open to the public and any person must be permitted to attend a public proceeding.

[2011, c. 320, Pt. C, §1 (NEW) .]

2. Record of public proceedings. Unless otherwise provided by law, a record of each public proceeding for which notice is required under section 406 must be made within a reasonable period of time after the proceeding and must be open to public inspection. At a minimum, the record must include:

- A. The date, time and place of the public proceeding; [2011, c. 320, Pt. C, §1 (NEW) .]
- B. The members of the body holding the public proceeding recorded as either present or absent; and [2011, c. 320, Pt. C, §1 (NEW) .]
- C. All motions and votes taken, by individual member, if there is a roll call. [2011, c. 320, Pt. C, §1 (NEW) .]

[2011, c. 320, Pt. C, §1 (NEW) .]

3. Audio or video recording. An audio, video or other electronic recording of a public proceeding satisfies the requirements of subsection 2.

[2011, c. 320, Pt. C, §1 (NEW) .]

4. Maintenance of record. Record management requirements and retention schedules adopted under Title 5, chapter 6 apply to records required under this section.

[2011, c. 320, Pt. C, §1 (NEW) .]

5. Validity of action. The validity of any action taken in a public proceeding is not affected by the failure to make or maintain a record as required by this section.

[2011, c. 320, Pt. C, §1 (NEW) .]

6. Advisory bodies exempt from record requirements. Subsection 2 does not apply to advisory bodies that make recommendations but have no decision-making authority.

[2011, c. 320, Pt. C, §1 (NEW) .]

SECTION HISTORY

1969, c. 293, (AMD). 1975, c. 422, §1 (AMD). 1975, c. 758, (RPR).
2009, c. 240, §1 (AMD). 2011, c. 320, Pt. C, §1 (RPR).

§404. RECORDED OR LIVE BROADCASTS AUTHORIZED

In order to facilitate the public policy so declared by the Legislature of opening the public's business to public scrutiny, all persons shall be entitled to attend public proceedings and to make written, taped or filmed records of the proceedings, or to live broadcast the same, provided the writing, taping, filming or

broadcasting does not interfere with the orderly conduct of proceedings. The body or agency holding the public proceedings may make reasonable rules and regulations governing these activities, so long as these rules or regulations do not defeat the purpose of this subchapter. [1975, c. 758, (RPR).]

SECTION HISTORY

1975, c. 422, §2 (RPR). 1975, c. 483, §4 (AMD). 1975, c. 758, (RPR).

§404-A. DECISIONS

(REPEALED)

SECTION HISTORY

1973, c. 433, §2 (NEW). 1973, c. 704, §§1,2 (AMD). 1975, c. 758, (RP).

§405. EXECUTIVE SESSIONS

Those bodies or agencies falling within this subchapter may hold executive sessions subject to the following conditions. [1975, c. 758, (NEW).]

1. Not to defeat purposes of subchapter. An executive session may not be used to defeat the purposes of this subchapter as stated in section 401.

[2009, c. 240, §2 (AMD) .]

2. Final approval of certain items prohibited. An ordinance, order, rule, resolution, regulation, contract, appointment or other official action may not be finally approved at an executive session.

[2009, c. 240, §2 (AMD) .]

3. Procedure for calling of executive session. An executive session may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies.

[2009, c. 240, §2 (AMD) .]

4. Motion contents. A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.

[2003, c. 709, §1 (AMD) .]

5. Matters not contained in motion prohibited. Matters other than those identified in the motion to go into executive session may not be considered in that particular executive session.

[2009, c. 240, §2 (AMD) .]

6. Permitted deliberation. Deliberations on only the following matters may be conducted during an executive session:

A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:

- (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or the individual's right to privacy would be violated;
- (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
- (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
- (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal; [2009, c. 240, §2 (AMD) .]

B. Discussion or consideration by a school board of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire; [2009, c. 240, §2 (AMD) .]

C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency; [1987, c. 477, §3 (AMD) .]

D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions; [1999, c. 144, §1 (RPR) .]

E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage; [2009, c. 240, §2 (AMD) .]

F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute; [1999, c. 180, §1 (AMD) .]

G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and [1999, c. 180, §2 (AMD) .]

H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter. [1999, c. 180, §3 (NEW) .]

[2009, c. 240, §2 (AMD) .]

SECTION HISTORY

1975, c. 758, (RPR). 1979, c. 541, §A3 (AMD). 1987, c. 477, §§2,3 (AMD). 1987, c. 769, §A1 (AMD). 1999, c. 40, §§1,2 (AMD). 1999, c. 144, §1 (AMD). 1999, c. 180, §§1-3 (AMD). 2003, c. 709, §1 (AMD). 2009, c. 240, §2 (AMD).

§405-A. RECORDED OR LIVE BROADCASTS AUTHORIZED

(REPEALED)

SECTION HISTORY

1975, c. 483, §5 (NEW). 1975, c. 758, (RP).

§405-B. APPEALS

(REPEALED)

SECTION HISTORY

1975, c. 483, §5 (NEW). 1975, c. 758, (RP).

§405-C. APPEALS FROM ACTIONS

(REPEALED)

SECTION HISTORY

1975, c. 483, §5 (NEW). 1975, c. 758, (RP).

§406. PUBLIC NOTICE

Public notice shall be given for all public proceedings as defined in section 402, if these proceedings are a meeting of a body or agency consisting of 3 or more persons. This notice shall be given in ample time to allow public attendance and shall be disseminated in a manner reasonably calculated to notify the general public in the jurisdiction served by the body or agency concerned. In the event of an emergency meeting, local representatives of the media shall be notified of the meeting, whenever practical, the notification to include time and location, by the same or faster means used to notify the members of the agency conducting the public proceeding. [1987, c. 477, §4 (AMD).]

SECTION HISTORY

1975, c. 483, §6 (AMD). 1975, c. 758, (RPR). 1987, c. 477, §4 (AMD).

§407. DECISIONS

1. Conditional approval or denial. Every agency shall make a written record of every decision involving the conditional approval or denial of an application, license, certificate or any other type of permit. The agency shall set forth in the record the reason or reasons for its decision and make finding of the fact, in writing, sufficient to appraise the applicant and any interested member of the public of the basis for the decision. A written record or a copy thereof shall be kept by the agency and made available to any interested member of the public who may wish to review it.

[1975, c. 758, (NEW) .]

2. Dismissal or refusal to renew contract. Every agency shall make a written record of every decision involving the dismissal or the refusal to renew the contract of any public official, employee or appointee. The agency shall, except in case of probationary employees, set forth in the record the reason or reasons for its decision and make findings of fact, in writing, sufficient to apprise the individual concerned and any interested member of the public of the basis for the decision. A written record or a copy thereof must be kept by the agency and made available to any interested member of the public who may wish to review it.

[2009, c. 240, §3 (AMD) .]

SECTION HISTORY

1975, c. 758, (NEW). 2009, c. 240, §3 (AMD).

§408. PUBLIC RECORDS AVAILABLE FOR PUBLIC INSPECTION AND COPYING

(REPEALED)

SECTION HISTORY

1975, c. 758, (NEW). 2003, c. 709, §2 (RPR). 2007, c. 501, §1 (AMD). 2009, c. 240, §4 (AMD). 2011, c. 662, §4 (RP).

§408-A. PUBLIC RECORDS AVAILABLE FOR INSPECTION AND COPYING

Except as otherwise provided by statute, a person has the right to inspect and copy any public record in accordance with this section within a reasonable time of making the request to inspect or copy the public record. [2011, c. 662, §5 (NEW).]

1. Inspect. A person may inspect any public record during reasonable office hours. An agency or official may not charge a fee for inspection unless the public record cannot be inspected without being converted or compiled, in which case the agency or official may charge a fee as provided in subsection 8.

[2011, c. 662, §5 (NEW) .]

2. Copy. A person may copy a public record in the office of the agency or official having custody of the public record during reasonable office hours or may request that the agency or official having custody of the record provide a copy. The agency or official may charge a fee for copies as provided in subsection 8.

A. A request need not be made in person or in writing. [2011, c. 662, §5 (NEW).]

B. The agency or official shall mail the copy upon request. [2011, c. 662, §5 (NEW).]

[2011, c. 662, §5 (NEW) .]

3. Acknowledgment; clarification; time estimate; cost estimate. The agency or official having custody or control of a public record shall acknowledge receipt of a request made according to this section within 5 working days of receiving the request and may request clarification concerning which public record or public records are being requested. Within a reasonable time of receiving the request, the agency or official shall provide a good faith, nonbinding estimate of the time within which the agency or official will comply with the request, as well as a cost estimate as provided in subsection 9. The agency or official shall make a good faith effort to fully respond to the request within the estimated time.

[2013, c. 350, §1 (AMD) .]

4. Refusals; denials. If a body or an agency or official having custody or control of any public record refuses permission to inspect or copy or abstract a public record, the body or agency or official shall provide written notice of the denial, stating the reason for the denial, within 5 working days of the receipt of the request for inspection or copying. Failure to comply with this subsection is considered failure to allow inspection or copying and is subject to appeal as provided in section 409.

[2013, c. 350, §2 (AMD) .]

5. Schedule. Inspection, conversion pursuant to subsection 7 and copying of a public record subject to a request under this section may be scheduled to occur at a time that will not delay or inconvenience the regular activities of the agency or official having custody or control of the public record requested. If the agency or

official does not have regular office hours, the name and telephone number of a contact person authorized to provide access to the agency's or official's records must be posted in a conspicuous public place and at the office of the agency or official, if an office exists.

[2011, c. 662, §5 (NEW) .]

6. No requirement to create new record. An agency or official is not required to create a record that does not exist.

[2011, c. 662, §5 (NEW) .]

7. Electronically stored public records. An agency or official having custody or control of a public record subject to a request under this section shall provide access to an electronically stored public record either as a printed document of the public record or in the medium in which the record is stored, at the requester's option, except that the agency or official is not required to provide access to an electronically stored public record as a computer file if the agency or official does not have the ability to separate or prevent the disclosure of confidential information contained in or associated with that file.

A. If in order to provide access to an electronically stored public record the agency or official converts the record into a form susceptible of visual or aural comprehension or into a usable format for inspection or copying, the agency or official may charge a fee to cover the cost of conversion as provided in subsection 8. [2011, c. 662, §5 (NEW) .]

B. This subsection does not require an agency or official to provide a requester with access to a computer terminal. [2011, c. 662, §5 (NEW) .]

[2011, c. 662, §5 (NEW) .]

8. Payment of costs. Except as otherwise specifically provided by law or court order, an agency or official having custody of a public record may charge fees for public records as follows.

A. The agency or official may charge a reasonable fee to cover the cost of copying. [2011, c. 662, §5 (NEW) .]

B. The agency or official may charge a fee to cover the actual cost of searching for, retrieving and compiling the requested public record of not more than \$15 per hour after the first hour of staff time per request. Compiling the public record includes reviewing and redacting confidential information. [2011, c. 662, §5 (NEW) .]

C. The agency or official may charge for the actual cost to convert a public record into a form susceptible of visual or aural comprehension or into a usable format. [2011, c. 662, §5 (NEW) .]

D. An agency or official may not charge for inspection unless the public record cannot be inspected without being compiled or converted, in which case paragraph B or C applies. [2011, c. 662, §5 (NEW) .]

E. The agency or official may charge for the actual mailing costs to mail a copy of a record. [2011, c. 662, §5 (NEW) .]

[2011, c. 662, §5 (NEW) .]

9. Estimate. The agency or official having custody or control of a public record subject to a request under this section shall provide to the requester an estimate of the time necessary to complete the request and of the total cost as provided by subsection 8. If the estimate of the total cost is greater than \$30, the agency or official shall inform the requester before proceeding. If the estimate of the total cost is greater than \$100, subsection 10 applies.

[2011, c. 662, §5 (NEW) .]

10. Payment in advance. The agency or official having custody or control of a public record subject to a request under this section may require a requester to pay all or a portion of the estimated costs to complete the request prior to the search, retrieval, compiling, conversion and copying of the public record if:

- A. The estimated total cost exceeds \$100; or [2011, c. 662, §5 (NEW) .]
- B. The requester has previously failed to pay a properly assessed fee under this chapter in a timely manner. [2011, c. 662, §5 (NEW) .]

[2011, c. 662, §5 (NEW) .]

11. Waivers. The agency or official having custody or control of a public record subject to a request under this section may waive part or all of the total fee charged pursuant to subsection 8 if:

- A. The requester is indigent; or [2011, c. 662, §5 (NEW) .]
- B. The agency or official considers release of the public record requested to be in the public interest because doing so is likely to contribute significantly to public understanding of the operations or activities of government and is not primarily in the commercial interest of the requester. [2011, c. 662, §5 (NEW) .]

[2011, c. 662, §5 (NEW) .]

SECTION HISTORY

2011, c. 662, §5 (NEW). 2013, c. 350, §§1, 2 (AMD) .

§409. APPEALS

1. Records. Any person aggrieved by a refusal or denial to inspect or copy a record or the failure to allow the inspection or copying of a record under section 408-A may appeal the refusal, denial or failure within 30 calendar days of the receipt of the written notice of refusal, denial or failure to any Superior Court within the State as a trial de novo. The agency or official shall file an answer within 14 calendar days. If a court, after a trial de novo, determines such refusal, denial or failure was not for just and proper cause, the court shall enter an order for disclosure. Appeals may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require.

[2013, c. 350, §3 (RPR) .]

2. Actions. If any body or agency approves any ordinances, orders, rules, resolutions, regulations, contracts, appointments or other official action in an executive session, this action is illegal and the officials responsible are subject to the penalties hereinafter provided. Upon learning of any such action, any person may appeal to any Superior Court in the State. If a court, after a trial de novo, determines this action was taken illegally in an executive session, it shall enter an order providing for the action to be null and void. Appeals may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require.

[2011, c. 559, Pt. A, §2 (AMD) .]

3. Proceedings not exclusive. The proceedings authorized by this section are not exclusive of any other civil remedy provided by law.

[2009, c. 240, §6 (AMD) .]

4. Attorney's fees. In an appeal under subsection 1 or 2, the court may award reasonable attorney's fees and litigation expenses to the substantially prevailing plaintiff who appealed the refusal under subsection 1 or the illegal action under subsection 2 if the court determines that the refusal or illegal action

was committed in bad faith. Attorney's fees and litigation costs may not be awarded to or against a federally recognized Indian tribe.

This subsection applies to appeals under subsection 1 or 2 filed on or after January 1, 2010.

[2009, c. 423, §1 (NEW)

.] SECTION HISTORY

1975, c. 758, (NEW). 1987, c. 477, §5 (AMD). 2007, c. 695, Pt. C, §1 (AMD). 2009, c. 240, §§5, 6 (AMD). 2009, c. 423, §1 (AMD). 2011, c. 559, Pt. A, §§1, 2 (AMD). 2011, c. 662, §6 (AMD). 2013, c. 350, §3 (AMD).

§410. VIOLATIONS

For every willful violation of this subchapter, the state government agency or local government entity whose officer or employee committed the violation shall be liable for a civil violation for which a forfeiture of not more than \$500 may be adjudged. [1987, c. 477, §6 (RPR).]

SECTION HISTORY

1975, c. 758, (NEW). 1987, c. 477, §6 (RPR).

IV. Ethical Principles in Planning

(Adopted May 1992 by the American Planning Association and acquired from <http://www.planning.org/ethics/ethicalprinciples.htm> on January 28, 2013)

This statement is a guide to ethical conduct for all who participate in the process of planning as advisors, advocates, and decision makers. It presents a set of principles to be held in common by certified planners, other practicing planners, appointed and elected officials, and others who participate in the process of planning.

The planning process exists to serve the public interest. While the public interest is a question of continuous debate, both in its general principles and in its case-by-case applications, it requires a conscientiously held view of the policies and actions that best serve the entire community.

Planning issues commonly involve a conflict of values and, often, there are large private interests at stake. These accentuate the necessity for the highest standards of fairness and honesty among all participants.

Those who practice planning need to adhere to a special set of ethical requirements that must guide all who aspire to professionalism.

The Code is formally subscribed to by each certified planner. It includes an enforcement procedure that is administered by AICP. The Code, however, provides for more than the

minimum threshold of enforceable acceptability. It also sets aspirational standards that require conscious striving to attain.

The ethical principles derive both from the general values of society and from the planner's special responsibility to serve the public interest. As the basic values of society are often in competition with each other, so do these principles sometimes compete. For example, the need to provide full public information may compete with the need to respect confidences. Plans and programs often result from a balancing among divergent interests. An ethical judgment often also requires a conscientious balancing, based on the facts and context of a particular situation and on the entire set of ethical principles.

This statement also aims to inform the public generally. It is also the basis for continuing systematic discussion of the application of its principles that is itself essential behavior to give them daily meaning.

The planning process must continuously pursue and faithfully serve the public interest.

Planning Process Participants should:

1. Recognize the rights of citizens to participate in planning decisions;
2. Strive to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;
3. Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;
4. Assist in the clarification of community goals, objectives and policies in plan-making;
5. Ensure that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;
6. Strive to protect the integrity of the natural environment and the heritage of the built environment;
7. Pay special attention to the interrelatedness of decisions and the long range consequences of present actions.

Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.

Planning Process Participants should:

1. Exercise fair, honest and independent judgment in their roles as decision makers and advisors;
2. Make public disclosure of all "personal interests" they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker.

3. Define "personal interest" broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;
4. Abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation;
5. Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as an advisor or decision maker in the planning process;
6. Not participate as an advisor or decision maker on any plan or project in which they have previously participated as an advocate;
7. Serve as advocates only when the client's objectives are legal and consistent with the public interest.
8. Not participate as an advocate on any aspect of a plan or program on which they have previously served as advisor or decision maker unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency; such participation as an advocate should be allowed only after prior disclosure to, and approval by, their affected client or employer; under no circumstance should such participation commence earlier than one year following termination of the role as advisor or decision maker;
9. Not use confidential information acquired in the course of their duties to further a personal interest;
10. Not disclose confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions;
11. Not misrepresent facts or distort information for the purpose of achieving a desired outcome;
12. Not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;
13. Respect the rights of all persons and not improperly discriminate against or harass others based on characteristics which are protected under civil rights laws and regulations.



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: Planning Board
FROM: David Hediger, City Planner
DATE: January 7, 2016
RE: January 11, 2016 Planning Board Agenda Item VI(a)

Request by Sprinkler Systems, Inc. to rezone a portion of 2-4 Avon Street from the Resource Conservation (RC) District to the Urban Enterprise (UE) District to reflect changes in the boundaries of the flood zone as shown on the 2013 FEMA Flood Insurance Rate Map

Robert Faunce on behalf of Sprinkle Systems, Inc. has submitted a petition to rezone a portion of 2-4 Avon Street from the Resource Conservation (RC) District to the Urban Enterprise (UE) District to reflect changes in the boundaries of the flood zone as shown on the 2013 FEMA Flood Insurance Rate Map pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code.

This property of approximately .99 acres is located along the Androscoggin River and consists of two structures used for office and warehousing totaling 17,012 SF. The Assessor's records note the buildings were constructed in 1900.

In 1979, FEMA produced Flood Insurance Rate Maps (FIRM) for the city of Lewiston identifying properties that were at risk from a 100-year flood event (meaning that there is a 1% chance of the property flooding in any given year). In 1988, as part of a city wide rezoning and adoption of the communities first comprehensive plan, nearly all areas located within flood zone were mapped RC. This was done in part to protect potentially sensitive habitats and discourage redevelopment and new development from occurring in flood prone areas that may be subject to adverse impacts on other properties and insurance claims from flood damage. It also a recommendation of FEMA as part of the City's participation in the National Flood Insurance Programs Community Rating System (CRS) to discourage development in flood prone areas in effort to reduce flood insurance rates for Lewiston. (Our participation in the CRS results in a 10% reduction in Lewiston flood insurance rates.)

FEMA updated the 1979 FIRM's effective July 8, 2013. The City and FEMA held informational meetings contacting impacted property owners regarding the changes. The updated maps did not result in many changes in Lewiston; however, some properties were added to the flood zone and others removed.

The property at 2-4 Avon Street is one of those properties in which the flood zone was significantly reduced to the point of actually removing the structures from the flood zone. This is a significant benefit to the property owner from a financing, marketing, and insurance perspective. However, because the property remains zoned by the RC by the City, should the

owner want to expand or rebuild, they will have significant limitations imposed by the City as the RC currently makes the use of the property and structures nonconforming. This creates issues if the buildings were destroyed or damaged by more than 80 percent market value, abandoned, or if a change of use or expansion were proposed.

The proposed rezoning will keep those portions of the property located in the 100-year flood zone within the RC district with the remaining portion to be zoned UE, consistent with zoning pattern of the abutting property at 10 Avon Street (previously Pineland Lumber). The property will remain subject to shoreland zoning provisions for lots in UE district, including a 25' setback from the river.

ACTION NECESSARY

Make a motion pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration based upon the proposal submitted by Robert Faunce on behalf of Sprinkle Systems, Inc. to rezone a portion of 2-4 Avon Street from the Resource Conservation (RC) District to the Urban Enterprise (UE) District to reflect changes in the boundaries of the flood zone as shown on the 2013 FEMA Flood Insurance Rate Map (including, if any, specific conditions raised by the Planning Board).

December 7, 2015

David Hediger
City Planner/Deputy Director Planning and Code Enforcement
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201

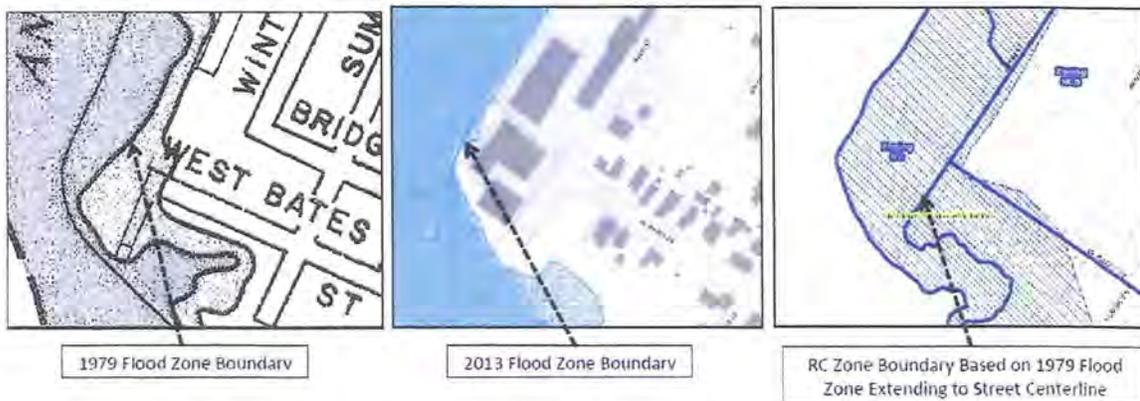
Re: Rezoning of 2-4 Avon Street

Dear Mr. Hediger:

I am submitting a petition and supporting documentation to amend the Lewiston Zoning and Land Use Code to rezone a portion of the Sprinkler Systems property at 2-4 Avon Street. As attested to in the attached letter, I have been authorized to represent the owner in the rezoning request.

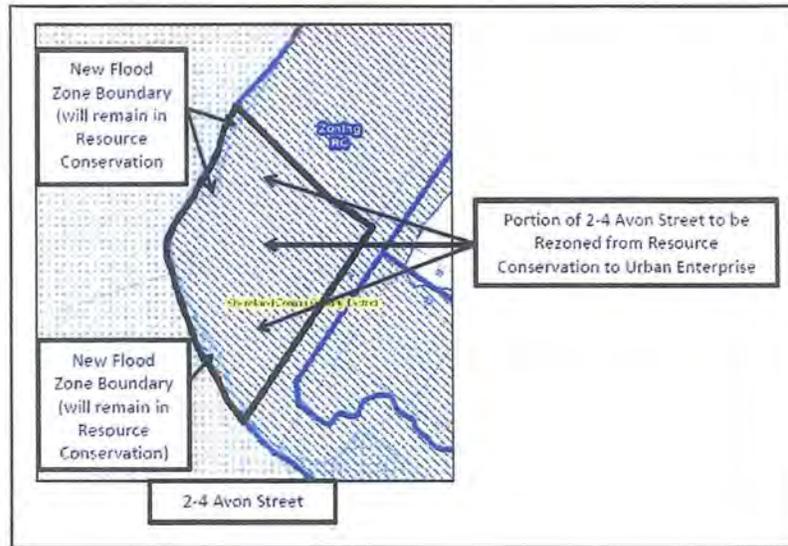
The site has been in commercial use for many years and is now considered fully developed. Prior to creation of the original Resource Protection (RP) District in 1974 and the Resource Conservation (RC) District in 1988, the property was in the Industrial District.

As shown on the first map, below, the 1979 FEMA Flood Insurance Rate Map (FIRM) placed most of the project parcel within the flood zone. The RP and RC Districts were created, in part, to protect those areas within FEMA flood zones from development but the City actually expanded the RC District beyond the flood zone to the centerline of Avon Street, effectively putting the entire property within the RC District as shown on the third map. In 2013 FEMA issued a new FIRM based on more accurate topographic data and, as shown on the second map, only a small portion of the property is now within a flood zone.



As you know, the RC District prohibits all types of commercial use, creating a hardship for the property owner. In order to address the changes in the flood zone and remove the

unnecessary restrictions posed by the RC District, we propose to rezone all of the project parcel not within the flood zone to Urban Enterprise (UE), which is consistent with its original Industrial District designation and with the adjacent UE District. The proposed rezoning is shown on the following map.



Attached is a petition in support of the rezoning as well as the proposed ordinance amendment and supporting narrative. We hope you find this information complete and can schedule a meeting with the Planning Board to discuss the proposal at a regular meeting in January 2016. Please be aware that we contacted the owner of the abutting former Pineland Lumber property and offered to include his property in the rezoning but there was no response to this suggestion.

Best Regards,

Robert F. Faunce

Sprinkler Systems, Inc.

P.O. Box 1285

Lewiston, Maine 04243-1285

Ph. (207) 782-0104 Fax (207) 783-4865

Fire Protection Professionals Since 1973

Lewiston City Building
Planning and Code Enforcement
27 Pine Street
3rd Floor
Lewiston, ME 04240

November 10, 2015

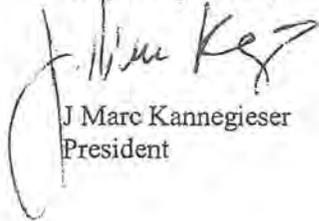
Re: 2-4 Avon Street

To Whom It May Concern:

On behalf of Sprinkler Systems, Inc., I authorize Robert F. Faunce to request the City of Lewiston to rezone a portion of the property at 2-4 Avon Street, Lewiston, that is currently within the Resource Conservation District to the Urban Enterprise District.

If I can be of any further assistance, feel free to call.

Very Truly Yours,



J Marc Kannegieser
President

AN ORDINANCE PERTAINING TO ZONING DISTRICT BOUNDARIES

Appendix A of the Code of Ordinances of the City of Lewiston, Maine, is hereby amended as follows:

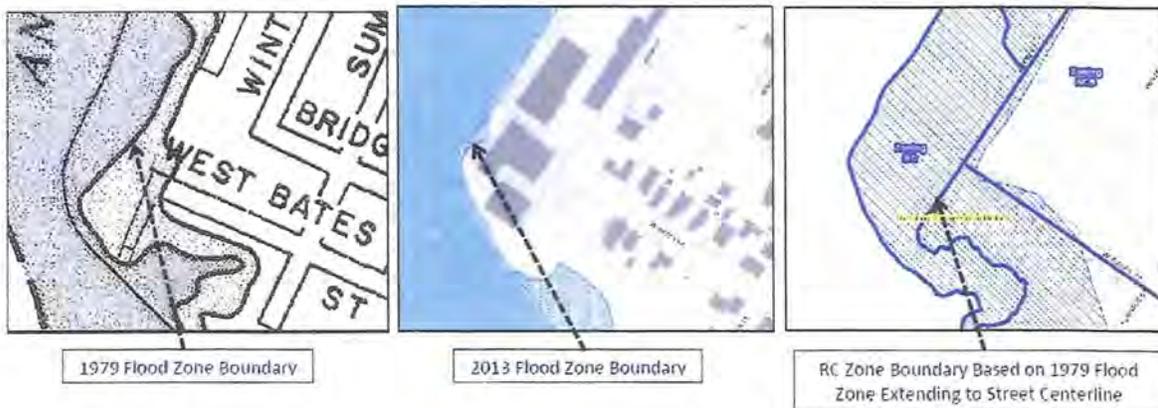
APPENDIX A ZONING AND LAND USE CODE ARTICLE IV. ESTABLISHMENT OF DISTRICTS

Sec. 2 Zoning Map

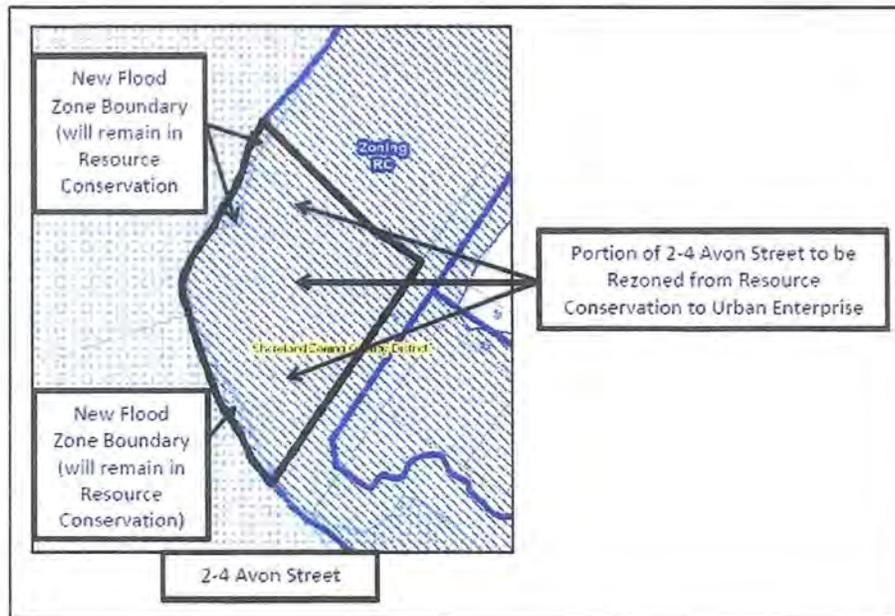
The Zoning Map, adopted pursuant to this Section, is hereby amended to rezone a portion of 2-4 Avon Street from the Resource Conservation (RC) District to the Urban Enterprise (UE) District to reflect changes in the boundaries of the flood zone as shown on the 2013 FEMA Flood Insurance Rate Map.

REASONS FOR THE PROPOSED AMENDMENT

The reason for the proposed amendment is that the 1979 and earlier editions of the FEMA Flood Insurance Rate Map (FIRM) showed much of the project parcel as being within the flood zone. When the City of Lewiston created the Resource Protection District in 1974 and the successor RC District in 1991 it included within the districts all the land identified on the previous FEMA FIRMs as being within the flood zone. In addition, it extended the RC boundary to the centerline of Avon Street, effectively putting all of 2-4 Avon Street within the RC District. The earlier FIRMs were based on topographic mapping with a 10-foot contour interval and had limited accuracy. In 2013 FEMA issued a new FIRM based on LiDAR topographic mapping with a 2-foot contour interval, yielding flood maps of much greater accuracy. The 2013 FIRM shows only a small portion of the project parcel within the flood zone. These conditions are illustrated on the following maps.



As shown on the middle map above, the project parcel is now almost completely developed with buildings and pavement. While the uses and structures on the property are legally grandfathered, their non-conforming status is an issue for purposes of refinancing, sale, insurance, etc. As shown on the following map, the proposed rezoning would revise the boundary of the RC District so it conforms to the 2013 FEMA flood zone and the balance of the property would be placed in the UE District, which is consistent with the zoning in rest of the adjacent light industrial neighborhood.



CONFORMANCE WITH THE ZONING AND LAND USE CODE

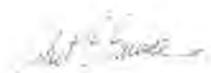
Appendix A, Article XI, Section 18 of the Zoning and Land Use Code states that “*the purpose of the resource conservation district is to protect fragile ecological systems, vulnerable areas and areas of unique natural or scenic value from development or use which would adversely affect water quality, 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*”. The area proposed to be rezoned to the UE District is now fully developed and is not within the flood zone so there is no basis for it being within the RC District.

Appendix A, Article XI, Section 16 states that *"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"*. This zoning designation is consistent with the existing use of the project parcel and the absence of a flood zone.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

Page 124 of the Draft Lewiston Comprehensive Plan identifies floodplains as a resource to be protected from development within a proposed Critical Natural Resource Sector. With the issuance of the 2013 FEMA FIRM, almost all of the project parcel has been removed from the flood zone and it no longer needs protection from development.

Page 125 of the Draft Lewiston Comprehensive Plan states the proposed G-5 Infill Growth Sector is for areas that are mostly or fully built-out in the City's historic development and is to include all of the UE District.



Robert F. Faunce, Authorized Representative

PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5, Amendments, of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to amend the Zoning Map as shown on the reverse side of this petition:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Donna Giroux</i>	DONNA GIRAUX	4 SHANK ST LEW.	11-12-15
2	<i>Suzanne Cote</i>	SARZ COTE	100 Baird Ave Lew	11-12-15
3	<i>Clayton Saucier</i>	Clayton Saucier	43 Central Ave Lew.	11-12-15
4	<i>Ryan Ouellette</i>	Ryan Ouellette	15 Basley Ave. Lew	11-12-15
5	<i>Robert Larocche</i>	Robert Larocche	6 Claire St. Lew	11-18-15
6	<i>William Cyr</i>	William CYR	147 Horton St	11/18/15
7	<i>John Chasse</i>	John Chasse	4 J. 11 st	11/25/15
8	<i>David Ashton</i>	DAVIDE ASHTON	50 Deid Affe Ln	11/25/15
9	<i>John C. Cyr</i>	John C. Cyr	160 Baird Ave.	11-25-15
10	<i>Walter Cary</i>	Walter Cary	371 Central Ave #1	11-25-15
11	<i>Angie Silke</i>	Angie Silke	765 Dons Way	11-25-15
12	<i>Fredricka Hall</i>	FREDRICKA HALL	72 FRANKLIN ST	11/30/15
13				
14				
15				
16				
17				
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19				
20				

CIRCULATOR=S VERIFICATION

I hereby verify that I am the Circulator of this petition that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

J. Marc Kannegriser
 Signature of Circulator

J. Marc Kannegriser
 Printed Name of Circulator

12-1-15
 Date

Lenny Smith, Notary 12/1/15

Implementation Matrix

Summary of Comments on LEWISTON IMPLEMENTATION PLAN - 030415withPBcomments.pdf

Page: 1

Author: dhediger Subject: Inserted Text Date: 12/24/2015 9:50:16 AM

Author: dhediger Subject: Inserted Text Date: 12/24/2015 9:50:04 AM

The following tables summarize the action items prescribed throughout the Lewiston Comprehensive Plan, specify the responsible parties for each, and prescribe a timeline for completion of each action, in the following terms:

Immediate: Actions which should be taken within the next 6 months, or concurrent with the adoption of the Comprehensive Plan

Short Term: Actions that should be taken within the next 1-2 years

Medium Term: Actions that should be taken within 2-5 years

Long Term: Actions that should be taken within 5-15 years

Ongoing: Actions that are already underway or that should be done continuously or periodically over the next 15 years or more

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Prioritize Economic Vitality	
Market Shifts	The Fix
Invest Wisely	Encourage infill and redevelopment within the downtown, existing service areas, and designated growth areas
Emphasize the Heart of Lewiston	Develop a Master Plan, marketing strategy, and branding strategy for the Downtown
Rethink Lewiston's Suburban Gateways	Develop Master Plan for suburban gateways and neighborhood centers
Capture a Greater Share of Major Retailers & Employers	Develop master plans, marketing strategies, and branding strategies for the I-95 interchange and the Industrial Village the emphasize both Lewiston's location and technological resources
Make Lewiston a Hub for Artisan Industry	Prepare incentives packages and branding material that showcase existing industry
Build Lewiston's Creative Economy	Define and promote a creative brand for Lewiston so residents, current and prospective employers, creative workers and visitors understand the City's unique and authentic identity.
Partner with Educational Institutions to Build a Skilled Labor Force	Create a Skilled Labor Education Plan that will in turn create program(s) to ensure a skilled labor force in Lewiston for future businesses
Strive to Become Self-Sufficient	Utilize an intern's enthusiasm to conduct interviews of local businesses to find out what inputs they need that could be provided locally. Make this list available to entrepreneurs.
Reform the City's General Assistance Policy	Revisit the General Assistance policy to include a section that discusses ways to encourage those getting assistance to become independent from the system.
Small Business	The Fix
Support Local Incubators	Engage in conversations with local arts and economic development groups to create a plan and strategy for a local incubator space
Start an Annual Incubation Conference	Attract an incubation conference to provide temporary space for local entrepreneurs to refine their ideas through the advice and feedback of others
Open a Co-Working Office	Seek out local business-minded entrepreneur to start and manage a shared working space in downtown Lewiston
Promote Grassroots Initiatives	Initiate an annual summit to encourage grassroots initiatives and tactical urbanism projects
Policies & Programs	The Fix
Initiate a Downtown Development Revolving Fund	Explore the creation of a Downtown Development Revolving Fund to help finance capital investments, programs and services
Create a Business Improvement District	Create a Business Improvement District (BID) to provided enhanced community services and management across the entire downtown and Riverfront Island
Set up a Tax Increment Financing District for the Downtown	Establish a TIF district in the downtown to support local businesses
Pursue Revitalization Loans	Collaborate with state and regional organizations and programs that focus on social investing and small business investment
Expand Reach of Lewiston Auburn Economic Growth Council	Encourage the LAEGC to provide support for housing clients to ensure a well-rounded future economy for both Lewiston and Auburn

Page: 2

Author: dhediger Subject: Inserted Text Date: 12/23/2015 3:39:31 PM (pages 164-171)

Author: dhediger Subject: Inserted Text Date: 12/23/2015 3:42:31 PM Mill, Riverfront, and Centreville districts

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Growth Council	Planning Department	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Public Library	Other
Ongoing	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Medium Term									General Assistance
Immediate	E&CD	GC							Androscoggin Valley Council of Governments
Medium Term	E&CD	GC							
Medium Term	E&CD								
Medium Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Short Term	E&CD								
Ongoing	E&CD	GC							Androscoggin Valley Council of Governments
Short Term	E&CD								

Author: dhediger Subject: Inserted Text Date: 12/23/2015 3:40:23 PM and Code Enforcement

Author: dhediger Subject: Cross-Out Date: 12/23/2015 3:56:09 PM

Author: dhediger Subject: Inserted Text Date: 12/23/2015 3:56:33 PM Medium

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:
Strengthen Neighborhoods & Expand Housing Choice

Policy **The Fix**

Focus Housing within Growth Areas	Draft a new housing policy statement and seek approval from City Council
Improve the Quality of Affordable Housing	Adopt a form-based code that includes a simple set of architectural standards to allow for a wide variety of building types and housing options
	Continue to provide and enhance incentive programs for new infill mixed-income housing downtown, requiring a mix of quality subsidized, affordable, and market rate units
Promote Construction of Mixed Income Affordable Housing	Create an affordable housing policy that requires new developments over a certain size to offer units at or below market rate

Enforcement **The Fix**

Ramp Up Code Enforcement and Take a Firmer Stance on Fines	Make enforcement of existing regulations a priority. Strictly enforce fines and penalties for landlords and building owners Hire additional code enforcement and planning staff.
Implement Vacancy Licensing	Create a vacant property licensing process and fee structure
Hold Landowners Accountable	Create a publicly accessible database or interactive map of land ownership, vacancy and building condition to hold private owners responsible
Hold Tenants Accountable	Create tenant education program to ensure that tenants know how to carry out preventative measures and are aware of the effects of not doing so Create a tenant database to assist landlords in the screening process and hold private owners responsible

Programs **The Fix**

Set up a Land Bank	Create a Land Bank Program
Consider Setting up a Development District & Plan	Create a Development District Plan
Implement Dollar Home Program	Hire additional Economic Development staff to help roll out and manage similar programs
Assist Landlords in Upgrading their Properties	Work with private landlords to help them take advantage of available funds to invest in their properties.
Partner with Local & Regional Housing Organizations	The City should maintain and strengthen partnerships with local and regional housing organizations.
Start a Board and Seal Club	Organize a structure for a Board and Seal Club

Lifestyle **The Fix**

Promote Live-In Property Managers	Continue to encourage and recommend buildings over a certain number of units to have on-site property owners, landlords, or property managers
Accessory Units	Modify zoning to allow for accessory dwelling units
Support the Growing Senior Population	Support local non-profit groups and seek out innovative new strategies to keep seniors in their homes, including Elder Power
Bring a Graduated Care Facility to Downtown Lewiston	Actively seek the development of a graduated care facility in downtown Lewiston. Develop regulation and programs to encourage this type of development.
Promote Microhousing	Revise minimum unit size limits to allow for smaller inclusive units

- ⓧ Author: dhediger Subject: Inserted Text Date: 12/24/2015 10:01:23 AM
(pages 172-181)
- ⓧ Author: dhediger Subject: Cross-Out Date: 12/23/2015 3:59:09 PM
- ⓧ Author: dhediger Subject: Cross-Out Date: 12/23/2015 3:58:41 PM
- ⓧ Author: dhediger Subject: Cross-Out Date: 12/23/2015 3:59:52 PM
- ⓧ Author: dhediger Subject: Cross-Out Date: 12/23/2015 3:56:37 PM
- ⓧ Author: dhediger Subject: Cross-Out Date: 12/23/2015 4:01:54 PM
- ⓧ Author: dhediger Subject: Inserted Text Date: 12/23/2015 4:01:29 PM
code violations
- ⓧ Author: dhediger Subject: Inserted Text Date: 12/23/2015 4:06:32 PM
Create
- ⓧ Author: dhediger Subject: Inserted Text Date: 12/23/2015 4:06:52 PM
Policy
- ⓧ Author: dhediger Subject: Inserted Text Date: 12/23/2015 4:07:17 PM
Policy
- ⓧ Author: dhediger Subject: Inserted Text Date: 12/24/2015 10:00:13 AM
Create new and/or expand and explore options of existing funding programs.
- ⓧ Author: dhediger Subject: Cross-Out Date: 12/24/2015 9:52:12 AM
- ⓧ Author: dhediger Subject: Inserted Text Date: 12/23/2015 3:39:45 PM

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Planning & Code Enforcement	Planning Department	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Public Library	Other
Short Term	E&CD								
Short Term	E&CD	P&CE							
Ongoing	E&CD	P&CE							
Short Term		P&CE							
Ongoing		P&CE						Lewiston Fire Department	
Short Term					CC				
Short Term		P&CE							
Medium Term		P&CE							
Medium Term		P&CE						Local Housing Agencies	
Medium Term		P&CE						Local Housing Agencies	
Medium Term	E&CD	P&CE						Lewiston Housing Authority	
Medium Term	E&CD	P&CE						Lewiston Housing Authority	
Medium Term					CC			Housing Association, Landowners	
Medium Term	E&CD	P&CE						Landlords	
Ongoing	E&CD	P&CE						Housing Association	
Short Term	E&CD								
Ongoing					CC				
Short Term		P&CE							
Short Term	E&CD							Social Services Department	
Medium Term	E&CD	P&CE							
Short Term		P&CE							

- ⌵ Author: dhediger Subject: Cross-Out Date: 12/23/2015 3:57:18 PM
- ⌵ Author: dhediger Subject: Cross-Out Date: 12/23/2015 3:56:42 PM
- ⌵ Author: dhediger Subject: Cross-Out Date: 12/23/2015 4:02:51 PM
- ⌵ Author: dhediger Subject: Cross-Out Date: 12/24/2015 9:52:24 AM
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/24/2015 9:53:15 AM
Lewiston Housing Authority, Community Organizations and Agencies
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/23/2015 4:04:01 PM
, Healthy Androscoggin
- ⌵ Author: dhediger Subject: Cross-Out Date: 12/23/2015 4:03:24 PM
- ⌵ Author: dhediger Subject: Cross-Out Date: 12/24/2015 9:53:25 AM
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/24/2015 9:53:29 AM
Lewiston Housing Authority, Community Organizations and Agencies
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/23/2015 4:04:08 PM
, Healthy Androscoggin
- ⌵ Author: dhediger Subject: Sticky Note Date: 1/8/2016 6:59:23 AM
add City Council to box
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/23/2015 4:07:35 PM
, Planning Board
- ⌵ Author: dhediger Subject: Cross-Out Date: 12/24/2015 9:54:02 AM
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/24/2015 9:54:09 AM
Community Organizations and Agencies
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/24/2015 9:54:25 AM
Lewiston Housing Authority, Community Organizations and Agencies
- ⌵ Author: dhediger Subject: Cross-Out Date: 12/24/2015 9:54:32 AM
- ⌵ Author: dhediger Subject: Inserted Text Date: 12/24/2015 9:54:37 AM
Lewiston Housing Authority, Community Organizations and Agencies

Comments from page 5 continued on next page

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Planning & Code Enforcement	Planning Department	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Public Library	Other
Short Term	E&CD								
Short Term	E&CD	P&CE							
Ongoing	E&CD	P&CE							
Short Term		P&CE							
Ongoing		P&CE							Lewiston Fire Department
Short Term					CC				
Short Term		P&CE							
Medium Term		P&CE							
Medium Term		P&CE							Local Housing Agencies
Medium Term		P&CE							Local Housing Agencies
Medium Term	E&CD	P&CE							Lewiston Housing Authority
Medium Term	E&CD	P&CE							Lewiston Housing Authority
Medium Term					CC				Housing Association, Landowners
Medium Term	E&CD	P&CE							Landlords
Ongoing	E&CD	P&CE							Housing Association
Short Term	E&CD								
Ongoing					CC				
Short Term		P&CE							
Short Term	E&CD								Social Services Department
Medium Term	E&CD	P&CE							
Short Term		P&CE							

Lewiston Comprehensive Plan Implementation Strategy

TRANSFORMATION:
Strengthen Neighborhoods & Expand Housing Choice (continued)

Identity	The Fix
Better Define Lewiston's Neighborhoods	Convene a event centered around defining Lewiston's neighborhoods
Address Parking & Open Space Standards for Downtown Housing	Revisit the City's parking and open space standards to facilitate investment in the Downtown
Provide More Employee Housing	Explore the creation of Employer Housing Assistance Programs in partnership with regional hospitals or other major employers to help stimulate new housing construction in the downtown.
Communications	The Fix
Initiate a PR Campaign	Create a PR Campaign for the Housing section of this Comprehensive Plan
Improve Housing Policy Communications	Create a poster or other effective medium to clearly explain the City's current demolition policies to the public.
Safety	The Fix
Address Lead Poisoning	Continue lead paint abatement programs with coordination with federal and state agencies
Crowdsourcing	The Fix
Adopt-A-Lot Program	Create an Adopt-A-Lot program to help clean up vacant lots
Regional Coordination	The Fix
	Establish a housing committee composed of individuals and stakeholders knowledgeable about the local housing market and housing conditions and charge this committee with developing housing related policies and programs that meet the needs of local and regional residents seeking both market rate and quality affordable housing.
	Seek partnerships with Auburn and regional service providers to implement the recommendations of the Lewiston/Auburn Alliance for Services to the Homeless (LAASH) 10-year Plan to Prevent and End Homelessness. The City should provide leadership among regional partners to identify funding and design programs necessary to end homelessness in Androscoggin County.

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Planning & Code Enforcement	Planning Department	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Public Library	Other
Short Term	E&CD								
Short Term		P&CE							
Medium Term	E&CD								
RESPONSIBLE PARTY									
Immediate	E&CD	P&CE							Landlords, Community Organizations, Residents
Immediate	E&CD	P&CE							Planning
RESPONSIBLE PARTY									
Ongoing	E&CD								Healthy Androscoggin
RESPONSIBLE PARTY									
Short Term	E&CD								
RESPONSIBLE PARTY									
Short Term	E&CD	P&CE							Committee could include: local, regional and state housing organizations, lenders, property owners and renters/residents)
Short Term	E&CD	P&CE							Committee could include: local, regional and state housing organizations, lenders, property owners and renters/residents)

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Author: dhediger Subject: Cross-Out Date: 12/24/2015 10:04:19 AM

Author: dhediger Subject: Cross-Out Date: 12/24/2015 10:04:00 AM

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Celebrate History, Arts & Culture	
History	The Fix
Preserve the Tax Base Through Historic Preservation	The City should consider a moratorium on demolition of buildings of historic significance and/or buildings with the potential to be rehabilitated, so long as they are not creating a health and safety hazard for a period of one or two years while steps are taken to generate investment.
Organize a Steeple Tour	Create a route & brochures for a self-guided or regularly scheduled walking tour of important landmarks in Lewiston
Provide Stronger Protection for Mills	Complete district nomination form for the Mill System District
Strengthen Demolition Delay	Adopt a tougher stance on Demolition Delay and a more strict interpretation of the evaluation criteria.
Simplify and Improve Historic Preservation Regulations	Simplify and Improve Article XV of the Zoning Code
	Automatically add buildings to the local historic register if they are on the National Register
Improve the Effectiveness and Predictability of Design Review	Hire consultant to work with the Historic Preservation Review Board on developing Architectural Standards
Protect Archaeological Resources	Amend land use ordinances to provide stronger protections to the City's historic archaeological sites
Restore the Canal System	Make restoration of the canals a top priority
Save Bates Mill 5	Support the efforts to stabilize and reuse the building
Actively Seek out Microdevelopers	Attract microdevelopers through tax incentives
Hold and Market an Annual Auction of Foreclosed Properties	Work with local groups to organize an Annual Auction of Foreclosed Properties
Use Municipally-Backed Loans to Fund Historic Rehabilitation	Draft a municipal lending ordinance to allow low-interest loans for historic preservation and building rehabilitation.
Adopt a Restoration Tax Abatement Program	Establish a Restoration Tax Abatement Program
Rehabilitation Tax Credit Program	Establish a local Rehabilitation Tax Credit Program
Historical & Architectural Preservation Tax Credit	Consider offering a property tax incentive program to help owners of historically designated properties.

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Author: dhediger Subject: Inserted Text Date: 12/24/2015 10:09:19 AM
(pages 182-191)

Author: dhediger Subject: Cross-Out Date: 12/24/2015 10:05:07 AM

Author: dhediger Subject: Inserted Text Date: 12/24/2015 10:06:15 AM
or redevelopment of the site

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Historic Preservation Review Board	Planning & Code Enforcement	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Public Library	Other
Immediate	E&CD	HPRB							
Medium Term	E&CD								
Immediate			P&CE						
Short Term		HPRB			CC				
Medium Term		HPRB							Planning Board
Medium Term									Planning Board
Medium Term		HPRB	P&CE						
Medium Term			P&CE						
Long Term					CC				
Immediate					CC				
Medium Term	E&CD								
Medium Term	E&CD								
Medium Term	E&CD								
Medium Term	E&CD								
Medium Term	E&CD								
Medium Term	E&CD								

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- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:07:26 AM
P&CE
- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:06:57 AM
HPRB
- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:07:10 AM
HPRB
- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:08:22 AM
Planning Board
- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:07:39 AM
E&CD
- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:08:05 AM
CA

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Celebrate History, Arts & Culture (continued)	
Culture & The Arts	The Fix
Cooperate and Coordinate the LA Arts and Cultural Efforts	Continue to coordinate cultural organizations and initiate annual or more frequent coordination meetings between arts organizations
Set Up A Clearinghouse for all Arts Related Information	Continue to support a third party entity as the place to get Arts and Culture information
	Provide third party information on community events
Market Lewiston's Arts & Culture	Partner with other local organizations to market Lewiston's Arts & Culture
Leverage Social Media to Bring the Community Together	Utilize social media to connect with the community
Embrace the Creative Economy	Adopt a Creative Economy Policy that unites elected officials and departments around an economic mission statement that recognizes the importance of the creative economy as Lewiston's next major economic driver. Decisions at all levels of government should support alternative and aggressive approaches to attracting and supporting the creative economy.
Encourage Housing & Workspace to Support the Creative Economy	Support the renovation of existing buildings to house and support the creative workforce with housing, lofts, studio and office space at a reasonable price point.
Market Lewiston as a Desirable Place to Live & Work	Assist in the promotion and marketing of arts and cultural offerings targeted toward potential new businesses and residents.
Increase Programming in City Parks	Provide more scheduled activities to activate city parks at more convenient times of the day and week and throughout the year
Celebrate Lewiston's Numerous Ethnic Cultures	Increase the number of ethnic and cultural celebration events to break down stereotypes and barriers
Seek Outside/Alternative Funding for the Arts	Build public/private partnerships with local arts non-profits to seek federal and state grants
Make Riverfront Island Lewiston's Cultural District	Support and fund the recommendations in the Riverfront Island Master Plan to make Riverfront Island Lewiston-Auburn's Cultural District
Support Museum L-A's Move to the Camden Yards Mill	Assist in expediting approvals for renovations of the Camden Yarns Mill
Promote Arts in Education	Provide art education opportunities from pre-K through adult education
Regional Coordination	The Fix
	Lewiston should expand its partnership with Auburn and its regional neighbors to promote and enhance cultural opportunities around the county and encourage arts and cultural events and activities

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Author: dhediger Subject: Inserted Text Date: 12/24/2015 10:09:37 AM

Author: dhediger Subject: Inserted Text Date: 12/24/2015 10:09:35 AM (pages 182-191)

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Historic Preservation Review Board	Planning Board	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Public Library	Other
Ongoing					CC	CoC	RD	LPL	
Ongoing						CoC	RD	LPL	
Immediate						CoC	RD	LPL	
Short Term/Ongoing					CC	CoC	RD	LPL	Lewiston-Auburn Economic Growth Council
Immediate				CA		CoC	RD	LPL	
Medium Term	E&CD			CA	CC				
Ongoing	E&CD			CA	CC				
Medium Term				CA	CC	CoC	RD	LPL	
Short Term							RD	LPL	
Short Term						CoC		LPL	L.A. Arts
Medium Term	E&CD								
Medium Term	E&CD			CA	CC				
Short Term					CC				City Manager
Ongoing									School Board
	RESPONSIBLE PARTY								
Ongoing					CC	CoC	RD	LPL	

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- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:10:08 AM
Local arts and cultural organizations
- Author: dhediger Subject: Cross-Out Date: 12/24/2015 10:10:15 AM
- Author: dhediger Subject: Inserted Text Date: 12/24/2015 10:10:20 AM
Local arts and cultural organizations
- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:10:41 AM
Local arts and cultural organizations
- Author: dhediger Subject: Sticky Note Date: 12/24/2015 10:10:48 AM
E&CD

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Promote Transportation Choice & Mobility	
Connections	The Fix
Return to 2-Way Street Network	Appropriate funds in the Lewiston Capital Improvement Program for two-way street conversions, making Downtown street conversions a priority
Improve Connections Between Bates College and Downtown	Appropriate funding in the Lewiston Capital Improvement Program for preliminary engineering of a cycle track between Bates College and Downtown Lewiston
Civilize the Bridges	Appropriate funding in the Lewiston Capital Improvement Program for preliminary engineering of existing bridges for enhanced pedestrian and bike facilities
Improve Bicycle & Pedestrian Connections	Develop and adopt design criteria, standards and guidelines in accordance with the City's Complete Street Policy
	Continue to work with the Androscoggin Transportation Resource Center (ATRC) to develop the regional trail and bicycle network.
Connectivity	The Fix
Improve Vehicular Connectivity	Ensure that all streets are connected to other streets. Avoid the construction of dead ends or cul-de-sacs.
Improve Bike & Pedestrian Connectivity	Increase number of routes through the community for pedestrians and bicyclists.
Infrastructure	The Fix
Re-envision Gateway Approaches	Appropriate funding for corridor planning and form-based zoning to inform and enable the redevelopment over time of both the thoroughfares and abutting properties
	Review and revise access management measures to limit the number of curb cuts along Gateway Roads and promote the development of shared drives and parking areas
Improve Neighborhood Streets & Intersections	Hire Urban Design/Engineering consultant to prepare Complete Street & intersection improvement plan
Showcase Canals	Secure funding for redesigning Canal Street and Oxford/Cross Street as shared streets or "woonerfs"
Provide More Bike Parking & Storage	Fund and install racks and bike storage in proximity to schools, municipal buildings, or other popular destinations
Encourage End of Trip Facilities	Encourage end-of-trip facilities and create employer incentivization programs such as tax-free employer subsidy for riding to work.
Parking	The Fix
Relax Parking Requirements	Update the zoning regulations to consider relaxing and eliminating the off-street parking required for new development.
Unbundle Parking	Provide incentives for developers to unbundle parking
Facilitate & Simplify Shared Parking	Create a public-private partnership to facilitate sharing between private and public parking spaces to maximize efficiency.
Improve Parking Management & Pricing	Conduct a parking utilization study to understand how the parking resources are being used and identify opportunities for different management strategies
Redevelop Parking Lots	Reduce the amount of land dedicated to parking spaces and encourage redevelopment of existing parking lots.

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Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:45:47 PM
(pages 192-203)

Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:47:44 PM
Consider

Author: dhediger Subject: Cross-Out Date: 12/29/2015 3:47:50 PM

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Public Works	Planning Department	Planning & Code Enforcement	City Council	Chamber of Commerce	Recreation Department	Leviston Police Department	Other
Medium Term		PW	P&CE		CC				
Medium Term		PW			CC				
Medium Term		PW			CC				
Short Term		PW	P&CE						
Ongoing		PW	P&CE						
RESPONSIBLE PARTY									
Ongoing		PW	P&CE						
Ongoing		PW	P&CE						
RESPONSIBLE PARTY									
Medium Term		PW	P&CE						
Medium Term		PW	P&CE						
Short Term		PW	P&CE		CC				
Medium Term			P&CE						
Short Term									Local Non-Profits, Business Owners, Private Sector
Short Term									Business Owners
RESPONSIBLE PARTY									
Short Term			P&CE						
Medium Term			P&CE						Private Sector
Short Term	E&CD								
Short Term		PW						LPD	
Medium Term			P&CE						

- T Author: dhediger Subject: Comment on Text Date: 12/29/2015 3:52:46 PM
 Responsible Parties need to be consistent on pages 13 and 15
- F Author: dhediger Subject: Cross-Out Date: 12/29/2015 3:47:08 PM
- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:47:04 PM
 & Code Enforcement
- F Author: dhediger Subject: Cross-Out Date: 12/29/2015 3:46:50 PM
- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:48:30 PM
 /Long
- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:48:36 PM
 /Long
- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:49:36 PM
 /Long

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Promote Transportation Choice & Mobility (continued)	
Transit	The Fix
Improve citylink Bus System	Appropriate funds in the LARTC Transportation Improvement Program to fund improvements to the citylink bus system
Improve Intra-City Public Transit	Pursue Concord Trailways to provide bus service to L/A with a station in Downtown Lewiston
	Pursue Amtrak and other providers of passenger rail service with a station in Lewiston
Regional Coordination	The Fix
Regional Traffic and Transit Services	Continue to work with the Androscoggin Transportation Resource Center (ATRC) to promote regional and long-range traffic studies and ensure that Lewiston streets can continue to adequately support local and commuter traffic while safely accommodating all modes of transportation.
Rail	Stay involved in conversations with regional and state agencies and area railroad companies to upgrade rail lines and extend the current high-speed line.
Transit	Continue to work with the Androscoggin Transportation Resource Center (ATRC) and regional transit providers such as the Lewiston Auburn Transportation Committee (LATC) to implement the recommendations of the ATRC's long-range plan.
Bikeways	The Fix
	Provided a diversified system of bikeways and locally-calibrated solutions to the City-wide bike system. Make cycling more convenient, safe and enjoyable.
Walkability	The Fix
	Consider the pedestrian environment and the constituent elements of walkability (Distance, Destination, Design) when undertaking streetscape improvements and new development.

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TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Public Works	Planning & Code Enforcement	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Police Department	Other
Medium Term	E&CD	PW							LARTC
Medium Term	E&CD								
Medium Term	E&CD								
Ongoing	E&CD								
Ongoing	E&CD								
Ongoing	E&CD								
Ongoing	E&CD	PW	P&CE						
Ongoing		PW	P&CE						

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Author: dhediger Subject: Comment on Text Date: 12/29/2015 3:50:45 PM
 Responsible Parties need to be consistent on pages 13 and 15

Lewiston Comprehensive Plan Implementation Matrix

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TRANSFORMATION:	
Feature All Things Green & Healthy	
Moving	The Fix
Make Lewiston More Walkable, Bikeable & Hikeable	Work with local organizations to produce a walking, hiking and biking map of high enough quality to help market the City
Improve Park Facilities	Increase access to existing trail network by improving signage, expanding parking facilities, and providing water and restroom facilities
Support Healthy Events	Continue to sponsor and help organize healthy events for the entire community
Start an Open Streets Event	Support an Open Streets event in Lewiston
Expand Recreational Opportunities Along The River	Make improvements to waterside facilities and access points
Lewiston Fitness Challenge	Initiate the Lewiston Fitness Challenge
Policy	The Fix
Update Shoreland Zoning Standards	Amend shoreline zoning standards and additional resource protection provisions
Create a TDR Program	Investigate the possibilities for a TDR program in Lewiston
Reduce Cut and Fill	Improve standards to preserve the existing topography during the development phase
Keeping it Green	The Fix
Preserve Tree Canopy	Preserve trees to the maximum extent practical during the site plan review process
Preserve, Install & Maintain Street Trees	Preserve street trees during the site plan review process. Install and maintain street trees along all of the City's neighborhood streets.
Create Pocket Parks	Seek opportunities to create small pocket parks during the land development process and in areas of the downtown where landowners are amenable
Food	The Fix
Improve Access to Fresh Foods	Provide incentives for existing retailers to sell fresh food or allow mobile farm stands. Support the efforts of non-profit organizations trying to increase food system expansion and diversity.
Find a Permanent Home for the Farmer's Market	Locate farmer's market in a permanent and sustainable location
Families	The Fix
Collaborate Around Healthy Schools	Partner with the schools, parent teacher associations, and wellness teams to make Lewiston's schools healthy and safe.
Provide Many Health Services in One Location	Build partnerships around the establishment of a multi-vendor health center in downtown Lewiston
Crowdsourcing	The Fix
Reprogram Yards into Home Gardens	Transform side and rear yards into home gardens or participate in one of Lewiston's community gardens
	The City should explore what impediments exist with respect to sales and licensing of grown food
Regional Coordination	The Fix
Protect Lake Auburn Watershed	Work with Lake Auburn Watershed Protection Commission (LAWPC) and surrounding communities to protect and preserve the Lake Auburn Watershed

Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:53:07 PM
(pages 204-209)

Author: dhediger Subject: Cross-Out Date: 12/29/2015 3:53:15 PM

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Public Works	Planning & Code Enforcement	City Administration	City Council	Chamber of Commerce	Recreation Department	Lewiston Police Department	Other
Short Term		PW					RD		Androscoggin Land Trust
Medium Term		PW	P&CE						
Short Term/ Ongoing				CA		CoC			Area Health & Fitness
Short Term		PW					RD	LPD	
Long Term		PW	P&CE				RD		Androscoggin Land Trust
Immediate					CC				L/A Health Committee, Healthy Androscoggin, Area Health Providers
Medium Term			P&CE						
Medium Term	E&CD		P&CE						
Medium Term			P&CE						
Short Term			P&CE						
Short Term		PW	P&CE						Forestry Board
Medium Term			P&CE		CC				
Short Term	E&CD								Good Food Council of Lewiston- Auburn
Short Term	E&CD		P&CE						Lots to Gardens
Medium Term									Lewiston School Department
Medium Term									Healthy Androscoggin, Local Health Care Providers
Ongoing									Potential Community Initiative
Short Term	E&CD		P&CE						
Ongoing		PW (Water Division)							

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Unite As One Community With One Voice	
The Fix	
Know that it Takes Time	Hold events that can help break down barriers and allow people to more quickly feel compassion, understanding, and interest in people who are different from themselves
Engage Immigrants in Teaching Roles	Work with local education programs to give precedence to minorities and immigrants when seeking new teachers
Create a Documentary on Lewiston's Immigrant History	Seek funding and award a grant to a local artist to make a documentary on Lewiston's New Americans . Local education programs.
Provide Academic Support for All Ages	Partner with Tree Street to encourage partnerships providing academic support
Volunteer as Cultural Exchange Ambassadors	Develop a Cultural Exchange Ambassadors Program, hold informational gatherings, spread awareness throughout the community and encourage both locals and immigrants to join.
Continue to Promote Empowerment Through Citizenship	Help immigrants achieve citizenship and thus a better-represented public during voting periods.
Immigrant's Day	Support and endorse an annual Immigrant's Day celebration that features the ethnic foods and activities of both present and past immigrants

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- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:54:46 PM
 (pages 210-213)
- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:55:25 PM
 encourage
- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:55:40 PM
 recent immigrants
- T Author: dhediger Subject: Inserted Text Date: 12/29/2015 3:56:31 PM
 Continue to support

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Historic Preservation Review Board	Planning & Code Enforcement	City Administration	City Council	Local Non-Profit Organizations	Recreation Department	Lewiston Public Library	Other
Short Term						LNPO			
Medium Term									Lewiston School Department
Long Term						LNPO			
Short Term	E&CD								
Short Term						LNPO			
Medium/Long Term						LNPO			
Immediate							RD	LPL	Lewiston Youth Advisory Committee

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Author: dhediger Subject: Sticky Note Date: 12/29/2015 4:02:18 PM
 add Lewiston School Department and other educational institutions,

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Provide Reliable Services & Municipal Transparency	
Open Governance	The Fix
Creating an Open Governance Plan	Create an Open Governance Plan to encourage a transparent municipal government.
Expand and Market the Community Report Card	Expand and market the Community Report Card. Set aside budget for annual assessment.
Use the Planapalooza Process Regularly	Employ the Planapalooza process for all important or controversial City-led decisions.
Improve the Public Notice Practices	Send weekly or biweekly email blasts and regular press releases to all local media outlets that describe all unfolding City business
Improve the User-Interface on the City's Website	Create a citizen dashboard
Expand Remote Public Access	Strengthen and expand relationships with local videographers and the local cable channel
Publish Municipal Budget and Salaries	Publish all municipal budgets online.
Provide Reliable Services	The Fix
Coordinate with Service Providers	Maintain a Five-Year Capital Improvements Plan for the City of Lewiston and coordinate with other service providers in the planning area for developing their respective investment plans and programs
Provide High-Quality, Cost-Efficient Water Service	Review and update, as necessary, the City's Water Master Plan to reinforce development patterns, types, and intensities depicted on the Growth and Conservation Map. Also review the City's Capital Improvements Plan and Annual Operating Budget to reflect recommendations in the Comprehensive Plan or updated Water Master Plan.
Protect the City's Water Supply	Contact the Auburn City Council and Auburn Water District to discuss opportunities for system redundancy and/or the potential for service provision efficiencies between the two water systems.
Provide High-Quality, Cost-Efficient Sewer Service	Explore funding opportunities to purchase additional land for permanent conservation or implement rules and requirements for future development that minimize negative impacts to the drinking water supply.
Support a Great School System	Review and update, as necessary, the Authority's Sewer Master Plan to reinforce development patterns, types, and intensities depicted on the Growth and Conservation Map. Also review the Authority's Capital Improvements Plan and Annual Operating Budget to reflect recommendations in the Comprehensive Plan or updated Sewer Master Plan.
Improve Stormwater Management	Coordinate regularly on items related to growth, development, and the needs of the school district
Expand Parks & Recreation Facilities	Implement plans, programs, policies, and projects to meet the City's requirements under the Municipal Separate Storm Sewer Systems (MS4) Phase II permit and Clean Water Act Master Plan
Improve Solid Waste Collection & Disposal	Identify ways to "do more with less" for maintaining and expanding the City's parks and recreation facilities. Financial investments by the City should focus on finding partners and/or leveraging resources to expand services
Conduct Space-Needs Study for City Offices & Facilities	Renew energy in the City's recycling program to increase the percentage of residential waste diverted from the landfill under the recycling program from 20% to 30% by 2030.
	Complete a space-needs study to anticipate where, when, and why new buildings or facilities may be needed to serve future development between 2020 and 2030.

TIMEFRAME	RESPONSIBLE PARTY							
	Economic & Community Development	Public Works	Planning & Code Enforcement	City Administration	City Council	Chamber of Commerce	Recreation Department	Other
Short Term					CC			
Short Term					CC			Department Heads
Ongoing	E&CD			CA	CC			
Immediate				CA				Department Heads, Management Information Services
Immediate								Management Information Services
Immediate				CA				
Immediate								Finance Department
Short Term				CA	CC			
Short Term/Ongoing		PW (Water Division)		CA	CC			
Immediate		PW (Water Division)		CA	CC			
Long Term			P&CE		CC			Lake Auburn Watershed Protection Commission
Short Term/Ongoing					CC (Lewiston and Auburn)			Lewiston-Auburn Water Pollution Control Authority
Short Term/Ongoing					CC			School Committee
Short Term/Ongoing		PW (Storm-water Utility)			CC			
Immediate		PW	P&CE		CC		RD	Lewiston School Department
Short Term/Ongoing		PW (Solid Waste Division)			CC			
Medium Term		PW		CA	CC			

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Provide Reliable Services & Municipal Transparency (continued)	
Provide Reliable Services (cont)	The Fix
Expand Library Services	Invest in the Lewiston Public Library (and its resources) to expand the scope and variety of services available to local residents
Maintain Police Protection	Continue to increase police resources and their presence in the community to permanently reduce from year-to-year annual crime statistics reported for Lewiston.
Maintain the City's ISO Rating	Update the City's Station Location Analysis Study completed in 2001 to evaluate the development types, patterns, and intensities depicted in the official Growth and Conservation Map, and recommend improvements to maintain or improve the ISO rating in the primary growth area.
Capital Project Investments	Modify slightly the current CIP planning process to reinforce the "statement of consistency with the City's Comprehensive Plan" as an important consideration for funding and scheduling future year capital improvements.
Focus on Kennedy Park	Add water fountains and features
	Fully restore bandstand.
	Continue support and implementation of Kennedy Park Masterplan
Upgrade Simard-Payne Park	Build formal walkway along the water's edge
	Continue to support/implement Riverfront Masterplan
	Add temporary seasonal concession and/or vendor structures

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Author: dhediger Subject: Inserted Text Date: 12/29/2015 4:00:32 PM
International Organization for Standardization

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TIMEFRAME	RESPONSIBLE PARTY							
	Economic & Community Development	Public Works	Planning & Code Enforcement	City Administration	City Council	Chamber of Commerce	Recreation Department	Other
Medium Term					CC			Lewiston Public Library
Short Term/ Ongoing					CC			Police Department
Short Term					CC			Fire Department
Short Term			P&CE	CA				Other City Departments submitting capital projects for the next CIP
Immediate		PW			CC		RD	Downtown Neighborhood Advisory Council
Short Term		PW			CC		RD	
Ongoing		PW			CC		RD	
Long Term		PW	P&CE				RD	
Ongoing		PW	P&CE				RD	
Short Term		PW	P&CE				RD	

Lewiston Comprehensive Plan Implementation Matrix

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Changing Perceptions & Regulatory Barriers

Changing Perceptions	The Fix
What is Lewiston?	Hire a marketing and branding team to create a fresh image for Lewiston
Getting Out The Word	Hire a public relations team to begin pushing for a more positive view of Lewiston targeted to those outside the community.
Self-Help	Encourage the formation of interest-based community groups by providing free meeting space.
First Impressions	Build community gateways at the most trafficked entrances to the City.
Regulatory Barriers	The Fix
Simplify the Code	Hire a consultant to produce a form-based code for Lewiston that includes building, lot and architectural standards

Author: dhediger Subject: Inserted Text Date: 12/29/2015 4:00:41 PM
(pages 224-228)

Author: dhediger Subject: Inserted Text Date: 12/29/2015 4:05:46 PM
critical

Protect Lewiston's Natural Resources

The Fix
Create or amend land use ordinances to require private land developers to identify critical natural resources on site and take appropriate measures to protect them, and require planning review of information regarding critical natural resources.
Pursue public/private partnerships to protect critical and important natural resources such as through purchase of land or easements from willing sellers.
Distribute or make available to those living in or near critical or important natural resources about current use tax programs and applicable local, state or federal regulations.
Consider amending local land use ordinances, as applicable, to incorporate low impact development standards.
Where applicable, develop an urban impaired stream watershed management or mitigation plan that will promote continued development or redevelopment without further stream degradation.
Ensure that land use ordinances are consistent with applicable state law regarding critical natural resources

TIMEFRAME	RESPONSIBLE PARTY							
	Economic & Community Development	Public Works	Planning & Code Enforcement	City Administration	City Council	Chamber of Commerce	Recreation Department	Other
Immediate	E&CD							
Immediate	E&CD							
Immediate	E&CD							
Long Term	E&CD							
Short Term	E&CD		P&CE	CA	CC			

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- Author: dhediger Subject: Sticky Note Date: 12/29/2015 4:01:21 PM
CoC

- Author: dhediger Subject: Sticky Note Date: 12/29/2015 4:02:30 PM
Lewiston-Auburn Economic Growth Council

- Author: dhediger Subject: Sticky Note Date: 12/29/2015 4:01:33 PM
CoC

- Author: dhediger Subject: Sticky Note Date: 12/29/2015 4:02:33 PM
Lewiston-Auburn Economic Growth Council

- Author: dhediger Subject: Sticky Note Date: 12/29/2015 4:01:39 PM
CoC

- Author: dhediger Subject: Sticky Note Date: 12/29/2015 4:05:37 PM
Lewiston-Auburn Economic Growth Council

TIMEFRAME	RESPONSIBLE PARTY								
	Economic & Community Development	Historic Preservation Review Board	Planning & Code Enforcement	City Administration	City Council	Local Non-Profit Organizations	Recreation Department	Lewiston Public Library	Other
Medium Term			P&CE						
Medium Term	E&CD								
Medium Term						LNPO			
Short Term			P&CE						
Medium Term					CC				Lake Auburn Watershed Protection Commission; Lewiston-Auburn Water Pollution Control Authority
Short Term			P&CE		CC				