

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
SEPTEMBER 4, 2018**

6:00 p.m. Workshops

- A. Off Street Parking Discussion – 20 minutes
- B. Public Art Presentation – 15 minutes
- C. Recreational Marijuana Discussion – 20 minutes

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag

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 1.

REGULAR BUSINESS:

1. Public Hearing for approval of an Outdoor Entertainment Permit for the Dance Party Under the Stars II event to be held at Simard Payne Memorial Park.
2. Public Hearing for approval of an Outdoor Entertainment Permit for a musical concert in Kennedy Park on September 28 and October 26.
3. Public Hearing for approval of an Outdoor Entertainment Permit for The Dempsey Challenge.
4. Public Hearing and First Passage to contractually rezone the property at 230 Bartlett Street from the Highway Business (HB) District to the Downtown Residential (DR) District.
5. Public Hearing and Resolve to Approve the Designation of Census Tracts 201, 203 and 204 as a Neighborhood Revitalization Strategy Area.
6. Condemnation Hearing for the building located at 12 Fair Street.
7. Order Authorizing the City Administrator to execute a New Collective Bargaining Agreement between the City of Lewiston and the Maine Association of Police Unit.
8. Order Authorizing the Reallocation of up to \$100,000 of FY19 CDBG funds from the Choice Neighborhood Match to be used to complete construction of Shane's Inspiration.
9. Resolve Authorizing the naming of the new Universally Accessible Playground to be established in Marcotte Park as "Jude's Place at Marcotte Park".
10. Resolve Authorizing the City Administrator to accept a donation of property to extend Mason Avenue.
11. Amendment to the Traffic Schedule to add two stop signs at Wood Street at the intersection with Vale Street.
12. Request to amend the Traffic Schedule to add two stop signs at Mark Street at the intersection with Gina Street.
13. Authorization to accept transfer of forfeiture funds
14. Reports and Updates.
15. Any other City Business Councilors or others may have relating to Lewiston City Government.

LEWISTON CITY COUNCIL
WORKSHOP AGENDA
TUESDAY, SEPTEMBER 4, 2018
6:00 PM

1. Off Street Parking Discussion – 20 minutes

Over the last several years, there have been some inconclusive staff/Council/Planning Board discussions about the City's current off-street parking requirements. One of the Goals that came out of the Council's Planning Session was to evaluate the impact of the City's current parking requirements on housing development. Planning staff would like to have an initial discussion of this topic with the Council to help inform its work in reviewing our current regulations and proposing changes.

2. Public Art – 15 minutes

Charlie Hewitt, the sculptor who created the Lewiston Rattle, has expressed an interest in promoting additional public art throughout Lewiston. He is interested in exploring placing a sculpture in the City owned area between the Lincoln Street Garage and Raymond Park. Mr. Hewitt will be present to present his proposal.

3. Recreational Marijuana – 20 minutes

Under the state's recently revised recreational marijuana statute, a municipality must take affirmative action to permit recreational marijuana facilities to be established within its borders. Should the City be interested in allowing recreational marijuana facilities, staff would be required to develop the necessary implementing legislation, including zoning/land use regulations and licensing procedures. Given that developing such a regulatory framework will require time and attention, we are seeking initial guidance from the Council as to whether there is or is not interest in allowing such facilities in Lewiston.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor Shane Bouchard and the Lewiston City Council

FROM: Douglas Greene, AICP, RLA; Deputy Director/City Planner

DATE: September 4, 2018

RE: Proposed Changes to Parking Regulations

Purpose: Parking in Lewiston has been studied and discussed for many years. As evidenced in the attached 2014 memo to the Planning Board from David Hediger (**Attachment 1**) and recommendations in the 2017 Legacy Lewiston Comprehensive Plan, there is a long standing need to amend our parking regulations. This memo is proposing 2 specific text amendments along with thoughts for future consideration and discussion.

1. Amend the section on “locations of off-street parking facilities” by increasing the distance to off-site parking lots and removing the requirement for Board of Adjustment approval.
2. Reduce parking requirements for multi-family dwellings for downtown area zones.

Comprehensive Plan Recommendations- Changing the parking regulations is supported by Legacy Lewiston, which recommends numerous changes to our parking regulations.

(Attachment 2)

1. “Strengthening Neighborhoods and Expand Housing Choice”, Identity, page 179.
2. “Promote Transportation Choice and Mobility, Parking”, pages 199-200.
3. “Implementation Matrix, Transformation: Strengthen Neighborhoods..., Address Parking & Open Space Standards for Downtown”, page 238-239.
4. “Implementation Matrix, Promote Transportation Choice & Mobility, Infrastructure, Provide More Bike Parking & Storage”, page 244-245.
5. “Implementation Matrix, Parking”, page 244-45.
 - Relax Parking Requirements
 - Unbundle Parking
 - Facilitate and Simplify Shared Parking
 - Improve Parking Management and Pricing
 - Redevelop Existing Parking Lots with Infill Development

Proposed Parking Amendments

1. **Address off-site parking location regulations** (Simplified description and summary)
 The first step in amending Lewiston’s parking regulations is to evaluate and consider changes to Article XII, Performance Standards, Section 17, Parking, **(e) Location of off-street Parking Facilities (1-4)**. Normally, required parking must be provided on the same property as the principle building or use. There are 4 exceptions that must be approved by the Board of Appeals. The 4 exceptions are:

- a. Part 1 applies in residential zones for required parking that is not available on site, but can be provided off-site within 500 feet. Off-street parking sites must be held in fee simple (owned) or by tenure (long term lease or agreement) by the owner of the principle building/use served. The Planning Director must approve the proposed tenure before being considered by the Board of Appeals.
- b. Part 2 is very similar to the provisions of (a) except it applies to buildings or uses in non-residential zones with the same 500 foot limit on proximity, fee simple ownership or tenure and the off-site parking must be located in a non-residential zone.
- c. Part 3 allows off-site parking in any non-residential district to be provided by the municipality (parking garages or city-owned surface parking lots) and must be located within 500 feet (measured along lines of public access) of the proposed building or use.
- d. Part 4 exempts parking requirements for structures designated as significant for historic preservation as listed in the Zoning Ordinance, Article XV.

Staff Comments and Recommendations:

- Remove the requirement of approval by the Board of Appeals and give the authority to approve off-site, tenured parking to the appropriate reviewing body (Planning Director, Staff or Planning Board).
- Expand the maximum distance for off-site parking to 1,320 feet or 1/4 mile, which is the standard distance used for in measuring walkability for parts 1, 2 and 3. (**Attachment 3**)
- Clean up terminology in parts 1 and 2 to be consistent.

Benefits of Amending Off-Street Parking Location Requirements-

- Increase the usage and revenues for our 5 downtown parking garages
- Facilitate infill and redevelopment especially in the downtown area
- Encourage new residential developments, large and small, market rate or subsidized
- Bring back functional, traditional mixed use to Lewiston's Downtown (1st Floor Commercial, upper floor residential)
- Simplify the approval process of development

Draft Amendment to Article XII, Performance Standards, Section 17, Parking, (e)

(e) *Location of off-street parking facilities.* Required or provided off-street parking in all districts shall be located on the same lot as the principal building or use, ~~except as may be allowed by the board of appeals on the basis of an appeal~~ as provided below:

- (1) In residential districts, ~~the board of appeals may authorize~~ required or provided off-street parking, serving permitted or conditional uses, to be located off the site, provided it is located within ~~500~~ 1,320 feet measured along lines of public access of the principal building or use and cannot reasonably be provided on the same lot. Such off-street parking shall be held in fee simple by the owner of the principal use served, or in such other tenure as assures continued availability for parking as long as the particular land will be needed for such use, provided that if tenure is other than ownership in fee simple, the form of tenure shall be approved by the planning director before the request is considered. ~~by the board of appeals.~~ Evidence of fee simple ownership or approved tenure shall be required.

- (2) In all zones other than residential, required or provided off-street parking shall be ~~located on the same lot with the principal building or use, may be located off the site, provided it is located or~~ within 500 1,320 feet measured along lines of public access, ~~of the principle buildings or use and except that where off-street parking cannot be provided on the same lot, within these limits, the board of appeals may permit s-~~Such off-street parking to be located a reasonable distance from the ~~principal buildings or use, measured along lines of access if such off lot parking areas shall be held in fee simple by the owner of the use served, or in such other tenure as assures continued availability for parking as long as the particular land will be needed for such use, provided that if tenure is other than ownership in fee simple, the form of tenure shall be approved by the planning director before the request is considered, by the board of appeals.~~ Evidence of fee simple ownership or approved tenure shall be required, and such lots shall be located within nonresidential districts.
- (3) Required off-street parking in all districts ~~other than residential~~ may be substituted by parking facilities which, in the public's interest, may be provided by the municipality. Such substitution shall be shown to be representative of the off-street parking turnover or requirements of the particular use in question and shall take into consideration the needs of other uses with similar demands upon such public space. No such public off-street parking spaces shall be considered as a substitute unless located within 500 1,320 feet of the principal building or use measured along lines of public access.
- (4) No additional parking spaces shall be required for any structure that has been designated as significant for historic preservation under article XV, section 3 of this Code that is proposed for reuse. Any expansion to the building will need to provide the required additional parking. All modifications to the building must be done in accordance with the criteria established under article XV, section 5 of this Code.

2. Revise the Off-Street Parking Requirement

The next step in amending Lewiston's Parking Regulations is to evaluate and consider changes to two sections of Article XII, Performance Standards, Section 17, Parking, (d) *Off Street Parking Required* and (g) *Construction of off-street parking facilities*.

Draft Parking Ordinance Amendments (Part 2A)

Article XII. Performance Standards, Section 17, Parking, (d)

Staff Comments and Concerns:

Lewiston's parking requirements were last amended in 2010 along with other that go back many years. The focus on this part of the amendment is the parking required for multi-family and single-family attached dwellings, which is problematic in several ways:

- The multi-family and attached single family parking requirement is a barrier to redeveloping in-fill projects, especially in the downtown area. This is important given the number of structures that have been demolished over the last 10 years, creating vacant lots and holes in our urban fabric, while removing structures off the tax rolls. A case study of typical vacant lots in the Downtown Residential zone is attached and includes an

email from William Healey, Director of Assessing, who provides some basic information in the case study on the valuation of vacant lots, parking lots, duplexes and 4-plex scenarios (**Attachment 4**)

- The multi-family and attached single family parking requirement prohibits redevelopment to reach densities that were traditionally found in the surrounding area
- Studies have shown traditional parking regulations over prescribe required parking by around 30%
- Excessive parking creates environmentally damaging run-off, creates a heat sink effect and is generally unaesthetic

Staff Recommendations: Reduce the parking requirements for Multi-family and Single-Family Attached Dwellings.

Draft Parking Ordinance Amendments (Part 2A)

Article XII. Performance Standards, Section 17, Parking, (d)

(d) *Off-street parking required.* The following minimum off-street parking shall be provided and maintained for each situation identified in subsection (a). In computing the number of spaces required, lots with two or more uses shall meet the combined requirement for all of the uses. In calculating the parking requirement, major fractional spaces (0.5 or greater) shall be rounded up to the next whole space. Employee parking is based on the largest shift.

Single-family detached dwellings.....	two spaces per dwelling unit
Two-family dwellings.....	two spaces per dwelling unit
Single-family attached or multifamily..... dwellings	two <u>one</u> spaces per dwelling unit with three or more bedrooms, one and half spaces per dwelling unit with one or two bedrooms, one space per efficiency dwelling unit, plus 0.2 <u>0.1</u> spaces per dwelling unit for visitor parking for all single-family attached or multi-family dwellings
Housing for the elderly.....	one-half space per dwelling unit
Types "A" and "B" group care facilities.....	one space per three bedrooms, plus one space per employee
Tourist homes.....	two spaces plus one space per lodging unit
Motels, hotels and inns.....	three spaces plus one space per sleeping room (accessory eating and drinking establishments or other facilities shall provide additional parking as required).
Rooming houses, boarding houses, lodging.... houses	one space per three bedrooms
Bed and breakfast establishments.....	one space per guest sleeping room and two spaces per dwelling unit plus one space per every two employees on the largest shift.; establishments approved by development

	review pursuant to article XIII for meeting facilities for non-guests or for special outdoor functions shall provide one space per two seats in any meeting facilities and one space per two special outdoor function guests based on the approved capacity; if such additional off-street parking is provided off the site, it shall comply with the requirements of article XII section 17.e except that, notwithstanding the provisions of subsection e, the planning board shall have the authority to approve such off-site parking.
Hospitals.....	one space per patient bed plus one space per three employees
Medical clinics.....	two spaces per treatment room or patient bed, whichever is greater
Nursing or convalescent homes.....	one parking space per five resident beds and one space per employee
Schools	
Elementary schools.....	one and a half spaces per classroom
Secondary schools.....	five spaces per classroom
Residential colleges, universities and..... institutions of higher education, including accessory facilities athletic and assembly facilities designed primarily for student use	one space per 7 seats in classroom facilities
Business colleges and schools.....	one space per 4 seats in classroom facilities
Retail and personal service establishments.....	Three space per two hundred fifty square feet of gross floor area. For retail stores which are part of a gasoline service station complex, one-half of the service spaces at the pump islands may be applied to meet not more than one-half of the required parking demand
Eating and drinking establishments.....	one space per three seats
Drive-in restaurants.....	ten spaces plus one additional space per one hundred feet of gross floor area
Professional and business offices.....	one space per 300 square feet of gross floor area
Construction contractors, tradesman, offices,... laboratories and similar uses	one space per 500 square feet of gross floor area
Adult business establishments, drinking place..	one space per 3 seats or 200 square feet of gross floor area, whichever is greater
New and used car dealers.....	five spaces plus one space per 3,000 square feet of display area (indoor and outdoor)
Auto repair garages and gasoline service..... stations	two spaces per service bay plus one space per employee

Light industrial uses, industrial uses,.....	one space per 500 square feet of gross floor area up to 3,000 sq. ft. plus one space for each 1,000 sq. ft. of gross floor area in excess of 3,000 square feet
wholesale, storage and distribution facilities	
Community centers, libraries, museums,.....	one space per 4 seats where fixed seating is provided plus 1 space per 200 square feet of area otherwise available for assembly
civic clubs, theatres, places of indoor assembly, amusement or culture, religious facilities, and similar uses	
Auditoriums, stadiums, sport arenas, race.....	one space per each 4 seats; where individual seats are not provided, each 24 inches of bench or other similar seating, or eight sq. ft. of seating or standing space shall be considered as one seat for the purpose of determining requirements thereof
tracks, skating rinks, gymnasiums, convention halls or similar uses	
Self-storage facilities.....	five spaces
Uses not specifically listed or able to be placed into one of the above categories, or listed uses which can be clearly shown to have a differing parking need (either fewer or greater) than otherwise required	Sufficient spaces to accommodate the normal parking demand of the use without requiring on-street parking. The number of required spaces shall be determined by the planning board for major project development review or by the staff review committee for minor project development review by the planning director if no review is required in accordance with accepted standards.

Draft Parking Ordinance Amendments (Part 2A)

Article XII. Performance Standards, Section 17, Parking, (g)

Construction of Off-Street Parking Facilities Section (g) Staff Comments:

Section (g) below offers a reduction of up to 25% of required spaces if a developer proposes a Transportation Demand Management program that is approved by a reviewing body. The spaces reduced may be off-site and must be reserved on the approved site plan. The reserved parking area must remain open space but cannot be counted as required open space. If the approved use changes or the Transportation Demand Management program is not successful or implemented, the reduced spaces must be constructed within 60 days.

Staff Recommendations: Remove (g) 5 from the Construction of Off-Street Parking Facilities. The Staff recommends removing this provision (g) for multi-family developments should the multi-family parking requirement be reduced down to 1 space per dwelling unit. This provision, while not stated, permanently locks up and underutilizes the off-site location reserved as a result of the 25% reduction in parking. The enforcement of this provision is difficult as well.

(g) Construction of off-site parking facilities

- (5) ~~When it has been determined under article XII, section 17(d) that a specific use requires less parking spaces than otherwise required, the additional parking spaces based on the listed use may be just shown as reserved on the plans. In addition, a developer may implement transportation demand management programs to reduce the need for off-street parking. The programs could involve strategies to involve more interurban transit use, car and van pooling, employee pick-up plans, flexible workhour schedules, subscription bus service and other similar incentives. These programs must be approved by the reviewing body prior to implementation and may not reduce the number of required spaces by more than 25 percent.~~

~~For projects classified as major under this Code utilizing the transportation demand management program provisions, or projects classified as minor under this Code that are proposing expansion, the reduced number of spaces must also be shown as reserved on the plans. Reserved parking spaces for all projects shall not be used for any purpose other than open space, and the reserved area may not be used to meet the minimum open space ratio. If the use changes with respect to the need for the additional spaces, or if the transportation demand management program is not successfully implemented, the additional number of spaces shall be constructed in accordance with the applicable design standards within 60 days of the change of use or determination that the transportation demand management program has not been successfully implemented.~~

~~For projects classified as minor under this Code utilizing the transportation demand management program, but not proposing any expansion, the occupancy permit shall be contingent on the satisfactory implementation of program. The required additional spaces shall be provided within 60 days of a determination that the program has not been successfully implemented. Otherwise, the use must cease or be converted to one that meets the required parking standards.~~

Future Parking Topics for Discussion and Consideration

1. Consider adopting new parking requirements based on parking maximums.
2. Consider reducing parking requirements for amenities that promote non-vehicular use such as bike racks or bus shelters when provided along public transportation routes.
3. Consider how to coordinate the recently completed Downtown Parking Meter Study with the changes contemplated with these parking amendments. Make sure the latest parking technologies are considered.
4. Create an inventory of all private and public parking lots over 4 spaces. Explore shared parking opportunities or locate underutilized lots.
5. Consider shifting the City's approach to downtown parking from a parking regulation model to a parking management model.
6. Consider incentives to create cooperative, shared parking agreements.

Attachment 1



CITY OF LEWISTON

Department of Planning & Code Enforcement



TO: City Council
Honorable Mayor
FROM: David Hediger, City Planner
DATE: November 24, 2014
RE: Parking Requirements Downtown

As the Council may be aware, Lewiston's off-street parking requirements, especially in the greater downtown area, have been questioned for many years. The current provisions are not uncommon to other communities and are likely based upon Institute of Transportation Engineers (ITE) traffic manuals. These provisions are modeled to require that a minimum of 85% of the vehicles associated with a use at any one time must be accommodated with off street parking. Just as in many other communities, Lewiston's provisions have been questioned as unneeded and more onerous than necessary, especially in the more urban/developed sections of a community. Provisions like Lewiston's minimum parking requirements increase the density of both parking spaces and cars. More cars create more traffic congestion, which in turn incites the need for more local remedies such as street widening, additional turning lanes, traffic signal improvements, etc. It also places costs on property owners as they rarely charge motorists for parking, although there are exceptions where some provide private lots and/or garages. This results in the cost of parking spaces included as an additional cost of development.

For some time, staff has discussed relaxing the off street parking requirements in effort to facilitate development, avoid overbuilding parking, and, in part, to allow the market to determine its own demand for parking. There are numerous alternatives that may be considered: shared parking (which we already encourage), in-lieu of parking fees, incentives for transit, bike/ped improvements, travel demand management (TDM) programs, parking districts, etc.

At a Planning Board workshop on November 10, 2014, staff recommended that parking standards be relaxed in two areas:

- Consider waving the parking standards for all uses located in the Riverfront, Mill, and Centreville districts: Let the market decide what their "real" demand for parking may be. All three districts have municipal parking garages with excess capacity within walking distance (i.e. ¼ mile). Managing parking effectively in this area is supported by the Riverfront Masterplan and is referenced in the draft comprehensive plan.
 - The Board was generally supportive of waiving the standards for nonresidential uses. There was some concern with respect to waiving the standards for residential uses. The Board directed staff to schedule a public hearing at which time two proposals would be considered: one waiving the parking requirements for all uses and the other maintaining a requirement for only residential uses.
- Downtown Residential and Neighborhood Conservation "B" districts: The elimination of the overnight winter parking ban in the city has greatly increased the availability of year round on-street parking in these districts. Given that change, relaxing off-street standards would allow for on-street parking to occur when there is excess demand (i.e. family gatherings, special events or sales, etc.). Staff is suggesting a lesser parking standard be considered for all uses or for select uses. The reduction could be as a matter of right or

through a process requiring a waiver when specific criteria are met. Managing parking effectively in this area is supported by the Third Place Downtown Neighborhood Action Plan and is referenced in the draft comprehensive plan.

- The Board was concerned with relaxing the standards for all residential uses in these two districts. The majority agreed that a standard should remain and that it may differ for residential and nonresidential uses. The Board directed staff to provide some additional alternatives before scheduling a public hearing.

Staff believes establishing more realistic parking standards will help assist in the redevelopment of Lewiston's urban residential and nonresidential districts by reducing site costs for property owners and developers. Instead of investing in a vacant lot for parking, that lot could be used for additional future development or open space. It could be an incentive for property owners to invest in new construction or the rehabilitation of existing structures versus additional site costs. Other benefits of relaxed parking provisions include supporting walking, cycling and transit use; reduced stormwater management costs and water pollution; and the maintenance or creation of a more interesting and attractive urban environment.

Staff is interested in discussing with the Council options that would relax the city's current parking requirement to learn of any concerns or suggestions you may have prior to developing any specific amendments for the Planning Board's consideration.

Below are Lewiston's existing parking requirements taken from Article XII, Section 17:

(d) *Off-street parking required.* The following minimum off-street parking shall be provided and maintained for each situation identified in subsection (a). In computing the number of spaces required, lots with two or more uses shall meet the combined requirement for all of the uses. In calculating the parking requirement, major fractional spaces (0.5 or greater) shall be rounded up to the next whole space. Employee parking is based on the largest shift.

Single-family detached dwellings	two spaces per dwelling unit
Two-family dwellings	two spaces per dwelling unit
Single-family attached or multifamily dwellings with	two spaces per dwelling unit with three or more bedrooms, one and one-half spaces per dwelling unit with one or two bedrooms, one space per efficiency dwelling unit; plus 0.2 spaces per dwelling unit for visitor parking for all single-family attached or multi-family dwellings
Housing for the elderly	one-half space per dwelling unit
Types "A" and "B" group care facilities	one space per three bedrooms, plus one space per employee
Tourist homes	two spaces plus one space per lodging unit

Motels, hotels and inns	three spaces plus one space per sleeping room (accessory eating and drinking establishments or other facilities shall provide additional parking as required).
Rooming houses, boarding houses, lodging houses	one space per three bedrooms
Bed and breakfast establishments	one space per guest sleeping room and two spaces per dwelling unit plus one space per every two employees on the largest shift; establishments approved by development
	review pursuant to article XIII for meeting facilities for non-guests or for special outdoor functions shall provide one space per two seats in any meeting facilities and one space per two special outdoor function guests based on the approved capacity; if such additional off-street parking is provided off the site, it shall comply with the requirements of article XII section 17.e except that, notwithstanding the provisions of subsection e, the planning board shall have the authority to approve such off-site parking.
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Elementary schools	one and a half spaces per classroom
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Business colleges and schools	one space per 4 seats in classroom facilities
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Auto repair garages and gasoline service stations	two spaces per service bay plus one space per employee
Light industrial uses, industrial uses, wholesale, storage and distribution facilities	one space per 500 square feet of gross floor area up to 3,000 sq. ft. plus one space for each 1,000 sq. ft. of gross floor area in excess of
community centers, libraries, museums, civic clubs, theatres, places of indoor assembly, amusement or culture, religious facilities, and similar uses	3,000 square feet one space per 4 seats where fixed seating is provided plus 1 space per 200 square feet of area otherwise available for assembly
Auditoriums, stadiums, sport arenas, race tracks, skating rinks, gymnasiums, convention halls or similar uses	one space per each 4 seats; where individual seats are not provided, each 24 inches of bench or other similar seating, or eight sq. ft. of seating or standing space shall be considered as one seat for the purpose of determining requirements thereof
Self storage facilities	five spaces
Uses not specifically listed or able to be placed into one of the above categories, or listed uses which can be clearly shown to have a differing parking need (either fewer or greater) than otherwise required	Sufficient spaces to accommodate the normal parking demand of the use without requiring on-street parking. The number of required spaces shall be determined by the planning board for major project development review or by the staff review committee for minor project development review or by the planning director if no review is required in accordance with accepted standards.

(e) *Location of off-street parking facilities.* Required or provided off-street parking in all districts shall be located on the same lot as the principal building or use, except as may be allowed by the board of appeals on the basis of an appeal as provided below:

- (1) In residential districts, the board of appeals may authorize required or provided off-street parking, serving permitted or conditional uses, to be located off the site, provided it is located within 500 feet of the principal building or use and cannot reasonably be provided on the same lot. Such off-street parking shall be held in fee simple by the owner of the principal use served, or in such other tenure as assures continued availability for parking as long as the particular land will be needed for such use, provided that if tenure is other than ownership in fee simple, the form of tenure shall be approved by the planning director before the request is considered by the board of appeals. Evidence of fee simple ownership or approved tenure shall be required.
- (2) In all zones other than residential, required or provided off-street parking shall be located on the same lot with the principal building or use, or within 500 feet

measured along lines of public access, except that where off-street parking cannot be provided within these limits, the board of appeals may permit such off-street parking to be located a reasonable distance from the principal buildings or use, measured along lines of access if such off-lot parking areas shall be held in fee simple by the owner of the use served, or in such other tenure as assures continued availability for parking as long as the particular land will be needed for such use, provided that if tenure is other than ownership in fee simple, the form of tenure shall be approved by the planning director before the request is considered by the board of appeals. Evidence of fee simple ownership or approved tenure shall be required, and such lots shall be located within nonresidential districts.

- (3) Required off-street parking in all districts other than residential may be substituted by parking facilities which, in the public's interest, may be provided by the municipality. Such substitution shall be shown to be representative of the off-street parking turnover or requirements of the particular use in question and shall take into consideration the needs of other uses with similar demands upon such public space. No such public off-street parking spaces shall be considered as a substitute unless located within 500 feet of the principal building or use measured along lines of public access.
- (4) No additional parking spaces shall be required for any structure that has been designated as significant for historic preservation under article XV, section 3 of this Code that is proposed for reuse. Any expansion to the building will need to provide the required additional parking. All modifications to the building must be done in accordance with the criteria established under article XV, section 5 of this Code.

Identity

Better Define Lewiston's Neighborhoods

Currently, Lewiston has a number of loosely defined neighborhoods. The City could work with residents to clearly identify neighborhood boundaries and determine names for each to help build a renewed sense of community for the residents who reside there. This initiative could include the preparation of neighborhood-, single-family area plans for prominent neighborhoods and enhance the quality of life there by encouraging the residents to take active roles in addressing local issues.



Convene an event centered around defining Lewiston's neighborhoods.



Economic & Community Development Department

Address Parking & Open Space Standards for Downtown Housing

Many downtown residents don't own cars, either by choice, or because they can not afford one; however, the cost of providing parking is indirectly reflected in higher rents. If the number of cars owned by low- to moderate-income households continues to shrink, a good portion of Lewiston's population won't own a car in the coming decades.

The City should consider lowering parking standards or eliminating them entirely in certain parts of the City to provide flexibility to property owners and lessen the expense associated with new construction. The City should revisit the existing parking requirements that allow use of off-site facilities to further encourage more use of them or collect in-lieu fees that could be used to construct small, municipal shared-use lots in central locations. Lewiston's ample on-street parking provides an additional alternative that does not result in higher housing costs and makes the streets safer for pedestrians by increasing the number of parked cars, narrowing the perceived lane width and slowing traffic. The benefit of these options is that infill development will become

more attractive for developers by allowing them to design better buildings on small, urban lots.

Similarly, open space standards are a barrier to developing affordable housing. Current zoning regulations require potential developers to meet suburban requirements that are inappropriate in the urban context. The result is leftover slivers of land that don't get used. Open-space standards should be eliminated in the City's existing urban neighborhoods, relying instead on appropriate building setbacks and heights to ensure that the density of new building reflects the character desired by the community. Developers should instead be required to contribute a small in-lieu fee that the City can apply to constructing, operating, and maintaining community parks, playgrounds, and gardens in target locations within walking distance of all residents.



Revisit the City's parking and open-space standards to facilitate investment in the Downtown.



Planning & Code Enforcement

Provide More Employee Housing

With Androscoggin County looking to welcome 2,000 new jobs by 2020 according to the Riverfront Island Master Plan, Lewiston is bound to see growth among its prominent employers. With an already low vacancy rate citywide, large corporations based in Lewiston might begin to overwhelm the local housing stock, though vacancy rates are higher in the downtown. A broad mix of high-quality new housing and short-term rentals, particularly for hospital employees, should be provided within proximity to these anticipated jobs. The City should take a proactive role in directing these new housing units into the core, rather than allowing the continued expansion of suburban housing in the outskirts of the City. The City should encourage Employer Housing Assistance Programs, where major employers provide financial support to employees who purchase homes within certain geographic locations or developments. This could help provide the confidence for developers to invest in the Downtown.

Provide More Bike Parking & Storage

Cyclists must have safe and convenient places to store their bicycles at a trip's end. One of the most user-friendly designs is the "u-shaped" bicycle rack, though locally made options that maintain a high level of function should be encouraged. There are currently not enough bike racks and secure bike storage in Lewiston. A public/private partnership could be created between local non-profits, business owners and the City to fund and install racks and bike storage in proximity to schools, municipal buildings, or other popular destinations.

Encourage End-of-Trip Facilities

Easily identifiable bike shops, repair stations, cafes, and other businesses that cater to the needs of hungry and thirsty bikers will do much to build the City's reputation as a bike-friendly destination. These kinds of highly functional end-of-trip facilities, tax-free employer subsidies and other "soft" improvements, would continue to build on Lewiston's bikeability.

Parking

Relax Parking Requirements

To set itself apart and to attract needed economic investment, Lewiston should consider taking the bold step of relaxing parking requirements. By reducing them in the downtown area and possibly elsewhere in the City, each new development can determine exactly how much parking is needed without wasting land and resources on parking spaces and finding more creative ways to meet resident or customer needs. Simplifying this aspect of the development and approval process would help attract potential developers and increase Lewiston's competitive advantage.



Update the zoning regulations to consider relaxing and eliminating the off-street parking required for new development.



Planning & Code Enforcement

Unbundle Parking

The cost of parking is typically embedded in residential purchases and rentals, so residents often don't realize the true cost of using valuable land for parking. With unbundled parking, residents buy or rent each parking space separately from the residential unit, helping to reveal the true cost of storing each car. Tying together cost and choice is one of the most effective means of reducing overall parking demand since some residents will opt to give up their vehicle and use available transit over paying extra for a parking space. The City can help facilitate this by relaxing parking requirements in the zoning ordinance, allowing parking to become a commodity with developers free to build as many or as few spaces as they believe consumers will purchase.



Provide incentives for developers to unbundle parking.



Private sector
Planning & Code Enforcement

Facilitate & Simplify Shared Parking

Shared parking allows nearby property owners to share a common parking facility rather than maintaining two separate facilities. It allows for more efficient parking lot design and makes better use of the aggregate spaces that are available. Since uses that share spaces may have peak parking demands that differ by time of day, fewer total parking spaces are typically needed. Shared parking also has the advantage of improving development feasibility, helping increase densities, and promoting mixed-use and pedestrian activity. Although parking is currently allowed by ordinance, the code creates some administrative hurdles that could be removed in order to make the process more simple.



Create a public-private partnership to facilitate sharing between private and public parking spaces to maximize efficiency.



Economic & Community Development
Department

Improve Parking Management & Pricing

The downtown parking system is inverted: it is currently metered on low-density spaces and timed on high density. According to industry standards, an optimal parking occupancy rate is 85%. Parking occupancy should be monitored on a regular basis to identify areas where parking utilization is highest and opportunities for different management strategies present themselves. The following strategies can be deployed independently or as part of a more comprehensive pricing system.

Geographical Pricing: The development of a successful on-street parking management system relies on the development of a coordinated and comprehensive system that prioritizes parking spaces based on convenience and proximity to popular destinations. Just as any business sells its most desirable goods and services at a premium price, the most convenient and prized parking spots—usually on-street parking near popular destinations—should be priced in the same way. When determining the market-rate for an on-street parking space, prices should be set so that, at any given time, only 6 or 7 spaces out of every 8 spaces are occupied on a given block. If all of the spaces on that block stay occupied, the price is too low. The highest hourly rates should be assigned to areas around Lisbon and Main Streets, with progressively lower rates as the distance from these areas increases.

Time of Day Pricing: A variable pricing strategy can also be employed that changes prices based on time of day with higher cost at peak parking demand times. By using real-time space availability sensors for both on- and off-street parking, as well as networked meters, demand can be determined immediately with automatic price adjustments made to meters across the system.

Length of Stay Pricing: Price can also be based on the duration of a visit so that each successive time period is more expensive than the last. By charging a higher rate for each additional time increment, short-term parking is encouraged and turnover increases while providing flexibility and convenience to users. Typically, this strategy has no set time limit - it simply relies on the escalating cost as an incentive for turnover, making it ideal for retail streets, where parking turnover equals sales.

Ultra-Short-Term Parking: To facilitate fast turnover of on-street spaces particularly in front of retail storefronts, some amount of ultra-short-term parking should be provided. In some cases a “first 15 minutes free” program could be implemented in which a button on the meter is pressed to provide 15 minutes of free parking without inserting any form of payment. This program could be available for all on-street parking spaces within the downtown core to promote high turnover of on-street spaces.



Conduct a parking utilization study to understand how the parking resources are being used and identify opportunities for different management strategies.



Public Works
Police Department

Redevelop Parking Lots

By reducing the amount of land dedicated to parking spaces and encouraging redevelopment of existing parking lots, Lewiston may make more efficient use of precious urban land for activities that are more affordable, economically viable, and dynamic than car storage.

Transit

Improve Citylink bus system

There are many benefits to maintaining a robust public transportation system. These include fewer single-occupancy vehicles, less traffic and need for parking, and reduction in air pollution, as well as meeting the needs of people who do not own a car. The L/A region should adopt an aggressive strategy to reinvigorate the public transportation system. The City should work with ATRC to potentially expand routes and hours of operation, including late evenings to better serve commuter needs and Sundays to better serve the local population. A stronger partnership could be built with Lewiston's educational institutions to better serve student users who take the bus.

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Strengthen Neighborhoods & Expand Housing Choice (pages 172-181)	
Identity	The Fix
Bring a Graduated Care Facility to Downtown Lewiston	Actively seek the development of a graduated care facility in downtown Lewiston. Develop regulation and programs to encourage this type of development.
Promote Microhousing	Revise minimum unit size limits to allow for smaller inclusive units.
Better Define Lewiston's Neighborhoods	Convene an event centered around defining Lewiston's neighborhoods.
Address Parking & Open Space Standards for Downtown Housing	Revisit the City's parking and open space standards to facilitate investment in the Downtown.
Provide More Employee Housing	Explore the creation of Employer Housing Assistance Programs in partnership with regional hospitals or other major employers to help stimulate new housing construction in the downtown.
Communications	The Fix
Initiate a PR Campaign	Create a PR Campaign for the Housing section of this Comprehensive Plan.
Improve Housing Policy Communications	Create a poster or other effective medium to clearly explain the City's current demolition policies to the public.
Safety	The Fix
Address Lead Poisoning	Continue lead paint abatement programs in coordination with federal and state agencies. Educate the public about lead in drinking water and actions consumers can take to reduce their exposure to lead.
Crowdsourcing	The Fix
Adopt-A-Lot Program	Create an Adopt-A-Lot program to help clean up vacant lots.
Regional Coordination	The Fix
	Establish a housing committee composed of individuals and stakeholders. knowledgeable about the local housing market and housing conditions and charge this committee with developing housing-related policies and programs that meet the needs of local and regional residents seeking both quality market-rate and affordable housing.
	Seek partnerships with Auburn and regional service providers to implement the recommendations of the Lewiston/Auburn Alliance for Services to the Homeless (LAASH) 10-year Plan to Prevent and End Homelessness. The City should provide leadership among regional partners to identify funding and design programs necessary to end homelessness in Androscoggin County.

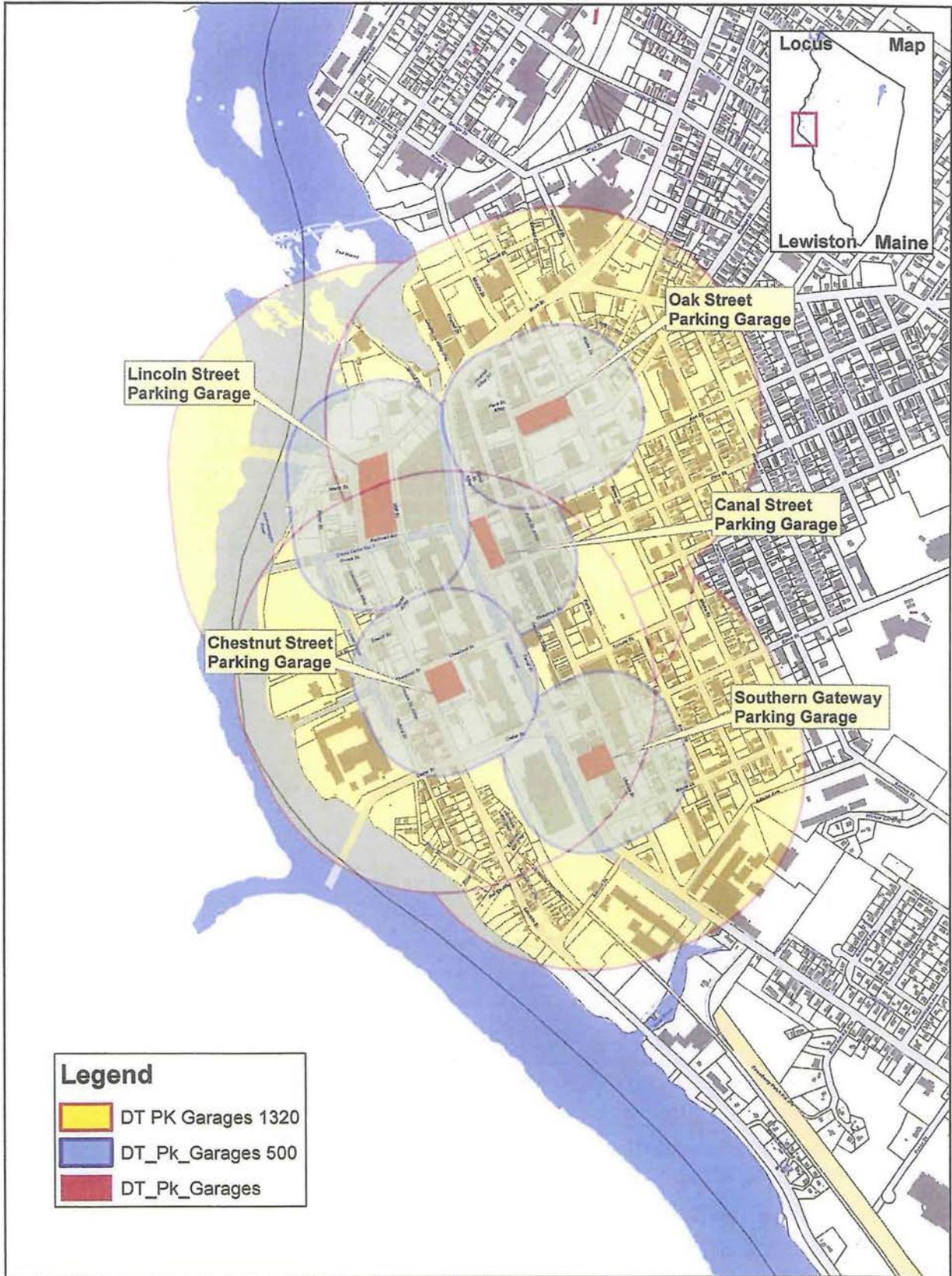
TIMEFRAME	RESPONSIBLE PARTY							
	Economic & Community Development Department	Planning & Code Enforcement	City Administration	City Council	Chamber of Commerce	Recreation Division	Lewiston Public Library	Other
Medium-term	E&CD	P&CE						
Short-term		P&CE						
Short-term	E&CD							
Short-term		P&CE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

Lewiston Comprehensive Plan Implementation Matrix

TRANSFORMATION:	
Promote Transportation Choice & Mobility (pages 192-203)	
Connections	The Fix
Consider Two-way Street Network	Appropriate funding in the Lewiston Capital Improvement Program for two-way street studies and conversions, focusing on possible conversions downtown.
Improve Connections Between Bates College and Downtown	Appropriate funding in the Lewiston Capital Improvement Program for preliminary engineering of a cycle track between Bates College and Downtown Lewiston.
Civilize the Bridges	Appropriate funding in the Lewiston Capital Improvement Program for preliminary engineering of existing bridges for enhanced pedestrian and bike facilities.
Improve Bicycle & Pedestrian Connections	Develop and adopt design criteria, standards and guidelines in accordance with the City's Complete Street Policy. Continue to work with the Androscoggin Transportation Resource Center (ATRC) to develop the regional trail and bicycle network.
Connectivity	The Fix
Improve Vehicular Connectivity	Ensure that all streets are connected to other streets. Avoid the construction of dead ends or cul-de-sacs.
Improve Bike & Pedestrian Connectivity	Increase number of routes through the community for pedestrians and bicyclists.
Infrastructure	The Fix
Re-envision Gateway Approaches	Appropriate funding for corridor planning and form-based zoning to inform and enable the redevelopment over time of both the thoroughfares and abutting properties. Review and revise access management measures to limit the number of curb cuts along Gateway Roads and promote the development of shared drives and parking areas.
Improve Neighborhood Streets & Intersections	Hire urban design/engineering consultant to prepare complete street & intersection improvement plan.
Showcase Canals	Secure funding for redesigning Canal Street and Oxford/Cross Street as shared streets or "woonerfs".
Provide More Bike Parking & Storage	Fund and install racks and bike storage in proximity to schools, municipal buildings, or other popular destinations.
Encourage End of Trip Facilities	Encourage end-of-trip facilities and create employer incentivization programs such as tax-free employer subsidy for riding to work.
→ Parking	The Fix
Relax Parking Requirements	Update the zoning regulations to consider relaxing the off-street parking required for new development.
Unbundle Parking	Provide incentives for developers to unbundle parking.
Facilitate & Simplify Shared Parking	Create a public-private partnership to facilitate sharing between private and public parking spaces to maximize efficiency.
Improve Parking Management & Pricing	Conduct a parking utilization study to understand how the parking resources are being used and identify opportunities for different management strategies.
Redevelop Parking Lots	Reduce the amount of land dedicated to parking spaces and encourage redevelopment of existing parking lots.

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

Attachment 3



Downtown Parking Garage Study

1 inch = 300 feet



This map was prepared for the City of Lewiston, Maine, by the City of Lewiston Planning Department. The map shows the location of the proposed parking garages and the surrounding streets. The map is not to scale and is for informational purposes only. The City of Lewiston Planning Department is not responsible for any errors or omissions on this map. The City of Lewiston Planning Department is not responsible for any damages or liabilities arising from the use of this map. The City of Lewiston Planning Department is not responsible for any damages or liabilities arising from the use of this map.

Attachment 4

Pierce Street Block Parking Study



14 total lots
1.6 acres
8 lots developed- .84 ac
6 lots vacant - .76 ac

33 dwelling units on 8 lots = 4.1 du/lot
33 dwelling units on .84 ac = **39.3 du/ac**
13 off-street parking spaces on 9 lots
Unofficial 55 units previously on the 6 vacant lots

Pierce Street Parking Study of 3 Lots



(1) 50' x 100' = 5,000 sf

(2) 75' x 100' = 7,500 sf

Density- 1 du per 1,250 sf

Parking- 2 space / 3+ bedroom
1.5 space / 2 bedroom
(guest) = .2 space / du

(1) 5,000 / 1,250 sf / du = **4 du**
pk @ 3+ bdrm = **8 pk + guest**
pk @ 2 bdrm = **6 pk + guest**

(2) 7,500sf / 1,250 sf / du = **6 du**
pk @ 3+ bdrm = **12 pk + guest**
pk @ 2 bdrm = **9 pk + guest**

Douglas Greene

From: William Healey
Sent: Thursday, August 23, 2018 2:51 PM
To: Douglas Greene
Subject: RE: Infill lot valuation

Hi Doug,

69 Pierce Street is currently assessed at \$17,040 as a vacant residential lot. If it were paved and used as a parking lot the assessment would be approximately \$35,000. If it were improved as a duplex the assessment would be approximately \$140,000. As a 4-plex the assessment would be approximately \$210,000.

75 Pierce Street is currently assessed at \$31,800 as a paved parking lot. If it was vacant without pavement the assessment would be approximately \$20,000. If it were improved as a duplex the assessment would be approximately \$140,000. As a 4-plex the assessment would be approximately \$210,000.

Hope this is helpful. Please let me know if you have any questions.

Bill H

William Healey, CMA
Chief Assessor, City of Lewiston
27 Pine Street
Lewiston, ME 04240
(207) 513-3122
bhealey@lewistonmaine.gov

From: Douglas Greene
Sent: Thursday, August 23, 2018 12:15 PM
To: William Healey
Subject: Infill lot valuation

Bill,

Here's what I could use your help on. I'm using 3 lots on Pierce St. for a case study on the impact of our current parking regulations. The Pierce St. Lots file is focused 69,75 and 79 Pierce St. 69 Pierce is 50' x 100' and the other 2 are 75' x 100'. Would you be able to give a ball park estimate for:

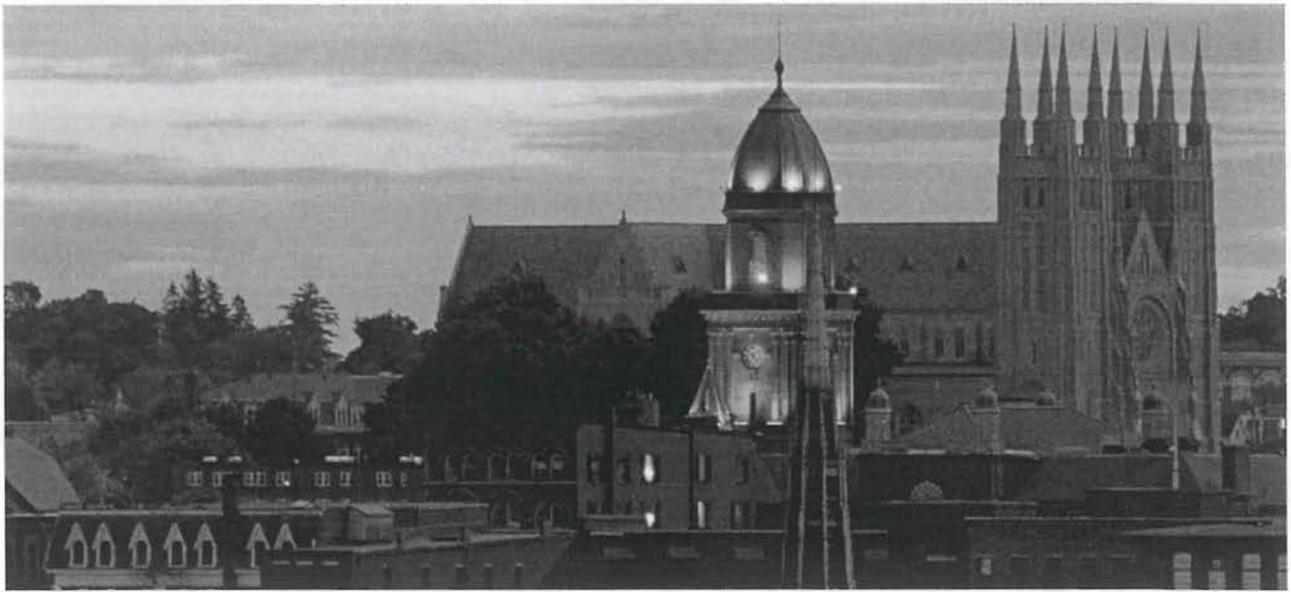
- a. Their current value as a vacant lot.
- b. What their value would be a parking lot. (I estimate the smaller lot could have 8 spaces and the larger lot 16)
- c. What the values (land and building) would be for a duplex and 4 plex? (Could use 2 or three bedrooms)

I just need 2 sets of answers, one for the 50' x 100' and for a 75' x 100'.

Thanks and sorry for the late request but I could use this info by first thing tomorrow morning.

Doug

Douglas M. Greene; AICP, RLA
City Planner
Deputy Director Planning



Lewiston City Council
September 4, 2018 Workshop
Discussion of:
Amendments to Parking Regulations

**PARKING
REGULATIONS**



**TOO MUCH?
TOO LITTLE?**

The “Legacy Lewiston” (2017) Comprehensive Plan has numerous recommendations for changes to our parking regulations among them are:

- Address Parking and Open Space Standards for Downtown Housing
- Provide More Bike Parking and Storage
- Relaxing Parking Requirements
- Unbundle Parking
- Improve Parking Management and Pricing
- Redevelop Parking Lots

Proposed Changes to Parking Regulations

There are a number of issues to address in parking. The Staff is proposing to start this process by introducing 2 specific changes:

1. Amend the “Locations of Off-Street Parking Facilities”
2. Reduce the “Off-Street Parking Requirements” for Multi-Family and Attached Single Family Structures

Locations of Off-Street Parking Facilities

CURRENT REGULATIONS:

- Off-street parking can be approved to off-site locations
- Slightly different requirements for Residential vs. Commercial
- Off-site parking can use municipal parking garages or surface lots
- Historic structures are exempt from parking requirement
- Planning Director must approve off-site parking proposal prior to BOA approval
- Off-site parking proposal must be approved by Board of Appeals

PROBLEMS:

- Process is cumbersome (Board of Appeals approval required)
- Can be expensive (purchase off-site property to qualify)
- Shared parking agreements are difficult to administrate and monitor
- Distance requirement is 500' from development site vs. average walkable distance at ¼ mile (1,320 feet)
- Overall parking requirement is too high

Suggested Changes to Off-Street Parking Facilities

- Remove the requirement of approval by the Board of Appeals and give the appropriate reviewing body (Planning Director, Staff or Planning Board) the authority to approve off-site, tenured parking
- Expand the maximum distance to 1,320 feet for parts 1, 2 and 3
- Clean up language for first 2 sections to follow similar terminology
- Address changes to parking requirements in the next proposal

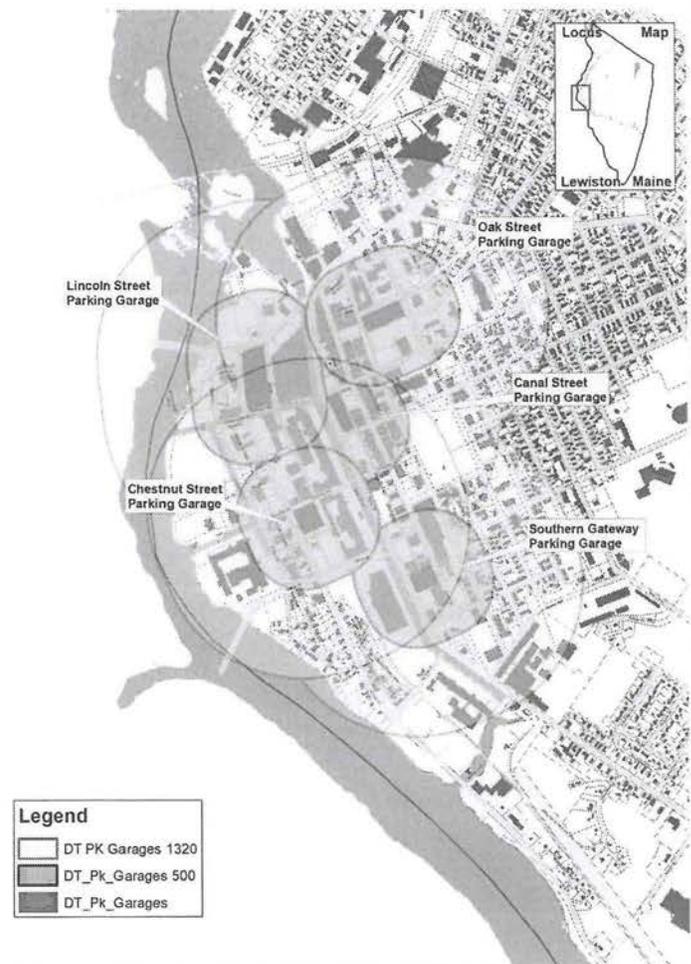


Here is a map of the 5 downtown parking garages and the current maximum distance allowed for off-site parking of 500 feet. Note there are “holes” in the downtown that are not eligible to use this provision.

Utilization of Garages*

- Oak St. (29%)
- Centerville (41%)
- Chestnut St. (54%)
- S. Gateway (14%)
- Lincoln St. (59%)

* Over a 6 month period



Here is a map of the 5 downtown parking garages and a proposed change to increase the maximum distance allowed for off-site parking up to 1,320 feet (1/4 mile). The holes are now gone.

Benefits of Amending Off-Street Parking Location Requirements

- Increase the usage and revenues of our 5 downtown parking garages
- Remove barriers to facilitate infill and redevelopment, especially in the downtown area
- Encourage new residential developments, large and small, market rate or subsidized
- Bring back functional, traditional mixed use to Downtown Lewiston (1st Floor Commercial, upper floor residential)
- Simplify the approval process of development

Revising the Off-Street Parking Requirements

This amendment focuses on one particular component of the off-street parking requirements, **Multi-family and attached Single Family Attached Dwellings**.

This particular category has been problematic as a barrier to redeveloping the numerous vacant lots caused by the city's demolition of some 583 downtown dwelling units. The comprehensive plan states that "nearly 1/3 of Downtown or about 150 acres of land are available for redevelopment" . Looking at some sample vacant lots we can see the problem the current parking requirement causes.

Other factors:

- Historic densities in downtown neighborhoods existed without the benefit of off-street parking
- A typical 75' x 100' lot would support 6 dwelling units but need between 10 to 14 parking spaces to meet current regulations

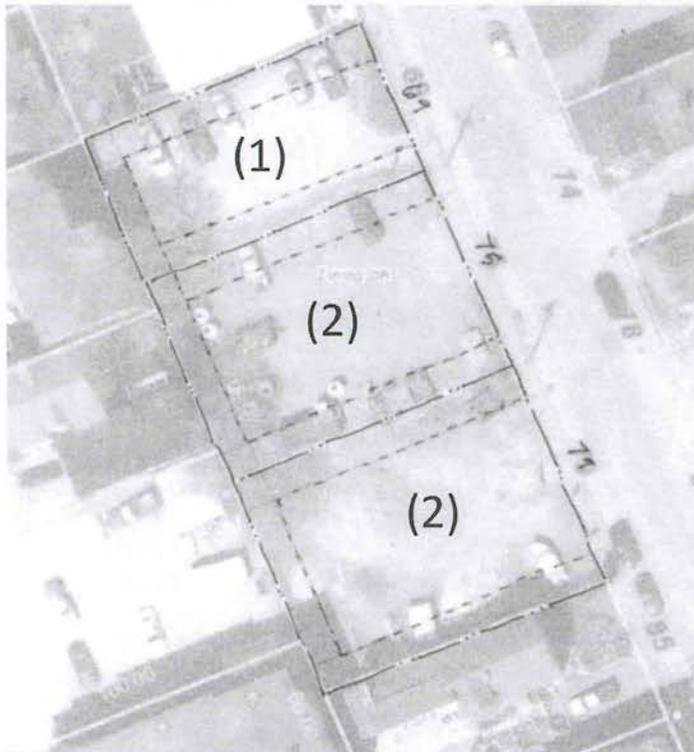
Pierce Street Block Parking Study



14 total lots
 1.6 acres total
 8 lots developed - .84 ac
 6 lots vacant - .76 ac

33 dwelling units on 8 lots = 4.1 du/lot
 33 dwelling units on .84 ac = **39.3 du/ac**
 13 off-street parking spaces on 9 lots
 Unofficial 55 units existed in the past on the 6 vacant lots

Pierce Street Parking Study of 3 Vacant Lots



(1) 50' x 100' = 5,000 sf
 (2) 75' x 100' = 7,500 sf

Density Allowed

1 du per 1,250 sf

Parking Required

2 space / 3+ bedroom

1.5 space / 2 bedroom

Plus (guest) = .2 space / du

(1) 5,000 / 1,250 sf / du = **4 du**
 pk @ 3+ bdrm = **8 pk + guest**
 pk @ 2 bdrm = **6 pk + guest**

(2) 7,500sf/1,250 sf/du = **6 du**
 pk @ 3+ bdrm = **12 pk + guest**
 pk @ 2 bdrm = **9 pk + guest**

Staff Recommendations for Off Street Parking Requirements:

1. Reduce the parking requirements for Multi-family and Attached Single Family Structures to **1 parking space per dwelling unit** plus .1 guests parking spaces per dwelling unit for
2. **Remove (g) 5 *Construction of Off-Street Parking Facilities*** from Section 17 (Off Street Parking Standards).

This provision offers a reduction of up to 25% of required parking spaces if a developer proposes a Transportation Demand Management program. The spaces reduced may be off-site and must be reserved on the approved site plan.

The Staff recommends removing this provision (g) for multi-family developments should the multi-family parking requirement be reduced down to 1 space per dwelling unit. This provision permanently locks up and underutilizes the reserved off-site locations who use the 25% reduction in parking. The enforcement of this provision is difficult as well.

Overall Staff Recommendations:

1. Consider the proposals, discuss and give Staff feedback.
2. Consider initiating the Parking Amendments.

The Staff presented this proposal to the Planning Board at their August 27th meeting. The Planning Board was overwhelmingly in support and looks forward hearing the Council's response.

QUESTIONS?

Economic and Community Development

Lincoln Jeffers
Director



To: Honorable Mayor and Members of the City Council
From: Lincoln Jeffers
RE: Lewiston Art Trail - Workshop
Date: August 29, 2018

Charlie Hewitt is a native son, sculptor, printmaker, painter and film producer. He created the Rattle sculpture that was first installed on Lisbon Street across from and down the block from Forage. That piece was relocated to the Bates Mill campus, and installed east of Child's Park on Lincoln Street.

Charlie has been working with Tom Platz and others on a plan to install more sculptures in Lewiston as donated public art. He has been in touch with several sculptors who are designing pieces for installation in or adjacent to the Bates Mill campus. These pieces will serve as the foundation for a Lewiston Art Trail, intended to be a trail that will bring people to see, walk and explore.

More information will be provided at the workshop on the type of public support sought for the project, possible locations for installations, and examples of the work of the artists Charlie has been working with on this project.

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Public Hearing for approval of an Outdoor Entertainment Permit for the Dance Party Under the Stars II event to be held at Simard Payne Memorial Park.

INFORMATION:

Museum L/A is seeking permission for an Outdoor Entertainment permit for their Dance Party Under the Stars II event on Friday, September 7, 2018. Per the City Code, an outdoor entertainment event cannot be held on city property without approval by a majority of the Council after a public hearing. Staff recommendations are being sought from the Police Department, Fire Department, Code Enforcement/Health Officer and the Land Use Code Officer for compliance.

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
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To conduct a public hearing on an application for an outdoor entertainment event for the Dance Party Under The Stars II event, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to Museum L/A for outdoor music concert to be held at Simard Payne Memorial Park on September 7, 2018, contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances.



2018 Event Application for events from 7/1/18 to 6/30/19

Event (25+ participants) First-Time Event Repeat Event
 Special Event (over 1,000 expected) (requires City Council approval)
 Park Use Only Gazebo Use Amphitheater Use

\$50 PROCESSING FEE DUE AT THE TIME APPLICATION IS SUBMITTED, Thank you

EVENT NAME: Dance Party Under the Stars II EVENT LOCATION: One Beech Street, Lewiston

REQUESTED DATE: 09/07/2018 RAIN DATE (if applicable): n/a Application Date: 08/08/2018

RECURRING DATES: _____ NON-PROFIT: FOR-PROFIT:

TYPE OF EVENT (indicate all that apply) ESTIMATED ATTENDANCE: _____

Walk/Run Festival Concert Road Race Parade Carnival Fireworks
 Picnic/BBQ Arts Live Performance Wedding Ceremony Wedding Reception

Other (please specify): _____ Open to Public Invitation Only Age Restricted 21+

ACTUAL HOURS OF EVENT: 7:00 pm to 11:00 pm SET-UP TIME: 9/6/2018 TAKE-DOWN TIME: 9/8/2018

NAME OF ORGANIZATION: Museum L-A APPLICANT NAME: Rachel Desgrosseilliers

ORGANIZATION ADDRESS: 35 Canal Street, Box A7 CITY: Lewiston STATE: ME

DAYTIME PHONE: (207)333-3881 CELL: (207)240-6429 EM: rachel@museumla.org

ON-SITE MANAGER (Day of Event): Kathy Becvar CELL/PAGER: (207)576-8062

STAFF USE ONLY Event Number: FY190030

At-A-Glance

Outdoor Entertainment CC Date: / /

Sound Amplification live auction
Vendors

Food Service License Outside Alcohol

Carnival Permit Police Assistance

Electrical Access & water Fire Inspection
Wants to light the bridge

Road Closure Group Notification

Business Contact Plan Advertising Req.
Main St. Island

Cash Donation or In-kind Services Req.

STAFF USE ONLY Final Approval:

Administration

CITY CLERKS | Kelly Brooks _____

FIRE | Paul Ouellette _____

POLICE | Derrick St. Laurent _____

PUBLIC WORKS | Megan Bates _____

SANITARIAN-CODE | Sue Reny _____

CK CC CA

Processing Fee: _____ Park Fee: _____ COI: rcvd.

Clerk's Fees: _____ Map(s) Received: _____

NP: 501(C)3 _____ IRS Letter Form 990

Event Details

EVENT LOCATION (specific street/sidewalks): 1 Beech Street, Lewiston # of days 1

Events in our Park (Please select one)

PARK MAP REQUIRED (see page 5)

Non-profit (NP) Discounts (if applicable)

Lewiston-based NP 80%

Out-of-Town NP/Fundraiser 50%

Out-of-Town NP 34%

PARK FEE(S)

Simard-Payne Park | \$135 day X Dufresne Plaza | \$265 day Amphitheater Only | \$25 hr.
Amount \$ (other fees may apply)

NO FEES ASSESSED

Kennedy Park Gazebo Marcotte Park Pettingill School Park Potvin Park
Raymond Park Sunnyside Park Veterans Park (Are you a veteran? Yes No)

City Clerk's Office (Please check all that apply)

Sound Amplification Needed? Yes X No Please describe Live band with electronic instruments

SOUND AMPLIFICATION PERMIT may be required \$17 per day Amount \$

Live Performance? Yes X No Please describe Reunion of the Good & Plenty Band

OUTDOOR ENTERTAINMENT PERMIT City Council approval is required \$50 Amount \$

Food? Yes X No Sold Given Away Type Desserts by Green Ladle Food Truck

Food Truck Name BBQ (review rules & regs see page 4|Fire)

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$

sanitarian/code inspection may apply

Beverages? Yes X No Sold X Given Away Type Cash bar service

Alcohol X (restrictions apply) Name of Licensed Business Mac's Grill

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$

OUTDOOR ALCOHOL PERMIT REQUIRED \$25 per event & other fees may apply Amount \$

Product? Yes X No Sold Given Away Type Sale of artwork; 50/50 raffle (fundraisers)

PEDDLERS/FLEA MARKET PERMIT may apply \$34 per day for 1-75 spaces & \$61 per day for 76+ spaces

Amount \$

Carnival? Yes No X Rides Offered Details

STATE PERMIT REQUIRED Has it been obtained? Yes No

CARNIVAL PERMIT REQUIRED \$180 Amount \$

Total Due Admin:

Total Due City Clerks:

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Public Hearing for approval of an Outdoor Entertainment Permit for a musical concert in Kennedy Park on September 28 and October 26.

INFORMATION:

The City is sponsoring a free music concert on Friday, Sept. 28 and October 26 in Kennedy Park. This is being held in conjunction with the Join Us On Your Lunch Hour event. Since there will be live music, the Code of Ordinances requires an Outdoor Entertainment permit from the City Council. Staff has reviewed the application and has no concerns with this event. Approval is recommended.

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
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To conduct a public hearing on an application for an outdoor entertainment event in Kennedy Park, and to grant a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, for an outdoor music concert to be held at Kennedy Park on Friday, September 28 and October 26, contingent upon positive recommendations from the Police Department, Fire Department, Code/Health Officer and Land Use Inspector regarding compliance with all regulations and compliance with all City ordinances.



2018 Event Application for events from 7/1/18 to 6/30/19

Event (25+ participants) First-Time Event Repeat Event
 Special Event (over 1,000 expected) (requires City Council approval)
 Park Use Only Gazebo Use Amphitheater Use

\$50 PROCESSING FEE DUE AT THE TIME APPLICATION IS SUBMITTED. Thank you

EVENT NAME: Join Us On Your Lunch Hour at Kennedy Park EVENT LOCATION: Kennedy Park
 REQUESTED DATE: _____ RAIN DATE (if applicable): _____ Application Date: 9/31/18
 RECURRING DATES: 9/28; 10/26 NON-PROFIT: FOR-PROFIT:

TYPE OF EVENT (indicate all that apply) ESTIMATED ATTENDANCE: 100
 Walk/Run Festival Concert Road Race Parade Carnival Fireworks
 Picnic/BBQ Arts Live Performance Wedding Ceremony Wedding Reception
 Other (please specify): _____ Open to Public Invitation Only Age Restricted

ACTUAL HOURS OF EVENT: 11:30 to 1:00 SET-UP TIME: 11:00 TAKE-DOWN TIME: 1:15

NAME OF ORGANIZATION: City of Lewiston APPLICANT NAME: Gollie Payham-Whitney
 ORGANIZATION ADDRESS: 57 Pine Street CITY: Lewiston STATE: ME
 DAYTIME PHONE: 513-3018 CELL: 576-7951 EM: _____
 ON-SITE MANAGER (Day of Event): Gollie Payham-Whitney CELL/PAGER: 576-7951

STAFF USE ONLY Event Number: _____
 KP - City-sponsored At-A-Glance

Outdoor Entertainment CC Date: ___/___/___
 Sound Amplification FOOD TRUCK Vendors
 Food Service License _____ Outside Alcohol _____
 Carnival Permit _____ Police Assistance Security
 Electrical Access Fire Inspection _____
 Road Closure _____ Group Notification _____
 Business Contact Plan _____ Advertising Req. _____
 Cash Donation or In-kind Services Req. _____

STAFF USE ONLY Final Approval: _____
 Administration

CITY CLERKS | Kelly Brooks _____
 FIRE | Paul Ouellette _____
 POLICE | Derrick St. Laurent _____
 PUBLIC WORKS | Megan Bates _____
 SANITARIAN-CODE | Sue Reny _____
 CK _____ CC _____ CA _____
 Processing Fee: _____ Park Fee: _____ COI: _____
 Clerk's Fees: _____ Map(s) Received: _____
 NP: 501(C)3 _____ IRS Letter _____ Form 990 _____

Event Details

EVENT LOCATION (specific street/sidewalks): Kennedy Park # of days 1

Events in our Park (Please select one)

Non-profit (NP) Discounts (if applicable)
Lewiston-based NP 80%
Out-of-Town NP/Fundraiser 50%
Out-of-Town NP 34%

PARK MAP REQUIRED (see page 5)

PARK FEE(S)

Simard-Payne Park | \$135 day Dufresne Plaza | \$265 day Amphitheater Only | \$25 hr.
Amount \$ (other fees may apply)

NO FEES ASSESSED

Kennedy Park Gazebo Marcotte Park Pettingill School Park Potvin Park
Raymond Park Sunnyside Park Veterans Park (Are you a veteran? Yes No)

City Clerk's Office (Please check all that apply)

Sound Amplification Needed? Yes No Please describe The Mont Sursegers, Irish Celtic Band
SOUND AMPLIFICATION PERMIT may be required \$17 per day Amount \$

Live Performance? Yes No Please describe Same Band
OUTDOOR ENTERTAINMENT PERMIT City Council approval is required \$50 Amount \$

Food? Yes No Sold Given Away Type Food Truck

* Food Truck Name Pinky's BBQ (review rules & regs see page 4|Fire)

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$
sanitarian/code inspection may apply

Beverages? Yes No Sold Given Away Type from Pinky's

Alcohol (restrictions apply) Name of Licensed Business

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$

OUTDOOR ALCOHOL PERMIT REQUIRED \$25 per event & other fees may apply Amount \$

Product? Yes No Sold Given Away Type

PEDDLERS/FLEA MARKET PERMIT may apply \$34 per day for 1-75 spaces & \$61 per day for 76+ spaces
Amount \$

Carnival? Yes No Rides Offered Details

STATE PERMIT REQUIRED Has it been obtained? Yes No

CARNIVAL PERMIT REQUIRED \$180 Amount \$

maybe others as well

Total Due Admin:
Total Due City Clerks:

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing for approval of an Outdoor Entertainment Permit for The Dempsey Challenge.

INFORMATION:

The Dempsey Challenge is an annual event in Lewiston and this year's event will be held on September 28-30. As part of the athletic events, the function will also have live musical entertainment. As such, the organizers are required to obtain an Outdoor Entertainment permit from the city.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

Erin Blkmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To conduct a public hearing on an application from The Dempsey Challenge Committee for outdoor musical concerts to be held at Simard-Payne Memorial Park on September 28, 29 and 30, as part of The Dempsey Challenge, and to authorize a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the organizing committee for the outdoor music concerts, contingent upon positive recommendations from the Police Department, Fire Department, Code/Land Use Officer and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances.



2018 Event Application for events from 7/1/18 to 6/30/19

Event (25+ participants) _____ First-Time Event _____ Repeat Event X
 Special Event (over 1,000 expected) X (requires City Council approval)
 Park Use Only X Gazebo Use _____ Amphitheater Use _____

\$50 PROCESSING FEE DUE AT THE TIME APPLICATION IS SUBMITTED. Thank you

EVENT NAME: The Dempsey Challenge EVENT LOCATION: Simard-Payne Park

REQUESTED DATE: 09/23/18-10/02/18 RAIN DATE (if applicable): n/a Application Date: 2/27/18

RECURRING DATES: event - 9/28-30

TYPE OF EVENT (indicate all that apply) ESTIMATED ATTENDANCE: 5,000

Walk/Run X Festival X Concert _____ Road Race _____ Parade _____ Carnival _____ Fireworks
X Picnic/BBQ _____ Arts _____ Live Performance X Wedding Ceremony _____ Wedding Reception _____

Other (please specify): _____ Open to Public X Invitation Only _____ Age Restricted _____

ACTUAL HOURS OF EVENT: 7AM to 5PM SET-UP TIME: 9/23/18 TAKE-DOWN TIME: 10/2/18

NAME OF ORGANIZATION: Dempsey Centers APPLICANT NAME: Aimee Labbe
 ORGANIZATION ADDRESS: 29 Lowell Street CITY: Lewiston STATE: ME

NON-PROFIT: X FOR-PROFIT: _____ DAYTIME PHONE: 207-330-7719 CELL: 207-577-7887 SITE
 MANAGER (Day of Event): Aimee Labbe CELL/PAGER: 207-577-7887

STAFF USE ONLY Event Number: FY190014
At-A-Glance

Outdoor Entertainment CC Date: / /
 Sound Amplification Vendors
 Food Service License Outside Alcohol
 Carnival Permit _____ Police Assistance
 Electrical Access Fire Inspection
 Road Closure Group Notification
 Business Contact Plan _____ Advertising Req.
 Cash Donation or In-kind Services Req.

STAFF USE ONLY Final Approval:
Administration

CITY CLERKS | Kelly Brooks _____
 FIRE | Paul Ouellette _____
 POLICE | Derrick St. Laurent _____
 PUBLIC WORKS | Megan Bates _____
 SANITARIAN-CODE | Sue Reny _____
 CK _____ CC CA 3/5/18
 Processing Fee: 50 Park Fee: 243 COI: _____
 Clerk's Fees: _____ Map(s) Received: _____
 NP: 501(C)3 _____ IRS Letter _____ Form 990 _____

Event Details

EVENT LOCATION (specific street/sidewalks): Simard Payne Park # of days 9

Events in our Park (Please select one)

PARK MAP REQUIRED (see page 5)

PARK FEE(S)

Simard-Payne Park | \$27 per day paid Dufresne Plaza | \$265 day ___ Amphitheater Only | \$25 hr.

Amount \$ 243 paid

(other fees may apply)

Non-profit (NP) Discounts (if applicable)
Lewiston-based NP X 80%
Out-of-Town NP/Fundraiser 50%
Out-of-Town NP 34%

NO FEES ASSESSED

Kennedy Park ___ Gazebo ___ Marcotte Park ___ Pettingill School Park ___ Potvin Park ___
Raymond Park ___ Sunnyside Park ___ Veterans Park X (Friday night only for possible fireworks) ___
(Are you a veteran? Yes ___ No X ___)

City Clerk's Office (Please check all that apply)

Sound Amplification Needed? Yes X No ___ Please describe Announcing for start/finish and also music (both live and played from recorded)

SOUND AMPLIFICATION PERMIT may be required \$17 per day Amount \$17 x 3 days = \$51 total

Live Performance? Yes X No ___ Please describe: Live bands and DJ

OUTDOOR ENTERTAINMENT PERMIT City Council approval is required \$50 Amount: \$50 total

Food? Yes X No ___ Sold X Given Away X Type Omelets and chill (Saturday) and lobster bake (Sunday) Food Truck Yes

Food Truck Name TBD BBQ (review rules & regs see page 4|Fire)

FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount: \$50 total
sanitarian/code inspection may apply

Beverages? Yes X No ___ Sold X Given Away X Type Beer and wine given away and sold Alcohol ___ (restrictions apply) Name of

Licensed Business Gritty McDuff's Brew Pub FOOD SERVICE LICENSE may be required \$50 up to 3 days Amount \$ ___
OUTDOOR ALCOHOL PERMIT REQUIRED \$25 per event & other fees may apply Amount: \$0 =- Gritty's will procure licensing ___

Product? Yes X No ___ Sold X Given Away ___ Type water bottles, tshirts, merchandise, and some vendors will be distributing and selling wares. PEDDLERS/FLEA

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing and First Passage to contractually rezone the property at 230 Bartlett Street from the Highway Business (HB) District to the Downtown Residential (DR) District.

INFORMATION:

The Planning Board voted 7-0 to send a favorable recommendation to the City Council to contractually rezone the property at 230 Bartlett Street from the Highway Business (HB) District to the Downtown Residential (DR) District, subject to the contract rezoning agreement.

The property owner has submitted a petition to request the rezoning of this property to allow the existing building previously used as professional office space to be used to operate a lodging house and possibility efficiency apartments.

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.

EAIB/kmh

REQUESTED ACTION:

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To approve First Passage of the amendment to the Zoning and Land Use Code and Map to contractually rezone the property at 230 Bartlett Street from the Highway Business (HB) District to the Downtown Residential (DR) District, subject to a contractual agreement, and to continue the public hearing for final passage to the next regularly scheduled City Council meeting.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and City Council
FROM: David Hediger, City Planner
DATE: August 29, 2018
RE: Planning Board recommendation: 230 Bartlett Street – Contract Zone

The Planning Board took the following action at their meeting held on August 13, 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 on Advanced Heating Solutions' LLC request to contract zone the property at 230 Bartlett Street from the Highway Business (HB) district to Downtown Residential (DR) to permit lodging houses, multi-family dwellings, mixed use structures, and accessory structures. Second by **Sandra Marquis**.

VOTED: 7-0 (Passed)



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Planning Board
FROM: David Hediger, City Planner
DATE: August 9, 2018
RE: Agenda Item 4(a): Proposed Contract Rezoning of 230 Bartlett Street

Pursuant to Article XVII, Section 5 of the Zoning and Land Use Code, Advanced Heating Solution LLC/Rick LaChapelle has submitted request to contract zone the property at 230 Bartlett Street from the Highway Business (HB) district to the Downtown Residential (DR) district.

This .92 acre property consists of a two-story 13,412 square foot structure constructed in 2006 with a 57 space parking lot. The last use of the property was professional office space. The structure has been vacant for over two years. The proposed contract zone is limited to four specific uses: lodging houses, multi-family dwellings, mixed use structure, and accessory structure. The petitioner's primary intent with the property is to operate a lodging house. However, he also wants the opportunity offer efficiency apartments (i.e. multi-family) in this building to provide tenants the opportunity for transition from a room to an apartment. Allowing mixed use structures as a permitted use provides the opportunity to operate a structure with both lodging units and dwelling units.

The applicant owns other lodging houses in the community with an occupancy rate of 98% and regularly with no vacancy. The applicant has indicated that there is a need for more lodging house type facilities in the community, which often accommodate the disadvantaged and those in need.

The DR district is located in the greater downtown area, consisting of high density neighborhoods, affordable housing, access to public transportation, and proximity to retail and commercial services. This district encourages the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The district also contains many of the existing lodging houses in Lewiston.

The Comprehensive Plan shows the property located in a G-5 Infill Growth Sector and notes: "Additional growth and development in these areas is desirable due to the presence of existing infrastructure. The plan envisions that most residential and non-residential development over the next ten years will occur in this growth sector. This sector includes the City's ... Downtown Residential (DR) zone". The property is currently zoned in HB in a condensed area along with 23 other properties. Prior to 1988, the area was split zoned for apartments and commercial uses. In 1988 the area was zoned to HB. This was likely decided upon because of the mix of non-residential uses in the area. However, it resulted in any existing residential uses becoming nonconforming. The lands uses remain varied today with 14 permitted uses, 4 non-conforming and 5 vacant lots, three of which contained residential uses. The area is surrounded by

Institutional Office (IO), Mill (M), Neighborhood Conservation “B” (NCB), and DR districts. Looking at the existing development pattern, abutting districts, and the development potential of vacant lots, this is an area the City may want revisit the with respect to zoning. With that in mind, the proposed contract rezoning is not a far-reaching proposal or change from some of the uses and development in the surrounding neighborhood.

ACTION NECESSARY

Staff recommends the Planning Board make a motion:

“I move to move 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 on Advanced Heating Solutions’ LLC request to contract zone the property at 230 Bartlett Street from the Highway Business (HB) district to Downtown Residential (DR) to permit lodging houses, multi-family dwellings, mixed use structures, and accessory structures.”

To whom it may concern,

August 9, 2018

My name is Rick LaChapelle and I am one of the owners of AHS, which includes 5 rooming houses in Lewiston, totaling over 100 rooms, as well as several apartments. We keep these units well-maintained and clean.

These rooming houses are of immense value to the community. Not all people can afford an apartment, with high security deposits and an extensive application process which excludes qualifications necessary for a yearly lease by most landlords. We give lodgers the ability to pay weekly, charging them a minimal deposit and also offer housing to the under privileged in our community. We have seen many come from the streets, to a shelter, to then find a rooming house. Once they have established that they can and will pay on-time for housing, they get a good recommendation and can finally get an apartment. We have made this transition with several lodgers and want to include efficiency apartments in this building to help make this transition possible. Currently, 75% of our lodgers have jobs and pay for these units on their own. The other 25% are mostly disabled and get monthly checks.

We run our rooming houses at 98% occupancy rate and usually fill vacant rooms within a day or 2 after cleaning them. We frequently have no vacancy and it is obvious to me that we need more rooming house availability in this city. This building at 230 Bartlett St. would be completely accessible to the handicapped, as it has an elevator going to all floors. It has been told to us that housing for the handicap has been a short supply in Lewiston. We feel that this building will be a great addition to Lewiston and will serve to house many people that currently struggle to find lodging in our city.

Thank you for your consideration,

Rick LaChapelle & Ron LeBlanc, AHS

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 230 Bartlett Street as recorded in the Androscoggin Registry of Deeds Book 9694 Page 2 as described in Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto as follows, said property to contractually rezoned from the Highway Business (HB) District and to the Downtown Residential (DR) District.

REASONS FOR THE PROPOSED AMENDMENT

The reason for the proposed amendment is to allow lodging houses and multi-family dwellings, as defined by the Zoning and Land Use Code, Article II, Section 2. Definitions, as a permitted use at the property located at 230 Bartlett Street. This property of .92 acres is consists of a vacant two-story, 13,412 square foot structure previously used for office space.

This building has been vacant for over 2 years and the surrounding neighborhood has multiple empty buildings and many in need of major repair. Rezoning this building would bring people back to a neighborhood that was once thriving but has lost momentum in the past years. This project would have a positive impact to the area. We have the opportunity to purchase a beautiful building that would service a need in our community. The building is 100 handicap accessible with an elevator going to all floors. It is our understanding that handicap accessibility has been an ongoing issue for lodgers in this city. We hope to alleviate some of that need.

The need for rooms is great. I currently receive from 10 to 20 phone calls per day from people looking for rooms and I most often have no availability. Currently, 75 of the lodgers staying in our rooming houses have jobs and are productive members of our city. Of the other 25, most are disabled and pay with their disability checks. Many of our lodgers prefer rooming house lodging for multiple reasons. They have the ability to pay weekly instead of monthly with little security deposit necessary., A single room requires less maintenance for the

lodger. Laundry and other services are available that are not offered with an apartment. There is no long-term lease required and many enjoy the social aspect of rooming house living. Our plan is to also offer efficiency apartments in this building which will allow those to easily transition from a room to an apartment. The purchase of this building is contingent on the rezoning of this property. It will allow us to offer housing that will meet or exceed all health and safety codes in the master plan, including asbestos and lead-free housing. We will provide locked access to the building as well as a camera system allowing us security measures to keep our lodgers safe.

The DR district allows lodging houses as a permitted use. In order for the new owner to move forward with improvements and investments already planned for the property purchased at 230 Bartlett Street, a contract zone to DR is proposed. The contract zone would be limited to four specific uses: lodging houses, multi-family dwellings, mixed use structure, and accessory structure. The DR district is located in the greater downtown area, consisting of high density neighborhoods, affordable housing, access to public transportation, and proximity to retail and commercial services. This district encourages the replacement, reuse or conversion of existing buildings to conform to the type and density of housing existing within the immediate neighborhood. The district also contains many of the existing lodging houses in Lewiston.

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:

- Strengthen Neighborhoods & Expand Housing Choice: "Provide a greater range of housing choices to meet the needs of young adults, families, renters, seniors, immigrants, refugees and people of different income levels. A more intentional and diversified housing strategy is critical to the City's quality of life and economic growth." (Vision Statement & Guiding Principles, Guiding Principles, page 116.)
- Continue the development pattern of the existing neighborhood as noted in the Plan: "Lewiston has a number of high-density urban neighborhoods that are in need of attention and should be considered an immediate goal for improvement. Simplify the rules making easier to develop or redevelop buildings in a way that respect the character of the neighborhood. Encourage reinvestment in older higher-density residential neighborhoods by allow full utilization of existing building and flexible parking requirements." (Character Districts, CD4 Neighborhood General, page 128).
- The property is located in a G-5 Infill Growth Sector. "Additional growth and development in these areas is desirable due to the presence of existing infrastructure. The plan envisions that most residential and non-residential development over the next ten years will occur in this growth sector. This sector includes the City's... Downtown Residential (DR) zone." (Conservation & Growth Map, Growth Sectors, page 125).
- "Encourage infill and redevelopment within the downtown, existing service area and designated growth areas." The prior use as a multi-family dwelling. The proposed use will allow the property to continue to be used for residential purposes. (Prioritize Economic Vitality, Market Shifts, page 164.)

CONTRACT REZONING AGREEMENT

The proponent requests that the official zoning map for the City be amended by removing the subject property from the HB district and contract zoning the subject premises DR 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 as listed below and subject to the conditions contained herein:

Land Use Table: All Zoning Districts USES(15)(33)	Proposed DR Contract Zone
Accessory use or structure	P
Residential	
Multifamily dwellings in accordance with the standards of Article XIII	P(11)
Mixed use structures	P
Lodging houses	P(11)

Applicable Land Use Table Footnotes:

- (11) All new residential construction shall comply with the design standards of Article XII, Section 22.
- (15) Buildings, structures and uses accessory to permitted or conditional uses are allowed in all districts.
- (33) The performance standards of Article XII shall apply, unless otherwise specified.

- (b) Space and Bulk Table: Allowed space and bulk standards on the property shall include those standards as listed below and subject to the conditions contained herein:

Space and Bulk Table	Proposed DR contract zone
Minimum lot size with public sewer	
All permitted uses	5,000 sf
Minimum net lot area per d.u. with public sewer	
All permitted residential uses	1,250 sf
Minimum frontage	
All permitted uses	50 ft
Minimum front setback	
All permitted uses	None (22)
Minimum front yard	
All permitted uses	None (22)
Minimum side and rear setback	

All permitted uses	10 ft
Minimum side and rear yard	
All permitted uses	10 ft. (required on one side)
Maximum height	
Other permitted uses	60 ft.
Ratios	
Maximum impervious coverage	0.75

Applicable Space and Bulk Table Footnotes:

(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.

(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 of 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 of this request and owner of 230 Bartlett Street hereby respectively submits this Proposal as of the 25 day of July 2018.

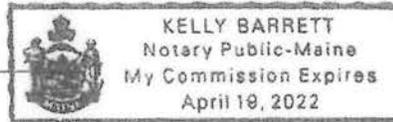
Proponent: Rich LaChapelle
Rich LaChapelle

Androscoggin, SS
Lewiston, Maine

7/25, 2018

Personally appeared the above named Rich LaChapelle and acknowledged their foregoing to be their free act and deed.

Kelly Barrett
Notary Public
Commission Expires: _____



Owner:
230 Bartlett Street, LLC

Kevin Ellis
Johnson County
Androscoggin, SS
Lewiston, Maine
LEAWOOD, KANSAS

KEVIN ELLIS, MANAGER

July 25, 2018

Personally appeared the above named KEVIN ELLIS and acknowledged their foregoing to be their free act and deed.

Barbara Bartmann
Notary Public
Commission Expires: May 4.2019



4. **LEASING/TENANT SECURITY DEPOSIT:** Seller agrees a check to transfer to Purchaser, by proper assignment thereof, all Seller's rights under the current lease to the property and any and all security deposits held by Seller pursuant to said lease.
5. **POSTCONSTRUCTION OCCUPANCY:** Postconstruction occupancy of property shall be given to Purchaser on the Closing Date subject only to the terms and conditions described in Purchaser's payment to Section 11 hereof, unless otherwise agreed by both parties in writing.
6. **RISK OF LOSS:** Until transfer of title, the risk of loss or damage to the property by fire or otherwise is assumed by Seller unless otherwise agreed in writing. The property shall be deemed to be substantially the same condition as of the Effective Date, excepting reasonable use and wear. If the property is materially damaged or destroyed prior to closing, Purchaser may either terminate this Contract and be refunded the earnest money deposit, or close the transaction and accept the property in its 64-6 condition together with an assignment of the Seller's right to any insurance proceeds relating thereto.
7. **PROSPECTIVE:** The following items shall be guaranteed as of the Closing Date:
 - a. **Real Estate Taxes:** Taxes based on the municipality's tax year. Seller is responsible for any unpaid taxes for prior years.
 - b. **Pool.**
 - c. **Material defects, such as water and sewer, shall be paid by the Seller through the date of closing.**
 - d. **Purchaser and Seller shall each pay one-half of the transfer tax as required by the laws of the State of Idaho.**
 - e. **Items, contained warranty contracts, new construction defects, unrecorded warranty property tax payments, and all other additional items provided by Seller pursuant to terms of the property.**

[Handwritten initials]

10. DUE DILIGENCE: Purchaser is advised to not indemnify from professionals regarding any specific items of interest. Purchaser acknowledges receipt of property disclosure documents hereon. Notwithstanding the fact that the Real Estate Licensees identified herein make any representation or warranties regarding the condition, physical use or value of Seller's real or personal property, Purchaser's obligation to due diligence shall remain the same. It is understood upon Purchaser's substitution with its knowledge of the property, which may include but not be limited to, professional assistance, engineering studies, contracts or sub contracts, zoning compliance or feasibility, and such compliance, it within 30 days of the Effective Date.

All investigations will be done by professionals chosen and paid for by Purchaser. If the result of any investigation is satisfactory to Purchaser, Purchaser may decline this Contract and not hold by satisfying Seller in writing within the specified number of days on both items, and will remain binding that be returned to Purchaser. If Purchaser does not notify Seller that Purchaser's investigation is not satisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of any investigation or satisfactory report, Purchaser is required to comply with any conditions set forth by Seller. In the absence of the property, Purchaser agrees to assume any conditions to the property stated by Seller's investigation, and Purchaser agrees to indemnify and hold Seller harmless for any claims, damages, losses or costs, including without limitation reasonable attorney's fees, interest or without by Seller as a result of Purchaser's investigation of the property, which includes the obligation and service responsibilities or dealing with the Contract.

11. REVIEW OF LEASES AND OTHER DOCUMENTS: Seller represents: (A) that Seller is a complete list of all leases comprising the property under lease or other tenancy arrangements or agreements (the "Leases"); (B) that the Leases are to full terms and effect; (C) that Seller has full knowledge, all terms under the Leases are to the complete knowledge and (D) that Seller is not in violation of its obligations under the Leases. Seller agrees to provide Purchaser within the (5) days of the Effective Date of this Contract complete copies of all Leases, including any amendments, and leases and require substitution concerning the property. Purchaser shall have 10 days from the date Seller has been provided all Leases and require and require substitution to review same, and if the result of the review is satisfactory to Purchaser, Purchaser may decline the Contract and not hold by satisfying Seller in writing within the specified number of days on both items, and will remain binding that be returned to Purchaser. If Purchaser does not notify Seller that Purchaser's investigation is not satisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of any investigation or satisfactory report, Purchaser is required to comply with any conditions set forth by Seller. In the absence of the property, Purchaser agrees to assume any conditions to the property stated by Seller's investigation, and Purchaser agrees to indemnify and hold Seller harmless for any claims, damages, losses or costs, including without limitation reasonable attorney's fees, interest or without by Seller as a result of Purchaser's investigation of the property, which includes the obligation and service responsibilities or dealing with the Contract.

Page 2 of 5 Buyer's Initials *[Signature]*

By: *[Signature]*
Signature

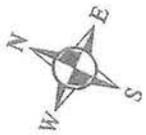
[Signature]
Name/Title, someone duly authorized

Legal Name of Broker Agent

Name/Title, someone duly authorized

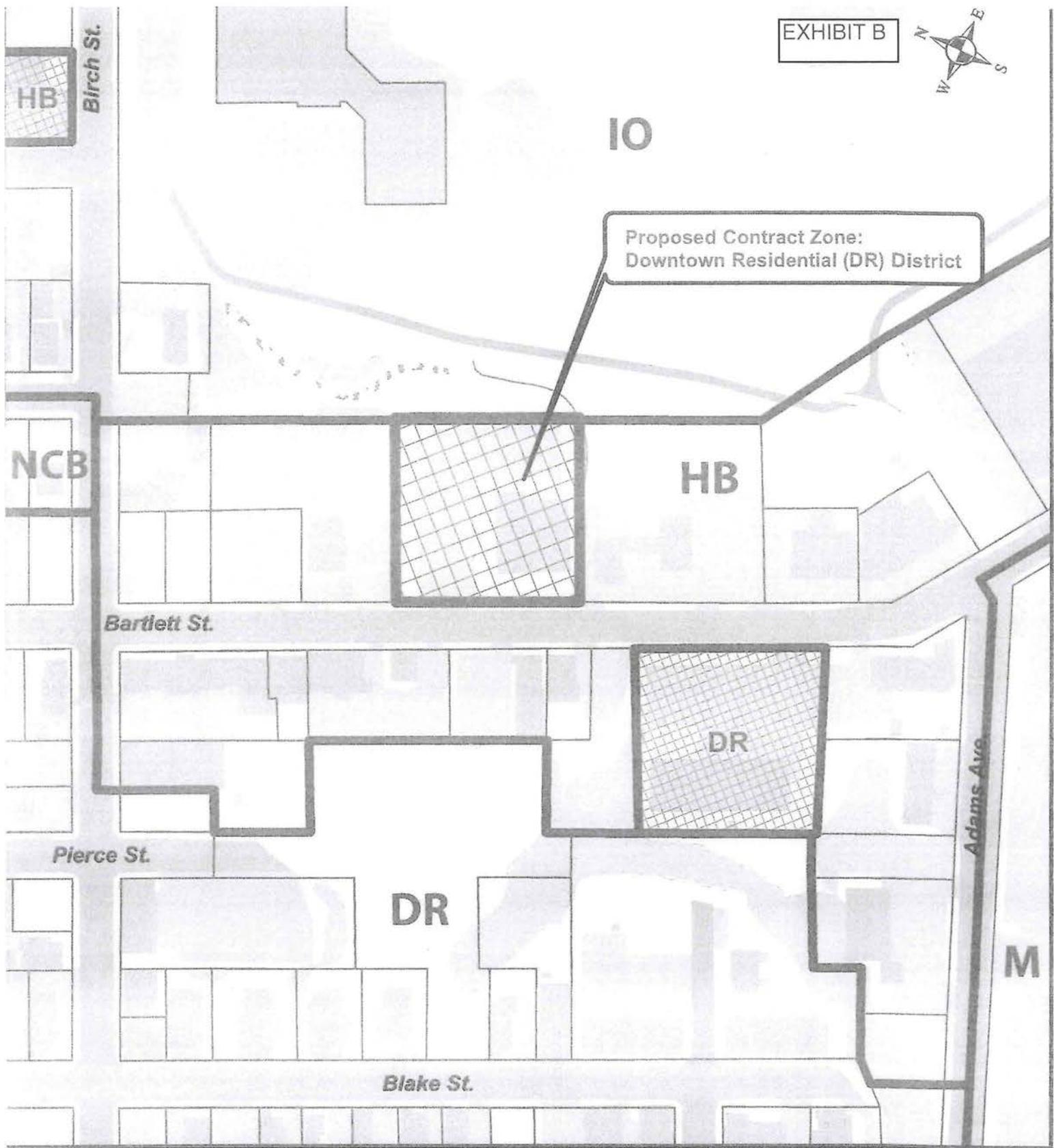
By: _____
Signature

EFFECTIVE DATE OF THIS CONTRACT: *June 29/18*



IO

Proposed Contract Zone:
Downtown Residential (DR) District



Proposed Contract Zone: Downtown Residential (DR) District

230 Bartlett Street

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

Pursuant to Appendix A, Article XVII, Section 5, Amendments, of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to amend the Land Use Table in Article XI to permit "dormitories" as a permitted use in the Highway Business (HB) zoning district and amend Article II, Definitions, to add the following definition for "dormitories": "A residence hall providing sleeping rooms, bathrooms, study and recreation rooms and common kitchen for individuals or for groups affiliated with an educational institution or a sports organization by contract or otherwise owned and operated by a sponsoring institution with a full-time live-in resident supervisor assistant to provide support services and oversight of occupants".

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		CLAUDE LANDRY	332 WEBBER AVE. LEW.	7-23-18
2		Gloria Landry	332 Webber Ave Lew.	7-23-18
3		HENRY LEBLANC	23 Spotted Wood Ln	1-23-18
4		RAY VOISINE	685 College St	1-23-18
5		JOYCE VOISINE	685 College St	1-23-18
6		RAY RIVARD	55 DILL ST	1-23-18
7		Roland Girardin	36 Chaulbourn Ave	1-23-18
8		RAYMOND PERRAULT	3101 LISBON RD.	7/23/18
9		Ronald GRAVE	36 GINA ST	7/23/18
10		MAURICE F. MAUREL	105 Campus	7/23/18
11		GARY LABREQUE	22 Biron Ave Lewiston	7/23/18
12		ROBERT R. COUTURE	9 MEADER ST LEWISTON	7/23/18
13		DENNIS GRAUSE	36 Chestnut	7/23/18
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.

Ronald LeBlanc
Signature

Ronald LeBlanc
Printed Name of Circulator

7-23-18
Date

REGISTRAR=S CERTIFICATION

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

Total Valid: 11

Total Invalid: 2

[Signature]
Signature of Registrar/Deputy Registrar

Date: 8-1-18

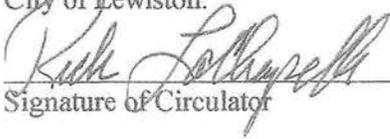
PETITION TO AMEND THE CITY OF LEWISTON
ZONING AND LAND USE CODE

Pursuant to Appendix A, Article XVII, Section 5, Amendments of the City of Lewiston Zoning and Land Use Code, we the undersigned residents of the City of Lewiston, being eighteen (18) year of age or older, do hereby petition the City of Lewiston to contract zone the property at 230 Bartlett Street from the Highway Business (HB) district to the Downtown Residential (DR) district to permit lodging houses and multi-family dwellings as described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1		Jennifer seeger	209 pine	7/10
2		Robert Dwyer	205 Pine	7/10
3		Molly Waterman	103 precect	7/10
4		Kinross	16 Howe st	7/12
5		Nick Vinciguerra	48 maple	7/10
6		HASSAN WOLFA	84 Bartlett st	7-10
7		Michael Hensler	56 Birch st	7/10
8		Albert Langlois	54 Rosedale ST	7-11
9		Scott Henson	52 Howe	7/11
10		Christine Oliver	50 Birch Street	7-11
11		Jared Hayward	51 Howe ST	7-11
12		Larry Carter	281 130th ST	7-11
13		Richard C. Powell	28 EATON	7-12
14		Holly Barham	22 Horton St	7-12
15		Steven J Bechard	6 FRYEST	7-12
16		Jennifer Cote	130 Blake st	7/12
17		Merton Pish	25 Pine st	7/12
18		Marie Creamer	87.5 Bartlett st	7/12/18
19		David Gallo	108 pierce	7/13/18
20		Paul Leclair	60 Autumn Lane	7/13/18

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

Rick LaChapelle
Printed Name of Circulator

7-13-18
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: 14

Total Invalid: 4


Signature of Registrar/Deputy Registrar

Date: 8-1-18

Land Use Table Comparison	Highway Business (HB)	Downtown Residential (DR)	Proposed DR Contract Zone
USES(15)(33)			
Accessory use or structure	P	P	P
Commercial Service			
Veterinary facilities excluding kennels and humane societies	P		
Veterinary facilities including kennels and humane societies			
Small day care facilities	P	P	
Day care centers	P	P	
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks			
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services	P	P(9)	
Restaurants	P(26)	P(1)	
Drinking places	C		
Adult business establishments			
Hotels, motels, inns	P	C	
Movie theaters except drive-in theaters	P	P	

Land Use Table Comparison	Highway Business (HB)	Downtown Residential (DR)	Proposed DR Contract Zone
Places of indoor assembly, amusement or culture	P		
Art and crafts studios	P	P	
Personal Services	P	P	
Retail stores	P	P	
Neighborhood retail stores			
Lumber and building materials dealer	P		
Gasoline service stations	P		
Gasoline service stations which are a part of and subordinate to a retail use	P		
New and used car dealers	P		
Recreational vehicle, mobile home dealers	P		
Equipment dealers and equipment repair	C		
Automotive services including repair	P		
Registered dispensary(27)	C		
Registered primary caregivers engaged in the cultivations of medical marijuana	P		
Tattoo Establishments	C		
Industrial			
Light industrial uses	P(9)		
Industrial uses			
Building and construction contractors	P(6)		
Fuel oil dealers and related facilities			

Land Use Table Comparison	Highway Business (HB)	Downtown Residential (DR)	Proposed DR Contract Zone
Wholesale sales, warehousing and distribution facilities and self-storage facilities	P		
Self storage facilities			
Commercial solid waste disposal facilities			
Junkyards and auto graveyards			
Recycling and reprocessing facilities			
Private industrial/commercial developments(23)	P		
Transportation			
Airports or heliports			
Commercial parking facilities	P	C(3)	
Transit and ground transportation facilities		C	
Transportation facilities	P		
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	P	
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C	C	
Municipal buildings and facilities	P	P	

Land Use Table Comparison	Highway Business (HB)	Downtown Residential (DR)	Proposed DR Contract Zone
Preservation of historic areas; emergency and fire protection			
activities; bridges and public roadways			
Dams			
Institutional			
Religious facilities	P	P	
Cemeteries			
Congregate care/assisted living facilities, institutions for the			
handicapped, nursing or convalescent homes, group care facilities	P	P	
Hospitals, medical clinics,	P	C	
Museums, libraries, and non-profit art galleries and theaters		P	
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,	P	P	
Civic and social organizations			

Land Use Table Comparison	Highway Business (HB)	Downtown Residential (DR)	Proposed DR Contract Zone
Public community meeting and civic function buildings including auditoriums		P	
Residential			
Single-family detached dwellings on individual residential lots		P(11)	
Mobile homes on individual residential lots			
Two-family dwellings	P(14)	P(11)	
Multifamily dwellings in accordance with the standards of Article XIII		P(11)	P(11)
Single-Family attached dwelling in accordance with the standards of Article XIII		P(11)	
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	P(11)	P
Lodging houses		P(11)	P(11)
Home occupations		P	
Bed and breakfast establishments as a home occupation	P	P	

Land Use Table Comparison	Highway Business (HB)	Downtown Residential (DR)	Proposed DR Contract Zone
In-law apartments in accordance with the standards of Article XII		P	
Single family cluster development			
Family day care home	P	P	
Shelters		C	
Dormitories	P		
Natural Resource			
Agriculture			
Farm Stands			
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P		
Earth material removal			
Community gardens(20)	P	P	
Water dependent uses, e.g. docks and marinas			
Non-residential structures for educational, scientific or nature			
Recreation			
Campgrounds			
Public or private facilities for nonintensive outdoor recreation		C	
Commercial outdoor recreation and drive-in theaters	C		

Land Use Table Comparison	Highway Business (HB)	Downtown Residential (DR)	Proposed DR Contract Zone
Fitness and recreational sports centers as listed under NAICS Code 713940	P		

Space and Bulk Table Comparison			
	Highway Business HB ⁽¹⁸⁾	Downtown Residential (DR) ⁽²⁾	Proposed DR contract zone
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	5,000 sf	5,000 sf
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)			
Multifamily dwellings			
Mixed use structures			
Agriculture			
Religious facilities			
Veterinary facilities			

	Highway Business HB ⁽¹⁸⁾	Downtown Residential (DR) ⁽²⁾	Proposed DR contract zone
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		1,250 sf	1,250 sf
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	3,000 sf		
All permitted residential uses			
Minimum frontage			
Single family detached, mobile homes -			
Single family attached			
Two-family dwellings			
Single family cluster development (with multiple vehicular accesses)			

	Highway Business HB ⁽¹⁸⁾	Downtown Residential (DR) ⁽²⁾	Proposed DR contract zone
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	150 ft	50 ft	50 ft
Minimum front setback			
Single family detached, mobile homes on individual lots		None	None
Single family attached		None	None
Two-family dwellings		None	None
Single family cluster development			
Mixed single family residential development (14)			
Mixed residential development (14)		None	None
Multifamily dwellings			
Mixed use structures			
Agriculture		None	None
Religious facilities			
Veterinary facilities		None	None
Other uses			
All permitted uses	20ft	None (22)	None (22)
Minimum front yard			

	Highway Business HB ⁽¹⁸⁾	Downtown Residential (DR) ⁽²⁾	Proposed DR contract zone
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)	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			
Religious facilities			
Mixed use structures			
Veterinary facilities			
Farm structures for keeping of animals			
Other uses			
All permitted uses	20 ft (15)	10 ft	10 ft
Minimum side and rear yard			

	Highway Business HB ⁽¹⁸⁾	Downtown Residential (DR) ⁽²⁾	Proposed DR contract zone
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	10 ft (required on one side)	10 ft (required on one side)
Maximum height			
Agriculture			
Other permitted uses	65 ft	60 ft	60 ft
Hospital, nursing homes and medical offices			
Ratios			
Maximum lot coverage	0.5		
Maximum impervious coverage	0.75	0.75	0.75

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing and Resolve to Approve the Designation of Census Tracks 201, 203 and 204 as a Neighborhood Revitalization Strategy Area.

INFORMATION:

The City has received a federal Choice Neighborhood Planning and Action Grant and the purpose of the grant is to engage citizens who live in the downtown census tracks to help address the issues of housing and neighborhood. As part of the process, the City is asked to designate these census tracks as a Neighborhood Revitalization Strategy Area.

Additional information is contained within the attached material.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

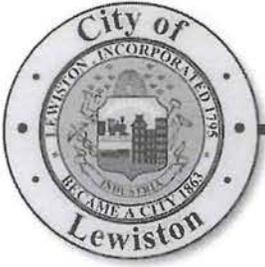
EABIK/min

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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1) To conduct a public hearing to receive citizen input on the proposal to designate Census Tracks 201, 203 and 204 as a Neighborhood Revitalization Strategy Area *(Note - a Council vote is not needed to open the hearing and receive comment)*

2) To approve the Resolve to Approve the Designation of Census Tracks 201, 203 and 204 as a Neighborhood Revitalization Strategy Area.



CITY OF LEWISTON, MAINE

September 4, 2018

COUNCIL RESOLVE

- Resolve,** to approve the designation of Census Tracts 201, 203 and 204 as a Neighborhood Revitalization Strategy Area
- Whereas,** in 2018 Lewiston was the recipient of a \$1.3 million Choice Neighborhood Planning and Action Grant; and
- Whereas,** the purpose of the grant is to engage citizens of Census Tracts 201, 203 and 204 in the creation of a transformation plan that will address housing, people and the neighborhood. Goals include better quality and mixed income housing, better schools, and reinvestment in the physical landscape of the neighborhood that will make for safer, more attractive neighborhoods and more commercial activity with more economic opportunity; and
- Whereas,** the U.S. Department of Housing and Urban Development (HUD) has a designation within the Community Development Block Grant Program known as the Neighborhood Revitalization Strategy Area (NRSA) program that allows greater flexibility in the utilization of CDBG funds, such as making it easier to use CDBG funds to help create market rate housing within the district, simplifies documentation and record keeping associated with job creations supported by CDBG funds, and allows public service agency activities conducted by a Community Based Development Organization to not be included under the 15% Public Service Agency cap; and
- Whereas,** HUD policy recognizes the considerable overlap of the intent and goals of their Choice Neighborhood and NRSA programs and the benefits of each program; and
- Whereas,** HUD invited the City to apply for an NRSA designation for Census Tracts 201, 203 and 204, and approved designation of the district pending approval of the City Council;

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

Census Tracts 201,203 and 204 be approved for designation as a Neighborhood Revitalization Strategy Area.

Economic and Community Development

Lincoln Jeffers

Director



To: Honorable Mayor and Members of the City Council
From: Lincoln Jeffers
RE: Approval of Neighborhood Revitalization Strategy Area
Date: August 29, 2018

In 2018 Lewiston was one of three recipients nationally of a \$1.3 million Choice Neighborhood Planning and Action Grant. The purpose of that grant is to engage residents of the area in developing a transformation plan for the area that will address housing, people and the neighborhood. Goals include better quality and mixed income housing, better schools, and reinvestment in the physical landscape of the neighborhood that will make for safer, more attractive neighborhoods and more commercial activity with more economic opportunity.

With the Choice Neighborhood designation the door was opened to allow the designation of the area included within the Choice project area to also be designated as a Neighborhood Revitalization Strategy Area (NRSA). The benefit of having a portion of the city designated as an NRSA is that the rule book for how CDBG funds can be used is more flexible. Per the approval letter, the NRSA designation "provides local leaders with flexible funds to transform high-poverty neighborhoods with distressed housing into sustainable communities with mixed-income housing, safe streets, and economic opportunity." As you can see, the goals of the NRSA program dovetails with Choice Neighborhood goals.

HUD encouraged Lewiston to seek the NRSA designation for Census Tracts 201, 203 and 204. They represent three of the four Census Tracts (CT) in Lewiston's CDBG Target Area, and are the same CTs included in the Choice Grant area. A map is enclosed showing all four CTs.

Attached is a letter from HUD approving the NRSA designation in Lewiston. The letter also includes some information on the benefits of the designation. To summarize the benefits the designation makes it easier to use CDBG funds to help create market rate housing within the district, simplifies documentation and record keeping associated with job creations supported by CDBG funds, and allows public service agency activities conducted by a Community Based Development Organization to not be included under the 15% Public Service Agency cap.

To make the designation official, public notice of the designation must be provided and a Public Hearing held where the Council takes action to approve

the designation. The Public Notice ran in the Sun Journal on August 23rd. It includes a 30 day public comment period.

After the council's approval of the NRSA designation, and after the 30 day public comment period, our 5 Year Consolidated Plan and 1 Year Action Plan will be amended to reflect the NRSA designation. Following HUD's guidance, the amendment of our Consolidated Plan and Action Plan will occur next spring/summer, which will put it in concert with their time frame for approval of these documents. However, with City Council approval of the designation now, HUD has indicated they will authorize use of CDBG funds under the more flexible guidelines for projects between now and the time the Consolidated and Action Plan are amended.



U.S. Department of Housing and Urban Development

MASSACHUSETTS STATE OFFICE, NEW ENGLAND AREA
Office of Community Planning and Development
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street - Fifth Floor
Boston, Massachusetts 02222-1092

Fax (617) 565-5442
CPD website: <http://www.hudexchange.info>

Mr. Lincoln Jeffers
Economic and Community Development Director
City of Lewiston
27 Pine Street
Lewiston, ME 04240

AUG 22 2018

SUBJECT: Lewiston Choice Neighborhood Planning Grant-NRSA Designation

Dear Mr. Jeffers:

This correspondence is in response to your request to designate the Choice Neighborhood target area as a Neighborhood Revitalization Strategy Area (NRSA). We have reviewed your request and have determined that it meets HUD's criteria for approving a jurisdiction's NRSA as described in the Consolidated Plan regulations at 24 CFR 91.215(g) and CPD Notice 16-16, Neighborhood Revitalization Strategy Areas (NRSAs) in the Community Development Block Grant (CDBG) Entitlement Program. HUD's Choice Neighborhoods program supports locally driven strategies to address neighborhoods with distressed public and/or HUD assisted housing through a comprehensive approach to neighborhood transformation. A CDBG grantee that has a designated Choice Neighborhood located within its jurisdiction may request that the Choice Neighborhood also receive NRSA designation. HUD will presume Choice Neighborhoods grantees to have met the criteria for designation.

The City is receiving approval of the NRSA designation in the fourth year of its Consolidated Plan cycle. In accordance with CPD Notice 16-6, the City will need to create a substantial amendment to the consolidated plan in the econ planning suite to establish the boundaries of the neighborhood, to clearly identify the HUD formula program resources that may be used to achieve NRSA area goals and the activities it will fund in IDIS in pursuit of its strategy. However, due to the timing of the approval, the City should wait to create a substantial amendment in econ planning suite until the end of the 2018 program year but prior to creating the 2019 action plan. This timing will ensure that the 2019 action plan is correctly associated with the amended consolidated plan. For the 2018 action plan year, the City will identify any activities that are carried out in the NRSA during activity set up in IDIS.

A HUD-approved NRSA may not exceed a five-year term but will remain in effect upon request provided that the grantee makes reasonable documented progress in the implementation of its strategy. HUD will review the grantee's progress towards meeting the benchmarks established in the transformation plan at the end of each program year based upon the annual action plan goals, information in the performance report and on-site monitoring. This NRSA designation will, however, terminate at the end of the

original five-year term period. Grantees with NRSAs that will terminate in the middle of a consolidated plan cycle are strongly encouraged to resubmit a request for designation at the beginning of the next 5-year consolidated plan cycle to properly align the designation with the 5-year plan.

The benefits of the NRSA designation include aggregation of housing units, exemption from the aggregate public benefit standard for special economic development activities, and exemption of services carried out by Community-Based Development Organizations (CBDOS) from the public service cap.

The premise of a Neighborhood Revitalization Strategy Area (NRSA) is that a concentrated investment of resources in a limited impact area can have a substantial impact for a targeted revitalization area. As a neighborhood revitalization initiative, a NRSA provides local leaders with flexible funds to transform high-poverty neighborhoods with distressed housing into sustainable communities with mixed-income housing, safe streets, and economic opportunity. HUD's Office of Community Planning and Development (CPD) has emphasized the coordination of resources to facilitate grantees' ability to engage in comprehensive community revitalization strategies. The Department seeks to create opportunity in distressed neighborhoods by stimulating the reinvestment of human and economic capital and by economically empowering low-income residents through partnerships among federal and local governments, the private sector, community organizations and neighborhood residents.

A NRSA designation can yield substantial benefits to the City through regulatory flexibilities that would otherwise require waiver approval from HUD. These benefits include increased flexibility with regard to the use of CDBG funds for housing and economic development activities that revitalize a neighborhood, exemptions from the public service cap for activities carried out by Community-Based Development Organizations, and other record-keeping requirements which are designed to promote innovative programs in economically disadvantaged areas of the community:

*(1) **Job Creation/Retention as Low/Moderate Income Area Benefit:** Job creation/retention activities undertaken pursuant to the strategy may be qualified as meeting area benefit requirements, thus eliminating the need for a business to track the income of persons that take, or are considered for, such jobs (24 CFR 570.208(a)(1)(vii) and (d)(5)(i)). Economic development activities in an approved NRSA that assist businesses and that are designed to meet the CDBG job creation or retention requirements need not track the income of applicants they interview or hire because the assistance may be qualified as meeting "area benefit" requirements. This provides a significant reduction of the administrative burden to the assisted business and the recipients.*

*(2) **Aggregation of Housing Units:** Housing units assisted pursuant to the strategy may be considered to be part of a single structure for purposes of applying the low-and moderate-income national objective criteria, thus providing greater flexibility to carry out housing programs that revitalize a neighborhood (24 CFR 570.208(a)(3) and (d)(5)(ii)). This designation allows CDBG funds to be used to support housing for a greater mix of income levels because "over-income" households can occupy single family homes as long as 51% of the homes benefit low- and moderate-income households;*

*(3) **Aggregate Public Benefit Standard Exemption:** Economic development activities carried out under the strategy may, at the grantee's option, be exempt from the aggregate public benefit standards, thus increasing a grantee's flexibility for program design as well as reducing its record-keeping requirements (24 CFR 570.209 (b)(2)(v)(L) and (M)). Economic development activities carried out in the approved neighborhood are exempt from the aggregate public benefit standards that limit the amount of assistance that can be expended on each activity.*

*(4) **Public Service Cap Exemption:** Public services carried out pursuant to the strategy by a Community-Based Development Organization will be exempt from the public service cap (24 CFR*

570.204(b)(2)(ii)) All public services offered within the approved NRSA and carried out by Community Based Development Organizations are exempt from the 15% public services cap. This exemption permits recipients to offer a more intensive level of services within the approved area, if desired.

The City is reminded that these flexibilities are designed to promote innovative programs in economically disadvantaged areas of the community; however, **projects are still subject to the individual/project public benefit standards**. This flexibility includes job training and other employment related services and as such, it can provide an important foundation for economic opportunity for neighborhood residents.

Should you have any questions, please do not hesitate to contact Laura Schiffer, your assigned Community Planning Development Representative at 617-994-8359.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Shumeyko", with a long horizontal flourish extending to the right.

Robert D. Shumeyko
Director

Enclosure



Lewiston, ME

Choice Neighborhoods Lead Grantee: City of Lewiston

Choice Neighborhoods Co-Grantee: Community Concepts, Inc.

Target Assisted Housing Project: Maple Knoll Development

Target Neighborhood: Downtown/Tree Streets

Choice Neighborhoods Grant Amount: \$1,300,000

Key Partners:

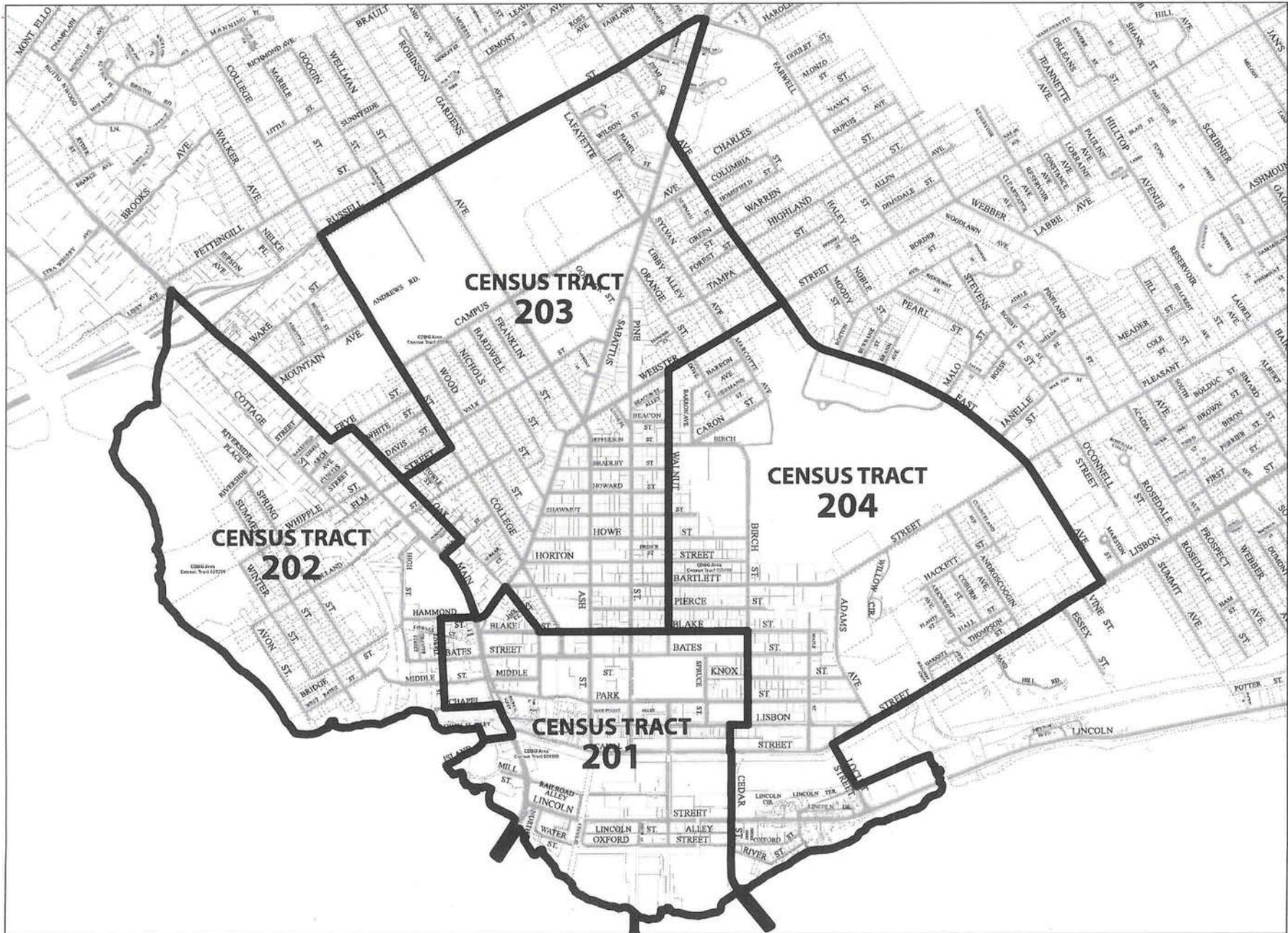
Healthy Neighborhoods Planning Council | Maine Immigrant and Refugee Services | Saint Mary's Health System | Tree Street Youth | The Root Cellar | Take 2 YouthBuild | Lewiston Workforce Initiative | Longley and Montello Elementary Schools | Bates College | John T. Gorman Foundation

Project Summary:

The Downtown/Tree Streets community of Lewiston, ME has joined together to turn the tide against a pattern of disinvestment and blight. Downtown/Tree Streets is home to City Hall, three local anchor institutions (Central Maine Medical Center, St. Mary's Hospital, Bates College), and new industry in the riverfront mills. The neighborhood also hosts a diverse community, including families from several African countries who have fled ethnic violence. However, the area is dominated by vacant lots and distressed housing. All 489 HUD assisted units in the City of Lewiston are concentrated in this one neighborhood, including the severely distressed Maple Knolls housing development. Non-assisted housing is also largely distressed, consisting of cheaply constructed 3-6 story walkups from the late 1800's to early 1900's. Arsons over the last several years have burned down 13 buildings and left over 220 people homeless. Neighborhood children face further challenges. They are exposed to a high lead poisoning rate and attend one of the lowest performing elementary schools in the state.

Over the last decade, the Downtown/Tree Streets community has organized to advance the health of the neighborhood they call home. Responding to a 2005 City plan that would have displaced 850 people by running a four-lane boulevard through the neighborhood's center, residents formed The Visible Community (TVC). Comprised of long-time residents and new-comers, TVC spent a year door knocking, organizing, and turning out neighbors for public meetings. TVC successfully halted the City's Plan and created the People's Downtown Master Plan, which set priorities for transit, housing, and economic opportunities. The City, recognizing this engagement, established a neighborhood task force and has worked with TVC on issues such as stronger code enforcement and lead abatement.

Since this time, additional strides have been made. Self-organized parent and community efforts have focused on improving the elementary school. A foundation formed a coalition of residents and civic agencies focused on health, wellness, and education outcomes called the Healthy Neighborhoods Planning Council. Now, the City, Community Concepts Inc., the community, and their partners will use the \$1,300,000 Choice Neighborhoods Planning and Action Grant to accelerate their progress. As a community-based coalition, the Healthy Neighborhoods Planning Council will be the main decision-making body for the Choice Neighborhoods initiative. The John T. Gorman Foundation has committed \$450,000 to the Choice Neighborhoods Planning and Action effort. Together, these entities will create a comprehensive neighborhood plan and launch Action Activities to begin transforming Downtown/Tree Streets into a vibrant neighborhood.



Map is provided for informational purposes only. It is not intended to be used for legal or financial purposes. The City of Lewiston is not responsible for any errors or omissions. The City of Lewiston is not responsible for any damages or losses resulting from the use of this map. The City of Lewiston is not responsible for any damages or losses resulting from the use of this map.

**CDBG
Target Area**

Scale: 1" = 100'



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Condemnation Hearing for the building located at 12 Fair Street.

INFORMATION:

This item was continued from the June 19 City Council meeting to this meeting to allow additional time for the mortgage company to work toward finding a workable solution regarding this property.

The City has begun the process for condemnation of the property at 12 Fair Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material highlights the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

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
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1) To conduct a hearing to determine if the building located at 12 Fair Street has met the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 12 Fair Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Mayor and Members of the City Council
FROM: David Hediger, Director of Planning and Code Enforcement
DATE: August 30, 2018
RE: Condemnation of 12 Fair Street

The Council may recall this item was initially presented for your consideration at the June 19, 2018 meeting. At that time, the Council agreed to continue the hearing to the September 4, 2018 meeting in effort to provide Ocwen Financial Corporation an opportunity to determine whether the building at 12 Fair Street may be improved or demolished. Staff's understanding is that Ocwen appeared only on its own behalf, and not on behalf of another party. They represented that a contractor needed to inspect the property and that appraisal may be pursued. The Council agreed to continue the matter. In a conversation with Code Enforcement after the Council meeting, the attorney for Ocwen committed to request his client address any immediate safety issues in the interim—specifically, the open set of stairs through the floor to the basement. As of August 28, the attorney for Ocwen indicated that the open set of stairs through the floor to the basement would be secured by August 29th and that a decision on the possible rehabilitation of the structure would likely be made soon. As of August 30th, an inspection of the property confirmed the closure of the open stairs.

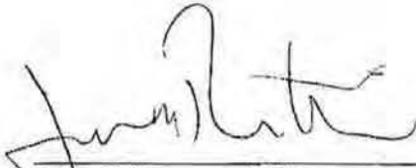
At this point, staff is proposing to move forward with the recommendation to demolish this structure unless Ocwen satisfies Code Enforcement that its plans show that it has the capacity to bring this property up to Code and that it is likely to succeed. Proof of capacity includes, but is not limited to, an itemized cost estimate; a statement of the owner's financial capacity; an implementation schedule, including a near-term deadline to secure a broken window at the rear and the side entry door; proof that the work will be carried out by experienced, qualified, capable and licensed contractors; assurances that the renovation will be timely completed in compliance with City ordinances and state law; payment of the City's attorney's fees and costs in seeking enforcement; and indication of how the City will keep the owner accountable if the renovation fails, falls behind schedule, or persists in being a dangerous building.

WARRANTY DEED

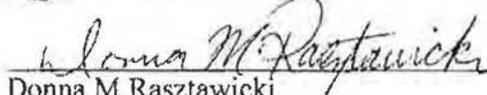
KNOW ALL PERSONS BY THESE PRESENTS, that Jason M Rasztaewicki and Donna M Rasztaewicki, of 12 Fair Street Lewiston, ME for consideration paid grants to Eric Smith and Tracy Smith, of 124 North Temple Street, Lewiston, Maine with WARRANTY COVENANTS, as joint tenants, the premises in the City of Lewiston, County of Androscoggin and State of Maine, being more particularly described in Exhibit A attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Jason M Rasztaewicki and Donna M Rasztaewicki has caused this instrument to be signed this December 22, 2006

MAINE REAL ESTATE
TRANSFER TAX PAID



Jason M Rasztaewicki



Donna M Rasztaewicki

Witness

State of Maine
County of Androscoggin

Then personally appeared before me this 22 day of December, 2006 the said

Jason M Rasztaewicki and Donna M Rasztaewicki
and acknowledged the foregoing to be his/her/~~their~~ voluntary act and deed.


Notary Public/Maine Attorney at Law
Commission Expiration: _____

MELANIE J. TURNER
NOTARY PUBLIC, STATE OF MAINE
COMMISSION EXPIRES: OCT. 1, 2011



File Number: 06-1697

EXHIBIT "A"**LEGAL DESCRIPTION**

A certain lot or parcel of land with the buildings thereon, situated in Lewiston, County of Androscoggin, and State of Maine, bounded and described as follows:

Beginning at a point on the easterly line of Fair Street, said point being the northwesterly corner of land now or formerly owned by Pleasant Homes, Inc. and recorded in the Androscoggin County Registry of Deeds, Book 888, Page 183; thence in an easterly direction along the northerly line of said Pleasant Homes, Inc. and one hundred (100) feet to a point; thence in a southerly direction and parallel to Fair Street, one hundred (100) feet to a point; thence in a westerly direction and parallel to the first described line, one hundred (100) feet to a point on the easterly line of said Fair Street; thence in a northerly direction along said Fair Street, one hundred (100) feet to the point of beginning.

Also a certain lot or parcel of land with any buildings thereon, situated in the City of Lewiston, County of Androscoggin and State of Maine, bounded and described as follows:

Beginning at a point in the northeasterly line of Fair Street, one hundred thirty-three and five-tenths (133.5) feet Southerly from the southwesterly corner of the property now or formerly of Fred Quillin; thence at an internal angle of 90°, one hundred fourteen and two-tenths (114.2) feet to a point marked by an iron pipe set in the ground;

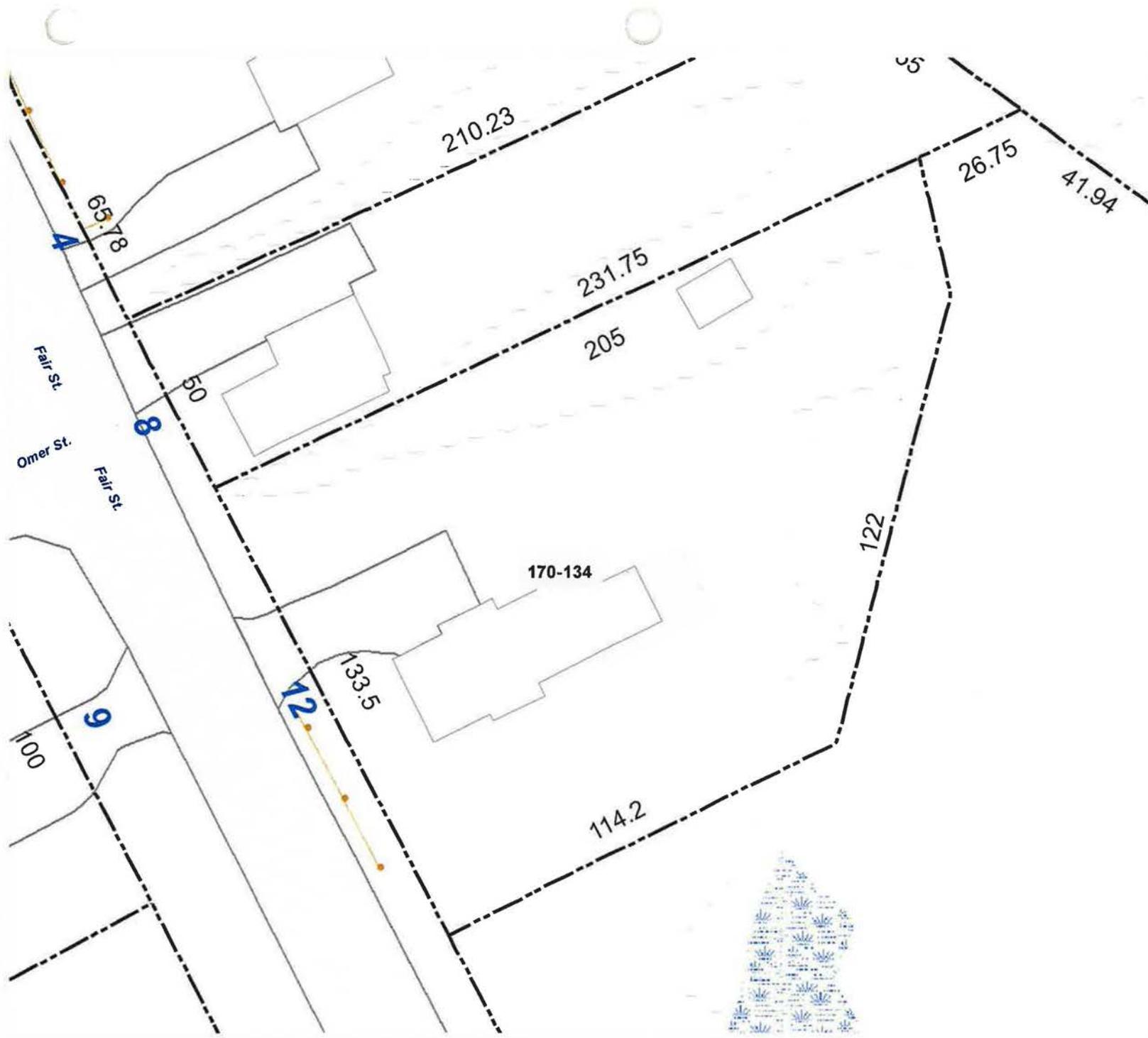
Thence in a northerly direction at an internal angle of 130° 46' one hundred twenty two (122) feet to a point marked by an iron pipe set in the ground; thence in a northwesterly direction at an internal angle of 153°, thirty-seven and one-tenth feet to a point marked by an iron pipe set in the ground in the southerly line of the F. Quillin;

Thence in a westerly direction along the southerly line of the said F. Quillin land, one hundred five (105) feet to a point marked by an iron pipe set in the ground, said iron pipe marking the northeasterly corner of land formerly of Reginald W. and D. Boutin as described in a deed dated February 18, 1966 and recorded at Book 957, Page 152; thence in a southerly direction at an internal angle of 90°, one hundred (100) feet to a point marked by an iron pipe set in the ground.

Thence in a Southwesterly direction and parallel with the first-mentioned line at an internal angle of 270° one hundred (100) feet to a point in the northeasterly line of Fair Street; thence in a southerly direction along the northeasterly line of said Fair Street, thirty-three and five-tenths (33.5) feet to the point of beginning.

Meaning and intending to convey the same premises conveyed to Donna M. Rasztaewicki and Jason M. Rasztaewicki by deed of Donna M. Rasztaewicki dated May 25, 2005 and recorded in the Androscoggin County Registry of Deeds in Book 6355, Page 30. Further reference is made to deeds of Reinald W. Boutin and Mary D. Boutin dated August 31, 2004 and recorded in the Androscoggin County Registry of Deeds in Book 6058, Page 129 and dated February 12, 2005 and recorded in Book 6245, Page 213 in said Registry.

ANDROSCOGGIN COUNTY
Tina K. Charnock
 REGISTER OF DEEDS



This Map is provided by the City of Lewiston, ME Mapping shown on is for general reference. The City of Lewiston shall not be held liable for damages due to discrepancies, and makes no warranty of accuracy of map. Field verification is required. This map is not printed to scale.



Approximate Map Scale:
1 in = 34 ft

- Legend**
- Parcel Line
 - ROW
 - Easement
 - Maple Hill or Lot
 - Street Address
 - 22 Subject Map and Lot
 - 133-46
 - 100.26 Lot Dimension
 - 122.00
 - 133.5

- Planimetric Legend:**
- Building - General
 - Moat - Home
 - Foundation
 - Deck
 - Patio
 - Sprinkler
 - Fence
 - Roadway, Parking, Walkway
 - Driveway, Lawn, Foyer
 - Swimming Pool
 - Lake or Pond, Reservoir
 - Ditch or Apparent Wetland
 - Stormwater Collection Pond
 - Drainage, Stream

Cadastral mapping displayed is intended for assessment purposes only, and shall not be used in place of a boundary survey. Do not use for description, delineation, or transfer of property.

Map-Lot 170-134

12 FAIR ST
Parcel ID
RE00001462
Tax Mapping
Effective April 1, 2017
to March 31, 2018





Home Property Search Contact Us
Address Advanced Real Property Parcel ID Owner

Profile	PARID: RE00001462	12 FAIR ST
Values	Parcel	
Sales	Parcel ID	RE00001462
Residential	Map/Lot	170/000/134
Commercial	Property Location	12 FAIR ST
Sketch	Property Class	Single Family Residence
Photos	Land Area (acreage)	.5
Entrances	Owners	
OBY	Owner	SMITH ERIC SMITH TRACY
	Address	1400 ADIE ST
	City	PHENIX CITY
	State	AL
	Zip	36867
	Book	7011
	Page	230

1 of 2

[Return to Search Results](#)

Actions

[Printable Summary](#)

[Printable Version](#)

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Eric Smith
1400 Adie Street
Phenix City, Alabama 36867

Tracy Smith
1400 Adie Street
Phenix City, Alabama 36867

Wells Fargo Bank, N.A. as Trustee for
Option One Mortgage Loan Trust 2007-2
Asset-Backed Certificates, Series 2007-2
1 Home Campus
Des Moines, Iowa 50328

Ocwen Financial Corporation
1661 Worthington Road, #100
West Palm Beach, Florida 33409

12 FAIR STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

June 19, 2018 at 7:00 pm
Lewiston City Hall
27 Pine Street, Lewiston, Maine 04240

The hearing is regarding the building at 12 Fair Street, Lewiston, Maine, identified as Parcel ID RE00001462 on the City of Lewiston Tax Maps, and further described in a deed recorded in the Androscoggin County Registry of Deeds at Book 7011, Page 230. The hearing is to determine whether the building is a nuisance or dangerous, within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

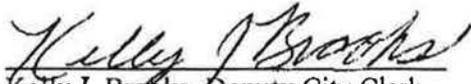
If the City Council finds that the building is a nuisance or dangerous, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the building. The City may then recover all of its expenses, by means of a special tax or civil action, including reasonable attorneys' fees and costs, costs of removal of the building, and any costs incurred in securing the building pending its removal. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action.

This hearing is also to determine whether the building poses a serious threat to public health and safety, within the meaning of 17 M.R.S. § 2856, and must be secured. If the City secures the building, it may then recover all of its expenses, including reasonable attorney's fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the building is not a nuisance or dangerous and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

EXHIBIT B

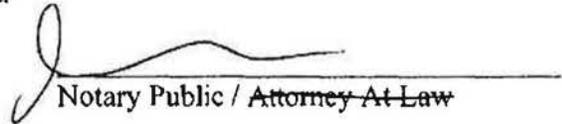
May 22, 2018


Kelly J. Brooks, Deputy City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

May 22, 2018

Before me this day personally appeared Kelly J. Brooks, who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney At Law

ALLISON R. PEASE
Notary Public, State Of Maine
My Commission Expires August 31, 2022

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
12 Fair Street, Lewiston, Maine
Dangerous Buildings

On 5/29/, 2018, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on Tracy Smith, as follows:

Tracy Smith
1400 Adie Street
Phenix City, Alabama 36867

Costs of Service:

Service:	\$ _____
Travel:	\$ _____
Postage:	\$ _____
Other:	\$ _____
 TOTAL:	 \$ _____

[Signature] 5794
Signature

Russell County Sheriff Dep
Agency 8/29/18 0927 hrs

12 Fair Street

EXHIBIT C

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Eric Smith
1400 Adie Street
Phenix City, Alabama 36867

Tracy Smith
1400 Adie Street
Phenix City, Alabama 36867

Wells Fargo Bank, N.A. as Trustee for
Option One Mortgage Loan Trust 2007-2
Asset-Backed Certificates, Series 2007-2
1 Home Campus
Des Moines, Iowa 50328

Ocwen Financial Corporation
1661 Worthington Road, #100
West Palm Beach, Florida 33409

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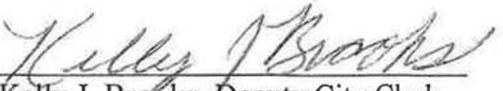
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May 22, 2018


Kelly J. Brooks, Deputy City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

May 22, 2018

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Notary Public / Attorney At Law

ALLISON R. PEASE
Notary Public, State Of Maine
My Commission Expires August 31, 2022

NOTICE OF HEARING
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Dangerous Buildings

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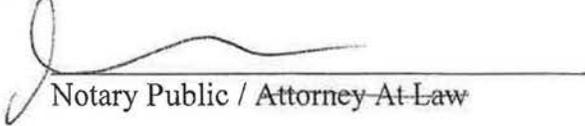
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Notary Public / Attorney At Law

ALLISON R. PEASE
Notary Public, State Of Maine
My Commission Expires August 31, 2022

RETURN OF SERVICE

In the Maine District Court For LEWISTON CITY HALL

Case Name: LEWISTON CITY COUNCIL

vs

WELLS FARGO BANK NA AS TRUSTEE

Case No.: 12 FAIR STREET LEWISTON MAINE Sheriff's File No.: 18018598

Notice rec'd : 5/24/2018

STATE OF IOWA POLK COUNTY } SS.

I certify that I served a copy of : NOTICE OF HEARING

to WELLS FARGO BANK NA AS TRUSTEE Type of service: REGISTERED AGENT

by delivering a copy to: Vickie Reed

a person at least 18 years of age described as AGENT AUTHORIZED TO ACCEPT

Address of service: CORP SERVICE COMPANY 505 5TH AVENUE #729 DES MOINES, IA
50309

Date and time of service: 5/25/2018 8:30 AM

Trips:

There are no additional service attempts

Reason: ,

FEES:

MILEAGE FEE (\$1.09)

PROCESSING FEE (\$30.00)

Total:\$31.09

BILL McCARTHY Sheriff

Polk County, Iowa

Darren Abens

DARREN ABENS Deputy/Server

EXHIBIT E

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Eric Smith
1400 Adie Street
Phenix City, Alabama 36867

Tracy Smith
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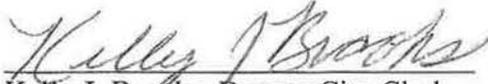
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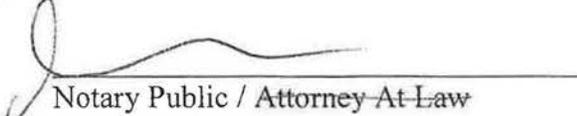
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Kelly J. Brooks, Deputy City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

May 22 2018

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Notary Public / Attorney At Law

ALLISON R. PEASE
Notary Public, State Of Maine
My Commission Expires August 31, 2022

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
12 Fair Street, Lewiston, Maine
Dangerous Buildings

1:20 PM

On 5/25/18, 2018, I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, on the person authorized to accept service on behalf of Ocwen Financial Corporation, as follows:

Ocwen Financial Corporation
1661 Worthington Road, #100
West Palm Beach, FL 33409

(CHRISTINE HILL) Representative
Designed Employee Capacity

Costs of Service:

Service:	\$ <u>80.00</u>
Travel:	\$ _____
Postage:	\$ _____
Other:	\$ _____
TOTAL:	\$ <u>80.00</u>

RIC L BRADSHAW SHERIFF
PALM BEACH COUNTY FLORIDA

E-SMITH
[Signature]
Signature

Palm Beach Sheriff's Office
Agency

Det Erik Smith #7168



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Eric Smith
1400 Adie Street
Phenix City, Alabama 36867

Tracy Smith
1400 Adie Street
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Asset-Backed Certificates, Series 2007-2
1 Home Campus
Des Moines, Iowa 50328

Ocwen Financial Corporation
1661 Worthington Road, #100
West Palm Beach, Florida 33409

12 FAIR STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

June 19, 2018 at 7:00 pm
Lewiston City Hall
27 Pine Street, Lewiston, Maine 04240

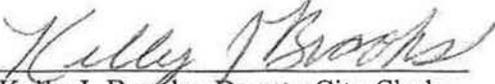
The hearing is regarding the building at 12 Fair Street, Lewiston, Maine, identified as Parcel ID RE00001462 on the City of Lewiston Tax Maps, and further described in a deed recorded in the Androscoggin County Registry of Deeds at Book 7011, Page 230. The hearing is to determine whether the building is a nuisance or dangerous, within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the building is a nuisance or dangerous, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the building. The City may then recover all of its expenses, by means of a special tax or civil action, including reasonable attorneys' fees and costs, costs of removal of the building, and any costs incurred in securing the building pending its removal. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action.

This hearing is also to determine whether the building poses a serious threat to public health and safety, within the meaning of 17 M.R.S. § 2856, and must be secured. If the City secures the building, it may then recover all of its expenses, including reasonable attorney's fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the building is not a nuisance or dangerous and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

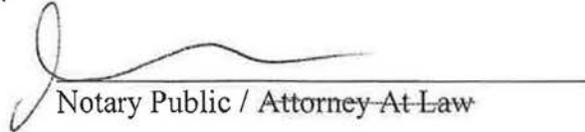
May 22, 2018


Kelly J. Brooks, Deputy City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

May 22 2018

Before me this day personally appeared Kelly J. Brooks, who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney-At-Law

ALLISON R. PEASE
Notary Public, State Of Maine
My Commission Expires August 31, 2022

THOMAS MAYNARD
City of Lewiston
Building Inspector

RESPONSIBILITIES

Responsible for implementing and enforcing City of Lewiston land use, zoning, and building codes.

MAINE STATE CERTIFICATIONS

Internal Plumbing
Subsurface Wastewater Disposal
Zoning Officer
Shoreland Zoning
Land Use Planning
Building Standards (Residential Building, Commercial Building, Residential Energy, Commercial Energy, Residential Indoor Ventilation, Commercial Indoor Ventilation, Residential Radon)
Legal Issues

EXPERIENCE

Home Building

NV Ryan Homes, Maryland (1985-1988)
Production supervisor

Thunderlion, Maryland (1994-1997)
Production superintendent

Governmental

Montgomery County, Maryland (1988-1994)
1 & 2 family building and electrical inspector

Scarborough, Maine (1997-2001)
Code enforcement officer, building inspector, electrical inspector, plumbing inspector

Washington County, Maryland (2001-2004)
1 & 2 family building and electrical inspector

Lewiston, Maine (2004-present)
Code enforcement officer, constable, housing inspector, building inspector, internal and external plumbing inspector, shoreland zoning officer, land use compliance officer



Department of Public Services
Division of Water & Sewer



KEVIN A. GAGNE
Deputy Director

PAMELA M. LABELLE
Asst Business Manager

Service Order Request

Date Scheduled: 03/11/2008

Requested By: lboucher

Time Scheduled: 1:00

Request Date: 03/10/2008

Service Order #: 1198

Employee assigned to complete work: 217

Acct#: 002704

Customer Name: SMITH, TRACY M - DO NOT USE

Property location: 12 FAIR ST

Service Order Type/Reason: REPL/CHANGE METER

Last Reading Info:

Read Date	Reading	Usage	Read Date	Reading	Usage
04/14/2008	513		01/15/2008	503	12
03/11/2008	513	10	10/09/2007	491	21

Comments: SHUT WATER REMOVE METER CONTACT PERSON PENNY (MOTHER IN LAW) @ 754-9935

METER MAKE: _____ **INSTALL DATE:** _____
METER #: _____ **REGISTER ID#** _____
METER SIZE: 5/8 WTR RS **MXU ID#** _____

Service Completed YES
 NO

By: _____
Employee Signature

If no explain reason: _____

Description of Work / Comments: _____



**CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3245
NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE**

February 23, 2018

Eric Smith
Tracy Smith
1400 Adie Street
Phenix City, Alabama 36867

Wells Fargo Bank, N.A.
As Trustee for Option One Mortgage Loan Trust
2007-2 Asset-Backed Certificates, Series 2007-2
1 Home Campus
Des Moines, Iowa 50328

RE: 12 fair Street
Map: 170 Parcel: 134

Dear Owners:

I've conducted multiple inspections, the last being February 22, 2018, of 12 Fair Street finding it vacant, abandoned, without required utilities, suffering deterioration, damage, unsecured and dangerous making it unfit for occupancy due to violation(s) of the provisions of Chapter 18, Article III, International Property Maintenance Code, Sections 18-51 and 18-52, as per The Code of Ordinances of the City of Lewiston hereafter referred to as the (Code).

I hereby condemn and placard the building and property as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, International Property Maintenance Code, Sections 18-51 and 18-52, IPMC-108.1 et seq, IPMC-109.1 et seq, IPMC-110.1 et seq, , IPMC-301.1 et seq, IPMC-302.1 et seq IPMC-304.1 et seq, IPMC-305.1 et seq, IPMC-306.1 et seq, IPMC-402.1 et seq, IPMC-502.1 et seq, IPMC-504.1 et seq, IPMC-505.1 et seq,, IPMC-506.1 et seq, IPMC-602.1 et seq, IPMC-603.1 et seq, IPMC-604.1 et seq, IPMC-605.1 et seq, IPMC-702.1 et seq, IPMC-703.1 et seq and IPMC-704.1 et seq of the Code of Ordinances of the City of Lewiston. You are hereby ordered to

2

ensure this building is maintained secured from unauthorized entry. You are to make substantial repairs or demolish this building, with all appropriate permits issued by this office, leaving the property in manner to the satisfaction of this office by no later than **March 23, 2018.**

The City of Lewiston may order the demolition of this building pursuant to the provisions of the Maine Revised Statutes, Title 17, Chapter 91, Subchapter 4, Dangerous Buildings, Section § 2851, if the building is not maintained secured or is a threat to public safety and a nuisance.

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section IPMC-108.4.1 stating "the code official shall remove the condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code."

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

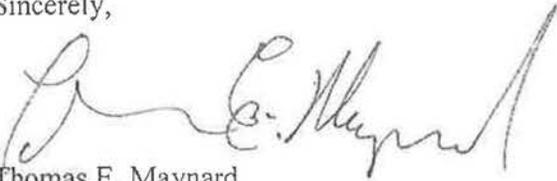
In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and twenty five dollars (\$225.00), the third is four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and fifty dollar (\$150.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,



Thomas E. Maynard

Code Enforcement Officer/Constable

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

BE ADVISED! The EPA's Lead Renovation, Repair and Painting Rule (RRP) requires that the firms performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities and preschools built before 1978 have their firm certified by EPA (or an EPA authorized state), use certified renovators who are trained by EPA Approved training providers and follow specific lead-safe work practices to prevent lead contamination. This included in-house staff and many types of outside contractors.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**ERIC SMITH
TRACY SMITH
1400 ADIE STREET
PHENIX CITY, AL 36867**



9590 9402 2549 6306 1560 27

2. Article Number (Transfer from service label)

7016 0340 0000 8858 9300

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

7016 0340 0000 8858 9300

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$ _____

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage
\$ _____

Total Postage
\$ _____

Sent To
**ERIC SMITH
TRACY SMITH
1400 ADIE STREET
PHENIX CITY, AL 36867**

Postmark
Hour _____

PS Form 3800, April 2015 PSN 7530-02-000-9053 See reverse for instructions

**12 Fair Street
Photos taken June
6, 2011, February
22, 2018 and photo
1 taken on April
25, 2018. Front view
of building showing
broken glass in front
door. It is
abandoned creating
a hazard to health
and safety.**



EXHIBIT 1

Photo # 2 shows a deteriorated soffit and siding in need of repairs and paint the result of inadequate maintenance.



Photo # 3 shows damage and deterioration to a block foundation wall making for instability in the foundation system. Also note the deteriorated paint.



Photo # 4 shows the interior view of the deteriorated and damaged foundation wall allowing for the entry of moisture.

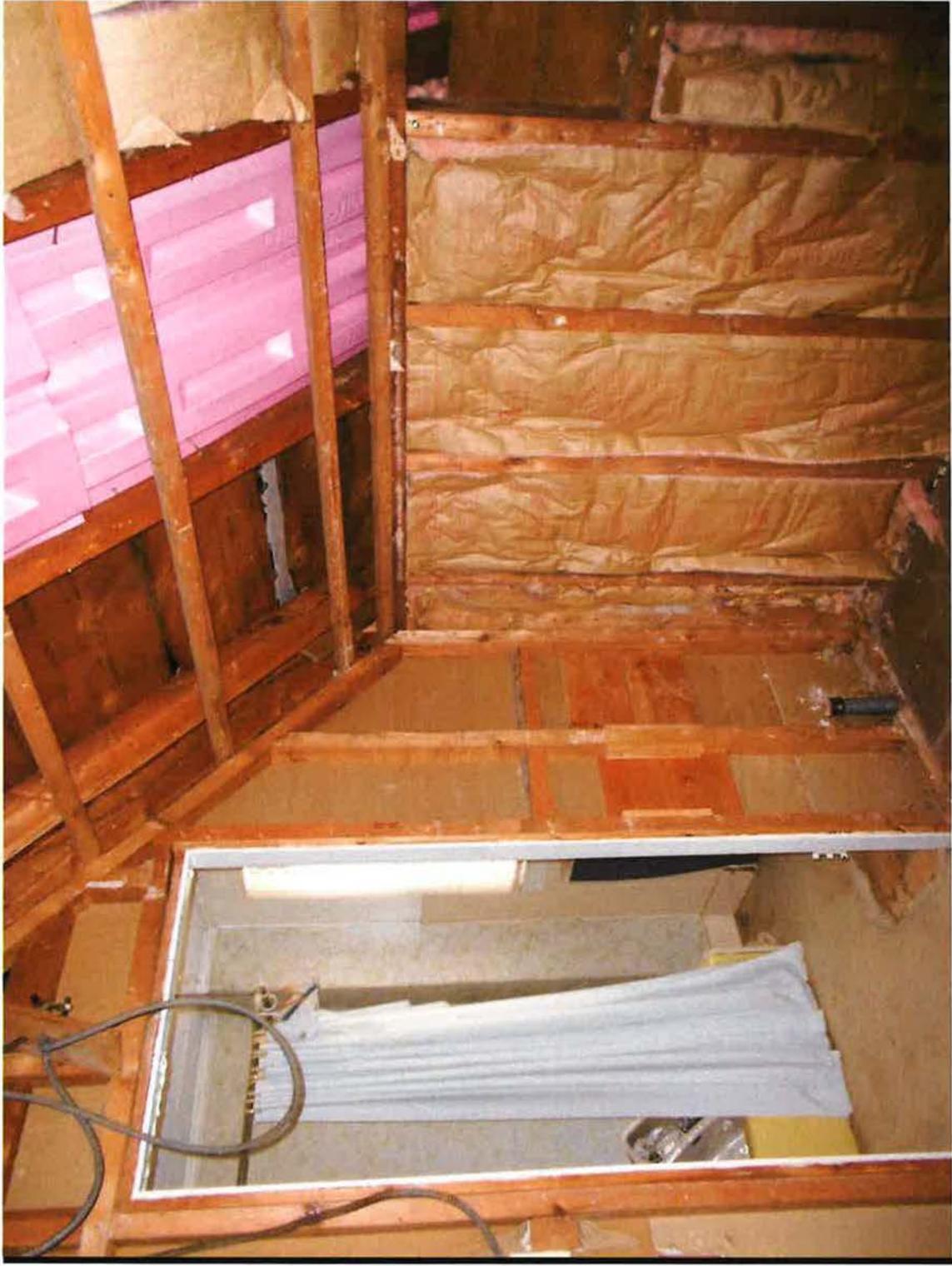


Photo # 5 shows an open set of stairs through the floor making for hazardous conditions.





Photo # 6 shows the exposed paper faced insulation and combustible materials constituting an increased fire hazard.



**Photo # 7 shows
additional exposed
combustible
materials.**

Photo # 8 shows another example of an abandoned construction project leaving combustible materials exposed making for increased fire loading and the accelerated spread of fire.



Photo # 9 shows an example severely deteriorated paint as a result of failure to maintain.



Photo # 10 shows the remove ceiling due to the abandoned construction project leaving combustible material exposed and opening through fire rated assemblies facilitating the accelerated spread of fire.



Photo # 11 shows the abandoned construction project leaving the toilet flange connection open allowing for the entry of sewer gases making for unsanitary conditions.





Photo # 12 shows an example of incomplete and exposed 14 gauge wiring.

Photo # 13 shows another example of an abandoned construction project leaving combustible materials exposed making for increased fire loading and the accelerated spread of fire.



Photo # 14 shows another example of an abandoned construction project leaving combustible materials exposed making for increased fire loading and the accelerated spread of fire



Photo # 15 shows another bathroom in a state of demolition leaving an open sewer line due to the removal of the toilet creating hazardous conditions. Observe the toilet in the tub.



Photo # 16 shows the remnants of an oil spill due to damage of the oil tank line creating hazardous and unsanitary conditions. Also, observe the electrical wiring not supported in accordance with Code creating hazardous conditions if reenergized.



Photo # 17 shows an accumulation of combustible materials contributing to fire loading making for hazardous conditions.

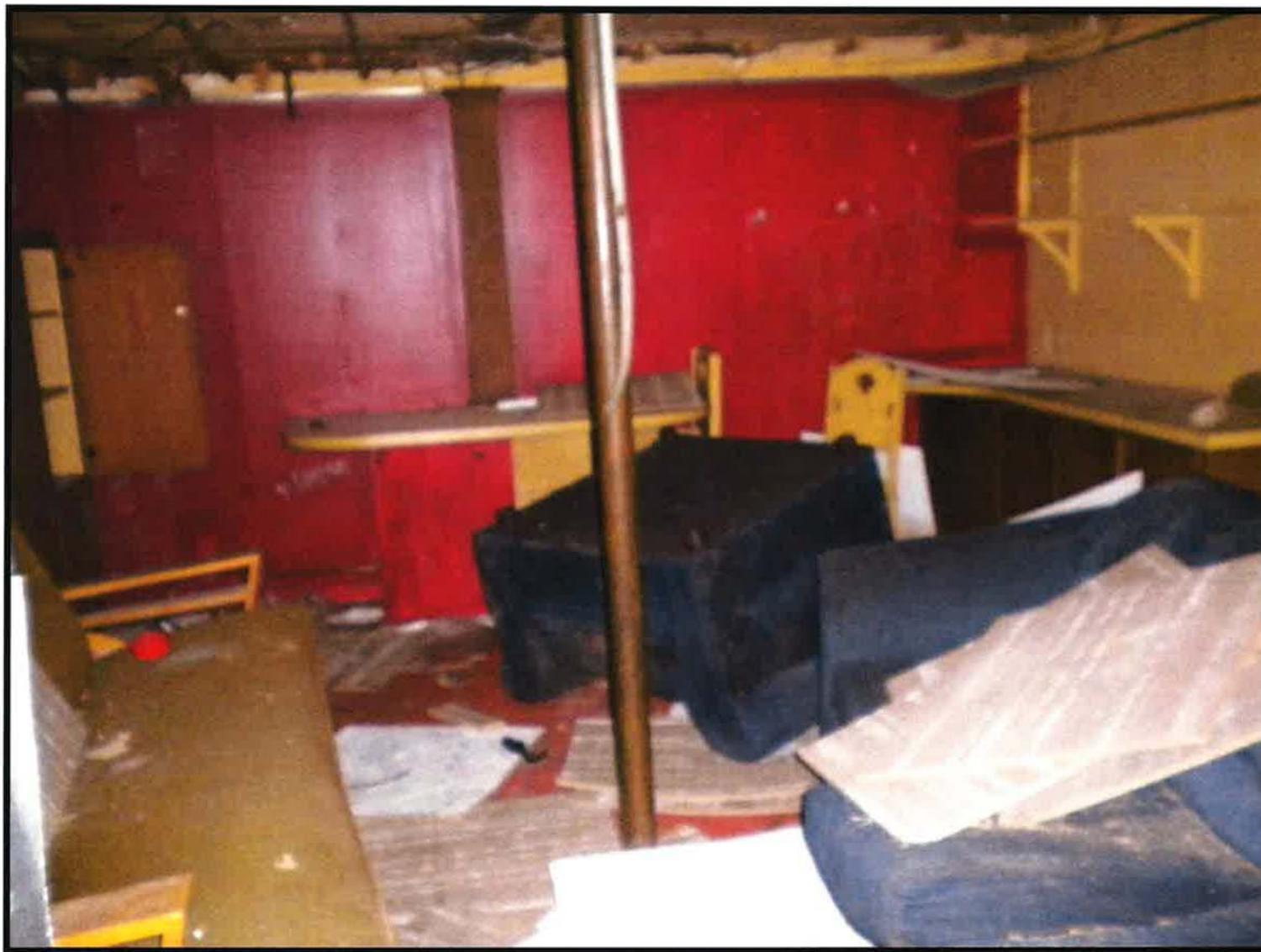


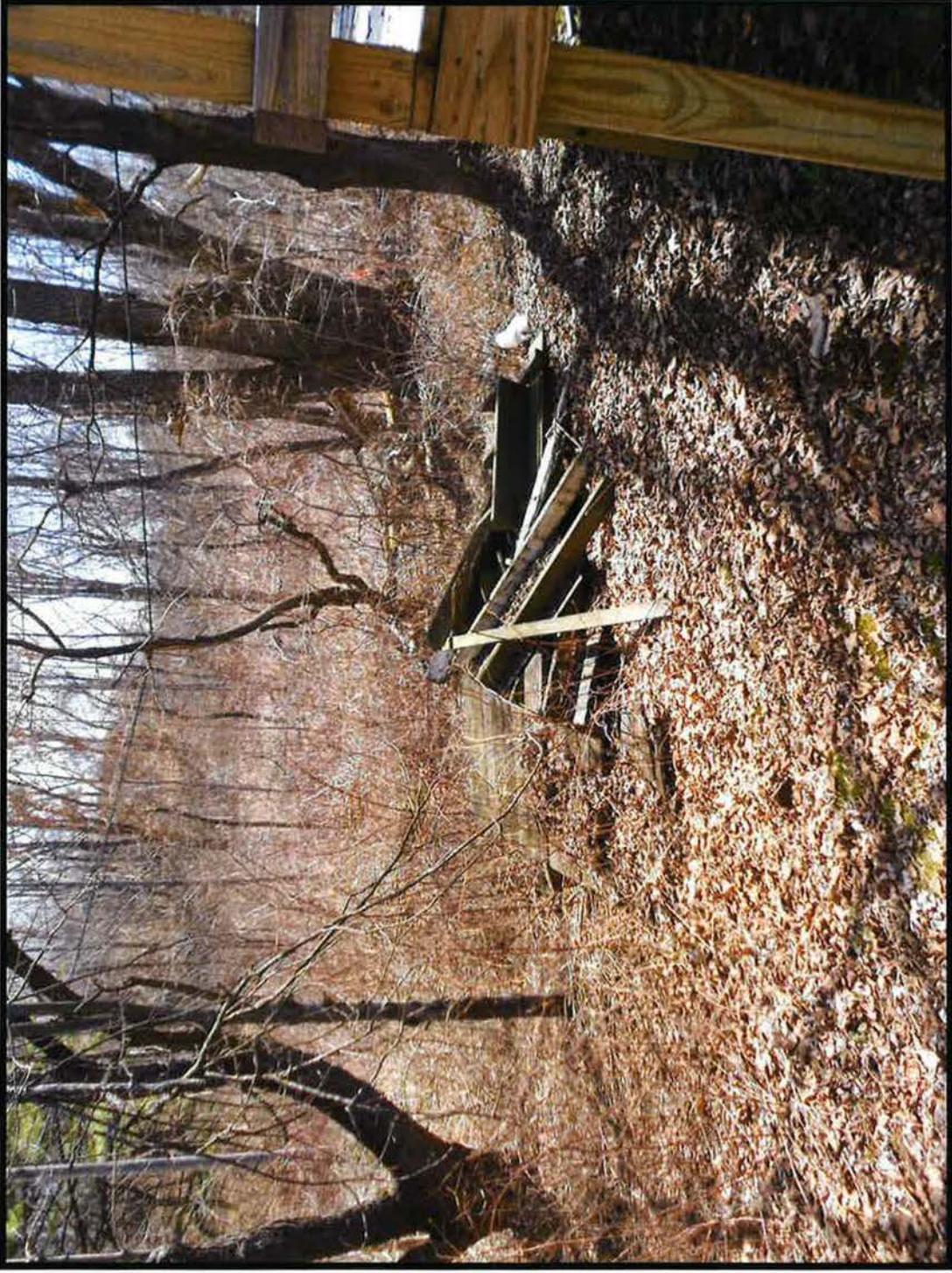
Photo # 18 shows another view of the damaged electrical wiring and conduit creating hazardous condition.



Photo # 19 shows severely deteriorated and damaged soffit, siding and trim due to lack of maintenance.



**Photo # 20 shows
the excessive debris
about the property
creating hazardous
conditions.**



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT: Order authorizing the City Administrator to execute a New Collective Bargaining Agreement between the City of Lewiston and the Maine Association of Police Unit.

INFORMATION:

The City Council is requested to ratify a three year agreement with Maine Association of Police Unit representing the Lewiston Police Patrol and Detectives. This agreement is for the period of July 1, 2018 to June 30, 2021.

Please see the attached memorandum from Denis D'Auteuil, Deputy City Administrator regarding the highlights of the new agreement.

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
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To approve the order authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the Maine Association of Police on behalf of the Lewiston Police Patrol and Detectives Unit.



COUNCIL ORDER

Order, Authorizing the City Administrator to Execute a New Collective Bargaining Agreement between the City of Lewiston and the Maine Association of Police Unit.

Now, therefore, be it ordered by the City Council of the City of Lewiston that the City Council hereby authorizes the City Administrator to Execute a New Collective Bargaining Agreement with the Maine Association of Police Unit.

Whereas, the City and Maine Association of Police Unit representatives have worked diligently over the last several months to develop a new collective bargaining agreement; and

Whereas, all who participated in the development of the Maine Association of Police Collective Bargaining Agreement believe that negotiations have produced a contract which is sensitive to the current economic climate and reflects the organizational goals and objectives of both the city and Police Patrol and Detectives Unit;

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

The City Administrator is authorized to execute the new FY 2019-2021 Maine Association of Police Collective Bargaining Agreement and is authorized to approve any final administrative, non-monetary, and non-substantive amendments as needed.



EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Denis D'Auteuil, Deputy City Administrator

To: Mayor and City Councilors
From: Denis D'Auteuil, Deputy City Administrator
Date: September 4, 2018
Re: Proposed Maine Association of Police contract

The City has been working with the Lewiston Police Patrol and Detectives Unit to develop a new collective bargaining agreement to replace the agreement that expired on June 30, 2018. We are asking the City Council to take action on a New Collective Bargaining Agreement between the City and the Maine Association of Police Unit for a term of July 1, 2018 to June 30, 2021. Notable features of the new contract are:

- COLA Adjustment: 7/1/18 - 2.5%
 7/1/19 - 2.5%
 1/1/19 - 0.5%
 7/1/20 - 2.5%
- Add 20 year step to wage scale
- Increase to Retirement Health Savings contributions
- Updated language for the Health Insurance Bridge
- Updated Health Insurance Premium Caps
- Changes to Health Insurance premium rates
- Increase to shift rotation compensation time
- Updated language on cell phone stipend
- Updated schedule language
- Updated vacation accrual chart added
- Changes to In-Service Drop Program

Recommended action: To approve the proposed contracts.

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Order Authorizing the Reallocation of up to \$100,000 of FY19 CDBG funds from the Choice Neighborhood Match to be used to complete construction of Shane's Inspiration.

INFORMATION:

Shane's Inspiration is a universally-accessible playground to be built in Marcotte Park. The City has been working on this project for several years regarding design work, fundraising and so forth. Bids have been received to complete the project. City staff is suggesting the use of CBDG funds to cover the remaining costs for this project.

Please see the memorandum from Lincoln Jeffers, Directors of Economic and Community Development, for additional information on this item.

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
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To approve the Order Authorizing the Reallocation of up to \$100,000 of FY19 CDBG funds from the Choice Neighborhood Match to be used to complete construction of Shane's Inspiration.



**City of Lewiston, Maine
City Council Order
September 4, 2018**



ORDER, Authorizing the Reallocation of up to \$100,000 of FY19 CDBG funds from the Choice Neighborhood Match to be used to complete construction of Shane's Inspiration

Whereas, Shane's Inspiration is a universally accessible playground to be built at Marcotte Park; and

Whereas, the City has been engaged for several years in designing, fundraising, purchasing equipment and other endeavors to make Maine's first fully accessible playground a reality in Lewiston; and

Whereas, bids were solicited earlier this year to complete site improvements and install the already purchased equipment for the park; and

Whereas, only one bid was received for the work and the price bid was \$533,200; and

Whereas, only \$345,000 of funding is available in grant, donations, bond, and fund balance allocations to complete the work; and

Whereas, Public Works has worked with the sole bidder to reduce their bid price to \$420,200; and

Whereas, grant sources being used to fund this project require that the funds be spent this calendar year; and

Whereas, with these requirements of the grant funding sources the Finance Committee has voted to suspend their rules and award the bid to the sole bidder on the contract, Gordon Contracting with the condition that additional CDBG funds be secured for the project

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

Up to \$100,000 of FY19 CDBG funds be reallocated from the \$118,750 approved to fund the Choice Neighborhoods Grant match requirements, and be used to fund completion of construction of Shane's Inspiration Universally Accessible Playground in Marcotte Park.

Economic and Community Development

Lincoln Jeffers

Director



To: Honorable Mayor and Members of the City Council
From: Lincoln Jeffers
RE: Reallocation of CDBG funds for Marcotte Park
Date: August 28, 2018

Over the last several years considerable work has been done to secure the funding to construct a universally accessible playground, known as Shane's Inspiration, in Marcotte Park. Public Works has worked with engineers and other consultants on civil design, Dottie Perham Whittier and Nate Libby have worked tirelessly on private fundraising that brought in \$35,000 for the project, and over the last three budget years a total of \$301,000 in CDBG funds have been allocated for the park, as well as \$75,000 in bond funds, and \$75,000 in FY19 Fund Balance Allocation. Playground equipment was purchased last spring with the intention of installing it this construction season.

The project was put out to bid for site work, installation of water service, storm drainage, a concrete walkway, 5' sidewalk, pavers, retaining wall, installation of a poured in place rubber surface, and installation of the equipment. Bids were solicited from 20 contractors but only one bid, Gordon Contracting out of Sangerville, Maine. Their initial bid price was \$533,200. After purchase of the playground equipment last spring, only \$345,000 was available for the project.

Public Works worked with the contractor to value engineer their proposal. Cost savings of \$113,000 were identified, reducing the bid price to \$420,200 without changing the scope or design of the playground.

The Finance Committee has a rule that when only one bidder responds on a contract valued at \$100,000 or more, the committee can reject the bid and solicit another round of proposals. Because of requirements to spend the CDBG and other granted funds in a timely basis, the project could not be rebid and still have the work completed this year. With the requirement to spend grant funds this year, and with the reduction in the bid price from value engineering, the Finance Committee voted to suspend the rule and to award the bid to Gordon Contracting, conditioned upon the reallocation of additional CDBG funds to cover the funding shortfall.

The Council approved FY19 CDBG budget included \$118,750 required as match for Lewiston's \$1.3 million Choice Neighborhood Grant. The CDBG funds are to be spent on physical improvements in the neighborhood, as determined by

residents of the neighborhood through a planning process. That planning process is still underway and the allocated CDBG funds will not be able to be spent in this fiscal year.

Accordingly, staff recommends that up to \$100,000 of CDBG funds originally dedicated as match for the Choice Grant in the FY19 CDBG budget be reallocated to cover the shortfall in funding needed to complete construction of Shane's Inspiration.

The CDBG Community Participation Plan requires 10 days public notice and a public hearing for a substantial amendment to the CDBG budget, which this qualifies as. A public notice of the proposed change was published in the Sun Journal on August 23rd. Public Comment will be received for 30 days from the day of publication. The Council is asked to hold a Public Hearing on September 4, 2018 and take action approving the reallocation of up to \$100,000 of CDBG funds from the Choice Grant match to allow the completion of construction at Shane's Inspiration. The Council Action will take effect at the end of the 30 day public comment period.

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Resolve authorizing the naming of the new Universally Accessible Playground to be established in Marcotte Park as “Jude’s Place at Marcotte Park”.

INFORMATION:

The City has been working for several years to establish a universally accessible playground at Marcotte Park, the first of it’s kind in Maine. As the parent of a disabled child, Lewiston resident Nate Libby has been instrumental in the creation of this playground and understands the need to have facilities that can benefit children of all abilities. The Universal Playground Planning Committee is recommending that the playground be named in honor and recognition of Mr. Libby’s son Jude.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

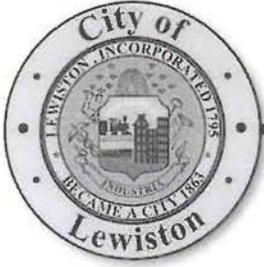
The City Administrator recommends approval of the requested action.

SABIKmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To approve the Resolve authorizing the naming of the new Universally Accessible Playground to be established in Marcotte Park as “Jude’s Place at Marcotte Park”.



COUNCIL RESOLVE

- Resolve,** Authorizing the Naming of the New Universally Accessible Playground to be established in Marcotte Park as 'Jude's Place at Marcotte Park.'
- Whereas:** Several members of the community and City staff recognized the need to establish the first-in- Maine universally accessible playground at Marcotte Park, Lewiston; and
- Whereas:** Nate Libby understands the need for accessibility to play. His nine-year-old son, Jude, has cerebral palsy and is non-mobile & non-verbal. However, he loves sights, sounds, movement, and other sensory stimulation, all of which this playground will provide; and
- Whereas:** Through the work of members of the community and City staff this project has now garnered enough financial support to begin in the fall of 2018; and
- Whereas:** As evidenced by service needs within our community, Jude will not be alone in benefitting from a locally situated universally accessible playground. This playground will enable all children, regardless of ability, to play alongside each other; and
- Whereas:** The Universal Playground Committee has made a recommendation to the City Council to name the Universal Playground to "Jude's Place at Marcotte Park".

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

The City Council hereby approves naming the universally accessible playground "Jude's Place at Marcotte Park".



EXECUTIVE DEPARTMENT

Edward A. Barrett, City Administrator
Denis D'Auteuil, Deputy City Administrator

September 4, 2018

Mayor Shane Bouchard
Lewiston City Council
Lewiston City Hall
27 Pine Street
Lewiston, ME 04240

Dear Mayor Bouchard & City Council Members:

I am writing in favor of Lewiston's soon-to-be-established first-in-Maine universally accessible playground to be named "**Jude's Place at Marcotte Park.**"

Due to Nate Libby's dedicated commitment to this project, to include a personal reflection on his son Jude's journey, the naming of the playground in his son's honor seems extremely fitting. Other members of the Playground Committee are also in favor of the naming. They include Stephanie Gelinis, Executive Director of Sandcastle Clinical & Educational Services; Erin Guay, Executive Director of Healthy Androscoggin; Christine Adler, Promise Early Education Training Coordinator; Erin Hayes (family personal perspective); and Council President Kristen Cloutier.

The fruition of this project has been a long time coming; however, when Nate came on board, the effort received a true boost. Working with him to ensure that all area children can play alongside each other—regardless of ability—has been a pleasure, both professionally and personally. As Community Relations Coordinator, I have appreciated his unwavering advocacy and fundraising for the playground, and as a mom, his steadfast commitment to Jude's well-being has touched my heart.

I'm sure the naming would be extremely meaningful to Nate and his family; however, knowing him, I'm sure he will be equally proud that the playground itself will be of tremendous help to area children, families, therapists, and schools. Again, it is my pleasure to support the naming of the playground "**Jude's Place at Marcotte Park.**" Thank you for your consideration.

Sincerely,

Dottie Perham-Whittier
Community Relations Coordinator
Playground Committee Member

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Resolve authorizing the City Administrator to accept a donation of property to extend Mason Avenue.

INFORMATION:

Mr. Lucien Dupere owns property at 51 and 55 Sargent Avenue. Mason Avenue has been accepted up to where the property at 51 Sargent Avenue begins. Mr. Dupere has offered to donate the rear section of his property to allow for the extension of Mason Avenue which would allow access to some additional land. This land would be subdivided for the creation of an additional house lot. City staff recommend the acceptance of this land for this purpose.

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
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To approve the Resolve authorizing the City Administrator to accept a donation of property to extend Mason Avenue.



COUNCIL RESOLVE

Resolve, Authorizing the City Administrator to accept a donation of property to extend Mason Avenue.

Whereas, Mr. Lucien A. Dupere recently contacted the City regarding his properties at 51 & 55 Sargent Ave questioning the ownership of the part of Mason Ave that appears to cross the back of his two properties; and

Whereas, the City's records indicate Mason Ave was only accepted up to where Mr. Dupere's 51 Sargent Ave property begins; and

Whereas, the property at 41 Mason Ave currently has about 50 feet of road frontage and the property at 47 Mason Ave has 0 feet of frontage on the accepted street; and

Whereas, the City had been maintaining the street all the way to where it appeared to end, just past the driveway for 47 Mason Ave; and

Whereas, Mr. Dupere approached the City asking if he could donate the land as described on the attached property description to provide him frontage on Mason Ave to allow him to subdivide 51 and 55 Sargent St into 3 lots; and

Whereas, this is a win-win-win action, which would help Mr. Dupere, the owners of 41 and 47 Mason Ave and the City to resolve a complicated problem;

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

The City Administrator is authorized to accept the donation of property as described on the attached property description from Mr. Dupere for the purpose of extending the accepted portion of Mason Avenue the entire distance covered by the property.



PUBLIC WORKS DEPARTMENT

David A. Jones, P.E., Director

Mayor and Members of the City Council

August 27, 2018

Re: Summary of Agenda Item for Donation of Property to Extend Mason Ave

Mayor and Members of the City Council,

Recently Mr. Lucien Dupere visited our offices asking about the street that goes over the back of his property. We checked and found the property lines were as shown below. Mr. Dupere owns both 51 and 55 Sargent Ave. The property description for Mason Ave has the street ending where it is shown on the drawing attached. The home on 47 Mason Ave was built in 1953, but apparently it has no frontage on an accepted City Street. The City had been maintaining the deadend of the road thinking it owned the property, however this is not the case. Mr. Dupere is interested in correcting this problem and has offered to donate the property at the back of his lots to extend accepted portion of Mason Ave through his property at no cost to the City. This would solve three problems:

- provide the City with the entire roadway to the deadend;
- provide his neighbors at 47 Mason Ave with the road frontage they would need; and
- provide Mr. Dupere frontage on Mason Ave, which will allow him to subdivide his two lots to make three lots available to him

We very much appreciate Mr. Dupere bringing this issue to our attention and also working with us to resolve this with a "Win-Win-Win" solution! We recommend the City Council approve the resolve authorizing the City Administrator to accept donation of the property.

David A. Jones, P.E.

Cc: E. Barrett, D. D'Auteuil, K. Montejo, R. Burnham, M. Bates, D. Boudreau

51 & 55 Sargent Ave owned by Mr. Lucien Dupere



End of accepted Mason Ave

47 Mason Ave owned Kenneth & Patricia Foisy

**QUITCLAIM DEED
WITHOUT COVENANT**

Know all Men by these Presents,

That Lucien A. Dupere, herein to be known as Grantor, of Lewiston, County of Androscoggin, State of Maine, for consideration paid, do hereby **remise, release, bargain, sell, convey and grant**, and forever **quitclaim** unto the **City of Lewiston**, herein to be known as Grantee, a Maine municipal corporation, of 27 Pine Street, Lewiston, County of Androscoggin, State of Maine, with **QUITCLAIM COVENANT**, a certain portion of a parcel of land owned by the Grantor, said Grantors land being more closely described in a certain deed recorded at the Androscoggin County Registry of Deeds in Book 1007, Page 196, said portion of parcel of land of said Grantors being situated in the City of Lewiston and being described as follows:

Beginning at a point, said point being the southwesterly most corner of land of said Grantor, said point also being the southeasterly most terminus of Mason Ave. as accepted in a certain blanket acceptance on file at the City of Lewiston's Clerk's office, said blanket acceptance having a date of October 6th, 1987, thence; in a southeasterly direction, along the southerly most property line of said Grantor, a distance of one hundred and twenty (120) feet to a point, said point marking the southerly most corner of land of said Grantor, thence; in a northerly direction along the easterly most property line of said Grantor, a distance of thirty (30) feet to a point, thence in a northerly direction and parallel to the above mentioned southerly most property line of said Grantor, a distance of one hundred and twenty (120) feet to a point, said point marking the point of intersection of the westerly most property line of said Grantor and the northeasterly most terminus of said Mason Ave. as accepted in a certain blanket acceptance on file at the City of Lewiston's Clerk's office, said blanket acceptance having a date of October 6th, 1987, thence; in a southerly direction, along the westerly most property line of said Grantor, a distance of thirty (30) feet to the point of beginning. Meaning and intending to convey a portion of the above mentioned parcel, said portion of above mentioned parcel being 0.083 acre.

Also a second portion of a certain parcel in a certain deed recorded at the Androscoggin County Registry of Deeds in Book 1419, Page 71, said portion of parcel of land of said Grantors being situated in the City of Lewiston and being described as follows:

Beginning at a point, said point being the southeasterly most corner of land of said Grantor, thence; in a northerly direction, along the easterly most property line of said Grantor, a distance of thirty (30) feet to a point, thence; in a westerly direction, a distance of sixty (60) feet to a point on the westerly most property line of said Grantor, thence; in a southerly direction, along the westerly most property line of said Grantor, a distance of thirty (30) feet to a point, said point marking the southwesterly most corner of property of said Grantor, thence; in a southeasterly direction, along the southerly most property line of said Grantor, a distance of sixty (60) feet to the point of beginning. Meaning and intending to convey a portion of the above mentioned parcel, said portion of above mentioned parcel being 0.041 acre.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said City of Lewiston, its successors and assigns forever.

In Witness Whereof, the said **Lucien A. Dupere**

Being Grantor, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this ____ day of _____, A.D. 2018

Signed, Sealed and Delivered
in the presence of

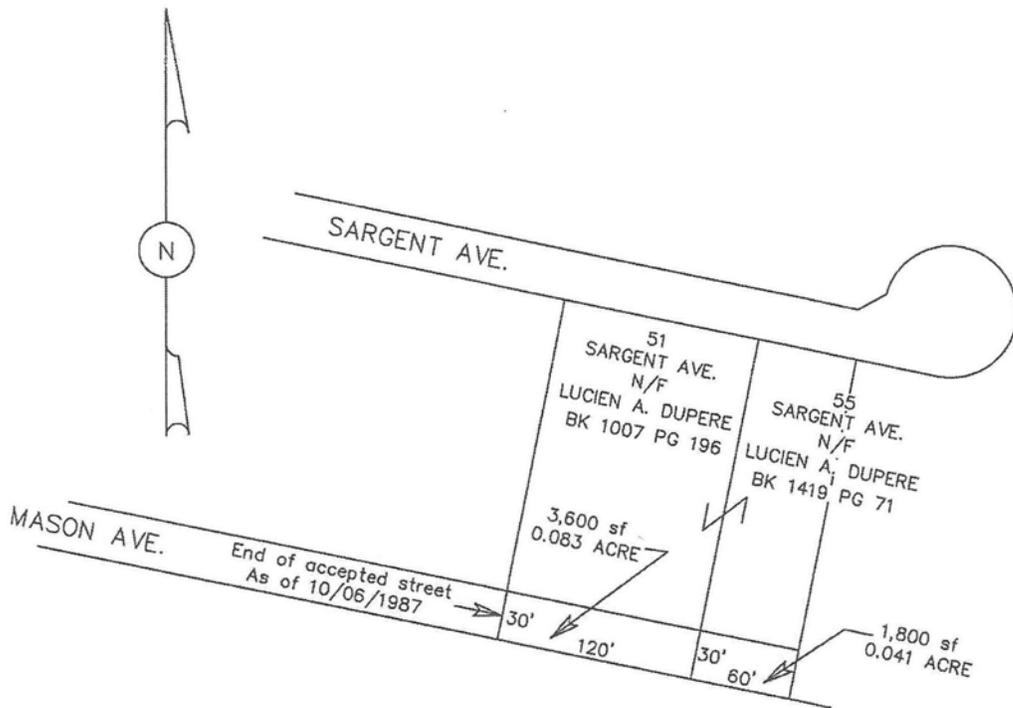
Witness

STATE OF MAINE,
COUNTY of ANDROSCOGGIN, SS. , 2018

Personally appeared the above named and acknowledged the foregoing instrument to be their free act and deed.

Before me, _____

NOTARY PUBLIC



N.T.S.

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Amendment to the Traffic Schedule to add two stop signs at Wood Street at the intersection with Vale Street.

INFORMATION:

At the request of area residents and Bates College officials, and at the recommendation of the Police Department, it is recommended that two stop signs be installed on Wood Street at the intersection with Vale Street. The Police Department believes this will assist with traffic safety. This area has a lot of pedestrian activity with middle school students walking to and from school.

Passage is recommended.

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
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To approve amendments to the Traffic Schedule to add two stop signs on Wood Street at the intersection with Vale Street.



POLICE DEPARTMENT

Sgt. Derrick St. Laurent
Administration / Accreditation



TO: Traffic Schedule Control Committee
FROM: Sergeant Derrick St. Laurent
SUBJECT: 4-Way Stop at Wood/Vale
DATE: August 16, 2018

The Lewiston Police Department has received several complaints from area residents and Bates College Officials regarding Vale/Wood St. traffic. Complaints range from vehicles speeding up Wood St. to avoid College and Sabattus St. congestion, and vehicles failing to stop at the Vale St. sign.

Intersection data shows 5 reportable accidents occurring in the past 3 years, most accidents being head on/sideswipes, due to vehicles failing to stop at the intersection. According to people who reside/work in the area, near-misses are frequent.

Vale St. is commonly used by Middle School Students walking to and from school and Wood St. (between Vale/Campus) is primarily occupied by Bates College Student.

The Lewiston Police Department is in support of this traffic change, as it will slow movement at the intersection. This change is also supported by the Bates College Transportation Committee, which is made up of Bates staff and stakeholders.



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





POLICE DEPARTMENT

Sgt. Derrick St. Laurent
Administration / Accreditation



ADD
Traffic Section 38 Stop Signs Code Section 70-43

Wood Street 2 signs at Vale St making the intersection a 4 way stop

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

Respectfully Submitted,

Sgt. Derrick St. Laurent
Lewiston Police Department



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Request to amend the Traffic Schedule to add two stop signs at Mark Street at the intersection with Gina Street.

INFORMATION:

Councilor Beam has received a request from a resident of Mark Street for two stop signs at the intersection of Mark Street and Gina Street and cited unsafe conditions. According to the police records, accident data does not show any accidents occurring at this location in the past 10 years. A review of the call logs reveals the police have not received any complaints from the public regarding speeding violations or missed stop signs at Gina Street.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator is not in support of the requested action.

EATB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To review the request to amend the Traffic Schedule to add two stop signs on Mark Street at the intersection with Gina Street and to determine a course of action.



POLICE DEPARTMENT

Sgt. Derrick St. Laurent
Administration / Accreditation



Date: August 15, 2018
To: Traffic Schedule Review
From: Sgt. Derrick St. Laurent
Subject: Traffic Schedule Amendment – Councilor Beam: 4 Way Stop at Mark/Gina

Councilor Beam has received a request from a resident of Mark St. for a stop sign on Mark St where it intersects with Gina, citing unsafe conditions. The resident has observed cars going down Mark St very fast and is sure there will be an accident if something isn't done. Traffic on Gina has a stop sign; Mark Street does not.

Accident data does not show any accidents occurring at this location in the past 10 years. A search of the call log reveals police have not received any complaints from residents/public about ongoing stop sign/speed violations at this intersection. In the past 5 years we have received several complaints about snowmobiles operating on the public way during winter months and police have responded, issuing several warnings.





POLICE DEPARTMENT

Sgt. Derrick St. Laurent
Administration / Accreditation



ADD
Traffic Section 38 Stop Signs Code Section 70-43

Mark Street 2 stop signs at Gina St (both directions) making the intersection a 4 way stop

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

Respectfully Submitted,

Sgt. Derrick St. Laurent
Lewiston Police Department



LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 4, 2018

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

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.

GAB/KMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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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 \$6,660.00, or any portion thereof, in the case of the State of Maine vs. Troy James, CR-18-434 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-18-434

State of Maine	}	
	}	Municipality of Lewiston
v.	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Troy James	}	
Defendant;	}	
	}	
And	}	
	}	
\$6,660.00 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, (\$3,330.00 in U.S. Currency) 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)