

**CITY OF LEWISTON
STAFF REVIEW MEETING**
Thursday, October 25, 2018 – 9:00 A.M.
Third Floor Conference Room
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

- I. ROLL CALL**
- II. ADJUSTMENTS TO THE AGENDA**
- III. CORRESPONDENCE**
- IV. PUBLIC HEARINGS:**

An application submitted by Harriman Architects & Engineers on behalf of Tree Street Youth for the demolition of a 3,113 square foot structure and construction of a 2,906 square foot addition at 144 Howe Street.

- V. OTHER BUSINESS**
- VI. READING OF THE MINUTES:** Motion to adopt minutes from the August 30, 2018 and October 9, 2018 meetings.
- VII. ADJOURNMENT**



October 16, 2018

David Hediger dhediger@lewistonmaine.gov
Deputy Director/City Planner
Planning & Code Enforcement
Lewiston City Hall
27 Pine Street
Lewiston, ME 04240

Re: Tree Street Youth Center
144 Howe Street
Lewiston, ME
Project No. 16658
Tree Street Youth Center – Phase II

Dear David:

As you are aware, Tree Street Youth Center is in the process of improving their facility at 144 Howe Street. As discussed prior, Phase II of the Tree Street Youth project will involve the demolition of an existing poorly constructed classroom building and the construction of a new classroom wing. In addition, the conditional Highway Business zoning will be rescinded and the lot will revert back to the Institutional Office zone which better fits the facilities use and removes spot zoning. This requires Development Review at the Staff level. Attached you will find all the required application items as well as appropriate site plans and deed information. We look forward to meeting with you to further discuss the project.

Let us know if you need anything else.

Sincerely,
Harriman

Mark D. Lee, AIA, LEED AP
Principal, Architect
mdlee@harriman.com

erpot

46 HARRIMAN DRIVE
AUBURN, ME 04210
207.784.5100

123 MIDDLE STREET
PORTLAND, ME 04101
207.775.0053

33 JEWELL COURT
SUITE 101
PORTSMOUTH, NH 03801
603.626.1242

170 MILK STREET
BOSTON, MA 02109
617.426.5050

Enclosures: Building Permit Application, Development Review Application, Development Review Checklist, Deed, Drawings: C00.1, C10.1, C30.1, C40.1 and A10.1

www.harriman.com

City of Lewiston
Commercial/ Institutional/ Multifamily Building Permit Application

Permit fee: <u>1532.10</u>	Receipt number:	Date: <u>10-16-18</u>
Permit Number:		Date issued:

Location of Work

Map/ Lot <u>196-169</u>	Street Address: <u>144 HOWE STREET</u>
-------------------------	--

Contact Information

	Name	Address/ E-mail	Home Phone/ Cell Phone
Applicant	<u>ERIC R. POTVIN HARRIMAN</u>	<u>46 HARRIMAN DR. AUBURN epotvin@harriman.com</u>	<u>784-5100</u>
Owner	<u>TREE STREET YOUTH JULIA SLEEPER</u>	<u>144 HOWE STREET julia@treestreetyouth.org</u>	<u>577-6386</u>
Contractor	<u>HEBERT CONSTRUCTION TIM MANCINE</u>	<u>tmancine@hebertconstruction.com</u>	<u>783-2091 520-4885</u>

Description of Work

New Building/ Addition: <input checked="" type="checkbox"/>	Renovation/ Alteration: <input checked="" type="checkbox"/>	Accessory Structure: <input type="checkbox"/>
Building Square Footage: <u>1400 BLDG + 2906 NEW</u>	Height/ Stories: <u>13'-9" / 1 STORY</u>	
Description: <u>2900 +/- S.F. ADDITION @ 144 HOWE STREET. DEMOL OF EXG PORTION OF BLDG + 1400 SF. OF INTERIOR RENO.</u>		Cost of Work: <u>\$1,000,000.00</u>
Will this project result in an acre or more of disturbed soil? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

I hereby certify that, to the best of my knowledge, the information provided herein is accurate and true. I understand that the property owner is responsible for compliance with all applicable codes.

Eric R. Potvin
 Signature of Owner/ Agent

10.05.18
 Date

For office use only

Use Group:		Construction Type:	
Zoning district:	Current use:	Proposed use:	
Permitted use:	Conditional use:	Nonconforming use:	
Flood Zone	Lake Conservation Overlay	Mobile Home Overlay	
Shoreland Zone	Historic/ Significant Building	Groundwater Conservation	

Approved _____ Denied _____ Signature _____ Date _____

Reason for denial _____

BUILDING PERMIT FEE SCHEDULE

In accordance with the provisions of the Code of Ordinances of the City of Lewiston, the City Council hereby establishes the following fees:

Single Family

New construction/Additions	\$25 base + \$0.25 sf
Accessory Structure	\$25 base + \$0.07 sf
Renovation < \$2,500	\$25
Renovation > \$2,500	\$25 base + \$5.00 per \$1,000 value

Multi-family

New Construction/Additions	\$25 base + \$0.30 sf
Renovations	\$25 base + \$5.00 per \$1,000 value

Mobile Home

New or Used	\$25 base + \$0.15 sf
Additions	\$25 base + \$0.25 sf

Commercial

New Construction	\$25 base + \$0.35 sf (per floor)
Renovation	\$25 base + \$7.00 per \$1,000 value

Swimming Pools

Above Ground Swimming Pool	\$35
In-ground Swimming Pool	\$80

All Structures

Fences	\$25
Underground Storage Tank	\$50 (first tank) + \$15 (additional tanks)
Moving Building	\$100
Driveways	\$25
Foundation Only	\$25 base + \$5.00 per \$1,000 value
Parking lots	\$50 + \$3.00 per parking stall
Change of Use	\$40
Certificate of Occupancy	Included in Permit (\$260 penalty)
Signs	\$25 base + \$0.50 sf

Demolition

Interior demolition not in conjunction with a construction project	\$50
--	------

4,306 sf.
 • 0.35

 1,507.10
 + 25.00
 \$ 1532.10
 PERMIT FEE? ↗

BUILDING PERMIT FEE SCHEDULE

Less than 1,000 sf	\$27
Greater than 1,000 sf and less than 5,000 sf	\$80 + \$0.02 sf
Greater than 5,000 sf	\$210 + \$0.02 sf

Related Fee

The customary permit fee shall double where work commences prior to the issuance of the appropriate permits.

Building Permit Fee Reimbursement Policy

In the event that the recipient of a building permit does not undertake any of the building activity associated with a given permit, he/she may submit a written request to the Director of Planning and Code Enforcement for the reimbursement of the permit fee paid for said permit. If the request for reimbursement is made within six months of the issuance of said permit, and if no work associated with said permit was commenced, 75% of the permit fee will be reimbursed. The City shall retain 25% of the permit fee to provide compensation for the costs associated with issuance of said permit and to process reimbursement.

Note: sf - square feet

PROJECT DATA

The following information is required where applicable, in order to complete the application

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area	28,727	sq. ft.
Proposed Total Paved Area	2,772	sq. ft.
Proposed Total Impervious Area	25,868	sq. ft.
Proposed Impervious Net Change	-2,859	sq. ft.
Impervious surface ratio existing	83.26	% of lot area
Impervious surface ratio proposed	74.98	% of lot area

BUILDING AREA/LOT

COVERAGE

Existing Building Footprint	12,646	sq. ft.
Proposed Building Footprint	12,439	sq. ft.
Proposed Building Footprint Net change	-207	sq. ft.
Existing Total Building Floor Area	12,646	sq. ft.
Proposed Total Building Floor Area	12,439	sq. ft.
Proposed Building Floor Area Net Change	-207	sq. ft.
New Building	Yes	(yes or no)
Building Area/Lot coverage existing	36.65	% of lot area
Building Area/Lot coverage proposed	36.05	% of lot area

ZONING

Existing	HB
Proposed, if applicable	IO

LAND USE

Existing	Institutional - Academic
Proposed	Institutional - Academic

RESIDENTIAL, IF APPLICABLE

Existing Number of Residential Units	NA
Proposed Number of Residential Units	NA
Subdivision, Proposed Number of Lots	NA

PARKING SPACES

Existing Number of Parking Spaces	11
Proposed Number of Parking Spaces	11
Required Number of Parking Spaces	11
Number of Handicapped Parking Spaces	1

ESTIMATED COST OF PROJECT

\$1,000,000

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area	_____ sq. ft.
Proposed Disturbed Area	_____ sq. ft.
Proposed Impervious Area	_____ sq. ft.

1. *If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with MDEP.*
2. *If the proposed impervious area is greater than one acre including any impervious area crated since 11/16/05, then the applicant shall apply for a MDEP Stormwater Management Permit, Chapter 500, with the City.*
3. *If total impervious area (including structures, pavement, etc) is greater than 3 acres since 1971 but less than 7 acres, then the applicant shall apply for a Site Location of Development Permit with the City. If more than 7 acres then the application shall be made to MDEP unless determined otherwise.*
4. *If the development is a subdivision of more than 20 acres but less than 100 acres then the applicant shall apply for a Site Location of Development Permit with the City. If more than 100 acres then the application shall be made to MDEP unless determined otherwise.*

TRAFFIC ESTIMATE

Total traffic estimated in the peak hour-existing _____ passenger car equivalents (PCE)
(Since July 1, 1997)

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) _____ passenger car equivalents (PCE)
If the proposed increase in traffic exceeds 100 one-way trips in the peak hour then a traffic movement permit will be required.

Zoning Summary

1. Property is located in the IO zoning district.
 2. Parcel Area: .78 acres / 34,500 square feet(sf).

Regulations	Required/Allowed	Provided
Min Lot Area	10,000	/ 34,500
Street Frontage	100	/ 445
Min Front Yard	30 (0* note 27)	/ 10 (EXG)
Min Rear Yard	10	/ 0 (EXG)
Min Side Yard	20	/ 20
Max. Building Height	65	/ 14 EXG
Use Designation	Office	/ Academic
Parking Requirement	<u>1.5 space / per classroom</u>	
Total Parking:	11	/ 11
Overlay zoning districts (if any):	NA	/
Urban impaired stream watershed?	YES/NO If yes, watershed name <u>No</u>	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submission shall include payment of fee and fifteen (7) complete packets containing the following materials:

1. Full size plans containing the information found in the attached sample plan checklist.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All written submittals including evidence of right, title and interest.
5. Copy of the checklist completed for the proposal listing the material contained in the submitted application.

Refer to the application checklist for a detailed list of submittal requirements.

L/A's development review process and requirements have been made similar for convenience and to encourage development. Each City's ordinances are available online at their prospective websites:

Auburn: www.auburmaine.org under City Departments/ Planning and Permitting/Land Use Division/Zoning Ordinance

Lewiston: <http://www.ci.lewiston.me.us/clerk/ordinances.htm> Refer to Appendix A of the Code of Ordinances

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, I certify that the City's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for development review only; a Performance Guarantee, Inspection Fee, Building Permit Application and other associated fees and permits will be required prior to construction.

Signature of Applicant: 	Date: <u>10.16.18</u>
---	-----------------------



Development Review Checklist

City of Auburn Planning and Permitting Department
City of Lewiston Department of Planning and Code Enforcement



THE FOLLOWING INFORMATION IS REQUIRED WHERE APPLICABLE TO BE SUBMITTED FOR AN APPLICATION TO BE COMPLETE

PROJECT NAME: Tree Street Youth Center – Phase II

PROPOSED DEVELOPMENT ADDRESS and PARCEL #: 144 Howe Street, RE00012956

Required Information		Check Submitted		Applicable Ordinance	
		Applicant	Staff	Lewiston	Auburn
Site Plan					
	Owner's Names/Address	X			
	Names of Development	X			
	Professionally Prepared Plan	X			
	Tax Map or Street/Parcel Number	X			
	Zoning of Property	X			
	Distance to Property Lines	X			
	Boundaries of Abutting land	X			
	Show Setbacks, Yards and Buffers	X			
	Airport Area of Influence (Auburn only)				
	Parking Space Calcs				
	Drive Openings/Locations				
	Subdivision Restrictions				
	Proposed Use	X			
	PB/BOA/Other Restrictions				
	Fire Department Review				
	Open Space/Lot Coverage				
	Lot Layout (Lewiston only)	X			
	Existing Building (s)	X			
	Existing Streets, etc.	X			
	Existing Driveways, etc.	X			
	Proposed Building(s)	X			
	Proposed Driveways	X			
Landscape Plan		NA			
	Greenspace Requirements				
	Setbacks to Parking				
	Buffer Requirements				
	Street Tree Requirements				
	Screened Dumpsters				

	Additional Design Guidelines				
	Planting Schedule				
Stormwater & Erosion Control Plan					
	Compliance w/ chapter 500				
	Show Existing Surface Drainage	X			
	Direction of Flow				
	Location of Catch Basins, etc.	X			
	Drainage Calculations				
	Erosion Control Measures				
	Maine Construction General Permit				
	Bonding and Inspection Fees				
	Post-Construction Stormwater Plan				
	Inspection/monitoring requirements				
	Third Party Inspections (Lewiston only)				
Lighting Plan		NA			
	Full cut-off fixtures				
	Meets Parking Lot Requirements				
Traffic Information		NA			
	Access Management				
	Signage				
	PCE - Trips in Peak Hour				
	Vehicular Movements				
	Safety Concerns				
	Pedestrian Circulation				
	Police Traffic				
	Engineering Traffic				
Utility Plan		NA			
	Water				
	Adequacy of Water Supply				
	Water main extension agreement				
	Sewer				
	Available city capacity				
	Electric				
	Natural Gas				
	Cable/Phone				
Natural Resources		NA			
	Shoreland Zone				
	Flood Plain				
	Wetlands or Streams				
	Urban Impaired Stream				
	Phosphorus Check				
	Aquifer/Groundwater Protection				
	Applicable State Permits				

	No Name Pond Watershed (Lewiston only)				
	Lake Auburn Watershed (Auburn only)				
	Taylor Pond Watershed (Auburn only)				
Right Title or Interest		NA			
	Verify				
	Document Existing Easements, Covenants, etc.				
Technical & Financial Capacity		NA			
	Cost Est./Financial Capacity				
	Performance Guarantee				
State Subdivision Law					
	Verify/Check				
	Covenants/Deed Restrictions	X			
	Offers of Conveyance to City				
	Association Documents				
	Location of Proposed Streets & Sidewalks				
	Proposed Lot Lines, etc.				
	Data to Determine Lots, etc.				
	Subdivision Lots/Blocks				
	Specified Dedication of Land				
Additional Subdivision Standards		NA			
	Single-Family Cluster (Lewiston only)				
	Multi-Unit Residential Development (Lewiston only)				
	Mobile Home Parks				
	Private Commercial or Industrial Subdivisions (Lewiston only)				
	PUD (Auburn only)				
A jpeg or pdf of the proposed site plan		X			
Final sets of the approved plans shall be submitted digitally to the City, on a CD or DVD, in AutoCAD format R 14 or greater, along with PDF images of the plans for archiving					

NOT AN OFFICIAL WARRANTY DEED COPY
NOT AN OFFICIAL COPY

David J. Deschambeault with a mailing address at P.O. Box 129, South Casco, Maine 04077 grants to Tree Street Youth, Inc., a Maine Non-profit Corporation with a mailing address at 144 Howe Street, Lewiston, Maine 04240, with Warranty Covenants, a certain lot or parcel of land, together with any buildings situated thereon, located in Lewiston, County of Androscoggin, and State of Maine, as more fully described in Exhibit "A" attached hereto and made a part hereof.

In Witness Whereof, the undersigned has hereunto set his hand effective this 24th day of July, 2014.

MAINE REAL ESTATE
TRANSFER TAX PAID

Witness:

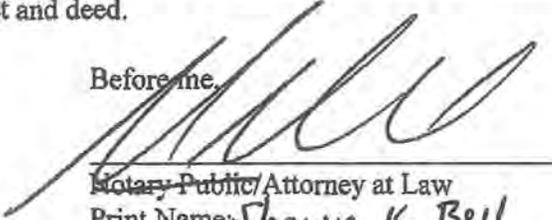

David J. Deschambeault

STATE OF MAINE
CUMBERLAND, SS

July 24, 2014

Personally appeared the above-named David J. Deschambeault and acknowledged the foregoing instrument to be his free act and deed.

Before me,



Notary Public/Attorney at Law

Print Name: Shawn K. Bell

My Commission Expires: N/A

NOT AN OFFICIAL COPY NOT AN OFFICIAL EXHIBIT ACOPY

A certain lot or parcel of land and lying and being in said City of Lewiston, bounded and described as follows, to wit:

OFFICIAL OFFICIAL

1. Commencing at a point on the Easterly line of Howe Street Seven Hundred Feet (700') Southerly from the Southerly line of Walnut Street, said point also being the Southwesterly corner of a lot of land conveyed by Franklin Company to Omer Cloutier by Deed # 1796 dated November 23, 1942; thence in an Easterly direction by said Cloutier's land one hundred feet (100'); thence in a Southerly direction parallel with the said Easterly line of Howe Street fifty feet (50'); thence in a Westerly direction parallel with the Southerly line of said Cloutier's land one hundred feet (100') to the said Easterly line of Howe Street; thence in a Northerly direction by the said Easterly line of Howe Street fifty feet (50') to the point of beginning.

Subject, however, to whatever rights the City of Lewiston may have to maintain the Sewer as now existing through the above described premises. Also subject to the easement from said Franklin Company to the Lewiston Bleachery & Dye Works, now the Pepperell Manufacturing Company, to maintain a pipe from their Spring Lots to their manufacturing plant in said Lewiston.

Subject to the restrictions that no building erected thereon shall be placed nearer the line of Howe Street than ten feet (10'); Subject to the restrictions that no building shall be erected thereon of more than two (2) stories and in no event exceeding thirty feet (30') in height.

2. Also, a certain lot or parcel of land situated in said Lewiston, bounded as described as follows, to wit:-

Commencing on the Easterly line of Howe Street at the Southwesterly corner of a parcel of land conveyed by Franklin Company to Polar Chemical Company by Deed #1819, dated September 5, 1945; thence in a Southerly direction by the said Easterly line of Howe Street forty-five feet (45'), more or less, to the Northerly line of Birch Street; thence in an Easterly direction by the said Northerly line of Birch Street one hundred feet (100'); thence in a Northerly direction parallel with the said Easterly line of Howe Street forty five feet (45'), more or less, to the Southeasterly corner of land of the said Polar Chemical Company; thence in a Westerly direction by land of the said Polar Chemical Company one hundred feet (100') to the point of beginning.

3. Also, a certain lot or parcel of land lying and being in said City of Lewiston, bounded and described as follows, to wit:-

Commencing at a point on the Easterly line of Howe Street six hundred and fifty feet (650') Southerly from the Southerly line of Walnut Street; thence Easterly at a right angle to the Easterly line of Howe Street one hundred feet (100'); thence Southerly at a right angle fifty feet (50'); thence Westerly at a right angle one hundred feet (100') to the Easterly line of Howe Street; thence Northerly by the Easterly line of said Howe Street fifty feet (50') to the point of beginning.

NOT AN OFFICIAL COPY NOT AN OFFICIAL COPY

Subject to the restriction that no building erected thereon shall be placed nearer the line of Howe Street than ten feet (10'); Subject to the restriction that no building shall be erected thereon of more than two stories, and in no event exceeding thirty feet (30') in height.

4. Certain land and buildings, located in said Lewiston, and bounded and described in two certain deeds as follows:

(a) Deed given by the Franklin Company to Omer M. Cloutier and J. Arthur Cloutier dated September 28, 1953, and recorded in the Androscoggin County Registry of Deeds, Book 342, Page 266;

(b) Deed given by the Franklin Company to Omer M. Cloutier and J. Arthur Cloutier dated September 28, 1953, and recorded in the said Registry of Deeds, Book 342, Page 265; which deeds and the records thereof are hereby made a part of the description of said premises, and to which reference is hereby made for a more particular description.

See also deed from J. Arthur Cloutier to Omer M. Cloutier dated July 10, 1963, and recorded in the said Registry of Deeds at Book 896, Page 243.

The above-described real estate is conveyed subject to the following:

1. Easement from Franklin Company to the Lewiston Bleachery & Dye Works, also known as the Peppereil Manufacturing Company to maintain a pipe;
2. Easement to the City of Lewiston to maintain a sewer as may have existed through the above-described premises referenced in a Deed dated August 6, 1958, recorded in the Androscoggin County Registry of Deeds at Book 786, Page 233;
3. Restriction that no building erected on the property be placed nearer to the line of Howe Street than Ten (10) feet or be higher than two (2) stories or Thirty (30) feet in height;
4. Easement from Henry G. Lombard, Jr. and Polar Co., Inc. to the City of Lewiston dated March 7, 1978, recorded in the said Registry of Deeds at Book 1388, Page 194;
5. Conditions and restrictions of An Ordinance Pertaining to Zoning Boundaries by the City of Lewiston dated July 23, 1999, recorded in the said Registry of Deeds at Book 4295, Page 65;
6. Notes and restrictions disclosed on a Mortgage Loan Inspection Plan dated July 23, 2014, prepared by Sitelines P.A.; and
7. Rights of tenant in possession, namely Games, Incorporated,

N O T
A N

N O T
A N

For source of title, see Warranty Deed from David J. Deschambeault and Pamela Deschambeault to David J. Deschambeault dated January 23, 2006 recorded in the Androscoggin County Registry of Deeds at Book 6652, Page 71.

N O T
A N
O F F I C I A L
C O P Y

N O T
A N
O F F I C I A L
C O P Y

NOT AN 18724 AN NOT

No. 99-12 Effective:5/20/1999

OFFICIAL OFFICIAL AN ORDINANCE PERTAINING TO ZONING BOUNDARIES COPY COPY

THE CITY OF LEWISTON HEREBY ORDAINS: NOT NOT

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

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE IV. ESTABLISHMENT OF DISTRICTS

Section 1. Zoning Map

The "Official Zoning Map, City of Lewiston," adopted pursuant to this Section, is hereby amended by conditionally rezoning the property more fully described in Exhibit "A" attached hereto, said property being located at 138-144 Howe Street, Lewiston, Maine 04240 (Map 19C, Lot 138 and Map 19C, Lot 144) (currently owned by REC Realty, Inc.) (the "Subject Premises") from the Institutional Office District to the Highway Business District, subject to the conditions and restrictions attached hereto as Exhibit "B."

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

- 1. There will be a greater potential for attracting new business and more jobs through the conditional rezoning.
2. Conditionally rezoning the Subject Premises will more easily allow for the occupancy of the existing building on the Subject Premises and allow it to be used for its highest and best use.
3. By allowing the Subject Premises to be conditionally rezoned, the Subject Premises can more easily make use of the infrastructure of the Subject Premises which is already in place while at the same time protecting the adjacent properties. The conditional rezoning will not unduly disrupt the areas surrounding the Subject Premises and will, in fact, be harmonious with the same.

Date: July 23, 1999

Nicole L. Serin Witness

REC Realty, Inc. By: Ronald E. Chicoine Its President

BK4295 PG066

STATE OF MAINE
ANDROSCOGGIN, SS.

NOT
AN

July 23, 1999

OFFICIAL OFFICIAL
Personally appeared the above-named **Ronald E. Chicoine** in his capacity as President
of REC Realty, Inc. and acknowledged the foregoing instrument to be his free act and
deed and the free act and deed of REC Realty, Inc.

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

Before me,

Kelly J. Mercier

Notary Public

Comm. Expires: Sept. 11, 2004

Seen and Agreed To:

City of Lewiston

By: Kathleen M. Montejó
Print Name: Kathleen M. Montejó
Its: City Clerk

NOT AN OFFICIAL COPY OF MAINE SHORT FORM WARRANTY DEED

I, HENRY G. LUMBARD, JR., (a/k/a H. G. Lumbard, H. G. Lumbard, Jr., and H. Griffith Lumbard) of Auburn, Androscoggin County, Maine, for consideration paid, hereby grant to REC REALTY, INC, a Maine corporation with a mailing address of 225 Montello Street, Lewiston, Maine 04240, with WARRANTY COVENANTS, a certain lot or parcel of land situated on Howe Street in Lewiston, Androscoggin County, Maine, being more particularly described on the attached Exhibit A.

The premises are conveyed subject to any easements and restrictions of record and include all rights, easements, and privileges pertaining thereto.

WITNESS my hand and seal this 24 day of February, 1998.

MAINE REAL ESTATE TRANSFER TAX PAID

Signature of Michael W. Bowser

Signature of Henry G. Lumbard, Jr.

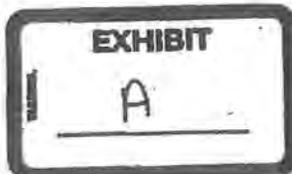
STATE OF MAINE COUNTY OF Androscoggin

Personally appeared before me this 24 day of February, 1998, the above-named Henry G. Lumbard, Jr., and acknowledged the foregoing instrument to be his free act and deed.

Signature of Notary Public

N. J. Rattey Type or Print Name

My commission expires:



NOT

NOT

AN

AN

Street; thence Northerly by the Easterly line of said Howe Street Fifty Feet (50') to the point of beginning.

COPY

COPY

Subject to the restriction that no building erected thereon shall be placed nearer the line of Howe Street than Ten Feet (10'); Subject to the restriction that no building shall be erected thereon of more than two stories, and in no event exceeding Thirty Feet (30') in height.

COPY

COPY

4. Certain land and buildings, located in said Lewiston, and bounded and described in two certain deeds, as follows:

(a) Deed given by the Franklin Company to Omer M. Cloutier and J. Arthur Cloutier dated September 28, 1953, and recorded in Androscoggin County Registry of Deeds, Book 342, Page 266;

(b) Deed given by the Franklin Company to Omer M. Cloutier and J. Arthur Cloutier dated September 28, 1953 and recorded in said Registry of Deeds, Book 342, Page 265; which deeds and the records thereof are hereby made a part of the description of said premises, and to which reference is hereby made for a more particular description.

See also deed from J. Arthur Cloutier to Omer M. Cloutier dated July 10, 1963 and recorded in said Registry in Book 896, Page 243.

This conveyance of the above-described lots is subject to any existing restrictions of record.

FOR THE SOURCE OF TITLE OF THIS GRANTOR, see the Deed of Omer Cloutier and J. Arthur Cloutier dated August 11, 1958, and recorded in Book 786, Page 233, in the Androscoggin County Registry of Deeds, and the deed of Omer Cloutier dated August 1, 1964 and recorded in Book 921, Page 286.

G:RATTEYLUMBARD\EXHIBITA

RECEIVED
ANDROSCOGGIN S.S.

- 2 -

98 FEB 26 PM 2: 33

ATTEST:

Jessie O. Rogers
REGISTER OF DEEDS

NOT AN OFFICIAL COPY
NOT AN OFFICIAL COPY
Exhibit B
Conditional Rezoning Amendment

The City of Lewiston hereby ordains that Article III of the Official Map of the City of Lewiston Zoning and Land Use Code be amended by conditionally rezoning the real estate and buildings located at 38-144 Howe Street (Map 19C, Lot 38 and Map 19C, Lot 144) from the Institutional Office District to the Highway Business District, subject to the following conditions and restrictions:

- (1) The uses of the Subject Premises shall be limited to the following:
 - (a) places of indoor assembly, amusement, or culture;
 - (b) retail stores;
 - (c) professional offices;
 - (d) office buildings and business offices;
 - (e) tradesman' offices;
 - (f) personal services;
 - (g) private or commercial schools including business colleges;
 - (h) wholesale sales, warehousing, and distribution facilities;
 - (i) fully enclosed light industrial uses involving no exterior storage of materials, equipment, or products;
 - (j) business offices;
 - (k) group child care accessory to an allowed use;
 - (l) day care centers; and
 - (m) movie theaters.

No other uses of the Highway Business District shall be allowed.

(2) No tenant shall be allowed to lease any portion of the Subject Premises unless the Proponent has sufficient parking to accommodate said tenant, the determination of which shall be made by the Code Enforcement Office for the City at the staff level. Parking shall be limited to the paved parking areas

NOT AN OFFICIAL COPY
designated in Exhibit "A"
NOT AN OFFICIAL COPY

(3) Violations of any of the conditions herein shall constitute a violation of the Code.

(4) The conditions described herein shall bind the Proponent, its successors and assigns, and any person in possession or occupancy of the Subject Premises, or any portion thereof, and shall inure to the benefit of and be enforceable by the City.

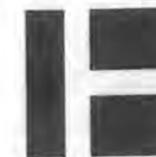
(5) The Proponent shall, at its own expense, record in the Androscoggin County Registry of Deeds a copy of the Conditions within thirty (30) days following final approval of this Proposal by the City, such form of recording to be in a form satisfactory to the City.

(6) The conditions described herein shall run with the Subject Premises.

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

(8) 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.

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



HARRIMAN

LEWISTON PORTLAND PORTSMOUTH BOSTON

TREE STREET YOUTH CENTER PHASE II

LEWISTON, MAINE

Harriman Project No. 10559

Key Plan



GRAPHIC SCALE

(1 inch = 10 feet)

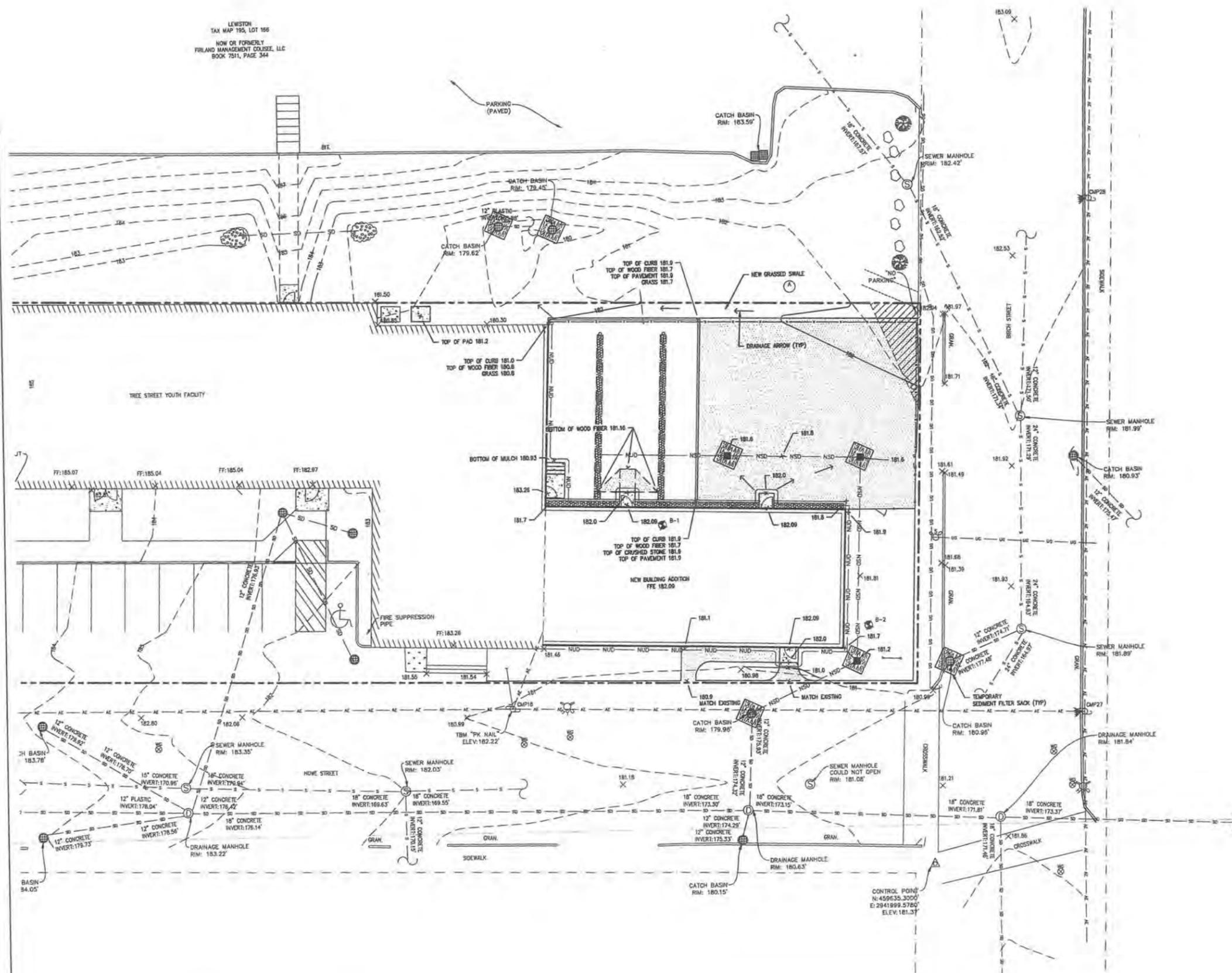
Issue and Revision
Date: 02/01/18
By: PLS
Checked: PLS
02-01-18 FINAL REVIEW
08-07-18 CONSTRUCTION DOCUMENTS



PA/PLS PLS © 2018 Harriman Associates
Drawn By: PLS

SITE GRADING AND EROSION CONTROL PLAN

C30.1



LEWISTON
TAX MAP 195, LOT 166
NOW OR FORMERLY
FIRLAND MANAGEMENT CONSOLE, LLC
BOOK 7911, PAGE 344

TREE STREET YOUTH FACILITY

CONTROL POINT
N: 459635.3000
E: 2941999.5780
ELEV: 181.37



HARRIMAN

ALBANY FORTLAND FORTSMOUTH BOSTON

TREE STREET YOUTH CENTER PHASE II

LEWISTON, MAINE

Harriman Project No. 19958

Key Plan



GRAPHIC SCALE



(1 inch = 50 feet)

Issue and Revision
Date Description
07-18-18 FINAL REVIEW
08-07-18 CONSTRUCTION DOCUMENTS



DATE: FLC © 2018
DRAWN BY: PLS Harriman Associates

SITE UTILITY PLAN

C40.1

LEWISTON
TAX MAP 195, LOT 166
NOW OR FORMERLY
FRILAND MANAGEMENT COURSE, LLC
BOOK 7511, PAGE 344

