

CITY OF LEWISTON
PLANNING BOARD MEETING
Monday, February 12, 2018 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

- I. ROLL CALL**
- II. ADJUSTMENTS TO THE AGENDA**
- III. CORRESPONDENCE**
- IV. PUBLIC HEARINGS:**
 - a) A recommendation from the Planning Board for the City Council's consideration on the FY 2019 Lewiston Capital Improvement Plan.
- V. OTHER BUSINESS:**
 - a) Recommendation regarding the disposition of 147 Sabattus Street (continued from January 22, 2018).
 - b) Discussion about delivery of Planning Board packets.
 - c) Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.
- VI. READING OF THE MINUTES:** Motion to adopt the January 22, 2018 draft minutes
- VII. ADJOURNMENT**



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: February 9, 2018
RE: A recommendation from the Planning Board for the City Council's consideration on the FY 2019 Lewiston Capital Improvement Plan.

As the Board is aware, the Charter and the Zoning and Land Use Code require the Board to review and provide a recommendation on Lewiston's Capital Improvement Plan (LCIP).

Specifically, Section 6.05. of the City Charter states the following:

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

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

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

Planning Board members have been provided a copy of the plan. It may also be viewed at <http://www.lewistonmaine.gov/ArchiveCenter/ViewFile/Item/3628>

In anticipation of the public hearing, staff asked the Board for any questions or concerns they may have in effort to provided department heads the opportunity to respond. At this time, the following inquiries and responses have been provided:

- Page 27, Lincoln Street parking garage: defer the parking garage another year or two, given uncertainty of Mill 5.
 - Economic and Community Development Director, Lincoln Jeffers plans to be available to speak to this matter and Mill 5.
- Pages 34-36, First Station Replacement Projects: concerns with cost and design.

- A copy of the study has been forwarded to the Board, available at <http://www.ci.lewiston.me.us/DocumentCenter/View/6974>
- It is well known and reported that the three fire stations the city now has are significantly substandard, problematic, and must be replaced. Administration has noted that with respect to the preliminary designs shown in the study that it may make sense to construct two-bay garage stations as a plan for the future and the likely cost benefit of doing this up front rather than funding and building an addition later. Administration and the Fire Department have discussed the two-versus three-bay options and are comfortable going forward with a two-bay design on a site that will allow for expansion in the future if it ever becomes necessary. It should be noted that the actual design work on the stations has not yet been awarded and may vary from what is in the study. The goal of the new stations is to fulfill the community's needs for the next 75 plus years. Administration and Fire are looking to be mindful of costs, while not recommending reductions that may add significant expenses over the years. The fire chief will be working with whoever is hired to do the design. The design will also be reviewed by other staff and the Council as it moves forward. Development review approval from the Planning Board for the construction of the new stations will also be needed.
- Page 54, CSO Storage, Franklin Pasture: defer one year.
 - This project is being closely coordinated with the construction of the access walkway for the new elementary school. Delaying the project for a year would mean the walkway and lighting would be installed one year then ripped up the next year and would end up costing more than if the City did the project as currently scheduled.
- Page 74: Kennedy Park: defer and reduce, or don't fund. As with last year, concerns about excessive amount of request, current high maintenance and upkeep of park exist now.
- Page 77: Marcotte Park: defer one year.
 - This project is hopefully going to be funded by CDBG and would include installing playground equipment currently being purchased with CDBG funds. Delaying the project may impact the current CDBG funding for the purchase of the equipment.
- Page 80: defer one year. Also, questions about accuracy of older scales and what specifically we receive for revenue associated with scale activity (i.e. funds received associated with use of the scales).
- Pages 81-92: School Department project: a request was made for a detailed explanation of the proposed projects.
 - The School Superintendent Bill Webster anticipates revisions once discussed with the Facilities Committee and School Committee. Due to a scheduling conflict, the Superintendent will be unavailable to attend the Board's hearing on February 12th. Noting the value of the Board's comments, the suggestion was made to meet on February 13 with the Board, if necessary. Doing so would remain timely with the Charter's requirement of the Board forwarding its recommendations to the city council at least four and one-half (4 1/2) months prior to the end of the current fiscal year.

It is anticipated that the Finance Director will attend the Planning Board hearing, as well as some department heads.

At this time, the Board is being asked to provide the City Council a favorable recommendation for adoption of the FY 2019 Lewiston Capital Improvement Program.

ACTIONS NECESSARY:

Make a motion pursuant to Article VII, Section 4(e) of the Zoning and Land Use Code to send a favorable recommendation for the City Council's consideration the adoption of the FY 2019 Lewiston Capital Improvement Program (and if necessary, subject to any concerns raised by the Planning Board).



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: February 8, 2018
RE: Request for the disposition of 147 Sabattus Street (continued from January 22, 2018)

At the Board's January 22, 2018 meeting additional information was requested before taking any action. Staff offers the following:

- A permit for demolition was issued January 27, 2017, with the structures removed sometime before March 6, 2017 and the site barricaded and stabilized by June 2017.
- Assessors shows the following values:
 - Current Land, \$24,240
 - Current Building, \$1,000
 - Current Assessed Total, \$25,240
- As of April 1, 2017 the FY 18 real estate taxes would have been \$707.22 if the vacant property were not owned by the City. The taxes would have been \$5,101.88 if the building was still standing and not owned by the City.
- Total demolition, legal, and site fees are \$45,182.15.
- Total tax amount due is \$19,404.26 and total amount of taxes/fees written off for the property were \$15,770.92.

Recap

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

On April 8, 2013 the Planning Board voted 3-1-1 to send a favorable recommendation to dispose of the property at 147 Sabattus Street. The City had recently taken possession of the property due to matured tax liens. There were two buildings on the property with a total of ten residential units. At the time, there has been interest by a potential buyer to renovate the structure. Given that interest, Administration requested a favorable recommendation to dispose of said property so that the city could explore options of possible redevelopment of the site.

The potential buyers from that time chose not proceed with the purchase of the property. The structures have since been demolished by the city given their poor condition. The .16 acre parcel located in the Neighborhood Conservation "B" (NCB) district is currently vacant.

Section 3.2.3 of the City's Property Disposition states that a recommendation from the

Planning Board will remain valid for three years. Given the time that has lapsed since the initial recommendation, a new recommendation is being requested by Administration to dispose of the property.

ACTION NECESSARY:

Make a motion pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for the disposition of 147 Sabattus Street.

1:480

RE00010360
128 SABATTUS ST
(Addr Pt ID 6820)

RE00001684
146 SABATTUS ST
(Addr Pt ID 5581)

54.00

95.00

55.00

75.00

94.00

164.00

128

146

148

150

156

SABATTUS ST.

149

151

133

143

147

Zoning
NCB

RE00001683
7 SABATTUS ST
(Addr Pt ID 143)

53
RE00007374
149 SABATTUS ST
(Addr Pt ID 12337)

57
RE00005369
151 SABATTUS ST
(Addr Pt ID 9472)

RE00005366
149 SABATTUS ST
(Addr Pt ID 12338)

50.00

54.00

102 +/-

RE00000829
133 SABATTUS ST
(Addr Pt ID 2616)

RE00002873
143 SABATTUS ST
(Addr Pt ID 2621)

01.90

50.00

100.00

HOWARD ST.

BRADLEY ST.

RE00002151
8 HOWARD ST
(Addr Pt ID 6086)

RE00000626
5 BRADLEY ST
(Addr Pt ID 666)

RE00007376
12 BRADLEY ST
(Addr Pt ID 2209)

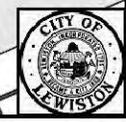
8

5

12

RE00005577
20 HOWARD ST
(Addr Pt ID 8720)

13



PROPERTY DISPOSITION

1.0 Purpose

The purpose of this Policy is to provide guidelines for City staff to follow in handling and processing real property in the City's possession which is considered excess to the City's needs.

2.0 Policy

It is the City's policy to periodically review real property in the City's possession to determine whether retention, sale, or lease of such property is in the best interest of the City and to respond in a timely fashion to requests from private parties seeking to purchase or lease such property.

3.0 Determination of Willingness to Sell or Lease City-Owned Property

3.1 City Initiated Sale or Lease

3.1.1 The Planning and Code Department of the City will periodically review real property currently owned by the City but not in active use for municipal purposes to determine whether these properties should be retained or considered for sale or lease. Once properties have been identified for which there is no current City use, the Department will notify the City Administrator.

3.1.2 The City Administrator will then notify all Department Heads of the property or properties being considered for sale and offer them the opportunity to indicate any potential use or need their department might have for the property, including its potential for land banking against future uses.

3.1.3 After consideration of the responses of the various Departments, the Administrator will make a determination if the property should be declared surplus or retained for potential future use.

3.2 Private Sector Request to Purchase or Lease

3.2.1 All requests from the private sector for the purchase or lease of City property shall be directed to the City Administrator.

3.2.2 The Administrator shall notify all Department Heads of the request and provide them with the opportunity to identify any current or potential use which the City may have for the property.

3.2.3 After consideration of the responses of the various Departments, the Administrator will make a determination of whether the property should be declared surplus or retained for current or potential future use.

3.2.3 Once the Administrator has determined a property to be surplus, the Planning Board will be asked to review and make a recommendation on whether to proceed with its disposition. A recommendation from the Planning Board will remain valid for three years; however, should

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circumstances change during this period, the Administrator may seek an updated review and recommendation.

4.0 Procedure for Disposition of Surplus Property – Substandard Lots

- 4.1 Vacant lots that do not meet minimum space and bulk standards for construction may, at the discretion of the City Administrator, be offered for sale or lease to abutting property owners. If one or more of these owners express an interest in the property, the City Administrator shall make a recommendation to the City Council on the disposition of the property.
- 4.2 The following factors will be considered in determining whether the property should be sold:
 - 4.2.1 The proposed sale price or lease rate, if any, as compared to an estimate of the value of the property prepared by the City Assessor;
 - 4.2.2 The proposed use of the property;
 - 4.2.3 The value of any proposed improvements to the property;
 - 4.2.4 The impact of the sale or lease of the property on the assessed value of the adjacent property in the same ownership; and
 - 4.2.5 The extent to which the sale or lease will support overall City policy in the area or neighborhood within which the property is located.

5.0 Procedure for the Disposition of Surplus Property – Potentially Developable

In instances where surplus property may be redeveloped or developed, that property may be marketed by one of a number of methods based on the nature and estimated value of the property and any specific plans or policies which development of the property might either further or hinder. The following methods may be used to market the property, including a combination of two or more.

- 5.1 **Request for Proposals.** The City may use a Request for Proposals process. This process is generally best suited to significant development parcels for which the City has specific expectations as to the nature, type, and value of the anticipated development.
- 5.2 **Real Estate Broker.** The City may contract with a real estate broker to find a buyer. This method may be most applicable to individual properties or groups of properties that the City is seeking to redevelop or develop for a specified purpose such as single family housing and/or multi-family housing renovation.
- 5.3 **Formal Bid.** The City may advertise for formal bids. This method may be most applicable in instances where the City believes that multiple parties may be interested in the property and the nature of the development or redevelopment is such that the City does not anticipate placing additional restrictions on what is to happen on the property after its sale.
- 5.4 **Self-Brokerage.** The City may employ a sell by owner approach. This would generally be applicable to situations such as the sale of individual lots within a residential or commercial subdivision.

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- 5.5 Direct Negotiation.** Where alternative methods have failed to produce an acceptable sale and/or in instances where the City has been directly approached by an individual or organization with a proposal that matches or exceeds the City's expectations for development on the parcel, the City may entertain direct negotiations with a private party who expresses interest in purchasing a property.
- 5.6** The City Administrator shall recommend to the City Council the disposition method or methods to be used at the time the Council is asked to approve disposition of the property.

6.0 Council Approval of Disposition

- 6.1** The final decision to accept a bid, proposal, or offer to purchase City-owned property must be made by the City Council.
- 6.2** The normal process for transferring a city-owned property will be by way of municipal quitclaim deed. Warranty deeds may be approved in instances where such action is recommended by the City Administrator for good and reasonable cause.