

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
FEBRUARY 20, 2018**

6:00 p.m. Workshop – Discussion of Prohibition of Left Turns from Main Street onto Ware Street – 30 minutes

6:30 p.m. Executive Sessions

ES-1. Executive Session regarding a Land Disposition.

ES-2. Executive Session regarding a Legal Matter.

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag

Mayoral Recognition – Lewiston Recreation Department’s Tennis Program, under the direction of Joseph Crocker, named Maine Recreation Department of 2017 by Maine Tennis Association

Update from the Lewiston Youth Advisory Council

Acceptance of the minutes of the February 6, 2018 meeting.

Public Comment period – Any member of the public may make comments regarding issues pertaining to Lewiston City Government (maximum time limit is 15 minutes for all comments)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 4.

REGULAR BUSINESS:

1. Public Hearing on applications for a new Liquor License and Special Amusement Permit for Live Entertainment for Sonder & Dram, 12 Ash Street.
2. Public Hearing on a new application for a new Liquor License for Angelos Pizza, 365 Sabattus Street.
3. Public Hearing and Final Passage for an amendment to the Conditional Rezoning Agreement for the property at 299 River Road.
4. Public Hearing and Final Passage to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District.
5. Receiving the Recommendations from the Finance Committee and the Planning Board on the FY2019 Lewiston Capital Improvement Plan.
6. Resolve, Adopting the Fiscal Year 2019 Lewiston Capital Improvement Plan.
7. Order, Authorizing the City Administrator to Execute a New Option Agreement to Purchase Bates Mill #5 (The Weave Shed) with Bates Mill, LLC.
8. Order, Authorizing the City Administrator to Execute Any and All Documents Necessary for Closing in Regard to the Donation Agreement for the Lewiston Canal System between the City of Lewiston and Brookfield White Pine Hydro, Including but not Limited to the Exhibits to the Donation Agreement as Amended.
9. Authorization to accept transfer of forfeiture funds.
10. Reports and Updates.
11. Any other City Business Councilors or others may have relating to Lewiston City Government.
12. Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
13. Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

14. Executive Session to discuss labor negotiations regarding the Maine Association of Police – Patrol Unit and the Lewiston Police Supervisory Command Unit.

City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy

LEWISTON CITY COUNCIL
WORKSHOP AGENDA
TUESDAY, FEBRUARY 20, 2018
6:00 PM

1. Discussion of Prohibition on Left Turns from Main Street onto Ware Street – 30 minutes

Councilor Lysen has been approached by constituents who are requesting that the current prohibition on left turns from Main Street onto Ware Street be eliminated. We are also aware that others from that neighborhood may favor this prohibition continuing. At Councilor Lysen's request, this item has been scheduled for a discussion at workshop to consider whether the Council wishes to consider making any change.

2. Executive Session – Land Disposition – 15 minutes
3. Executive Session – Legal Issue – 15 minutes

IMMEDIATELY FOLLOWING THE REGULAR MEETING

1. Executive Session – Land Acquisition – Matured Tax Liens
2. Executive Session – Land Acquisition
3. Executive Session – Labor Negotiations – Police Patrol and Command.



POLICE DEPARTMENT

Sgt. Derrick St. Laurent
Administration / Accreditation



TO: Traffic Schedule Review
FROM: Derrick St. Laurent
SUBJECT: Traffic Schedule Amendment Request
DATE: January 31, 2018

Traffic Schedule Changes:

Lewiston City Councilor James Lysen is proposing the "NO LEFT TURN" sign be removed from the intersection of Ware St. and Main St.

This sign advises motorists they are not permitted to turn left onto Ware St. while traveling inbound (South) on Main St. Outbound (North) traffic is permitted to turn right onto Ware St.

The "NO LEFT TURN" sign was posted to avoid motorists from cutting through the residential neighborhood to avoid the left turn light at Main/Russell.

The Police Department does not recommend the sign being removed. Ware St. is a residential neighborhood and sees a lot of foot traffic with Bates Students, facility and neighborhood children.

Proposal

REMOVE:

Section 2 Left Turn Prohibited Code Section 70-91

MAIN STREET

Traffic traveling in a southerly direction on Main St prohibited from making left turn onto Ware St (Originally ADDED by City Council - 07/20/1993, Vote # 24)

If this amendment is approved, this would require Public Works Department to remove sign(s) and/or marking(s) designating the above change.

Respectfully Submitted,

Sgt. Derrick St. Laurent
Lewiston Police Department



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism Integrity Compassion Dedication Pride Dependability



GREEN LINE REPRESENTING MOTORIST AVOIDING LEFT TURN SIGNAL AT MAIN/RUSSELL, CUTTING ACROSS WARE ST. ALONG WITH THE TRAFFIC LIGHT AT RUSSELL/COLLEGE (Right on Red) It should also be noted that Russell and College is a high crash area.

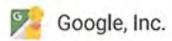
PURPLE LINE REPRESENTS CURRENT TRAFFIC FLOW

Google Maps Main St



Image capture: Oct 2016 © 2018 Google

Lewiston, Maine



Street View - Oct 2016

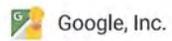


Google Maps Main St



Image capture: Sep 2013 © 2018 Google

Lewiston, Maine



Street View - Sep 2013



LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES-1

SUBJECT:

Executive Session to discuss Disposition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

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

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. ES-2

SUBJECT:

Executive Session regarding a Legal Matter.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The state statutes outline the issues that will be discussed in executive session.

EAR/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(E) to discuss a legal matter.

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Public Hearing on applications for a new liquor license and special amusement permit for Live Entertainment for Sonder & Dram, 12 Ash Street.

INFORMATION:

We have received applications for a new liquor license and special amusement permit for Live Entertainment from Sonder & Dram, 12 Ash Street. This liquor license application is for malt, vinous and spirituous.

The Police Department has reviewed and approved the application.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for Sonder & Dram, 12 Ash Street.

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: Yes No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input checked="" type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Sonder & Dram, Inc	Business Name (D/B/A)
APPLICANT(S) –(Sole Proprietor) See attached	DOB:
DOB:	Physical Location: 12 Ash St
DOB:	City/Town State Zip Code Lewiston , Maine, 04240
Address 12 Ash St	Mailing Address 12 Ash St
City/Town State Zip Code Lewiston, Maine, 04240	City/Town State Zip Code Lewiston, Maine, 04240
Telephone Number Fax Number 2072404624	Business Telephone Number Fax Number 2072404624
Federal I.D. # 82-4273789	Seller Certificate #: or Sales Tax #:
Email Address: Please Print rickmroy@gmail.com	Website: www.sonderdram.com

If business is NEW or under new ownership, indicate starting date: 05/01/2018

Requested inspection date: 04/15/2018 Business hours: 4pm- 1am Weds - Sat

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES NO
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? Yes No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

 License # Name of Business (Use an additional sheet(s) if necessary.)

 Physical Location City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES NO
6. If manager is to be employed, give name: Thomas Ardia, Michael Gosselin
7. Business records are located at: 12 Ash St, Lewiston, Maine 04240
8. Is/are applicant(s) citizens of the United States? YES NO
9. Is/are applicant(s) residents of the State of Maine? YES NO
10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
SEE ATTACHED		
Residence address on all of the above for previous 5 years (Limit answer to city & state)		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: SEE ATTACHED Date of Conviction: _____
 Offense: _____ Location: _____
 Disposition: _____ (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
 Yes No If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES NO

14. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: Jamey Pittman
owner - (12 Ash St) 30 Tapwood Rd, Auburn, ME 04210

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) See attached full diagram

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
 YES NO Applied for: _____

17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? .3 miles from Grace Church. .8 miles from James Longley School
 Which of the above is nearest? Grace Church

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO
 If YES, give details: Business loan from Norway Savings Bank

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Lewiston, Maine on February 1st, 20 18
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100%	Yes <input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: Sonder & Dram, Inc
- Doing Business As, if any: _____
- Date of filing with Secretary of State: 02/01/2018 State in which you are formed: Maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
SEE ATTACHED				

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes No If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: **SEE ATTACHED**

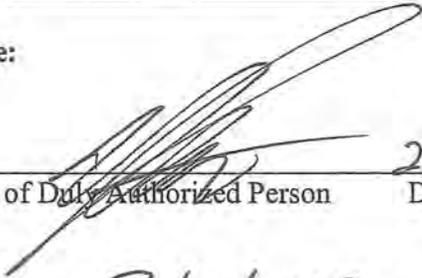
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:


Signature of Duly Authorized Person

2/1/18
Date

Richard M. Roy
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

BUILDING DESIGN CODES:

NFPA 101 LIFE SAFETY CODE (2009)
 INTERNATIONAL BUILDING CODE (2009)
 INTERNATIONAL MECHANICAL CODE (2009)
 ASHRAE 155 STANDARD 90.1 - 2007
 NFPA 70 NATIONAL ELECTRIC CODE (2008)
 STATE OF MAINE INTERNAL PLUMBING CODE (2009)

OCCUPANCY CLASSIFICATIONS:

IBC: BUSINESS - 49 OCCUPANTS OR LESS

NFPA: MERCANTILE CLASS C

CONSTRUCTION TYPE:

IBC: TYPE IV

TENANT AREA:

GROSS AREA: 1325 S.F.

FIRE SUPPRESSION:

SUPERVISED AUTOMATIC SPRINKLER SYSTEM

MEANS OF EGRESS:

MAX TRAVEL DISTANCE (BUSINESS):
 165 FEET

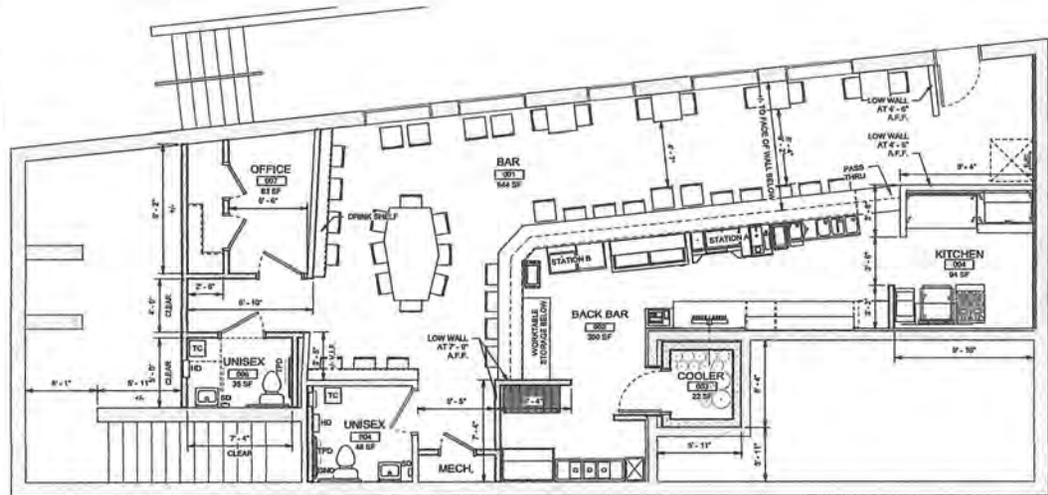
ADA ACCESSIBILITY:

INTERNALS ADA ACCESSIBILITY FROM STREET
 DUE TO ENTRY CONDITION AT SIDEWALK



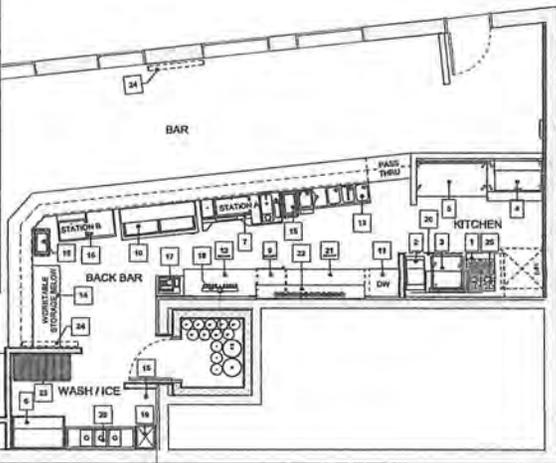
- LEGEND**
- ☐ FIRE ALARM
 - ☐ EMERGENCY LIGHTING
 - ☐ CLO MOUNTED EXIT SIGNS
 - ☐ EMERGENCY WALL PACK
 - ☐ HORN STROBE
 - ☐ STROBE
 - ☐ FULL STATION
 - ☐ FIRE EXTINGUISHER CABINET
 - ➔ OCCUPANT LOAD

B2 LOWER LEVEL - LIFE SAFETY
 SCALE: 1/8" = 1'-0"



A1 LOWER LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"

- EQUIPMENT**
- 1 - 30" 6 OPEN BURNER / CHURN
 - 2 - 16" STANDALONE FRYER - TRIM TANK
 - 3 - 27" SS REFRIGERATED WORKTOP / 24" GRIDOLE
 - 4 - 48" SS SANITIZING UNIT / COOLER
 - 5 - 60" SS REFRIGERATED WORKTOP
 - 6 - 44" STAINLESS ICE CUBER / STORAGE BIN
 - 7 - 48" PUBLIC COCKTAIL STATION
 - 8 - 48" UNDERBAR COOLER
 - 9 - 28" UNDERBAR GLASS FREEZER
 - 10 - 60" DEEP WELL REACH IN COOLER
 - 11 - 24" GLASS BEER DISPENSER
 - 12 - 60" UNDERCOUNTER REFRIGERATOR
 - 13 - 3 BAY / HAND SINK
 - 14 - 53 WORKTABLES
 - 15 - TRASH RECEPTACLES
 - 16 - COCKTAIL STATION #2
 - 17 - POS SYSTEM
 - 18 - EXHAUST TOWER
 - 19 - MOP SINK
 - 20 - 3 BAY WASH SINK W/ SIDE PANS
 - 21 - UNDERCOUNTER SHELVING
 - 22 - LAQUOR SHELVING
 - 23 - 6" TALL WIRE STORAGE RACK
 - 24 - DROP-DOWN PLATECOOLER TV
 - 25 - SALAMANDER BROILER (ABOVE)
 - 26 - HOOD W/ ANGUL SYSTEM - BY OTHERS
- 45 BAR SEATS
 12 HIGH TOP SEATS
 7 DRINK SHELF SEATS
 4 CONSOLE, TABLE SEATS
 4 WINDOW SEATS
 46 SEATS = 3 EMPLOYEES = 49 MAX CAPACITY



B1 LOWER LEVEL - EQUIPMENT PLAN
 SCALE: 1/4" = 1'-0"



12 Ash Street - Renovations
 City of Lewiston - Permit Application

Date: 02/05/2018

DOMESTIC
BUSINESS CORPORATION
STATE OF MAINE
ARTICLES OF INCORPORATION

File No. 20180604 D Pages 2
Fee Paid \$ 145
DCN 2180323600063 ARTI
-----FILED-----
02/01/2018


Deputy Secretary of State

A True Copy When Attested By Signature

Deputy Secretary of State

Pursuant to 13-C MRSA §202, the undersigned executes and delivers the following Articles of Incorporation:

FIRST: The name of the corporation is Sonder & Dram, Inc.

SECOND: ("X" only if applicable)

This is a professional corporation**formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services:

(type of professional services)

THIRD: The Clerk is a: (select either a Commercial or Noncommercial Clerk – Person must be a Maine resident)

Commercial Clerk CRA Public Number: _____

(name of commercial clerk)

Noncommercial Clerk

James F. Pross, Esq.

(name of noncommercial clerk)

95 Main Street, Auburn, ME 04210

(physical location, not P.O. Box – street, city, state and zip code)

(mailing address if different from above)

FOURTH: Pursuant to 5 MRSA §108.3, the clerk as listed above has consented to serve as the clerk for this corporation.

FIFTH: ("X" one box only)

There shall be only one class of shares. The number of authorized shares is 2000.

(Optional) Name of class: Common

There shall be two or more classes or series of shares. The information required by 13-C MRSA §601 concerning each such class and series is set forth in Exhibit _____ attached hereto and made a part hereof.

Sonder & Dram, Inc - S Corp (9 partners – 3 of which are directors for the company) 2 of the partners will be employees/managers of the bar. 1 Bar Manager, 1 Chef.

Peter P Flanders (Director / principal) 11.42857% ownership

1 Victoria Ln 1 year
Falmouth ME 04105
99 Lake St previous address
Auburn ME 04210
Born 04/07/1967 in Saratoga Springs New York
[REDACTED]

Richard M Roy (Director / principal) 11.42857% ownership

81 Webbs Mills Rd
Raymond ME 04071 3 years
16 Furlong Rd prior address
Raymond ME 04071
Born 7/28/76 in Lewiston, Maine
[REDACTED]

Eric R Potvin (Director / principal) 11.42857% ownership

21 Tampa St 5+ years
Lewiston ME 04240
Born 11/29/1979 in Lewiston Maine
[REDACTED]

Michael N Gosselin (principal & employed as Chef) 10% ownership

22 Park St Apt 10 5+ years
Lewiston ME 04240
Born 3/24/1984 in Lewiston, Maine
[REDACTED]

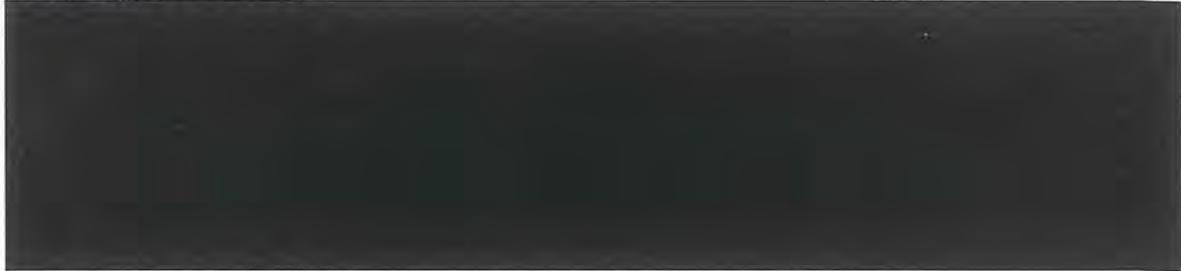
Thomas I Ardia (principal & employed as Bar Manager) 10% ownership

PO Box 195
Minot ME 04258
73 woodman hill Rd Minot, Me 04258 current physical address 3 years
14 Carson st Auburn, Me 04210 prior address
Born 12/08/1977 in Brattleboro Vermont
[REDACTED]

Jon R Mercier (principal) 11.42857% ownership

25 Lamplighter Circle for 5+ years
Auburn ME 04210
Born 7/24/80 in Lewiston ME
Convictions - YES:
Name: Jon R. Mercier
Date of Conviction: 05-26-2005
Offense: Disorderly Conduct
[REDACTED]

James F Pross (principal) 11.42857% ownership
14 Hersey Hill Rd 3 years
Auburn ME 04210
125 Lake St., Auburn previous address
Born 04/09/77 in Riverdale, NJ



Jason B Renchy (principal) 11.42857% ownership
4 Emmaus Rd 5+ years
New Gloucester ME 04260
Born 12/26/1975 in Lewiston Maine



Jacob W Nason (principal) 11.42857% ownership
730 Brighton Hill Rd 1 year
Minot ME 04258
75 Poliquin Ave, Auburn, ME 04210 previous address
Born 8/9/1980 in Lewiston Maine



CITY OF LEWISTON

PUBLIC NOTICE

A hearing on the following liquor license applications will be held by the Lewiston City Council in the Council Chambers, City Hall on ***Tuesday, February 20, 2018, at 7:00 p.m.***, or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said applications.

Sonder & Dram
12 Ash Street
Sonder & Dram, Inc.

&

Angelos Pizza
365 Sabattus Street
Kristo Papailia, owner

The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

PUBLISH ON: February 14, 15 & 16, 2018

Please bill the City Clerk's Dept. account. Thank you.

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Public Hearing on a new application for a new liquor license for Angelos Pizza, 365 Sabattus Street.

INFORMATION:

We have received an application for a new liquor license from Angelos Pizza, 365 Sabattus Street. This application is for malt only.

The Police Department has reviewed and approved the application.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To authorize the City Clerk's Office to approve a new liquor license application for Angelos Pizza, 365 Sabattus Street.

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: Yes No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

RESTAURANT (Class I,II,III,IV) RESTAURANT/LOUNGE (Class XI) CLASS A LOUNGE (Class X)

HOTEL (Class I,II,III,IV) HOTEL NO FOOD (Class I-A)

CLUB w/o Catering (Class V) CLUB with CATERING (Class I) GOLF COURSE (Class I,II,III,IV)

TAVERN (Class IV) QUALIFIED CATERING OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <i>Angelos Pizza</i>	Business Name (D/B/A) <i>Angelos Pizza</i>
APPLICANT(S) – (Sole Proprietor) <i>Kristo Papailia</i>	DOB: <i>01/15/1959</i>
Physical Location: <i>365 Sabattus str</i>	City/Town State Zip Code <i>LEWISTON ME 04240</i>
Address <i>48 Waters Edge Drive</i>	Mailing Address <i>365 Sabattus str</i>
City/Town State Zip Code <i>LEWISTON ME 04240</i>	City/Town State Zip Code <i>LEWISTON ME 04240</i>
Telephone Number Fax Number <i>26-164 0633</i>	Business Telephone Number Fax Number <i>(207) 241 3305</i>
Federal I.D. # <i>lociita@hotmail.com</i>	Seller Certificate #: or Sales Tax #: <i>26-</i>
Email Address: Please Print	Website:

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES NO

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

- Do you permit dancing or entertainment on the licensed premises? YES NO
- If manager is to be employed, give name: N/A
- Business records are located at: 365 Sabattus str.
- Is/are applicants(s) citizens of the United States? YES NO
- Is/are applicant(s) residents of the State of Maine? YES NO

9. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married: Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
KRISTO PAPAILIA	01/15/69	Albania
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
48 Waters Edge drive		
LEWISTON, ME 04240		

10. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
 Offense: _____ Location: _____
 Disposition: _____ (use additional sheet(s) if necessary)

11. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued? Yes No If Yes, give name: _____

12. Has/have applicant(s) formerly held a Maine liquor license? YES NO

13. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: KRISTO PAPAILIA 365 SEBASTIUS STR LEWISTON ME 04240

14. Describe in detail the premises to be licensed: (On Premise Diagram Required) Attached

15. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: _____

16. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 mile
 Which of the above is nearest? school

17. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO
 If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

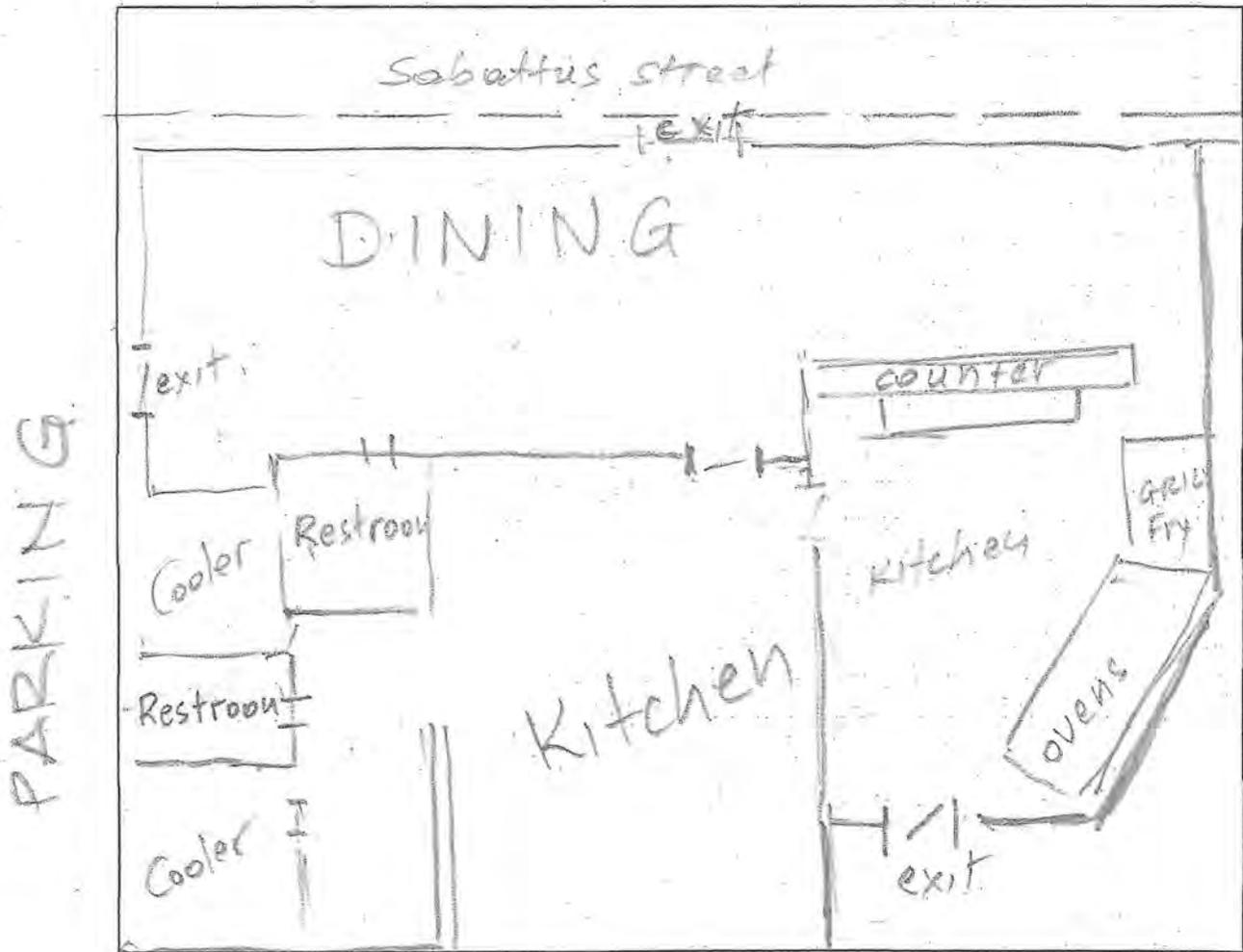
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

Corporate Information Required for
Business Entities Who Are Licensees

For Office Use Only:
 License #: _____
 SOS Checked: _____
 100% Yes No

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: Pizzeria and Restaurant Angelos
- Doing Business As, if any: Angelos Pizza
- Date of filing with Secretary of State: 2008 State in which you are formed: Maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Kristo Papailia	48 Waters Edge LEWISTON, ME 04240	01/15/59	Presid	50%
Merita Papailia	same	08/17/62	Treasurer	50%
		7	7	7

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes No If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

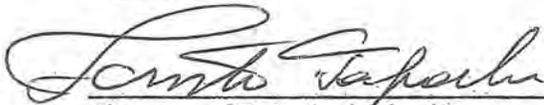
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



02/05/2018

Signature of Duly Authorized Person Date

KRISTO PAPAIIA

Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

CITY OF LEWISTON

PUBLIC NOTICE

A hearing on the following liquor license applications will be held by the Lewiston City Council in the Council Chambers, City Hall on **Tuesday, February 20, 2018, at 7:00 p.m.**, or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said applications.

Sonder & Dram
12 Ash Street
Sonder & Dram, Inc.

&

Angelos Pizza
365 Sabattus Street
Kristo Papailia, owner

The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

PUBLISH ON: February 14, 15 & 16, 2018

Please bill the City Clerk's Dept. account. Thank you.

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing and Final Passage for an amendment to the Conditional Rezoning Agreement for the property at 299 River Road.

INFORMATION:

In August 2017, the City Council approved the Planning Board's recommendation to contractually rezone the property at 299 River Road from the Rural Agricultural (RA) District to the Neighborhood Conservation "B" (NCB) District, subject to the contract rezoning agreement.

The new property owner has submitted a petition to request an amendment to the conditional rezoning agreement for this property to allow the existing single family home to remain in use and to provide an opportunity to operate a business, professional and engineering services office of the current use of site.

Please see the enclosed memorandum from City Planner David Hediger for additional information as well as a site map and other background information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAZ/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To approve Final Passage for the amendment to the Conditional Rezoning Agreement for 299 River Road, to conditionally rezone the property, subject to the conditions defined in the rezoning agreement.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: February 1, 2018
RE: Planning Board recommendation: 299 River Road Contract Zone Amendment

The Planning Board took the following action at their meeting held on January 22, 2018:

MOTION: by **John Butler** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to amend the existing Neighborhood Conservation "B" (NCB) contract zone at 299 River Road (to allow business, professional, and engineering offices occupying less than 5,400 square feet of total floor space).
Second by **Norm Anctil**.

VOTED: 7-0



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: January 31, 2018
RE: Proposed Contract Rezoning of 299 River Road

Pursuant to Article XVII, Section 5 of the Zoning and Land Use Code, Normand Lamie on behalf of Roger Roberge and Brian Langlois have submitted a petition to amend the existing Neighborhood Conservation "B" (NCB) contract zoning agreement for the property at 299 River Road to allow business, professional, and engineering offices occupying less than 5,400 square feet of total floor space.

The property is currently subject to an existing contract zone which was recommended for approval by the Board on June 26, 2017 and adopted by the City Council in August 2017. That rezoning allowed for a prospective buyer to maintain use of the single-family residence and provide the opportunity to operate a neighborhood retail store, art and crafts studio, personal services, and a mixed-use structure consistent with the size and intensity of the current use of site. That sale of the property never occurred. A new buyer is interested in operating a small professional electrical engineering consulting business in the existing barn structure while maintaining the ability to utilize the existing single-family residence. Therefore, the proposed contract zoning includes those provisions of the exiting contract rezoning (i.e. all of the currently permitted and conditional uses of the RA district and the following NCB uses: arts and crafts studio, personal services, neighborhood retail, mixed use structures and, in addition, will permit business, professional, and engineer offices occupying less than 5,400 square feet of total floor space. The petitioner has continued to place specific limitations on the commercial use of the property in effort to maintain neighborhood stability by limiting the intensity of possible uses while continuing to allow those uses allowed in the RA.

The applicant believes allowing uses currently permitted in the RA district while limiting the uses allowed in the NCB district will provide opportunities for additional usage of the site without adversely impacting abutters. The applicant has taken the same into consideration with the space and bulk standards, allowing all of the current RA standards to remain with the exception of frontage, with a proposed reduction from 200' to 125' for nonresidential/other uses. This change remains to provide the ability to split the lot into two parcels if desired.

This lot of approximately 12.89 acres is currently split zoned with approximately 6.3 acres contract zoned NCB and the remaining land in the Resource Conservation (RC) district. The land located within the RC is also located within the 100-year floodplain. The proposed rezoning is limited to that portion currently zoned RA. The property has been used as a small retail business accessory to the nurse and greenhouse operation since 1989. The amended contract zone will allow for the continued use of the property in a similar and limited manner in effort to be sensitive to the few remaining residential properties in this area. Much of this area is zoned Industrial (I) with the exception of properties on the west side of River Road remaining RA. Of those 19 properties zoned RA, approximately 125 acres/78% of the land area is currently

owned by two land owners with approximately 79 acres used for storage of earth material and gravel mining operations.

With the industrial zoning and uses that exist in the area, there may be an argument for rezoning this lot and the remaining land on the west side of River Road to a non-residential district. However, the applicant remains sensitive the existing residential properties and at this time feels a contract rezoning will provide additional opportunities for the use of 299 River Road without impacting abutters. Staff believes the proposal is a reasonable request that will provide more commercial opportunity in an area of the community where additional development activity is appropriate while being mindful of the few remaining residential uses in the area.

On January 22, 2018 the Planning Board voted unanimously in support of sending a positive recommendation to the City Council to amend the contract zone for 299 River Road.

December 28, 2017

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

RE: Contract Rezoning of 299 River Road

Dear Mr. Hediger.

On behalf of Roger Roberge and Brian Langlois I am submitting the enclosed Contract Rezoning request to allow a modification to the Contract Rezoning that was approved on August 15, 2017. The August 15th Contract Rezoning request was approved by the Lewiston City Council following a Public Hearing with Second Passage contractually rezoning the property at 299 River Road from the Rural Agricultural (RA) District to the Neighborhood Conservation "B" (NCB). **This request is to provide a revised Contract Rezoning agreement to allow for the property to remain used as a single-family residence and provide the opportunity operate a small business and professional office as a permitted use.**

The property has been owned by Roger Roberge since 1989. The current use includes a single-family residence, landscape nursery, greenhouses, as an accessory retail sales business. Roger is seeking to retire and has executed a Purchase & Sale Agreement with Brian Langlois. The Purchase & Sale Agreement is subject to approval of the requested Contract Rezoning request to allow Mr. Langlois to operate a small professional office at 299 River Road.

Mr. Langlois's newly established business is a professional electrical engineering consulting office providing engineering design services for electrical and instrumentation technologies. The current business will employ five employees and anticipation of having an additional five employees in the near future.

We respectfully request consideration by the City of Lewiston Planning Board and subsequently by the Mayor & City Council. I will be present at the upcoming meetings along with potential future property owner Brian Langlois, as well Roger Roberge (my brother-in-law) to present the information and answer questions.

Sincerely,



Normand Lamie
234 Montello Street
Lewiston, ME 04240

EC: Brian Langlois
Roger Roberge

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 establish a contract rezoning of the property at **299 River Road** to Neighborhood Conservation B "NCB" to allow for the property to **remain used as a single-family residence and provide the opportunity operate a small business and professional office as a permitted use** as described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Derek Vinton</i>	DEREK VINTON	4 St. Pierre St, Lewiston, ME	12/15
2	<i>Roger Castonguay</i>	ROGER CASTONGUAY	30 Jeffrey St	12-15
3	<i>Karen Pelletier</i>	KAREN PELLETIER	510 STONER AVE	12/15
4	<i>W Castonguay</i>	WANDA CASTONGUAY	30 Jeffrey St	12/15
5	<i>Frank Babb</i>	FRANK BABB	275 RIVER RD.	12-15
6	<i>George Gilbert</i>	GEORGE GILBERT	326 RIVER RD	12-16
7	<i>Constance Gilbert</i>	CONSTANCE GILBERT	326 RIVER RD	12-16
8	<i>Julie Dionne</i>	JULIE DIONNE	326 RIVER RD	12/16
9	<i>Brian Ames</i>	Brian Ames	330 RIVER RD	12-16
10	<i>Donna Racene</i>	Donna Racene	289 RIVER RD	12-16
11	<i>Carleen Cote</i>	Carleen Cote	40 Orchard Circle	12/17
12	<i>Dorothy Cote</i>	Dorothy Cote	4 Orchard Circle	12/17
13	<i>Janet Parshall</i>	JANET PARSHALL	208 MARJORIE CIR	12-17
14	<i>Pauline Parshall</i>	PAULINE PARSHALL	9 Orchard Cir	12-17
15	<i>John Parshall</i>	John Parshall	289 RIVER RD	12-17
16	<i>Raymond Martel</i>	RAYMOND MARTEL	317 RIVER RD	12/18
17	<i>Rhonda Martel</i>	RHONDA MARTE	317 RIVER RD	12/18
18	<i>Bonnie Babb</i>	Bonnie Babb	275 RIVER RD	12/19
19	<i>Allison Roberge</i>	Allison Roberge	20 Shank Street	12/23
20	<i>Nicholas Roberge</i>	Nicholas Roberge	20 Shank Street	12/23

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.

Pauline Parshall
 Signature of Circulator

Pauline Parshall
 Printed Name of Circulator

12/27/17
 Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: 20

Total Invalid: 0

[Signature]
 Signature of Registrar/Deputy Registrar

Date: 12/26/17

AN ORDINANCE PERTAINING TO ZONING BOUNDARIES

THE CITY OF LEWISTON HEREBY ORDAINS:

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. 1. Zoning Map

The City of Lewiston hereby ordains that the Official Zoning Map of the City of Lewiston be amended by establishing a contract zone for the property at 299 River Road as recorded in the Androscoggin Registry of Deeds Book 2428 Page 263 as described in Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto as follows, said property said property to contractually rezoned from the Rural Agricultural (RA) District and to the Neighborhood Conservation "B" (NCB) District.

REASONS FOR THE PROPOSED AMENDMENT

The reason for the proposed amendment is to allow the premises situated in the municipality of Lewiston County of Androscoggin County, State of Maine, located at 299 River Road be allowed to operate a professional engineering business office. A Contract Rezoning request was approved on August 15, 2017, by the Lewiston City Council following a Public Hearing and second Passage to contractually rezone the property at 299 River Road from the Rural Agricultural (RA) District to the Neighborhood Conservation "B" (NCB). That approval did not include professional business office as a Permitted use. That request allowed a perspective buyer of the porperty to continue using the single-family residence and provide the opportunity operate a small retail sales business for purposes of retail sales of antiques, art & crafts, and studio, consistent with the size and intensity of the current use of site. That buyer has elected no to proceed with the purchase of the property. A new buyer desires to add to the existing Contract Rezoning approval the ability to operate a small professional electrical consulting engineering business in the existing barn structure.

The property contains structures consisting of a single-family residence with 2-car garage constructed in 1978, 2 frame utility sheds totaling 612 sf, a 2-story barn of with an 1,800-sf. footprint, and 3 greenhouses totaling 4,020 sf. built in 2000. The current use includes a single-family residence, landscape nursery, greenhouses, and accessory retail sales business, Provencher Landscape & Nursery, which has operated at this location since 1989. Retail sales are currently limited to being accessory to the agricultural use of the property (i.e. landscape nursey and greenhouses).

The proposed modification of the existing Contract Rezoning approved on August 15, 2017, would maintain the current provisions as outlined in the Contract Rezoning and add professional business as a Permitted Use. The use would be limited to a professional business activity with a facility that occupies less than five thousand (5,400) square feet of total floor space.

The property has been used as a small retail business accessory to the nurse and greenhouse operation since 1989. Rather than a straight rezoning, the contract rezoning will allow for the continued use of the property in a similar, limited manner providing a buffer for the few remaining residential properties from the large businesses located in the adjacent Industrial Zone. It should be noted the Industrial Zone is located immediately on the other side of River Road as well as approximately 1,000 feet westerly of the property. The land located on southerly side of River Road between 277 River Road (near Alfred A. Plourde Parkway) and 463 River Road (Lewiston Solid Waste Facility) is currently zoned RA involves 19 parcels owned by 6 parties. This area consists of 142 acres, of which 125 acres, or 78% of the total land area is currently owned by two land owners with approximately 79 acres used for storage of earth material and gravel mining operations. The property is located on a busy road, adjacent to the Alfred Plourde Parkway and near the Maine Turnpike Exit 80 Interchange. While the property may be ideal for more intense development, the petitioner remains interested in promoting neighborhood stability by limiting the intensity of possible uses and continue to allow those uses currently allowed in the RA.

CONFORMANCE WITH COMPREHENSIVE PLAN

The City Council of the City of Lewiston hereby determines that the change to the Zoning map is in conformance with the Comprehensive Plan for the following reasons:

- (1) The property is located immediately adjacent to the Industrial Zone. A sector described in the City's Comprehensive Plan as the "*Industrial Village Special District is comprised of land adjacent to the I-95 interchange currently zoned for conventional industrial development. This particular industrial land is envisioned as a self-sustaining industrial village with a mix of industrial, office, retail, and other supporting development acting as a sustainable, closed-loop eco-village where businesses interact with each other for productivity. This district requires a unique set of standards that accommodates trucks, large building footprints, and other unique requirements of large industrial enterprises. This sector includes the City's current Industrial zone, which would be rezoned as a form based Special District.*" (Conservation & Growth, Page 124)
- (2) Another section of the Comprehensive Plan states: "*Strengthen Neighborhoods & Expand Housing Choice: Encourage creative investment strategies that help to reinforce positive neighborhood identities and provide employment, recreational, and civic opportunities within walking distances of homes.*" (Vision Statement & Guiding Principles, Guiding Principles, page 116.)
- (3) Lastly, another section of the Comprehensive Plan states: "*Grow The Economy:*

Promote a healthful and sustainable business environment by investing actively in efficient infrastructure, providing favorable incentives, and building a community that is attractive to employers and their workers". (Vision Statement & Guiding Principles, Guiding Principles, page 116.)

CONTRACT REZONING AGREEMENT

The proponent requests that the official zoning map for the City be amended by removing the subject property from the RA district and contract rezoning the subject premises NCB district subject to the limitations more fully described below.

In compliance with the provisions of the Code, Article XVII, Section 5(g), the proponent hereby proposes the following conditions:

- (a) Land Use Table: Allowed uses of the property shall include those uses which are presently permitted in the RA district with the exception of mobile homes on individuals lots, earth removal material, daycare centers, and airports or heliports and will allow the following uses: neighborhood retail stores, small daycare facility, and art and crafts studios, as listed below and subject to the conditions contained herein.

Land Use Table	Proposed Contract Rezoning Neighborhood Conservation B (NCB) for 299 River Road
USES (15) (33)	
Accessory use or structure	P
Commercial-Service	
Veterinary facilities excluding kennels and humane societies	
Veterinary facilities including kennels and humane societies	C
Small day care facilities	P
Day care centers	
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks	

Business, professional, and engineering offices (occupying less than 5,400 s.f. of total floor space) and <u>NOT</u> including research, experimental, testing laboratories, research, management and related services	P
Restaurants	
Drinking places	
Adult business establishments	
Hotels, motels, inns	
Movie theaters except drive-in theaters	
Places of indoor assembly, amusement or culture	
Art and crafts studios	C
Personal Services (39)	P
Retail stores	
Neighborhood retail stores	P
Lumber and building materials dealer	
Gasoline service stations	
Gasoline service stations which are a part of and subordinate to a retail use	
New and used car dealers	
Recreational vehicle, mobile home dealers	
Equipment dealers and equipment repair	
Automotive services including repair	
Registered dispensary (27)	
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.	
Tattoo Establishments	
Industrial	
Light industrial uses	
Industrial uses	
Building and construction contractors	
Fuel oil dealers and related facilities	
Wholesale sales, warehousing and distribution facilities and self-storage facilities	
Self storage facilities	
Commercial solid waste disposal facilities	
Junkyards and auto graveyards	
Recycling and reprocessing facilities	
Private industrial/commercial developments (23)	

Transportation	
Airports or heliports	
Commercial parking facilities	
Transit and ground transportation facilities	
Transportation facilities	
Public and Utility	
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C
Municipal buildings and facilities	C
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways	
Dams	
Institutional	
Religious facilities	P
Cemeteries	P
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities	
Hospitals, medical clinics,	
Museums, libraries, and non-profit art galleries and theaters	
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures,	
Civic and social organizations	
Public community meeting and civic function buildings including auditoriums	
Residential	
Single-family detached dwellings on individual residential lots	P

Mobile homes on individual residential lots	
Two-family dwellings	
Multifamily dwellings in accordance with the standards of Article XIII	
Single-Family attached dwelling in accordance with the standards of Article XIII	P
Mixed single-family residential developments in accordance with the standards of Article XIII	
Mixed residential developments in accordance with the standards of Article XIII	
Mixed use structures	P
Lodging houses	
Home occupations	P
Bed and breakfast establishments as a home occupation	P
In-law apartments in accordance with the standards of Article XII	P
Single family cluster development	P
Family day care home	P
Shelters	
Natural Resource	
Agriculture	P
Farm Stands	P
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P
Earth material removal	
Community gardens (20)	P
Water dependent uses, e.g. docks and marinas	
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet	
Recreation	
Campgrounds	
Public or private facilities for nonintensive outdoor recreation	C
Commercial outdoor recreation and drive-in theaters	

Single family detached, mobile homes on individual lots (24)	60,000 sf
Single family attached	60,000 sf
Two-family dwellings	
Single family cluster development (1)	20 acres
Mixed single family residential development (14)	20 acres
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
Agriculture	120,000 sf
Religious facilities	120,000 sf
Veterinary facilities	120,000 sf
Other uses	
Minimum net lot area per d.u. with public sewer	
Single family detached	60,000 sf
Single family attached	60,000 sf
Two-family dwellings	
Mixed single family residential development (14)	60,000 sf
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	
Minimum net lot area per d.u. without public sewer	
Single family detached, mobile homes on individual lots	60,000 sf
Single family attached	60,000 sf
Two-family dwellings	
Mixed single family residential development (14)	60,000 sf
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	
Minimum frontage	
Single family detached, mobile homes -	200 ft.
Single family attached	200 ft.
Two-family dwellings	
Single family cluster development (with multiple vehicular accesses)	200 ft. (50 feet)

Mixed single family residential development (with multiple vehicular accesses)	200 ft. (50 feet)
Mixed residential development (with multiple vehicular accesses) (14)	
Multifamily dwellings (with multiple vehicular accesses)	
Mixed use structures	
Agriculture	250 ft.
Religious facilities	205 ft.
Veterinary facilities	
Other uses	125 ft.
All permitted uses	
Minimum front setback	
Single family detached, mobile homes on individual lots	25 ft.
Single family attached	50 ft.
Two-family dwellings	
Single family cluster development	50 ft.
Mixed single family residential development (14)	50 ft.
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
Agriculture	50 ft.
Religious facilities	25 ft.
Veterinary facilities	25 ft.
Other uses	25 ft.
All permitted uses	
Minimum front yard	
Single family detached, mobile homes on individual lots	25 ft.
Single family attached	50 ft.
Two-family dwellings	
Single family cluster development	50 ft.
Mixed single family residential development (14)	50 ft.
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	25 ft.
Religious facilities	25 ft.
Veterinary facilities	25 ft.
Other uses	25 ft.
All permitted uses	
Minimum side and rear setback	

Single family detached, mobile homes on individual lots	25 ft.
Single family attached	
Two-family dwellings	
Single family cluster development	50 ft.
Mixed single family residential development (14)	50 ft.
Mixed residential development (14)	
Multifamily dwellings	
Religious facilities	50 ft.
Mixed use structures	
Veterinary facilities	50 ft.
Farm structures for keeping of animals	100 ft.
Other uses	50 ft.
All permitted uses	
Minimum side and rear yard	
Single family detached, mobile homes on individual lots	10 ft.
Single family attached	50 ft.
Two-family dwellings	
Single family cluster development	
Mixed single family residential development (14)	
Mixed residential development (14)	50 ft.
Multifamily dwellings	
Mixed use structures	
Religious facilities	
Veterinary facilities	25 ft.
Farm structures for keeping of animals	25 ft.
Other uses	25 ft.
All permitted uses	
Maximum height	
Agriculture	75 ft.
Other permitted uses	35 ft.
Hospital, nursing homes and medical offices	
Ratios	
Maximum lot coverage	0.15
Maximum impervious coverage	

Applicable footnotes:

(1) This development shall meet the requirements set forth in Article XIII, section 8.

(3) Or a larger minimum lot size based on the requirements of the Maine Subsurface Wastewater Disposal Rules.

(13) Modifications (i.e. relaxation of standards) of setbacks, yards, maximum lot coverage ratios, maximum impervious surface ratios, minimum open space ratios, and maximum building height as contained in the district space and bulk standard may be granted by the board of appeals, planning board, staff review committee and the code enforcement official pursuant to Articles V, VII, VIII, IX, and XIII of this Code.

(14) This development shall meet the requirements set forth in Article XIII, section 8.

(22) In areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of that district. An established uniform setback relationship is deemed to exist when the distances between the front face of the building and the edge of the travel way in the adjoining street for the two adjacent parcels fronting on the same street on each side of the subject parcel are within +/- five (5) feet of mean of this distance for the four (4) parcels. For the purposes of this provision, lots shall be deemed to be adjacent even if separated by a street or public easement.

(24) Minimum lot size may be reduced by the Planning Board for single family cluster developments pursuant to Article XIII, Section 7.

(c) Violations of any of the conditions herein will constitute a violation of the Code.

(d) The conditions described herein shall bind the proponent, its successors and assigns, and any person in possession or occupant of the subject premises, or any portion thereof, and shall inure to the benefit of and be enforceable by the City.

(e) The proponent shall, at their own expense, record in the Androscoggin County Registry of Deeds a copy of the conditions within thirty (30) days following final approval of this proposal by the City. Such form of recording is to be in a form satisfactory to the City.

(d) The conditions described herein shall run with the subject premises.

(g) In addition to other remedies to which the City may be entitled under applicable provisions of statute or ordinance, if any party in possession or use of the subject premises fails or refuses to comply with any of the conditions imposed, any rezoning approved by the City in accordance with the conditions shall be of no force or effect. In that event, any use of the subject premises and any building or structures developed

pursuant to the rezoning shall be immediately abated and brought into compliance with all applicable provisions of the Code with the same effect as if the rezoning had never occurred.

(h) If any of the conditions are found by a court of competent jurisdiction to be invalid, such determination shall not invalidate any of the other conditions.

(i) Any rezoning approved by the City contractually shall be of no force or effect if the proponent fails or refuses to comply with conditions imposed.

(j) Any allowed proposed use, addition, or expansion of the property deemed applicable to Article XIII, Section 2 of the Zoning and Land Use Code shall be subject to the applicable sections of Article XIII of the Zoning and Land Use Code, Development Review and Standards.

(k) By submitting this proposal, the proponent agrees in writing to the conditions described herein.

The Proponent hereby respectively submits this Proposal as of the 28th day of December 2017.

Brian Langlois

Androscoggin, SS _____, 2017
Lewiston, Maine

The Owner of Provencher Landscape & Nursery, 299 River Road acknowledges and is supportive of this request.

Owner:

Roger Roberge
Androscoggin, SS _____, 2017
Lewiston, Maine

Personally appeared the above named Brian Langlois and Roger Roberge and acknowledged their foregoing to be their free act and deed.

Notary Public
Commission Expires: _____

PARID: RE00010919 299 RIVER RD

Parcel ID RE00010919

Map/Lot 155/000/012

Property Location: 299 RIVER RD

Property Class: Multiple Use - Primarily Commercial

Land Area: (acreage) 11.53

Owners

Owner: ROBERGE ROGER
ROBERGE LORRAINE L

Address: 299 RIVER RD

City: LEWISTON

State: ME

Zip: 04240

Book: 2428

Page: 263

OBY

Description Area/Quantity

GH1-GREENHSE WD FRAME GLASS WALLS 1,275

CP7-CANOPY SS-ECONOMY 110

CP7-CANOPY SS-ECONOMY 144

RS1-FRAME UTILITY SHED 480

RS1-FRAME UTILITY SHED 132

RG4-GARAGE WITH FIN ATTIC 624

GH1-GREENHSE WD FRAME GLASS WALLS 480

GH1-GREENHSE WD FRAME GLASS WALLS 2,100

GH1-GREENHSE WD FRAME GLASS WALLS 1,440

PROPERTY DESCRIPTION

The property is currently owned by Roger and Lorraine Roberge. The current use includes a single-family residence, landscape nursery, greenhouses, and a retail sales business, Provencher Landscape & Nursery, which had operated at this location since 1989.

The property contains structures consisting or a single-family residence with 2-car garage constructed in 1978, two framed utility sheds totaling 612 sf, a 2-story barn built in 2000 with a 1,800 sf footprint, and 3 greenhouses totaling 4,020 sf.

EXHIBIT A – PROPERTY DESCRIPTION

WARRANTY DEED

Kenneth W. Martin, Jr. and Susan B. Martin of Lewiston, County of Androscoggin, State of Maine for consideration paid grant to Roger Roberge and Lorraine L. Roberge, both of Lewiston, County of Androscoggin, State of Maine, as joint tenants, with WARRANTY COVENANTS, the land situated in Lewiston, Androscoggin County, State of Maine, bounded and described as follows:

PARCEL ONE: A certain lot or parcel of land situated on the Westerly side of the River Road in said Lewiston, bounded and described as follows:

Beginning at a point in a stone wall on the Westerly side of the River Road, which point is the Southeastly boundary on said road of the Old Carville Farm described in a deed of Luella N. Carville to Rhea M. Horner and Virginia C. Martin dated June 20, 1970, and recorded in the Androscoggin County Registry of Deeds in Book 1020, Page 39; thence Westerly along said stone wall and Southerly line of land of Rhea M. Horner and Virginia C. Martin to high water mark of the Androscoggin River; thence Northerly by said high water mark a distance of three hundred (300) feet, more or less, to a point; thence Easterly by a line parallel to the first mentioned bound to a point on the Westerly side of said River road three hundred (300) feet Northerly from the point of beginning; thence by said River Road Southerly three hundred (300) feet to the point of beginning.

Meaning and intending to convey a parcel of land containing ten (10) acres more or less.

Being the same premises conveyed to these grantors by deed of Rhea M. Horner and Virginia C. Martin dated April, 1977 and recorded in the Androscoggin County Registry of Deeds in book 1266, Page 86.

PARCEL TWO: A certain lot or parcel of land situated on the westerly side of the River Road in said Lewiston, bounded and described as follows:

Beginning at an iron pin on the westerly side of the River Road at the northeast corner of the parcel of land described as parcel one, above; thence westerly along the northerly boundary of the land of the Grantors herein to an iron pin at the high water mark of the Androscoggin River at the northwest corner of the land of the Grantors herein; thence northerly along the high water mark of the Androscoggin River a distance of seventy-five (75) feet to an iron pin; thence easterly parallel to the

MAINE REAL ESTATE
TRANSFER TAX PAID

BK2428 PG264

northerly boundary of the land of the Grantors herein to an iron pin on the westerly side of the River Road; thence southerly along the westerly side of the River Road a distance of seventy-five (75) feet to the point of beginning

Being the same premises conveyed to these grantors by deed of Rhea M. Horner and Virginia C. Martin dated May 31, 1989 and recorded in The Androscoggin County Registry of Deeds in Book 2415, Page 57.

IN WITNESS WHEREOF, the parties have hereunto set their respective hands and seals this 20th of JUNE, 1989.

[Signature]
Witness

Kenneth W. Martin, Jr.
Kenneth W. Martin, Jr.

[Signature]
Witness

Susan B. Martin
Susan B. Martin

STATE OF MAINE
ANDROSCOGGIN, SS.

June 20, 1989

Personally appeared the above-named KENNETH W. MARTIN, JR. and SUSAN B. MARTIN and acknowledged the foregoing instrument to be their free act and deed.

Before me,
[Signature]
Notary Public
Joane Jandreau, Notary Public
My commission expires 2/11/1990

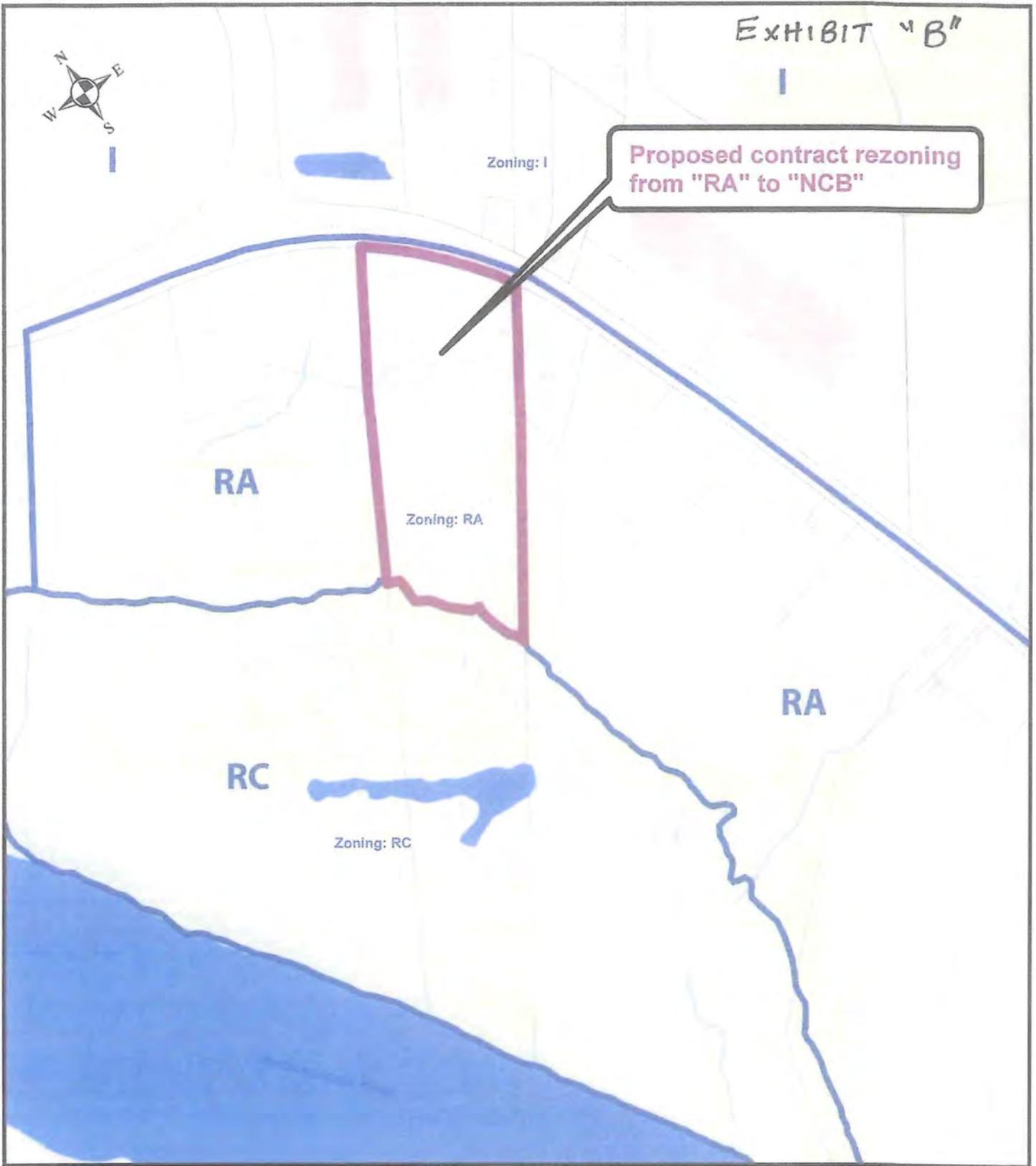


ATTEST
Margaret C. Thompson
REGISTER OF DEEDS

89 JUL -3 AM 9:12

ANDROSCOGGIN, SS.
REGISTRY OF DEEDS

125-1111, One Year Renewable



Proposed contract rezoning from "RA" to "NCB"

Proposed
299 River Road
Contract Rezoning

January 2018

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing and Final Passage to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District.

INFORMATION:

The Planning Board voted 7-0 to send a favorable recommendation to the City Council to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District.

The property owner, Dirigo Credit Union, has submitted a petition to request the rezoning of this property to support the redevelopment of the site with new structures and parking.

Please see the enclosed memorandum from City Planner David Hediger for additional information as well as a site map and other background information.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To approve Final Passage of the amendment to the Zoning and Land Use Code and Map to rezone the property at 381-391 Main Street from the Community Business (CB) District to the Centreville (CV) District.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: February 1, 2018
RE: Planning Board recommendation: rezoning of 381-391 Main Street

The Planning Board took the following action at their meeting held on January 22, 2018:

MOTION: by **Norm Anctil** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to rezone the property at 381 and 391 Main Street from Community Business (CB) to the Centreville (CV) district.
Second by **Kristen Kittridge**

VOTED: 7-0



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: January 17, 2018
RE: Proposed Rezoning: 381-391 Main Street

Walsh Engineering on behalf of Dirigo Credit Union (formerly Rainbow Credit Union) has submitted a petition to rezone the property at 381 and 391 Main Street from Community Business (CB) to the Centreville (CV) district to support the redevelopment of the site with new structures and parking. The lots together consist of .80 acres with two structures housing a customer branch and bank office operations. The credit union is interested in redeveloping the site with a single structure while making improvements to on-site parking and circulation.

Given the small size of the lot and the existing development pattern of abutting properties on Main Street, the applicant is interested developing the site in a manner similar to existing conditions of neighboring Main Street properties while maximizing use of the lot to the greatest extent possible. This property and several blocks on the east side of Main Street are zoned CB. As the applicant notes, the purpose of the CB district is to "provide areas within the city for the location of major shopping facilities, including shopping centers which serve the wider community. The standards of the district are intended to ensure well planned commercial developments which have controlled vehicular access and high standards of site design". To support this purpose, the space and bulk standards require a 20 foot front, side, and rear setback requirement and limit lot coverage (i.e. percentage of the lot allowed to be covered with structures) to 50%. When considering the smaller lot sizes and the existing development pattern along this section of Main Street and the required space and bulk standards of the CB district, it is apparent that most of the developed properties are nonconforming. Furthermore, redevelopment of these lots will be challenging under the CB provisions, likely limiting the size of development or resulting in the need for additional land acquisition to accommodate a project.

The applicant is proposing a straight rezoning of the property to CV. This same district is located directly across the street from the credit union on the opposite corner of Holland Street (CMMC parking lot and campus). The purpose of the CV district is to "encourage a concentration of economic enterprises in a central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential uses in a setting conducive to a high volume of pedestrian traffic". The CV provides space and bulk standards that allow for lots to be developed to greatest extent possible. Reference should be made to the applicant's table comparing the CB and CV space and bulk requirements. The applicant believes the CV district provides the credit union the best option for redevelopment of the site.

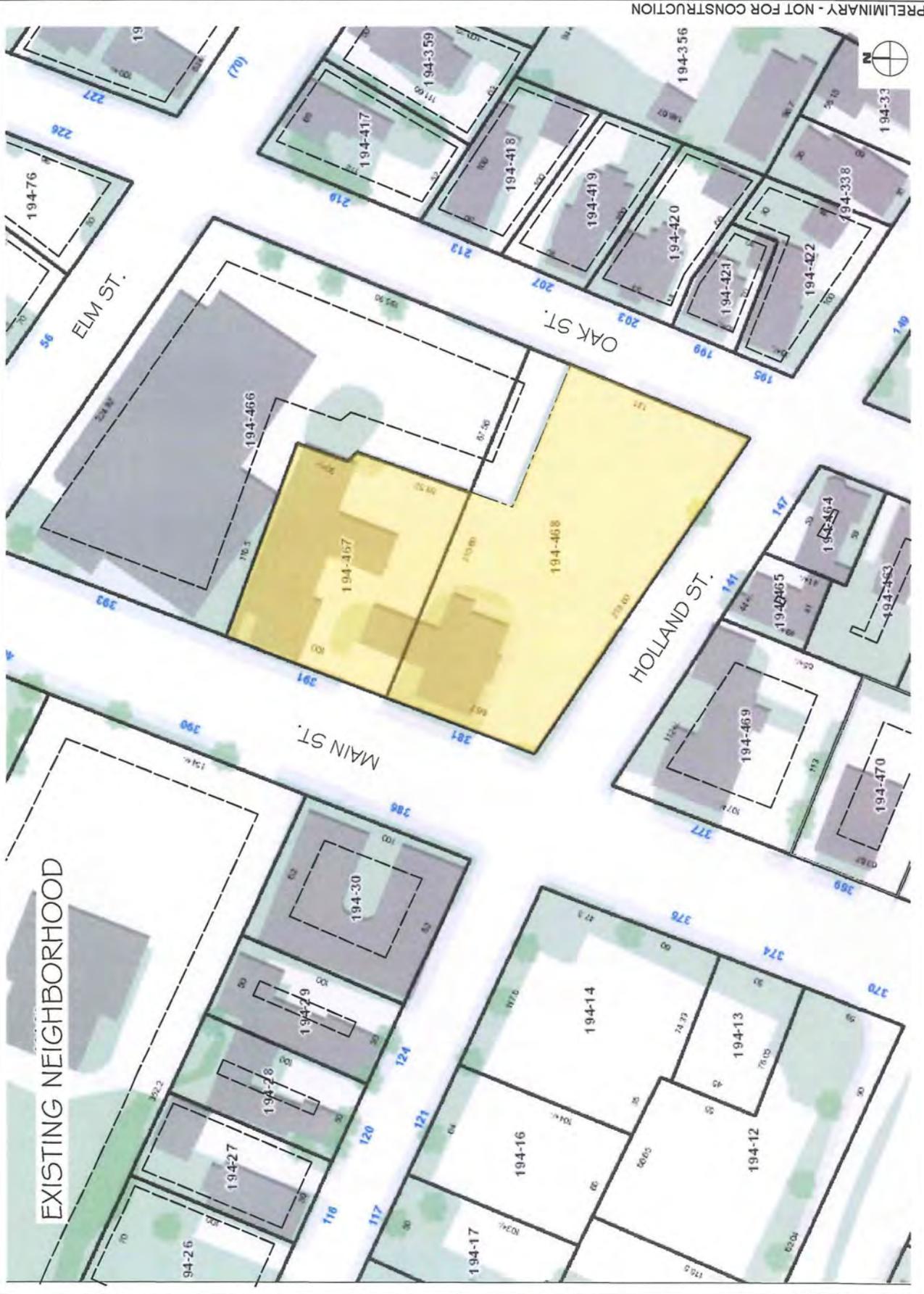
Staff supports the applicant's request. The current CB zoning of this property and other properties in this area is not conducive to infill or redevelopment of properties. A goal of the comprehensive plan is to promote development, redevelopment, and reuse of in-town areas that reinforce traditional development patterns. The current CB zoning makes this challenging along

this section of Main Street given smaller lots sizes and street layout. The applicant's properties at 381 and 391 Main Street are currently legally nonconforming with respect to the CB's space and bulk requirements; thereby, prohibiting the rebuilding these structures in their current location if destroyed more than 80% of their market value. Rezoning this property to CV provides the applicant the ability to utilize the site to the greatest extent possible and provides more opportunity to maintain existing development patterns, both of which are consistent with the current development on this section of Main Street. In fact, their request leads one to question the zoning on the east side of Main Street from Elm Street south to the Rite Aid, all of which is zoned CB, and whether those properties should be considered for a rezoning in the future.

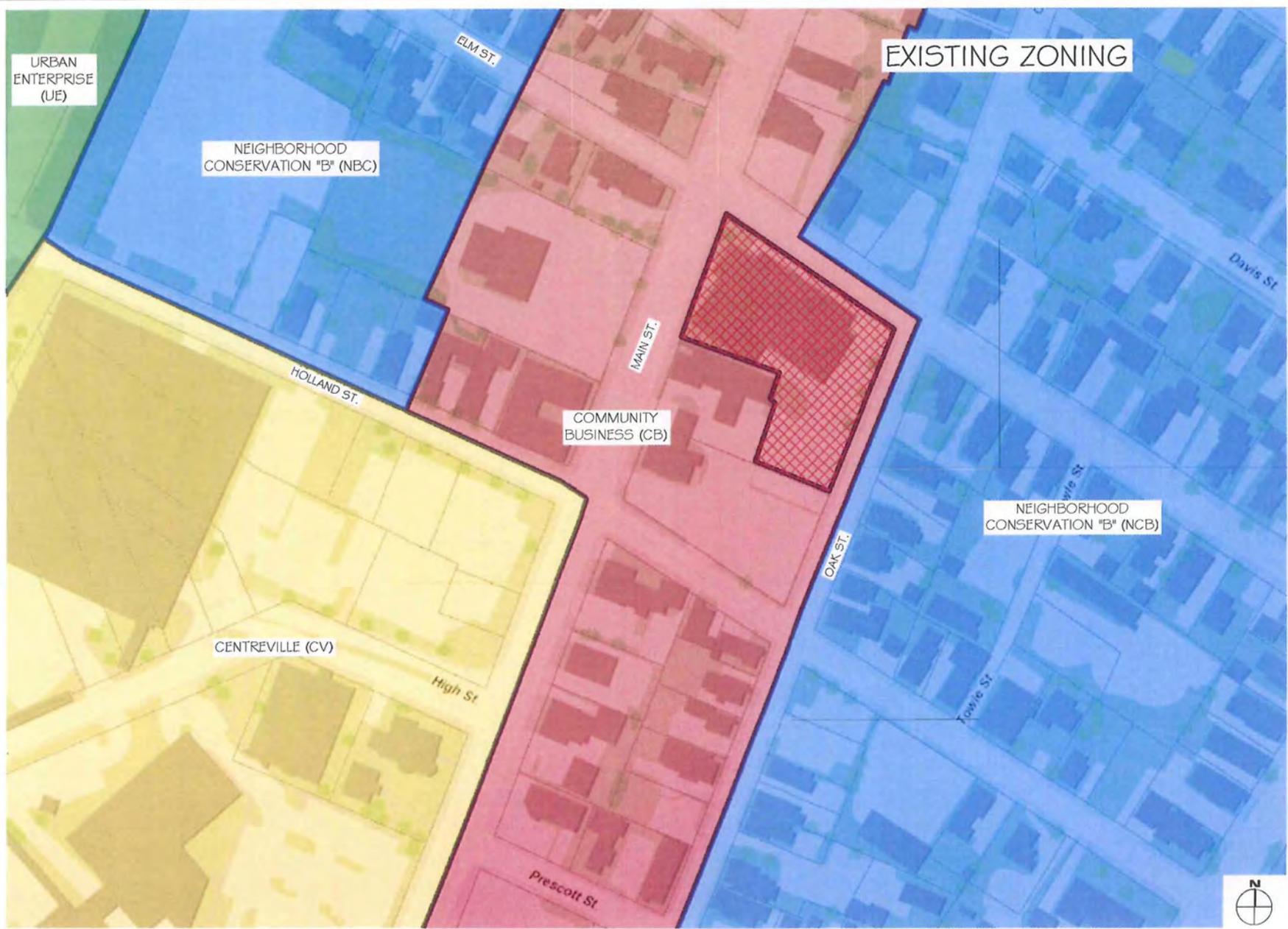
ACTION NECESSARY ACTION NECESSARY

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 to the City Council to rezone the property at 381 and 391 Main Street from Community Business (CB) to the Centreville (CV) district.

Date	Description	Drawn	Checked



PRELIMINARY - NOT FOR CONSTRUCTION



URBAN ENTERPRISE (UE)

NEIGHBORHOOD CONSERVATION "B" (NBC)

COMMUNITY BUSINESS (CB)

CENTREVILLE (CV)

EXISTING ZONING



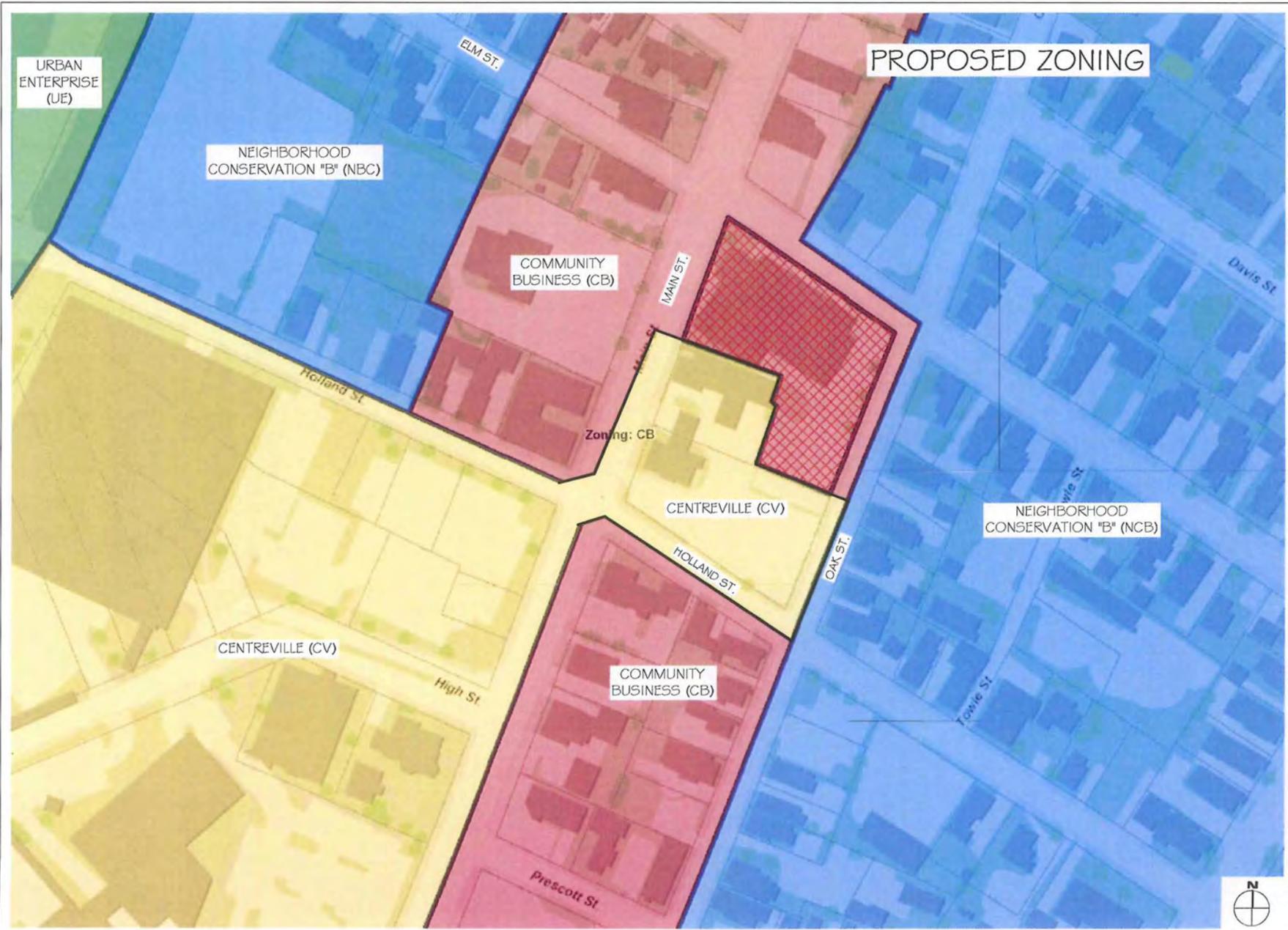
Dirigo Federal Credit Union
281 Main Street
Lewiston, ME 04203

The Element Group
125 Blawie Ln
Portland, ME 04101

Rev.	Date	Description	Drawn	Check

Sheet Title:
Existing Zoning

PRELIMINARY - NOT FOR CONSTRUCTION



PROPOSED ZONING

WALSH
 ENGINEERING ASSOCIATES, INC.
 One Kavan Dr., Suite 2A, Westbrook, Maine 04092
 ph 207 653 9598 | www.walsh-eng.com
 Copyright © 2010

Dirigo Federal Credit Union
 201 Main Street
 Lumberton, NJ 07026

The Element Group
 125 Blawie Ln
 Portsmouth, NH 02801

PRELIMINARY - NOT FOR CONSTRUCTION

Rev.	Date	Description	Drawn	Check

Sheet Title:
Proposed Zoning

Job No.: 412 Sheet No.:
 Date: Jun 19, 2010
 Scale: N.T.S.
 Drawn: GAB
 Checked: MWG

3

File 17161

January 3, 2018

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

RE: Zoning Map Change, 381 & 391 Main Street

Dear Mr. Hediger,

On behalf of Dirigo Credit Union we are requesting the City rezone the property at 381 & 391 Main Street from Community Business (CB) District to Centreville (CV) District.

The property is owned by Rainbow Federal Credit Union doing business as Dirigo Federal Credit Union. They currently operate the Dirigo Credit Union on this site in two existing buildings. The goal is to stay on this site in a single building with parking.

Existing District. This site is currently in the Community Business District (CB). It is adjacent to a contract Downtown Residential District (DR) (the veteran's home), the Community Business District (CB), the Centreville District (CV) and the Neighborhood Conservation "B" (NCB) district.

The contract DR District for Veterans Incorporated was established in April 2013 for *"providing supporting services to United States military veterans, including housing, medical, vocational and nutritional services, and administrative functions related thereto"*.

The purpose of the CB District is to *"provide areas within the city for the location of major shopping facilities, including shopping centers which serve the wider community. The standards of the district are intended to encourage well planned commercial developments which have controlled vehicular access and high standards of site design"*. The credit union fits this purpose.

The current property is non-conforming with respect to setbacks and impervious coverage, as shown in the table below.

WALSH

ENGINEERING ASSOCIATES, INC.

	Required CB District	Existing Site
Front Setback	15	0
Rear and Side Setback	10	0
Lot Coverage (building)	0.5	0.3
Impervious Coverage	0.75	0.8

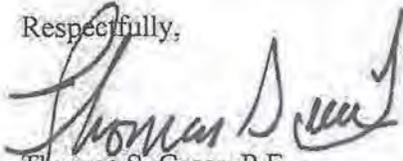
This kind of non-conformity exists on adjacent parcels as well and is not unique to the credit union site. The credit union desires to improve its building and parking. This project doesn't conform to the existing zoning so a new zoning district is required.

New District Request. After review of several options with the City Staff, it appears that a zone change to the Centerville District (CV) would provide the opportunity for the credit union to meet its goals of providing a new structure with a structured parking deck. *"The purpose of the Centerville District is to encourage a concentration of economic enterprises in the central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential uses in a setting conducive to a high volume of pedestrian traffic."*

The new project as currently planned will have the building 8 feet from the right-of-way and a parking deck that will be 1 to 2 feet from the sidelines and on the right-of-way of Oak Street. The parking deck will provide convenient and safe access to the site for employees and customers. The Centerville District allows for these kinds of setbacks creating a downtown feel for the project. Attached is a Table showing the two Districts.

We would like to thank the City Council and Planning Board for their consideration of our request.

Respectfully,



Thomas S. Greer, P.E.

Walsh Engineering Associates, Inc.

- cc. Nathan Henry/The Element Group, Mark Paul Samson/Dirigo FCU, File
- Enc. Cover Letter w/Space & Bulk Table
- Ordinance Reasons for Zone Change
- Petition
- Deed
- Rezoning Map
- Credit Union Letter Supporting Zone Change

AN ORDINANCE PERTAINING TO ZONING BOUNDARIES

THE CITY OF LEWISTON HEREBY ORDAINS:

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. 1. Zoning Map

The City of Lewiston hereby ordains that the official Zoning Map of the City of Lewiston be amended by rezoning for the property at 381 & 391 Main Street as recorded in the Androscoggin County Registry of Deeds Book 2724 Page 19 and Book 3459 page 79, as described in Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto as follows, from the Community Business (CB) to Centreville (CV).

REASON FOR THE PROPOSED AMENDMENT

The reason for the proposed amendment includes allowing the existing owner of the property to redevelop the site with the same use preserving the neighborhood credit union. The existing two non-conforming buildings are in need of substantial upgrading and/or replacement. A single new well designed building is the most feasible alternative. The addition of the parking garage on site will allow the credit union to provide safe convenient parking for its employees and customers. The parking and building cannot be constructed using the current setbacks. The existing building is non-conforming and redevelopment of this site in a manner consistent with abutting properties is not feasible given the current zoning. Rezoning the property to CV provides the property owner the flexibility to maximize the site to its greatest potential while providing the opportunity to maintain a building pattern that is similar to abutting properties.

This project will provide an enhanced look to the neighborhood for decades to come. The two story building will be complimentary structure to the adjacent property at 393 Main Street, occupied by Veterans Incorporated. The mass and location will provide a consistent streetscape along Main Street. The buildings on this section of Main Street are fronting on Main Street and are within the current setback. This creates a Main Street "wall" effect.

The change to the Centreville District allows the proposed project to meet the setbacks for structures and the lot coverage. Although the new zone would allow a 150 height it is unlikely that it would be used on this site. The site is too small to have that kind of investment made. There are more suitable sites in the City for projects that required that height.

The two story project is a best fit for the site. This is consistent with the surrounding development. The CV District allows the flexibility to fit the project into the current neighborhood with the setbacks, impervious area and height limitations.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The City Council of the City of Lewiston hereby determines that the change to the Zoning Map is in conformance with the Comprehensive Plan for the following reasons:

- 1) This property is immediately adjacent the Centreville Zone creating a continuing zone.
- 2) This project utilized a city parcel keeping it fully utilized as noted in the Comprehensive Plan. *Insight: Although approximately 12% of total area in Lewiston is non-taxable property, almost 33% of the downtown is comprised of underutilized parcels. The City should first prioritize the development and redevelopment of the large number of unproductive parcels owned by the private sector. PROMOTE MIXED-USE ACTIVITY CENTERS Strengthen and encourage the development of unique activity centers within walking distance of residential neighborhoods while protecting the City's rural character, making efficient use of public services, and removing incentives for sprawl. (pg. 46)*
- 3) This keeps employees in the city and provides growth opportunities as stated in the Comprehensive Plan: *"GROW THE ECONOMY Promote a healthful and sustainable business environment by investing actively in efficient infrastructure, providing favorable incentives, and building a community that is attractive to employers and their workers." (pg. 116)*
- 4) This continues the development pattern of the neighborhood as note in the Plan: *Continue to promote development/redevelopment/reuse of in-town areas that reinforces the traditional development pattern and increases pedestrian activity. (pg. 129)*
- 5) This is an infill development as noted in the Plan: *Lewiston has a significant amount of underutilized land within the downtown, into which future investment could be directed for many decades. Locating new development within the downtown, as well as other identified growth areas supported by existing infrastructure, makes efficient use of municipal resources and will stimulate the transformation of the City's economy and regional reputation. Encourage infill*

and redevelopment within the downtown, existing service areas, and designated growth areas. (pg. 164)

- 6) The Comprehensive Plans encourage zone changes to better accommodate future projects: *A New Approach In order to implement this Comprehensive Plan and remove barriers to potential investment, the City should pursue a comprehensive rewrite of its zoning and subdivision ordinances, including form-based components to deal with all aspects of community character and design. While conventional zoning may remain prudent and appropriate in certain areas of the City, the adoption of form-based or "character-based" codes will assist in achieving desired outcomes in appropriate areas. (pg. 227)*

- 7) This property is located in the G-3 Intended Growth Sector. This area is appropriate for mixed use development. Walkable neighborhoods with service centers are appropriate: *Allow infill development and redevelopment in established residential neighborhoods that are compatible with traditional development patterns and densities. (pg. 128)*

We believe the new credit union project will meet the purposes of the CV zone. Below is a table showing how the CB District compares to the CV District and how the new plan will conform to the CV zone. Note a Conceptual Layout has been prepared; it is subject to change as it goes through the permitting and budget process.

SPACE AND BULK TABLE:

Space and Bulk Table: All Zoning District 10.06.16	Community Business (CB) (12)	Centreville (CV)
Minimum lot size with public sewer		
Single family detached (24)		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Agriculture		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	None	None
Minimum lot size without public sewer (3)		
Single family detached, mobile homes on individual lots (24)		
Single family attached		
Two-family dwellings		
Single family cluster development (1)		
Mixed single family residential development (14)		
Mixed residential development (14)	20,000 sf	
Multifamily dwellings	20,000 sf	
Mixed use structures		
Agriculture		
Religious facilities	20,000 sf	
Veterinary facilities	20,000 sf	
Other uses	20,000 sf	
Minimum net lot area per d.u. with public sewer		
Single family detached		
Single family attached		
Two-family dwellings		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures	3,000 sf	
All permitted residential uses	3,000 sf	None
Minimum net lot area per d.u. without public sewer		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
All permitted residential uses	3,000 sf	

Minimum frontage		
Single family detached, mobile homes		
Single family attached		
Two-family dwellings		
Single family cluster development (with multiple vehicular accesses)		
Mixed single family residential development (with multiple vehicular accesses)		
Mixed residential development (with multiple vehicular accesses) (14)		
Multifamily dwellings (with multiple vehicular accesses)		
Mixed use structures		
Agriculture		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	100ft	25 ft
Minimum front setback		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Agriculture		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	20 ft	None (22)
Minimum front yard		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Religious facilities		
Veterinary facilities		
Other uses		
All permitted uses	15 ft	None (22)
Minimum side and rear setback		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		

Multifamily dwellings		
Mixed use structures		
Religious facilities		
Veterinary facilities		
Farm structures for keeping of animals		
Other uses		
All permitted uses	20 ft	None
Minimum side and rear yard		
Single family detached, mobile homes on individual lots		
Single family attached		
Two-family dwellings		
Single family cluster development		
Mixed single family residential development (14)		
Mixed residential development (14)		
Multifamily dwellings		
Mixed use structures		
Religious facilities		
Veterinary facilities		
Farm structures for keeping of animals		
Other uses		
All permitted uses	10 ft	None
Maximum height		
Agriculture		
	50 ft	No less than 20 ft; no greater than 150 ft (26)
Other permitted uses		
Hospital, nursing homes and medical offices		
Ratios		
Maximum lot coverage	0.5	1
Maximum impervious coverage	0.75	1

Exhibit A

15660

MAINE SHORT FORM WARRANTY DEED

BK2724 PG019

MAINE REAL ESTATE
TRANSFER TAX PAID

I, KENNETH R. L. FINLEY, of Livermore Falls, County of Androscoggin and State of Maine, for consideration paid, grant to RAINBOW FEDERAL CREDIT UNION, a federally chartered credit union with a place of business at 381 Main Street in Lewiston in said County and State, with WARRANTY COVENANTS, all and the same premises situated in Lewiston, County of Androscoggin and State of Maine, described in a deed given by Robert T. Curtis to Kenneth R. L. Finley dated November 4, 1976, recorded in the Androscoggin County Registry of Deeds in Book 1237, Page 3, a copy of the first page of which deed is attached hereto as "Exhibit A" to which exhibit and to which deed reference may be had for a more particular description.

The consideration being paid by the purchaser to the seller represents the full market value of the premises described herein.

The premises are conveyed subject to any easements and restrictions of record and this deed includes all rights, easements, privileges, and appurtenances belonging to the premises hereinabove described.

WITNESS my hand and seal this 15th day of August, 1991.

Philippe R. Moreau
Witness

Kenneth R. L. Finley
Kenneth R. L. Finley



STATE OF MAINE
ANDROSCOGGIN, SS:

Personally appeared the above named KENNETH R. L. FINLEY, known to me, this 15th day of August, 1991, and acknowledged before me the foregoing instrument to be his free act and deed.



Philippe R. Moreau
Notary Public/Attorney-at-Law

Philippe R. Moreau
Printed Name

Jrea79.93
File #17907

My Commission Expires 4-11-93

OVER

I, ROBERT T. CURTIS, of Greene, County of Androscoggin, State of Maine, for consideration paid, grant to KENNETH R. L. FINLEY, of 15 Church Street, Livermore Falls, County of Androscoggin, State of Maine, with WARRANTY COVENANTS, the land in Lewiston, County of Androscoggin, State of Maine, being more particularly described as follows:

A certain piece or parcel of land situated in said Lewiston, with the buildings thereon, bounded and described as follows, to wit: Beginning on the southerly side of Main Street at a point twelve (12) feet northeasterly from the northeast corner of the dwelling house now on said lot, said point being the northwest corner of the lot now or formerly occupied by John Reade; thence running southwesterly by the southeasterly line of Main Street one hundred (100) feet to a stake and stones on said line of Main Street; thence southeasterly at a right angle to Main Street, about one hundred and twenty (120) feet to land of Edward J. Colby; thence northeasterly by the line of said Colby's land and land occupied by John Reade, about one hundred (100) feet to the southwesterly line of said John Reade's land; thence northwesterly by the said line of said Reade's land about one hundred and twenty (120) feet to the point of commencement on Main Street.

Also a certain lot or parcel of land, situated in Lewiston aforesaid, bounded and described as follows: commencing at a point on the northwesterly line of Oak Street, formerly Brooks Street at the southwesterly corner of land conveyed to Richard C. and James F. Boothby by Daniel Holland by deed dated September 20, 1870; thence running northwesterly on the line of land deeded to said Boothbys by said Holland, September 20, 1870, to the southwesterly corner of land of Mary Scruton, to a stake, one hundred (100) feet; thence running northeasterly and parallel with Oak Street on said Mary Scruton's line, seventy-two (72) feet more or less to the line of land once, and for a long time, occupied by John Read, to a stake; thence on the line of the land occupied by John Read, in a southerly course, to a point on Oak Street forty-three (43) feet northeasterly from the point of commencement; thence southwesterly on Oak Street forty-three (43) feet to the point of beginning. This parcel is subject to the following restrictions which shall remain in force for and during the duration of the life of Elizabeth A. McKenna: First, that no building shall be constructed on said lot; Second, that no funeral procession shall be permitted to pass over the lot herein conveyed and that said lot shall be kept reasonably clean. Said restrictions shall become null and void at Elizabeth A. McKenna's decease.

Being, all in the same premises conveyed to this Grantor by deed of Charles D. Jenkins dated July 1, 1965, recorded in the Androscoggin County Registry of Deeds in Book 942, Page 37.

THIS CONVEYANCE IS MADE SUBJECT TO A MORTGAGE FROM THIS GRANTOR TO CHARLES D. JENKINS DATED JULY 1, 1965, RECORDED IN THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS, BOOK 942, PAGE 38, WHICH MORTGAGE THE GRANTEE ASSUMES AND AGREES TO PAY.

POOR COPY AT TIME OF RECORDING
WILL NOT REPRODUCE CLEARLY

ATTEST:
Jeanine D. Burgess
REGISTER OF DEEDS

91 AUG 15 PH 2: 23
ANDROSCOGGIN, SS.
REGISTRY OF DEEDS

QUITCLAIM DEED

THE ROMAN CATHOLIC BISHOP OF PORTLAND, a body politic and corporation sole, having a chancery in Portland, County of Cumberland, State of Maine, for consideration paid, grants to **RAINBOW FEDERAL CREDIT UNION**, a federally chartered credit union, of 381 Main Street, Lewiston, County of Androscoggin, State of Maine, with **QUITCLAIM COVENANTS**, the land situated in Lewiston, County of Androscoggin, State of Maine, bounded and described as follows:

PARCEL ONE: Beginning at a point at the intersection of the northwesterly line of Oak Street, so called, with the northeasterly line of Holland Street, so called; thence North thirty-three degrees no minutes nineteen seconds West (N 33° 00' 19" W) along the northeasterly line of said Holland Street, a distance of one hundred and no hundredths (100.00) feet to a point at the southerly corner of land conveyed to St. Joseph's Lewiston Federal Credit Union (now Grantee) by Grantor by deed dated December 1, 1968 and recorded in the Registry of Deeds for Androscoggin County in Book 997, Page 737; thence North forty-four degrees forty-one minutes seven seconds East (N 44° 41' 07" E) along the southeasterly line of said St. Joseph's Lewiston Federal Credit Union's land and parallel to Main Street, so called, a distance of one hundred ten and eighty hundredths (110.80) feet to a point at the easterly corner of said St. Joseph's Lewiston Federal Credit Union's land and at the northerly corner of the Grantor's land; thence South forty-four degrees thirty-seven minutes forty-five seconds East (S 44° 37' 45" E) along the northeasterly line of said Grantor's land, a distance of twelve and one hundredth (12.01) feet to a point; thence South forty-two degrees thirty-five minutes twenty-seven seconds West (S 42° 35' 27" W) a distance of twenty and two hundredths (20.02) feet to a point; thence South forty-four degrees thirty-seven minutes forty-five seconds East (S 44° 37' 45" E) parallel to the northeasterly line of said Grantor's land, a distance of eighty-six and fifty-four hundredths (86.54) feet to a point in the northwesterly line of said Oak Street; thence South forty-five degrees twenty-nine minutes fifty-eight seconds West (S 45° 29' 58" W) along the northwesterly line of said Oak Street, a distance of one hundred ten and ninety-four hundredths (110.94) feet to the point of beginning.

Containing 10,190.38 square feet.

Bearings are magnetic June, 1995.

Being a portion of the premises conveyed to Grantor by Harold N. Skelton, Executor of the Estate of Elizabeth A. McKenna, by deed dated February 27, 1957 and recorded in the Androscoggin County Registry of Deeds in Book 758, Page 114.

PARCEL TWO: Beginning at a point at the easterly corner of land of the first parcel of land conveyed to Grantee by Kenneth R.L. Finley by deed dated August 15, 1991 and recorded in the Registry of Deeds for Androscoggin County in Book 2724, Page 19; thence South forty-four degrees thirty-seven minutes fifty-four seconds East (S 44° 37' 54" E)

DK3459 PG080

along a line which is the projection southeasterly of the northeasterly line of Grantee's land, a distance of seventy-three hundredths (0.73) feet to a point; thence South forty-three degrees twelve minutes forty-eight seconds West (S 43° 12' 48" W) a distance of twenty-eight and fifty-six hundredths (28.56) feet to a point in the southwesterly line of the Grantor's land; thence North twenty-eight degrees twenty-six minutes forty-six seconds West (N 28° 26' 46" W) along the southwesterly line of the Grantor's land, a distance of one and ninety-four hundredths (1.94) feet to a point in the southeasterly line of Grantee's land; thence North forty-five degrees twenty-nine minutes fifty-eight seconds East (N 45° 29' 58" E) along the southeasterly line of Grantee's land and parallel to Oak Street, so called, a distance of twenty-eight and no hundredths (28.00) feet to the point of beginning.

Containing 36.45 square feet.

Bearings are magnetic June, 1995.

Being a portion of the premises conveyed to Grantor by Agnes T. Davis et al. by deed dated May 26, 1953 and recorded in the Androscoggin County Registry of Deeds in Book 686, Page 591.

IN WITNESS WHEREOF, THE ROMAN CATHOLIC BISHOP OF

PORTLAND, by Joseph J. Gerry, Roman Catholic Bishop of Portland, has caused

this instrument to be signed and sealed this 31st day of July, 1995.

THE ROMAN CATHOLIC BISHOP OF PORTLAND

Patricia M. Beaumont, P.R.
WITNESS

By: Joseph J. Gerry
Joseph J. Gerry, Roman Catholic Bishop of Portland

STATE OF MAINE

CUMBERLAND, SS.

July 31, 1995

Personally appeared the above named Joseph J. Gerry and acknowledged the foregoing instrument to be his free act and deed individually and in his said capacity and the free act and deed of said corporation sole.

Before me,

Mary D. O'Leary
NOTARY PUBLIC
My Commission Expires
May 8, 2002
MARY D. O'LEARY

PAIERSJACKRDOOROMACATH.WD

RECEIVED
ANDROSCOGGIN S.S.

95 AUG -4 PH 12:35

ATTEST:

Joseph J. Gerry
REGISTER OF DEEDS
ROCHELLE PAUL FURNIER & LEBEL, P.A., 65 EAST AVENUE, LEWISTON, MAINE 04241-1918 (207) 934-2329



DIRIGO

FEDERAL CREDIT UNION
www.dirigofcu.com

December 28, 2017

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

Dear Mr. Hediger,

We, the owner's, of the property at 381 & 391 Main Street request the City consider the rezoning of the property from Commercial Business (CB) to Centreville (CV) District. This will allow us to redevelop the property with a new building providing our customers and employees with an enhanced facility meeting current safety and environmental standards.

We fully support the zoning map change for 381 & 391 Main Street.

Sincerely,

Mark Paul Samson
President & CEO
Dirigo Federal Credit Union

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Cindy Cason	2 1/2 Demicirc	12-26-17
2		Gary Carroll	122 Sabattus st	12-28-17
3		RAYMOND COTE	12 HART FORD	12-29-17
4		Robert Thibault	50 SYLVAN AVE	12-29-17
5		Linda M. Voisine	617 Main St. #6	12-28-17
6		Chad Camire	624 Sabattus st	12-28-17
7		Helen Fairbrother	62 Jefferson ST Apt 1F	12/29/17
8		Deanne Beau	386 main st	12-29-2017
9		Peter Fratocchi	7 Wood st	12-29-2017
10		Nancy Laline	88 Fairdown Ave. ^{Lewiston}	12-29-17
11		MAURICE BLONDIN	123 winter st	12-29/17
12		JESSICA HALL	S MICHAEL	12/29/17
13		Ryan Barbaud	161 Hillside	12/29/17
14		RANDALL NELSON	95 GAYTON Rd	12/29/17
15		Molly Kivus	350 Randall rd	12/29/17
16		RAMONA A Poudis	27 10 2107 A V2	12/29/17
17		Roger Donahue	30 elm street	12/29
18		Samantha J Kivus	49 ashmount st	12/29
19		Neal Morin	88 wood st. Apt 3 ^{Lew.}	12/29
20		Makayla Morin	88 wood st	12/29

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.

Signature of Circulator

Paris S Noddin
Printed Name of Circulator

12/29/17
Date

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Doris C. Bourgoin</i>	DORIS BOURGOIN	12 Thompson St. Lewiston, Me	12/27
2	<i>Kevin Bannister</i>	KEVIN BANNISTER	1090 Sabattus Rd	12/27
3	<i>Deborah Roy</i>	DEBORAH ROY	316 EAST AVE LEWISTON	12/28
4	<i>Thomas Stretton</i>	THOMAS STRETTON	19 GORGIN ST LEWISTON	12/28
5	<i>Andrew G. Gagne</i>	ANDREW G. GAGNE	7 Adelle St Lewiston	12/28
6	<i>B. Hutchinson</i>	BANKLETT HUTCHINSON	7 Wilson St Lewiston	12/28
7	<i>Samuel Hurt</i>	SAMUEL HURT	377 MAIN ST LEWISTON	12/28
8	<i>Monica Dube</i>	MONICA DUBE	614 Main St LEWISTON	12/28
9	<i>Cheryl D. Rancourt</i>	CHERYL D. RANCOURT	10 King Ave Lewiston	12-28
10	<i>MORTIMER</i>	MORTIMER	37 McArthur Ave Lewiston	12/28
11	<i>Mike Kuns</i>	MIKE KUNS	6 Menamara St.	2-28
12	<i>Pat Canning</i>	PAT CANNING	331 Pleasant St	12-28-17
13	<i>Matt Allen</i>	MATT ALLEN	41 Spring St	2-28-17
14	<i>Barbara A Bragdon</i>	BARBARA A BRAGDON	14 Caron Street	2-29-17
15	<i>Larry R. O'Neil</i>	LARRY R. O'NEIL	14 Whipple L	12-29-17
16	<i>Richard Brown Jr</i>	RICHARD BROWN JR.	215 Lisbon St. Lew.	12-29
17	<i>Stacy Coolidge</i>	STACY COOLIDGE	11 Poulin Ave Lew	12-29
18	<i>Tina M. ...</i>	TINA M. ...	527 Main St	12-29-2017
19	<i>Jeffery Baldwin</i>	JEFFERY BALDWIN	410 Main St	12/29
20	<i>Jonathan Walther</i>	JONATHAN WALTHER	50 Fairmount St	12/29/17

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.

Julie Karkos
 Signature of Circulator

Julie Karkos
 Printed Name of Circulator

12/28/17
 Date

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Beth wood	76 Tampa st	12/27/17
2		Travis Greeley	76 Tampa st	12/27/17
3		Mamie Morneau	14 Hudson St.	12/27/17
4		Sheryl Wood	33 Scribner Cir	12/27/17
5		Alvin Wood	33 Scribner Cir	12/27/17
6		CHRISTIAN Gumprecht	1140 Sabathus St	12/27/17
7		Robert Peterson	32 Fairview	12/27/17
8		Andrea Peterson	2 Colton Ave	12/27/17
9		Robert Peterson	2 Colton Ave	12/29/17
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

Signature of Circulator

Beth Wood
 Printed Name of Circulator

12/29/17
 Date

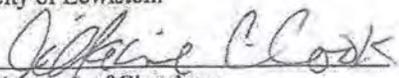
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 AAmendments@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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Donald Couture	245 Genesee St	12/26/17
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.


 Signature of Circulator

Jillaine P Cook
 Printed Name of Circulator

12-28-17
 Date

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Paul N. Choiniere</i>	PAUL N CHOINIERE	56 FLOR ST	12-29-17
2	<i>David J. May</i>	David J. May	508 Main St	12-29-17
3	<i>Suna Fish</i>	LINA FISH	145 FAIRMOUNT	12-29-17
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

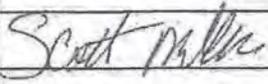
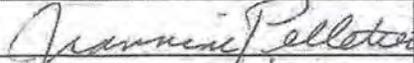
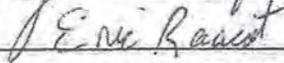
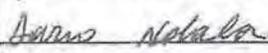
Sarah Rideout
 Signature of Circulator

Sarah Rideout
 Printed Name of Circulator

12/29/2017
 Date

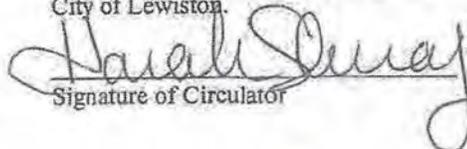
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 AAmendments@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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Scott Mellen	4 Lemieux St	12-28-17
2		MICHELLE	10 DAMON ST	12-29-17
3		JEANNE PELLETIER	104 ... St	12/29/17
4		Racicot, Eric	138 Spring St Lew	12/29/17
5		DARIO NDALA	953 LINCOLN STREET #3	12/29/17
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.


 Signature of Circulator

Hannah Shumway
 Printed Name of Circulator

12/29/17
 Date

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Hendi McKay</i>	Hendi McKay	8 Darcy Dr Lewiston	12/29/17
2	<i>David Welke</i>	David Welke	11 Cabell St Lewiston	12/29
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

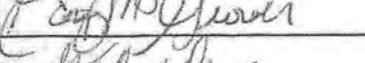
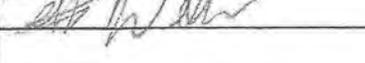
Elizabeth Cuellette
 Signature of Circulator

Elizabeth Cuellette
 Printed Name of Circulator

12/29/17
 Date

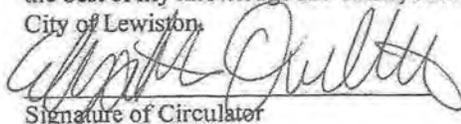
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Kristine Collins	249 Lincoln St. Lewiston	12/29/17
2		Tammy S. Plourde	591 College St.	12/29/17
3		Tanya Crowder	25 Pine St. Lewiston, ME	12/29/17
4		Thomas Widger	63 Oxbow	12-29-17
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

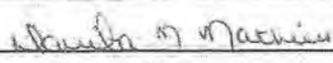
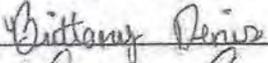

 Signature of Circulator

Elizabeth Ouellette
 Printed Name of Circulator

12/29/17
 Date

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

Pursuant to Appendix A, Article XVII, Section 5 AAmendments@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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Danita H Mathew	7 Forest St. Lewiston, ME 04240	12/24/17
2		Brittany Denis	33 Rejane Ave. Lewiston, ME 04240	12/26/17
3		Dawn Collins	1576 Sabattus St ^{Appt} Lewiston, ME 04240	12/26/17
4		Elizabeth Ouellette	20 Tourmaline Dr Lewiston, ME 04240	12/26/17
5		Sean Collins	156 Sabattus St. Lewiston	12/27/17
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

CIRCULATOR-S VERIFICATION

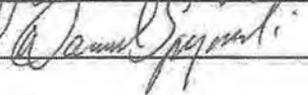
I hereby verify that I am the Circulator of this petition that all the signatures to this petition were made in my presence, and to the best of my knowledge and belief, each signature is that of the person it purports to be, and each person is a resident of the City of Lewiston.

 Dawn Collins
 Signature of Circulator Printed Name of Circulator

12/28/17
 Date

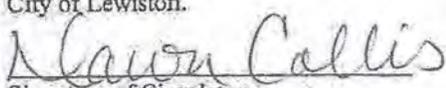
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Sallie Pratt	Oldgreen Rd	12-29
2		David Spagnardi	586 Pleasant St	12-29
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.


 Signature of Circulator

Dawn Collins
 Printed Name of Circulator

12/28/17
 Date

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		JIM BEGETT	85 ST. CROIX ST	12/28/17
2		TYLER DAULTON	13 W COLLEGE ST	12/29/17
3	ROBERT DUBOIS	ROBERT DUBOIS	316 EAST AVE	12-28-17
4		Shannon Chase	50 Homefield St Lewiston me 04240	12/28/17
5	ESTHER	NOOPY	206 A SH 2	12/29/17
6		Norman McKeown	12 Locust St	12/28/17
7		ERIC TERRIS	70 King Ave Lew	12/28/17
8		KATHLEEN HARKINS	1 DAVIS ST Lew	12/29/17
9		Samantha Dickinson	52 Sabbatus St Apt 32 Lewiston me	12-29-17
10		Laure Choinard	17 Jans Blvd Lewiston	12-29-17
11		Carol Keith	192 Stetson Rd Lew	12/29-17
12				
13				
14				
15				
16				
17				
18				
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.

Signature of Circulator

Julie Karkos
Printed Name of Circulator

12/29/17
Date

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Rebecca Laird	909 Main St	12/30
2		David Lechar	172 Old Church	12/30
3		John Smedley	12 Abbott St.	12/30
4		Mark Sittmy	905 Main St	12/30
5		Cory Chamberlain	1060 MAIN ST	12/30
6		WAYNE HOOD	24 KATIE AVE	12-30
7		Louise G Paulin	82 Wolfman St	12-30
8		Chris Grimmie	2 Marie Circle	12-30
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

Signature of Circulator Hannah Shumway Printed Name of Circulator 1/4/18 Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____ Total Invalid: _____

Signature of Registrar/Deputy Registrar _____ Date: _____

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Albert Robert</i>	Albert Robert	70 Blaine St	1/2/18
2	<i>Wayne Hood</i>	WAYNE HOOD	24 KATIE AVE	1-2-18
3	<i>Perry Morrison</i>	PERRY MORRISON	315 Pond Rd.	1-2-18
4	<i>Edward Moraway</i>	EDWARD MORAWAY	304 SOUTH PLAZA	1/2/18
5	<i>Cathy Bryant</i>	Cathy Bryant	456 EAST AVE	1/2/18
6	<i>Verstin Crafts</i>	Verstin Crafts	314 Pond Rd	1/2/18
7	<i>Doris Bourgeois</i>	DORIS BOURGEOIS	12 Thompson St	1/2/18
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

Jessica Clark Jessica Clark 1/3/18
Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____ Total Invalid: _____

Signature of Registrar/Deputy Registrar Date: _____

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>[Signature]</i>	LEY L GOWLETT	115 COLLEGE	10-30
2	<i>[Signature]</i>	Richard Brignall	211 Rowland Rd	12-30
3	<i>[Signature]</i>	MORAN FOLTS	5 MICHAEL DR	12-30
4	<i>[Signature]</i>	NANCY S. BOLLARD	8 Nonella St	12-30
5	<i>[Signature]</i>	Albin Douglas	211 Holland St	12-30 7
6	<i>[Signature]</i>	PAUL COLE	4 CLASS ST	12-30 1
7	<i>[Signature]</i>	Linda White	309 Pinewood Rd	12-30
8	<i>[Signature]</i>	James N. Covert	7 Downstate Rd.	1/2
9	<i>[Signature]</i>	ALBRIEG ASKE	7 Adelast	1/2
10	<i>[Signature]</i>	Celeste Parrie	30 Brown St	1/2
11	<i>[Signature]</i>	Roger Donahue	30 ELM ST APT 1	1/3
12	<i>[Signature]</i>	Raymond Beaulieu	116 S Bates St APT 2	1/3
13				
14				
15				
16				
17				
18				
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.

[Signature] *[Signature]* 1/3/18
 Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____ Total Invalid: _____

 Signature of Registrar/Deputy Registrar Date: _____

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Paul Simoneau</i>	PAUL SIMONEAU	111 Randall Rd	1/3/18
2	<i>Charles Wright Jr</i>	Charles WRIGHT Jr	137 Collyer St	1/3/18
3	<i>Tammie R. Zawista</i>	Tammie Zawista	28 Highland Ave	1/3/18
4	<i>Keri M. Smith</i>	Keri M Smith	26 Nichols St.	1/3/18
5	<i>James Gauthier</i>	JAMES GAUTHIER	76 Ash St	1-5-18
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

Alana A. Ouellet *Elizabeth Ouellette* *1/3/18*
 Signature of Circulator Printed Name of Circulator Date

REGISTRAR'S CERTIFICATION

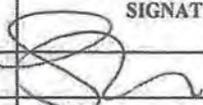
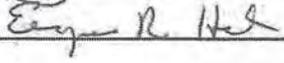
I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____ Total Invalid: _____

Signature of Registrar/Deputy Registrar _____ Date: _____

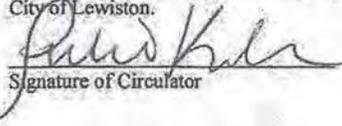
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Lakeesha Stupinski	141 COLE FORD	11/3/18
2		Eugene R. Holt	50 Windy Way Lew	11/3/18
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.


 Signature of Circulator

Julie Karkos
 Printed Name of Circulator

11/4/18
 Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____

Total Invalid: _____

 Signature of Registrar/Deputy Registrar

Date: _____

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 Main Street from the Office Residential (OR) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Daniel Bussiere	258 Morston St Lewiston APT 106	12/29
2		Walter Klymko	90 Summit Street Apt 2 Lewiston, Me 04240-9227	12/29
3		Jessica Hanson	302 Pleasant St 04240	12/29
4		Vincent Ketchers	599 W. 5th St	12/29
5		Brendalyn	179 Super Rd	12/29
6		Shelby Breton	47 Barry Dr.	12-29
7		CINDY CARON	35 Nichols St	12/29
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

Signature of Circulator

Julie Karkas
 Printed Name of Circulator

1/3/18
 Date

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

Pursuant to Appendix A, Article XVII, Section 5 A 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 rezone the property at 381 & 391 Main Street from the Community Business (CB) district to the Centreville (CV) districts described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Theresa DUBois</i>	Theresa Dubois	54 Howard St	1/8/18
2	<i>Steven Mans</i>	STEVEN MANS	207 OAK ST	1/3/18
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
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.

Julie Karkos
 Signature of Circulator

Julie Karkos
 Printed Name of Circulator

1/4/18
 Date

REGISTRAR'S CERTIFICATION

I hereby certify and verify that the names of all of the petitioners listed as valid appear on the voting list as registered voters in the City of Lewiston.

Total Valid: _____

Total Invalid: _____

 Signature of Registrar/Deputy Registrar

Date: _____

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT: Receiving the Recommendations from the Finance Committee and the Planning Board on the FY 2019 Lewiston Capital Improvement Plan.

INFORMATION:

At their meetings of February 12, 2018, the Planning Board and the Finance Committee voted to send their recommendations to the City Council regarding the adoption of the FY 2019 LCIP. Their comments are attached.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Charter requires a recommendation on the LCIP from both of these committees.

EAB/amm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To receive and review the recommendations from the Finance Committee and the Planning Board regarding the FY18 Lewiston Capital Improvement Plan.



City of Lewiston,
Maine
Finance Committee



February 12, 2018

The Honorable Shane Bouchard, Mayor
And Members of the City Council
City Hall
Lewiston, Maine 04240

Dear Mayor and Members of City Council:

At a meeting of the Finance Committee held on February 12, 2018 the Committee took the following action relative to recommendation of the FY2019 Capital Improvement Program:

On motion of Mr. Lachance, seconded by Councilor Lysen it was voted to send the following recommendation:

VOTED:

The Finance Committee has reviewed the Fiscal Year 2019 Lewiston Capital Improvement Program. The Finance Committee recognizes that this document is a long-term planning tool utilized by the City Council and Administration, and that all projects are subject to the scrutiny of the budgetary process. If projects as requested are approved, including the Administrator's recommendation and School Department recommendations, the proposed FY19 bond authorization amount would significantly exceed the 80% bond issue authorization limitation as established by City Ordinance (Chapter 2, Article II, Section 2-34: Council action on bond authorization).

As a committee serving this council and the citizens of Lewiston we recommend the focus be placed on the overall systemic view rather than a listing of each item that highlights our concern. Given some council members are new to the process we think this a prudent manner of presentation.

On Debt

We are grateful for the past few years of debt reduction however, a review of the past 10 years shows that while we might see several years reduction, all it takes is one year of significant bonding to wipe out any gains, thus destroying the original intent of the 2008-2009 City Council who began the concept of mandated debt reduction. On the city side we saw jumps in FY 07 & FY11, and in FY 13 & FY18 on the School side, even after considering the state reimbursement portions. Add those to the constantly growing Lewiston utility debt and we remain concerned that the residential taxpayer will not be able to stay in their home and that potential business development might look elsewhere to establish a presence.

Fund Balances

We appreciate the city reviewing fund balances but and believe that excessive Fund Balance is as much a concern as it is a safety net. The Finance Committee recommends a Fund Balance floor of 10%, given A balance of as little as 8.33% calculates to 30 days of reserve. City administration should be able to provide a breakdown of past 5 years of the fund balance in days held to show the true loss in sitting on this money as opposed to using it to maintain our streets our complete other projects which effect the livability of our citizens

Fire Stations & Schools

We are aware that the city needs major improvements to the Central Fire Station as well as a need for three new substations throughout the city. When you combine this with the potential request of a Performing Arts Center at the

High School that would receive no state reimbursement we have a potential new debt on these alone to approach \$50 Million dollars or more. We recommend working more with the architects and designers to find ways to reduce the cost and develop structures that meet the essential needs instead of designing based on a wish list or the best of the best.

On Housing

We renew our call to create additional staffing within Code Enforcement to ensure that multi-family rentals meet all required codes and provide a safe environment for the tenants. Creating a licensing and inspection fee as a requirement of offering units for rental should pay for itself annually and guarantee that we have housing stock that is desirable and safe. The council will need to consider number of units in a property before inspection required (4 seems to be a common threshold) and whether owner-occupied premises would have a different requirement or licensing application.

On Roads

The Finance Committee also asks that the city ensure that any project approved for the LCIP be done in the year anticipated unless delays are unavoidable. If delays are only due to city staff not having enough time to complete the work, we suggest contracting with others to ensure the work is completed on time. Delaying highways projects and road repairs could lead to higher costs than budgeted should the petroleum market or other factors change. Some foresight or planning of staffing for our needs and ability will lead to better outcomes and more timely completions. The council would benefit greatly from seeing a timeline of each project and the staffing required in planning and implementation stages so that we can have a clear picture of when outside assistance will be required in advance. As an example, the city engineering staff might not be able to accommodate all road project design given the short season, thus an outside firm might be contracted to take on some of that load.

Prudent Choices

Despite all this, the economic outlook seems to indicate that borrowing more in the present time as opposed to delaying might save this city a significant amount of interest paid out, thus we ask the city financial staff to provide you with the options of both financing or delaying based on the projected bond market for the next 2-3 years. This might seem contrary to our other points on having to rein in spending and be cautious, but a combination of ensuring we only get what we can afford to and doing so when the market gives us the most favorable conditions will bode Lewiston well over the next 10 years or more.

We look forward to being a resource to the city on any of these issues and are open to assisting with any further discussion.

The Committee voted 5-0 in support of the recommendation.

Sincerely,

Robert Reed, Chairman
Finance Committee



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: February 14, 2018
RE: Planning Board recommendation: FY 2019 Lewiston Capital Improvement Plan

Pursuant to Article VII, Section 4(e) of the Zoning and Land Use Code, the Planning Board took the following actions at their meeting held on February 12, 2018 sending a favorable recommendation for the City Council's consideration the adoption of the FY 2019 Lewiston Capital Improvement Program:

MOTION: by **John Butler** to move the expenditures for the Lincoln Street Garage Phase II forward one year to 2020 and 2021. **Second by Lucy Bisson.**

VOTED: **6-0 (Passed)**

Note: given the uncertainty with the redevelopment of Bates Mill #5, the Board felt it was appropriate to delay this project.

MOTION: by **Benjamin Martin** to move the expenditure for the Kennedy Park Master Plan forward by one year to 2020. **Second by John Butler.**

VOTED: **6-0 (Passed)**

Note: some Board members noted the amount of funding seems excessive and that a delay would help reduce the amount of bond funding.

MOTION: by **Lucy Bisson** to move the expenditure for the Oxford Street Parking Lot project forward one year to 2020. **Second by Benjamin Martin.**

VOTED: **6-0 (Passed)**

Note: given the uncertainty with the redevelopment of Bates Mill #5, the Board felt it was appropriate to delay this project.

MOTION: by **John Butler** that any funds approved towards the Sabattus Street Fire Station Replacement Project not utilized be allocated to future Fire Station Replacement Projects only. **Second by Benjamin Martin.**

VOTED: **6-0 (Passed)**

Note: discussion regarding the planning and design of this station revealed how costs will vary due to land acquisition, design, etc. Therefore, after completion of the Sabattus Street Fire Station Replacement project, any funds remaining should be dedicated specifically to the next fire station replacement project.

MOTION: by **Bruce Damon** that recommendations made by the Planning Board regarding the FY 2019 Lewiston Capital Improvement Program apply solely to FY19 expenditures and that any projects identified in subsequent years must be brought back before the Planning Board for consideration. **Second by John Butler.**

VOTED: **6-0 (Passed)**

Note: some Board members expressed concerns with the Council's recent appropriation of funds exceeding \$100,000 for a new sidewalk plow. The ordinance requires that the Board shall review and make a recommendation to the city council with regard to all capital expenditures costing \$100,000.00 or more which are not included in the annual capital program. The sidewalk plow was included in FY18 capital plan for year 2 of the plan. The Planning Board made a recommendation on the FY18 capital plan with this item included for FY19. The Council's recent approval moved the purchase of the plow ahead one fiscal year. Whereas the actual practice of the Planning Board has been to largely focus on the first year of the plan and not the out years, the Board is looking to avoid having the Council fund proposed projects from subsequent years without the Board's recommendation.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT: Resolve, Adopting the Fiscal Year 2019 Lewiston Capital Improvement Plan.

INFORMATION: The Lewiston Capital Improvement Plan (LCIP) is required to be annually adopted by the City Council by Charter. It is an important and necessary planning tool for the City's consideration in addressing financial, infrastructure, and development issues. It should be seen as a working document that sets the stage for the City's annual operating budget process, and adoption does not constitute approval and/or funding of the various projects within the program. Each project requires funding approval from the Council at a later date. A hard copy of the complete plan was distributed to the Council earlier for review and the Council has previously held both a workshop and a public hearing to review it. An electronic copy of the full document can be found on our website under Finance Department, Financial Reports.

A separate agenda item will receive the recommendations of the Finance Committee and the Planning Board regarding the LCIP. In addition, the School Committee recently approved a revision to their LCIP submission. A copy of that revision is attached. At this point, the Council could choose to amend the LCIP based on the recommendations received or adopt the plan as presented and consider these and other changes later in the budget process when actual funding decisions are made.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

I would recommend that the City Council take action on the LCIP, either as presented or with amendments. In either case, those projects included for the coming year will require further review and discussion prior to funding approval.

Erin Blum

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

That pursuant to Article VI, Section 6.07(d) of the City Charter, the City Council hereby approves the Resolve adopting the FY2019 City of Lewiston Five-Year Capital Improvement Program, as prepared by the City Administrator.



COUNCIL RESOLVE

Resolve, Adopting the FY2019 City of Lewiston Five-Year Capital Improvement Program

Whereas, the City Charter requires that a capital improvement program be prepared annually for review by the Planning Board, Finance Committee, and City Council and be adopted by the City Council at least four months prior to the end of the current fiscal year; and

Whereas, the intent of such a program is to outline a five year plan to address the community's infrastructure and other capital improvement needs and, more specifically, to outline those projects anticipated for the coming year in advance of consideration of the annual budget; and

Whereas, adopting this plan will provide guidance to the Council and staff but does not constitute formal authorization to proceed with the projects included, the funding for which must be separately authorized by the City Council;

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

the FY2019 City of Lewiston Five-Year Capital Improvement Program is hereby adopted.

FY19 Lewiston Capital Improvement Program

Original Summary of School Department Projects

Revisions Approved by the School Committee on 2/12/18

	Initial Request						Revised Request					
	FY19	FY20	FY21	FY22	FY23	TOTAL	FY19	FY20	FY21	FY22	FY23	TOTAL
Longley Renovation	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	\$ 1,000,000	450,000		550,000			\$ 1,000,000
LHS Parking Expansion	141,250					\$ 141,250	220,000	100,000				\$ 320,000
Dingley Roof Replacement	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000	300,000					\$ 300,000
District-wide Roof Access	\$ 96,000	\$ -	\$ -	\$ -	\$ -	\$ 96,000	24,000	72,000				\$ 96,000
LHS Mechanical Systems Upgrade	\$ 322,000	\$ 680,000	\$ -	\$ -	\$ -	\$ 1,002,000	47,000	440,000	240,000	273,000		\$ 1,000,000
LHS Elevator	\$ -	\$ 420,000	\$ -	\$ -	\$ -	\$ 420,000		420,000				\$ 420,000
Green Ladle Renovation	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ 100,000		100,000				\$ 100,000
LMS Electrical Upgrade	\$ 380,000	\$ -	\$ -	\$ -	\$ -	\$ 380,000	50,000	330,000				\$ 380,000
LMS Auditorium Workshop Addition	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000	50,000					\$ 50,000
Dingley Cellar Renovation	\$ -	\$ -	\$ 125,000	\$ -	\$ -	\$ 125,000			125,000			\$ 125,000
LHS Classroom Renovation	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000		300,000				\$ 300,000
LHS Performing Arts & Parking	\$ -	\$ -	\$ 4,000,000	\$ -	\$ 8,000,000	\$ 12,000,000			8,000,000		22,500,000	\$ 30,500,000
TOTAL	\$ 2,089,250	\$ 1,700,000	\$ 4,125,000	\$ -	\$ 8,000,000	\$ 15,914,250	\$ 1,141,000	\$ 1,762,000	\$ 8,915,000	\$ 273,000	\$ 22,500,000	\$ 34,591,000

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT: Order, Authorizing the City Administrator to Execute a New Option Agreement to Purchase Bates Mill #5 (The Weave Shed) with Bates Mill, LLC.

INFORMATION:

Bates Mill LLC's current option to purchase Bates Mill #5 expires on February 28, 2018. Representatives of Bates Mill LLC appeared at a recent workshop with the City Council and requested a new, three year option. At that time, there was also discussion among the Council of modifying the current option to allow for a potential third party with an interest in the property to step in and undertake a development project.

Staff has been working with the City Attorney and Bates Mill LLC to develop a new option agreement that would reflect these changes. We hope to have that option available for the City Council's review prior to or at next Tuesday's meeting.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA Blkmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To approve the Order, Authorizing the City Administrator to Execute a New Option Agreement to Purchase Bates Mill #5 (The Weave Shed) with Bates Mill, LLC.



COUNCIL ORDER

ORDER, Authorizing the City Administrator to Execute a New Option Agreement to Purchase Bates Mill #5 (The Weave Shed) with Bates Mill, LLC.

Whereas, the City of Lewiston owns Bates Mill #5, which is located at 15 Canal Street; and

Whereas, the City entered into an Option Agreement with Bates Mill, LLC dated February 18, 2015 in which the City granted Bates Mill, LLC an exclusive option to Purchase the Real Estate for a term ending February 18, 2016 and which was subsequently extended on two occasions until February 28, 2018; and

Whereas, the Seller has continued to make progress in developing plans for redevelopment of the building including engineering studies, architectural plans, and moving through the historic preservation tax credit process; and

Whereas, these efforts have continued to generate tenant interest in the project; and

Whereas, the City has applied for a Federal Brownfield Grant that, if awarded, will be used toward mitigating the remaining environmental issues in Bates Mill #5; and

Whereas, under the terms of the Brownfield Program, the city must own Bates Mill #5 at the time the environmental mitigation work is done, and the timing of award and funding in the Brownfield grant cycle will result in mitigation work not beginning until sometime in 2018; and

Whereas, given the extent and the cost associated with redeveloping Mill 5, the developer has requested that the option period be extended for three additional years ending February 28, 2021; and

Whereas, given the length of this extension, the City is interested in the potential to allow a third party developer to take over the site for purposes of development or redevelopment;

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

The City Administrator is hereby authorized to execute a new option agreement with Bates Mill, LLC to Purchase Bates Mill #5 (The Weave Shed), such agreement to be substantially in the form as is attached hereto.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT: Order, Authorizing the City Administrator to Execute Any and All Documents Necessary for Closing in Regard to the Donation Agreement for the Lewiston Canal System between the City of Lewiston and Brookfield White Pine Hydro, Including but not Limited to the Exhibits to the Donation Agreement as Amended.

INFORMATION: It has been a long term City objective to obtain ownership and control over the canal system. After many years of discussions with several different owners, an agreement was reached with Brookfield White Pine Hydro LLC in September 2016 under which Brookfield would donate the canals to the City. Prior to the actual donation, a number of issues had to be resolved. Among them was Brookfield's need to amend its Federal Energy Regulatory Commission license to remove the canals from the license. That amendment has been approved, and Brookfield and the City are moving forward to prepare the necessary closing documents.

The City Council has previously authorized the City Administrator to execute various documents related to this donation, including the donation agreement itself and an assignment agreement among the City, Central Maine Power, and Brookfield. These documents are quite voluminous and have not been attached to this agenda item. Should any elected official wish to see them, the City Administrator will provide a copy, either electronically or in hard copy. There is attached a background memo from 2016 summarizing the City's acquisition efforts and outlining the framework of the donation agreement.

At closing, a variety of subsidiary and related documents will also require execution including items that were referenced in the donation agreement itself. Approval of the attached order will authorize the City Administrator to execute all of the documents that require signature at closing.

We anticipate the actual closing could occur as early as later this month.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To approve the Order, Authorizing the City Administrator to Execute Any and All Documents Necessary for Closing in Regard to the Donation Agreement for the Lewiston Canal System between the City of Lewiston and Brookfield White Pine Hydro, Including but not Limited to the Exhibits to the Donation Agreement as Amended.



COUNCIL ORDER

Order, Authorizing the City Administrator to Execute Any and All Documents Necessary for Closing in Regard to the Donation Agreement, As Amended, for the Lewiston Canal System between the City of Lewiston and Brookfield White Pine Hydro, Including but not Limited to the Exhibits to the Donation Agreement as Amended.

Whereas, on September 20, 2016, the City Council authorized the City Administrator to enter into an agreement to acquire ownership of the Lewiston Canal System and associated facilities (the "Donation Agreement") per the attached resolution; and

Whereas, on September 5, 2017, the City Council also authorized the City Administrator to execute an assignment and assumption agreement among the City, Central Maine Power, and Brookfield White Pine Hydro in regard to the Canal System and Donation Agreement as well as an amendment to the Donation Agreement; and

Whereas, the Donation Agreement as amended was subject to approval of an Amendment to Brookfield's Federal Energy Regulatory Commission License that would remove the canal system from that license; and

Whereas, that amendment has now been granted by FERC; and

Whereas, the parties are finalizing the various documents required for the closing of the donation of the canals to the City; and

Whereas, this will complete a ten year effort on the part of the City to gain control of the Lewiston Canal System; and

Whereas, given the number of documents that must be executed to effectuate the donation, a blanket authorization for the City Administrator to execute any and all such documents is appropriate;

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

The City Administrator is hereby authorized to execute any and all documents necessary for closing in regard to the Donation Agreement, as amended, for the Lewiston Canal System between the City of Lewiston and Brookfield White Pine Hydro, including but not limited to the exhibits to the donation agreement as amended.



EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Phil Nadeau, Deputy City Administrator

September 8, 2016

To: Honorable Mayor and Members of the City Council
Fr: Edward A. Barrett
Su: Efforts to Acquire Canals/Proposed Brookfield Term Sheet

In May, the City Council approved a draft Term Sheet between the City of Lewiston and Brookfield White Pine Hydro, LLC Term Sheet (see Attachment A) which would achieve a long held goal of the City – acquisition of the Lewiston Canal System. Since then, City staff has worked with Brookfield to prepare the final documents necessary to move this acquisition forward.

The major items outlined in the draft Term Sheet are also found in the new documents, including:

- Brookfield will transfer its ownership interest in the canal system to the City;
- The City will retain its current water rights, and Brookfield will recognize that the water can be used for power generation and other purposes, eliminating the potential issue of those rights being restricted to power generation only;
- The City will not be required to undertake any repair work on the canals¹, although such work may be required in the future to ensure appropriate water levels in the canals;
- Brookfield, with the assistance of a consulting firm, will proceed in applying to remove the canal system from its Federal Energy Regulation Commission (FERC) license. The City and Brookfield have also separately agreed that Brookfield's consultant in the process will provide the same services to the City in regard to its Upper A FERC license, with Brookfield assuming the cost. Once the FERC delicensing application is prepared and ready for submission, the City can evaluate whether to proceed with abandoning its license or not. Note that FERC may require the City to undertake certain repair/maintenance work on the Upper A and its associated water control structures to ensure that they will continue to function appropriately. Similarly, FERC may require Brookfield to undertake certain repairs to those elements of the canal system currently included in its license.

As to the FERC license, we believe it is in the City's best interest to go forward with preparation of the proposal to abandon generation. The City has not generated power at the Upper A for

¹ Note this clause in the term sheet "...the City will maintain the Upper Bates Weir gates in good operating condition and Brookfield will maintain the telecommunications and controller cabinet facilities in the Upper Bates Weir building in good operating condition so that Brookfield can coordinate the opening of the gates in the Main Gatehouse for Flushing Flows with the opening of the gates of the Upper Bates Weir so that Flushing Flows can descend through Cross Canal No. 1 into the Lower Canal."

some time, and we have concluded that re-establishing generation is not financially feasible based on anticipated capital costs and current and projected electricity markets. Once the application has been developed, including estimates of any maintenance and repair costs that FERC is likely to impose, the Council can make a final decision on whether to proceed. Given that the City will face either relicensing or abandoning the Upper A when the current license expires, proceeding now will avoid the costs of that process later. I would also note that, should the license be abandoned and the situation change to where generation would be cost effective, the City would be able to reapply for a license in the future

This agreement will allow the City to move significantly closer to the goals it has pursued over more than seven years of discussions: gaining ownership of the canals so that they can be aesthetically improved to support Riverfront Island's economic development and limiting the costs to the City of such acquisition. However, this potential agreement goes further. It will allow the City to retain its current water rights and would allow the City to use the water for both generation and other purposes, potentially including recreation.

Given the history of the Monty Hydro, the complexity of the legal agreements involved in establishing it, and the technical issues involved with the Upper A, reaching this point has been a complex endeavor. At times, we have been near agreement only to have a new issue or complexity arise.

While this agreement is a major step, we should also recognize that it does include certain contingencies, most specifically that the regulatory conditions that might be imposed by FERC or by the Maine Department of Environmental Protection in regard to canal water quality issues must be acceptable to both parties. Receiving the necessary regulatory approvals will also likely take some time, so, while the agreement is in place, the actual transfer of ownership will be at some point in the future.

In order to evaluate this agreement, some background and history may be helpful.

Background

The City has been involved in a multi-year effort to acquire ownership of the Lewiston Canal System. That system, along with a number of abandoned power generating stations in various mills, is and has been owned by the owner/operator of the Monty Hydro power station located in Lewiston at the Great Falls. The initial owner was Central Maine Power (CMP). Electricity deregulation resulted in CMP selling its power generation to focus on power distribution. The Monty was sold to Florida Power and Light (FPL). Subsequently, FPL sold the facility to Brookfield White Pine Hydro, LLC in 2013.

The City has long been interested in gaining ownership of the canal system in order to improve the aesthetics and economic development value of the system, as noted in the following excerpts from the Riverfront Island Master Plan:

"Lewiston's network of canals harnessed the Androscoggin to power the city's great mill complexes. Today, the canals play almost no role in power generation but continue to be owned by a power company (NextEra Energy, formerly Florida Power & Light). Early photographs and postcards show the canals as gracious tree-lined waterways that were a

unique and attractive amenity for the city. Today the tree canopy is much deteriorated and the canals are frequently treated primarily as safety hazards, surrounded by unattractive fences and other barriers. The City of Lewiston is working with NextEra to acquire ownership of the canal network, opening the door to reestablishing the canals as attractive and unique community amenities. Through establishing walking and bike paths along the canals, Lewiston can create much stronger and more inviting connections among key destinations, highlighting a unique community asset in a new way.”

“City ownership will also open the door to consideration of use of the canals themselves for water-based recreation—in small boats, for ice skating and other purposes—further enhancing the appeal of canal edges for pedestrians. Each form of water-based recreation will have its own needs and constraints, and the feasibility of these uses will need to continue to be considered as the City works with the power company to ensure that adequate water is provided within the canals to preserve their amenity and facilitate use.”

Initial Deal Framework with FPL

The City’s initial efforts to acquire the Lewiston Canal System date back to the prior City Administrator’s tenure when discussions began between FPL and the City. While I was not a party to those negotiations, I understand that the potential framework for the City to gain ownership included a Tax Increment Financing agreement that would return to FPL a significant percentage of the new assessed value anticipated to result from new, upgraded generators that FPL was considering installing at Gulf Island Dam² as well as a release of certain of the City’s water rights and the City’s agreement to abandon power generation using water flows in the canal. During the same time period, the City was discussing CMP’s potential purchase of an easement within the upper canal to install an upgraded 145 kV line running from a substation located near the downstream end of the canal system to the major downtown substation on Main Street. If the City owned the canals, revenue associated with selling this easement could then be used to “offset” at least a portion of the revenue lost through the TIF.

As these discussions continued, staff became increasingly concerned about the potential revenue that would be lost through the TIF and whether the remaining water flow to the canals would be adequate to maintain water level and quality. It also became clear that CMP was likely to abandon the idea of laying a high voltage cable in the canal because of the cost. CMP’s current plan is to lay the new line underground in Canal Street, a project scheduled to begin shortly.

Given this, the City began to back away from the framework of the initial deal; however, those early negotiations led FPL to believe that the City was willing to provide some compensation to them in return for canal ownership. As the City backed away from this position, negotiations became more difficult.

Letter of Agreement with FPL

² At the time, FPL implied that a TIF was required for them to undertake the full investment needed to upgrade all of the generators at Gulf Island. Since then, the generators were upgraded without a TIF.

Nevertheless, the City eventually reached a tentative agreement with FPL subject to both parties undertaking additional due diligence. The basic framework was that the City would gain ownership in return for ceasing power generation at the Upper A³, transferring certain of its water rights⁴ to FPL, and providing FPL with a 20-year 20% TIF on its investment in a rubber dam system allowing for better water management at the Great Falls. See Attachment B, a May 28, 2011 memo from Linc Jeffers, for greater detail.

During the required due diligence period, FPL withdrew from the deal due to issues involving certain bond indentures affecting the Monty Hydro project and its unwillingness to provide environmental indemnifications.

Brookfield

In early 2013, Brookfield acquired the Monty Hydro project, canal system, and associated hydro facilities. While Brookfield retained some of the FPL personnel involved in negotiations with the City, this ownership transition allowed us, to an extent, to wipe the slate clean and begin over with the goal of limiting any financial cost to the City in acquiring the canals. Our goal remained eventual ownership of the canals, the elimination of Brookfield's interest in Mill 5⁵, ensuring adequate water flow in the canals for aesthetic purposes, and lengthening the time span during which repairs would be made to the canals and their water control structures to reduce "leakage".⁶

Tentative Agreement with Brookfield

By the Fall of 2014, the City had reached a tentative agreement with Brookfield. While certain elements of the prior conceptual agreement with Next Era/FPL carried forward into this agreement, the City was no longer offering a TIF for any improvements to Gulf Island or the rubber dams at the Monty. The City's sole financial obligation was to pay for a share of the costs of seeking the necessary regulatory approvals to implement the transfer of the canals and abandonment of our Federal Energy Regulatory Commission (FERC) license for the Upper A. Attachment C summarizes that agreement.

³ The Upper A generating facility is located at the lower end of the Upper Canal adjacent to the Androscoggin Mill. The City came into ownership of this facility as part of a multi-party deal that allowed the Monty Hydro to be constructed. Prior to Monty, the City owned and operated a small electric generating facility at the Great Falls. In return for transferring this property to CMP, the City gained ownership of the Upper A. This facility has three installed generators, one of which operates under base flow conditions (first 150 cfs) and two of which could be brought on line in sequence under excess flow conditions. The two excess flow generators have not operated since 2006. The base flow generator last operated in 2011. Subsequent to the end of a long-term power purchase agreement with CMP (also a part of the overall Monty deal), continued operation of these generators was no longer cost effective, so the City could not justify the capital cost to rebuild them and bring them back on-line.

⁴ The city has two sets of water rights. The first is the right to the initial 150 cfs of river flow. The second is referred to as the "excess" flow and is 555 cfs that is available to the City when the river flow is above 8,280 cfs.

⁵ The generating facility in Mill 5 is located at the end of the building nearest the cross canal. While the building is owned by the City, Brookfield, as successor to FPL and CMP, has an unrestricted right to use this space for power generation. This continuing right could complicate the eventual sale or demolition of Mill 5.

⁶ Part of the tentative agreement with FPL referenced earlier was that the City would undertake efforts to reduce leakage from the canal system with the potential to further reduce the 70 cfs then proposed to be committed to the canals. Toward that end, FPL was looking for certain repairs to be made within a year of the City acquiring ownership.

Agreement Placed on Hold

In the past, the City had primarily focused on the potential value of the canal system as an amenity and an economic development support. In addition, the City had reached the conclusion that generating power at the Upper A was no longer economically viable given the expiration of a long term power purchase agreement with CMP⁷ and the capital costs associated with rebuilding the facility's three generators.

As we discussed the potential agreement with Brookfield, members of the community raised issues regarding the value of the water rights that would be transferred to Brookfield and/or the potential of retaining all of these rights to support recreational uses of the canal such as a standing surfing wave or a white water kayaking course.

As a result of these concerns, the negotiations with Brookfield were placed on hold. Recently, however, they restarted and this term sheet has resulted.

Next Steps

Following Council review of the formal documents at this workshop, our plan is to place the agreement on the Council agenda for September 20th for final action. At that point and unless some significant issues arise at the workshop, staff anticipates seeking your approval to execute this agreement.

I would like to express my appreciation to the representatives of Brookfield who have been involved in this process. They have been forthright in their discussions with us, fully cooperated in sharing information, and have shown patience as the City investigated its options and worked through the public policy process.

⁷ This agreement was part of the overall initial Monty agreement and provided the City with a guaranteed price per Kilowatt Hour. When this agreement expired, the City could only sell the power on the open market at a significantly reduced price.

LEWISTON CITY COUNCIL

MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Authorization to accept transfer of forfeiture funds.

INFORMATION:

The Lewiston Police Department is requesting that the City Council authorize the acceptance of funds, in the amounts outlined below, as reimbursement for costs associated with assisting in a criminal investigation. The funds are available to the Lewiston Police Department due to its substantial contribution to the investigation of this or a related criminal case.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/10mm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

That pursuant to Title 15, Maine Revised Statutes Annotated, Section 5824(3) and Section 5822(4)(A), the City Council hereby acknowledges and approves of the transfer of \$2,385.00, or any portion thereof, in the case of the State of Maine vs. John Oberton, CR-17-3903 Court Records; the transfer of \$2,301.00, or any portion thereof, in the case of the State of Maine vs. Steven Locke, CR-17-3970 Court Records; and the transfer of \$1,299.00, or any portion thereof, in the case of the State of Maine vs. Donna Pagnani, CR-17-3717 Court Records, being funds forfeited pursuant to the court process. It is further acknowledged that these funds shall be credited to the 'City of Lewiston Drug Enforcement Program' account.

STATE OF MAINE
Androscoggin, ss

UNIFIED CRIMINAL COURT
Docket No. CR-17-3903

State of Maine	}	
	}	
v.	}	Municipality of Lewiston
	}	Approval of Transfer
John Oberton	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$2,385.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: _____

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

STATE OF MAINE
Androscoggin, ss

UNIFIED CRIMINAL COURT
Docket No. CR-17-3970

State of Maine	}	
	}	Municipality of Lewiston
v.	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Steven Locke	}	
Defendant;	}	
	}	
And	}	
	}	
\$2,301.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: _____

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

STATE OF MAINE
Androscoggin, ss

UNIFIED CRIMINAL COURT
Docket No. CR-17-3717

State of Maine	}	
	}	
v.	}	Municipality of Lewiston
	}	Approval of Transfer
Donna Pagnani	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$1,299.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Lewiston, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem, or any portion thereof, on the grounds that the Lewiston Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Lewiston, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Lewiston municipal legislative body on or about

Dated: _____

Municipal Officer
Lewiston, Maine
(Impress municipal legislative body seal here)

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/ikmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

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

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

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

LEWISTON CITY COUNCIL
MEETING OF FEBRUARY 20, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 14

SUBJECT:

Executive Session to discuss labor negotiations regarding the Maine Association of Police - Patrol Unit and the Lewiston Police Supervisory Command Unit.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (D) to discuss Labor Negotiations regarding the Maine Association of Police - Patrol Unit and the Lewiston Police Supervisory Command Unit.