

CITY OF LEWISTON
PLANNING BOARD MEETING
Monday, September 23 2019 – 5:30 P.M.
City Council Chambers – First Floor
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

1. ROLL CALL

2. ADJUSTMENTS TO THE AGENDA

3. CORRESPONDENCE

4. PUBLIC HEARINGS:

- a. A petition submitted by Louis Ouellette to contract rezone the property at 209 Webster Street from Neighborhood Conservation “A” (NCA) to Office Residential (OR) to allow for the development of a 25 unit multi-family senior housing project.

5. OTHER BUSINESS:

- a. Update on Design Lewiston.

6. READING OF THE MINUTES: Motion to adopt the August 26, 2019 draft minutes

7. ADJOURNMENT

The next scheduled Planning Board meeting is October 28, 2019



CITY OF LEWISTON

Department of Planning & Code Enforcement

TO: Lewiston Planning Board
FROM: Douglas Greene, AICP, RLA, City Planner
DATE: September 23, 2019
RE: Proposed Contract Rezoning of 209 Webster Street

A petition has been submitted by Louis Ouellette to contract rezone the property located at 209 Webster Street from Neighborhood Conservation "A" (NCA) to Office Residential (OR) to allow a 25 unit multi-family project that would be restricted to residents 55 years of age and older. The property at 209 Webster Street is 2.1 acres in size and currently has a single-family residence on it.

The current zoning of NCA requires a minimum lot size of 7,500 s.f. and a net lot area per dwelling unit of 7,500 s.f., which would allow a total of 12 single-family dwellings on the 2.1-acre site, a density of 5.7 dwelling units per acre. The proposed OR zoning has a minimum lot size of 20,000 s.f. for multi-family development and requires a minimum net lot area per dwelling unit of 3,000 sf., which would allow up to 30 dwelling units. The applicant is seeking to develop a senior housing project (over 55 years old) with 24 new multi-family dwelling units in addition to keeping the existing single-family residence for a total of 25 dwelling units, a density of 11.9 dwelling unit per acre. Two conceptual sketch plans are included in the application in Exhibit A.



Existing Zoning around 209 Webster Street

PROJECT DESCRIPTION

The property located at 209 Webster Street has 112 feet of street frontage. An existing single-family home and garage are located along Webster Street with a driveway on the easternmost part of the lot. The property widens considerably 120 feet back from Webster Street where the parcel is around 260 feet by 310 feet in size. The rear portion of the property is primarily forested.

Storm Water- A low area exists on the western side of the property that collects surface drainage during wet periods and spring thaw. A small wetland area was identified back in 2017 but was measured to be under a quarter of an acre. Should the contract rezoning be approved, the applicant will have to address any stormwater issues during the development review process.

Transportation- Back in 2017, Sebago Technics provided information on the potential traffic generation and impact of 30 dwelling units and determined that there would be little to no impact on the road network and that a traffic movement permit would not be required. Access to the proposed development would be from Webster Street.

CONTRACT REZONE REQUEST

The property is zoned Neighborhood Conservation “A” (NCA) and properties to the north, east, and south is also zoned NCA. The property to the west, towards East Avenue, is zoned Office Residential (OR).

The applicant is seeking to amend Lewiston’s zoning map by contract zoning the property at 209 Webster Street from NCA to OR. In the “Reasons for the Proposed Amendment,” the petitioner describes the purpose of the Office Residential district and cites recommendations from a 2016 City Housing Plan that supports multi-family housing. The application also includes several references from the 2017 Comprehensive Plan that document the proposal’s conformance with the Comprehensive Plan and Future Land Use Plan.

Land Uses- The reasons for contract rezoning the property from NCA to OR is to allow multi-family dwellings and change the lot area density from 7,500 s.f. per dwelling unit for the NCA district (12 single-family lots on the 2.1-acre site) to 3,000 s.f. per dwelling unit for the OR district (up to 30 multi-family dwelling units on the 2.1-acre site). The applicant is proposing 24 new multi-family dwelling units and would preserve the existing single-family dwelling for a total of 25 dwelling units. The proposed land use chart includes a note limiting the multi-family use to “Residents over 55 years and older”. The other Land Use change in the proposed rezoning permits personal services offered to the senior residents. (See Attachment C Land Use Comparison Chart in Staff report)

Space and Bulk Standards- The difference between the NCA and the proposed Contract OR request for space and bulk standards are 1.) Minimum Net Lot Area per Dwelling Unit (with public sewer); 7,500 sf for NCA and 3,000 sf for OR; 2.) Side and rear setback; 10 feet for NCA and 15 feet for the OR and 3.) Maximum Lot Coverage, 40% in the NCA, and 30% in the OR. (See Attachment C Space and Bulk Comparison Chart in Staff report)

PLANNING BOARD ACTION

1. Second Request for a Contract Rezoning-

A question has been raised regarding the submission of this contract rezoning request on the same property that was before the Planning Board two years ago. The Staff looked to the Maine Municipal Association's Planning Board Manual for guidance and found the following opinion.

“Second Request for Approval of the Same Project

Once an application for a land-use activity is denied [in this case denied by the City Council], the board is not legally required to entertain subsequent applications for the same project, unless the board finds that “a substantial change of conditions ha(s) occurred or other considerations materially affecting the merits of the subject matter had intervened between the first application and the (second).” *Silsby v. Allen's Blueberry Freezer, Inc.*, 501 A.2d 1290, 1295 (Me. 1985).

However, an ordinance may provide a different rule regarding subsequent requests which would govern the board's authority.”

The Staff agrees that the lower density and shorter buildings create a substantial change of conditions and therefore, a new contract rezone application can be submitted. (See Motion # 1)

2. Pursuant to Article VII, Section 4, Powers and Duties of the Planning Board and Article XVII, Section 5, Amendments and Other Legal Provisions of the Zoning and Land Use Code, the applicant is asking the Planning Board to provide a recommendation to the City Council on the contract zoning request on the property located at 209 Webster Street from Neighborhood Conservation “A” (NCA) to Office Residential (OR).

The Zoning Ordinance in Article XVII, Amendment, and Other Legal Provisions, Section 5, Amendments, (g) Conditional or Contract Zoning, describes five conditions to meet:

1. The change is consistent with the Comprehensive Plan.
2. The change establishes rezoned areas that are consistent with the existing and permitted uses in the original district.
3. All conditions and restrictions imposed relate only to the physical development or operation of the property **and may** include, by way of example:
 - a. Limitations on the number and types of uses permitted;
 - b. Restrictions on the scale and density of development;
 - c. Specifications for the design and layout of the buildings and other improvements;
 - d. Schedules for commencement and completion of construction;
 - e. Performance guarantees securing completion and maintenance of improvements, and guarantees against defects;
 - f. Preservation of open space and buffers, and protection of natural areas and historic sites;
 - g. Contributions toward the provision of municipal services required by the development; and
 - h. Provisions for enforcement and remedies for breach of any condition or restriction, **which may include**, by way of example:
 1. Provisions that violation of any of the conditions shall constitute a violation of the zoning and land-use code.
 2. Statements that the conditions shall bind the owner, its successors, assigns and any person in possession or occupancy of the premises or any portion thereof and shall inure to the benefit of and be enforceable by the city.
 3. Provisions requiring the owner at his expense to record in the Androscoggin

County Registry of Deeds a copy of the conditions and any required site plans within thirty (30) days following final approval of the petition by the city and that the form of the recording be in a form satisfactory to the city.

4. A statement indicating that the conditions shall run with the land.
 5. Provisions that state in addition to all other remedies to which the city may be entitled under applicable provisions of statute ordinance, that if any party in possession or use of the premises fails or refuses to comply with any of the conditions imposed that 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 premises and any buildings structures developed pursuant to the rezoning shall be immediately abated and brought into compliance with all applicable provisions of the zoning and land use code with the same effect as if the rezoning had never occurred.
 6. Statements indicating that if any of the conditions are found by a court of competent jurisdiction to be invalid, such a determination shall not invalidate any of the other conditions.
 7. The site plans should be attached and incorporated by reference.
4. The owner of the property rezoned has agreed in writing to the conditions imposed or has executed a contract in a form acceptable to the city council.
 5. Any rezoning approved by the city council conditionally or by contract shall be of no force or effect if the owner of the property fails or refuses to comply with the conditions imposed or the terms of the contract. In that event, any use of the property and any buildings and structures developed according to the rezoning shall be abated and the property brought into compliance with all applicable provisions of this Code.

STAFF COMMENTS

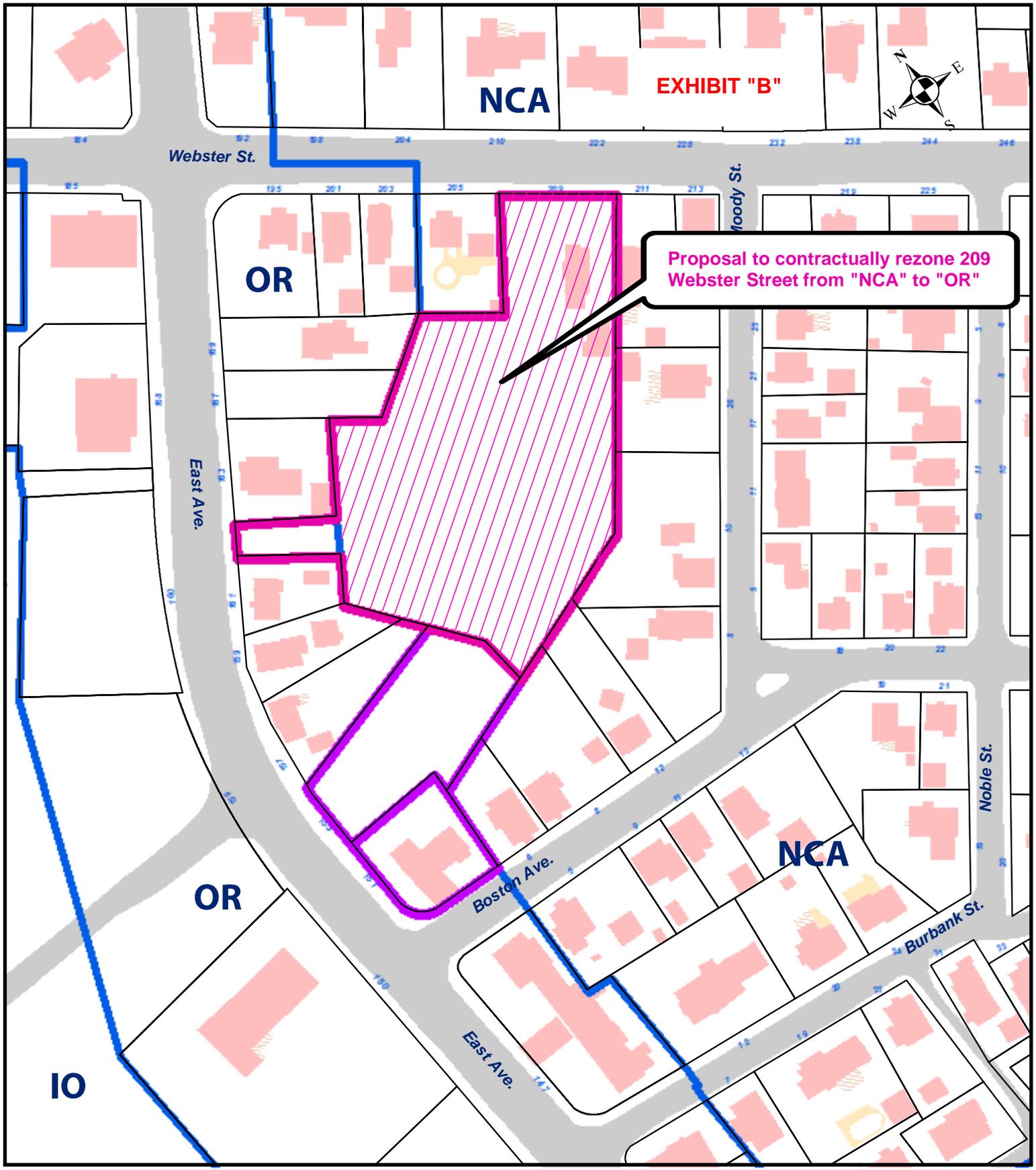
A neighborhood meeting was held on September 16, 2019, where approximately ten property owners attended. Those in attendance expressed concerns about traffic and access into and out the site, existing stormwater problems, the affordability of the units, impacts on the property, tree preservation, buffering and proximity of construction to property lines. Staff explained that many of their questions related to the specific improvements of how the site is developed. Those items are addressed through the development review process, and abutters will be notified if the property is rezoned.

STAFF RECOMMENDATION

The staff has reviewed and agrees the applicant's contract zone request, as described in Exhibits B and D of the application, meets the five conditions of Article XVII, Section 5(g).

ACTION NECESSARY

1. Make a motion to allow a second request for the contract rezoning at 209 Webster Street, as the Board finds that a substantial change of conditions has occurred in the new application.
2. Make a motion pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council to contractually rezone the property at 209 Webster Street from Neighborhood Conservation "A" (NCA) to Office Residential (OR).



Proposed
209 Webster Street
Contract Rezoning

September 2019

ATTACHMENT C
NCA/OR District Land Use Comparison Chart

Land Use Table: All Zoning Districts 09-09-19	Neighborhood Conservation "A" (NCA)	Office Residential (OR)	Proposed "OR" Contract Rezoning of 209 Webster Street
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			
Nursery Schools			
Small day care facilities	P(22)	P	P
Day care centers		P	
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks	C(22)		C (22)
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services		P(9)	
Restaurants			
Drinking places			
Adult business establishments			
Hotels, motels, inns			
Movie theaters except drive-in theaters			
Places of indoor assembly, amusement or culture			
Art and crafts studios			
Personal Services		P	P
Retail stores			
Neighborhood retail stores			
Lumber and building materials dealer			
Gasoline service stations			
Gasoline service stations which are a part of and subordinate to a retail use			
New and used car dealers			
Recreational vehicle, mobile home dealers			
Equipment dealers and equipment repair			
Automotive services including repair			
Registered dispensary(27)			
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.			
Tattoo Establishments			
Industrial			
Light industrial uses			
Industrial uses			
Building and construction contractors			
Fuel oil dealers and related facilities			
Wholesale sales, warehousing and distribution facilities and self-storage facilities			
Self storage facilities			
Commercial solid waste disposal facilities			
Junkyards and auto graveyards			
Recycling and reprocessing facilities			
Private industrial/commercial developments(23)			
Transportation			
Airports or heliports			
Commercial parking facilities			
Transit and ground transportation facilities			
Transportation facilities			
Public and Utility			
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P	P	P
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C	C	C
Municipal buildings and facilities	C	C	C
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways			
Dams			

EXHIBIT C
NCA/OR District Space and Bulk Comparison Chart

Space and Bulk Table: All Zoning District		09.09.19	
Dimensional Requirements (13)	Neighborhood Conservation A (NCA)	Office Residential (OR) (12)	Proposed "OR" Conditional Rezoning of 209 Webster Street
Minimum lot size with public sewer			
Single family detached (24)	7,500 sf	7,500 sf	7,500 sf
Single family attached		12,000 sf	
Two-family dwellings	12,500 sf	10,000 sf	12,500 sf
Single family cluster development	5 acres		
Mixed single family residential development (14)			
Mixed residential development (14)		5 ac	
Multifamily dwellings		20,000 sf	
Mixed use structures		7,500 sf	
Agriculture			
Religious facilities	20,000 sf		
Veterinary facilities			
Other uses	20,000 sf	7,500 sf	20,000 sf
All permitted uses			
Minimum lot size without public sewer (3)			
Single family detached, mobile homes on individual lots (24)	20,000 sf	20,000 sf	
Single family attached		60,000 sf	
Two-family dwellings	20,000 sf	40,000 sf	
Single family cluster development (1)	5 acres		
Mixed single family residential development (14)			
Mixed residential development (14)		5 ac	
Multifamily dwellings		60,000 sf	
Mixed use structures		60,000 sf	
Agriculture			
Religious facilities	40,000 sf		
Veterinary facilities			
Other uses	40,000 sf	20,000 sf	
Minimum net lot area per du with public sewer			
Single family detached			
Single family attached			
Two-family dwellings	5,000 sf		5,000 sf
Mixed single family residential development (14)			
Mixed residential development (14)			
Multifamily dwellings			
Mixed use structures			
All permitted residential uses		3,000 sf	3,000 sf
Minimum net lot area per du without public sewer			
Single family detached, mobile homes on individual lots			
Single family attached			
Two-family dwellings	5,000 sf		
Mixed single family residential development (14)			
Mixed residential development (14)			
Multifamily dwellings			
Mixed use structures			
All permitted residential uses		20,000 sf	
Minimum frontage			
Single family detached, mobile homes -	75 ft		75 ft
Single family attached		100ft (50ft)	100ft (50ft)
Two-family dwellings	125 ft		125 ft
Single family cluster development (with multiple vehicular accesses)	200 ft (50 ft)		
Mixed single family residential development (with multiple vehicular access)			
Mixed residential development (with multiple vehicular accesses) (14)		100ft (50ft)	
Multifamily dwellings (with multiple vehicular accesses)		100ft (50ft)	
Mixed use structures			
Agriculture			
Religious facilities	125 ft		
Veterinary facilities			
Other uses	125 ft		
All permitted uses		100 ft	100 ft
Minimum front setback			
Single family detached, mobile homes on individual lots	20 ft (21,22)		20 ft (21,22)
Single family attached			
Two-family dwellings	20 ft (21,22)		20 ft (21,22)
Single family cluster development	50 ft		50 ft
Mixed single family residential development (14)			

EXHIBIT C
NCA/OR District Space and Bulk Comparison Chart

Space and Bulk Table: All Zoning District		09.09.19	
Dimensional Requirements (13)	Neighborhood Conservation A (NCA)	Office Residential (OR)⁽¹²⁾	Proposed "OR" Conditional Rezoning of 209 Webster Street
Mixed residential development (14)			
Multifamily dwellings			
Mixed use structures			
Agriculture			
Religious facilities	20 ft (21,22)		
Veterinary facilities			
Other uses	20 ft (21,22)		
All permitted uses		20 ft (22,23)	20 ft (22,23)
Minimum front yard			
Single family detached, mobile homes on individual lots	20 ft (21)		20 ft (21)
Single family attached			
Two-family dwellings	20 ft (21)		20 ft (21)
Single family cluster development	50 ft		
Mixed single family residential development (14)			
Mixed residential development (14)			
Multifamily dwellings			
Mixed use structures			
Religious facilities	20 ft (21)		
Veterinary facilities			
Other uses	20 ft (21)		
All permitted uses		10 ft (23)	10 ft (23)
Minimum side and rear setback			
Single family detached, mobile homes on individual lots	10 ft		10 ft
Single family attached			
Two-family dwellings	10ft		10ft
Single family cluster development	30 ft		
Mixed single family residential development (14)			
Mixed residential development (14)			
Multifamily dwellings			
Religious facilities	30 ft		
Mixed use structures			
Veterinary facilities			
Farm structures for keeping of animals			
Other uses	30 ft		
All permitted uses		15 ft (23)	15 ft (23)
Minimum side and rear yard			
Single family detached, mobile homes on individual lots	10 ft		10 ft
Single family attached			
Two-family dwellings	10 ft		10 ft
Single family cluster development	30 ft		
Mixed single family residential development (14)			
Mixed residential development (14)			
Multifamily dwellings			
Mixed use structures			
Religious facilities	30 ft (16)		
Veterinary facilities			
Farm structures for keeping of animals			
Other uses	30 ft (16)		
All permitted uses		10 ft (16,23)	10 ft (16,23)
Maximum height			
Agriculture			
Other permitted uses	35 ft	35 ft	35 ft
Hospital, nursing homes and medical offices			
Ratios			
Maximum lot coverage	0.40	0.30	0.30
Maximum impervious coverage		0.60	0.60

ATTACHMENT C
NCA/OR District Land Use Comparison Chart

Land Use Table: All Zoning Districts 05.05.16	Neighborhood Conservation "A" (NCA)	Office Residential (OR)	Proposed "OR" Contract Rezoning of 209 Webster Street
Institutional			
Religious facilities	P	P	
Cemeteries	P		
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities		P	
Hospitals, medical clinics, 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,		C	
Civic and social organizations		P	
Public community meeting and civic function buildings including auditoriums			
Residential			
Single-family detached dwellings on individual residential lots	P	P	P
Mobile homes on individual residential lots			
Two-family dwellings	P(37)	P	P
Multifamily dwellings in accordance with the standards of Article XIII		P	P Note: Limited to Residents 55 years and older
Single-Family attached dwelling in accordance with the standards of Article XIII		P	P
Mixed single-family residential developments in accordance with the standards of Article XIII			
Mixed residential developments in accordance with the standards of Article XIII		P	P
Mixed use structures		P	P
Lodging houses			
Home occupations	P	P	P
Bed and breakfast establishments as a home occupation	P	P	
In-law apartments in accordance with the standards of Article XII	P	P	
Single family cluster development			
Family day care home	P	P	P
Shelters			
Dormitories			
Natural Resource			
Agriculture			
Farm Stands			
Forest management and timber harvesting activities in accordance with the standards of Article XIII	P	P	P
Earth material removal			
Community gardens(20)	P	P	P
Water dependent uses, e.g. docks and marinas			
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet			
Recreation			
Campgrounds			
Public or private facilities for nonintensive outdoor recreation	C	C	C
Commercial outdoor recreation and drive-in theaters			
Fitness and recreational sports centers as listed under NAICS Code 713940		P	

Visbaras Law, LLC

K. Alexander Visbaras, Esq.
Attorney-At-Law

195 Center Street
Auburn, Maine 04210
Phone: (207)376-3127
Fax: (207) 783-4994
email: kalex@visbaras.com

September 6, 2019

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

Dear David and Doug:

We are providing along with this introduction letter a Petition seeking the conditional rezoning of 209 Webster Street in Lewiston, which my clients, Louis and Laurie Ouellette, intend to utilize for a modern senior housing project. I believe the Petition is self explanatory, but it seemed appropriate to provide you with a more detailed explanation of the property history and the underlying reasons for the Petition.

The Ouellettes intend to construct on 209 Webster Street a new senior housing complex intending to serve up to twenty-four (24) senior area residents. The Ouellettes have owned and responsibly operated several multifamily housing units on nearby East Avenue for a number of years. The 209 Webster Street parcel, depicted on Lewiston Tax Map 175 as Lot 6, was purchased by Louis from Priscilla L. Bazinet on July 27, 2016, and thereafter conveyed to another solely owned limited liability company, Bidloc Investments, LLC in September, 2016. 209 Webster Street currently consists of a single family residence with direct access onto Webster Street, with an aggregate acreage of 2.1 acres. If the present petition is approved, it is possible that the Louis and Laurie may create a separate family controlled entity to own and operate the facility. As an aside, Louis and Laurie Ouellette acquired from the Secretary of Veterans Affairs on October 4, 2008, a vacant parcel of land located at 153 East Avenue (Tax Map 175, Lot 10), which is adjacent to 209 Webster Street. 153 East Avenue was then conveyed by Louis and Laurie to their solely owned limited liability company, Stello

LLC, on July 26, 2018. Based on the plans submitted to my office, and prepared by Terradyn Consultants, LLC, the real estate at 153 East Avenue will not be included as part of this project or of the pending petition.

This project is centrally located for seniors, near hospitals, pharmacies and grocery stores.

There is a need for additional senior housing in Lewiston and this project will add more tax revenue for the City with little impact on expenses, without adding children to the school department and no infrastructure by the City.

Should you have any questions or require further information from either our office or the Ouellettes, please feel free to call upon us. We look forward to working with you, City staff and City officials to bring this project to fruition. Thank you.

Respectfully submitted,

K. Alexander Visbaras

K. Alexander Visbaras, Esq.
Counsel to Louis and Laurie Ouellette

Attachments:

Part	Name	Exhibit
1.	Cover Letter	
2.	Petition	
3.	Plan Sketches (3)	A
4.	Contract Zone “Application	B
5.	” Land Use/Space and Bulk Tables	C
6.	Future Land Use Map	D
7.	Contact Zoning “Contract”	E
8.	Right Title and Interest	F

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 rezone the property at 209 Webster Street from Neighborhood Conservation "A" (NCA) to the Office Residential (OR) district described and shown in the exhibits attached hereto:

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1	<i>Joleen B. Girouard</i>	JOLEEN GIROUARD	153 East Ave #5	8/31/19
2	<i>Pauline G. Berhan</i>	PAULINE BERHAN	157 EAST AVE #6	8/31/19
3	<i>Clair P. Pette</i>	CLAIRE PLETTE	153 East Ave #3	8/31/19
4	<i>Christopher Burnham</i>	CHRISTOPHER BURNHAM	1 Germaine st.	8/31/19
5	<i>Pamela Stevens</i>	Pamela Stevens	14 Wildwood Dr #11ew	8/31/19
6	<i>Albert C. Young</i>	ALBERT C. YOUNG	12 BROWN AVE #3	8/31/19
7	<i>Jill M. Eastman</i>	JILL M. EASTMAN	7 Louchier Ave	8/31/19
8	<i>Robert Kibouk</i>	ROBERT KIBOUK	7 Louchier Ave	8/31/19
9	<i>Jean Paul Cote</i>	JEAN PAUL COTE	89 Potters Ln	8/31/19
10	<i>Fernand Barze</i>	FERNAND BARZE	126 Summit	8-31-19
11	<i>Betty J. McWhinnie</i>	Betty J. McWhinnie	9 Seville Pl. #6	8-31-19
12	<i>MARCELLE CLASSE</i>	MARCELLE CLASSE	11 WHITE ST.	8-31-19
13	<i>Maurice Plouffe</i>	MAURICE PLOUFFE	4 CORTLAND WAY	8/31/19
14	<i>Clair Plouffe</i>	Clair Plouffe	4 Cortland Way	8/31/19
15	<i>Joanne Bard</i>	JOANNE BARD	64 Ridgewood Ave Lew	8/31/19
16	<i>Ol-Fred Bard</i>	OL-FRED BARD	64 Ridgewood Ave	8-31-19
17				
18				

19			
20			

CIRCULATOR(S) VERIFICATION

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



 Signature

Louis Ouellette

 Printed Name of Circulator

8/30/19

 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: 16

Total Invalid: 0



 Signature of Registrar/Deputy Registrar

Date: 9-4-19

3

EXHIBIT A
Concept Sketch Plan
for
STELLO Residence

4

EXHIBIT B

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 "Official Zoning Map, City of Lewiston," adopted pursuant to this Section, is hereby amended by conditionally rezoning the parcel more fully described in Exhibit "A" attached hereto, and as shown on Exhibit "B," said parcel being located at 209 Webster Street, Lewiston, Maine, from the Neighborhood Conservation A (NCA) zoning district to the Office Residential (OR) zoning district.

REASONS FOR THE PROPOSED AMENDMENT

The Petitioner, Louis Ouellette, proposes to conditionally rezone 209 Webster Street from the Neighborhood Conservation A (NCA) Zoning District to the Office-Residential (OR) Zoning District, the statement of purpose for which is stated in the Lewiston Zoning and Land Use Ordinance, as follows: "The purpose of the office-residential district is to provide for the orderly transition of older residential areas along major traffic arteries to low-intensity nonresidential uses and multifamily housing. The conversion of existing properties for residential to nonresidential use should occur in a manner which preserves the architectural character of the neighborhood, provides controlled traffic access and adequate parking and protects adjoining residential neighborhoods for undesirable impacts."

The Petitioner proposes that the enacting clause relating to this petition shall be: "The City of Lewiston hereby ordains that as to the real estate located at 209 Webster Street in Lewiston, Maine, said real estate shall be located in the Office-Residential (OR) Zoning District, subject to those conditions which the City of Lewiston has approved as to permitted and conditional uses of said real estate in said District, and further subject to all requirements applicable to said real estate as set forth in the Lewiston Zoning and Land Use Code, as amended." The reasons for the proposed amendment are as follows.

Based on the City Administrator's Report in early 2016, the creation of an overall City housing plan appeared to the newly elected municipal officials was the issue of highest priority. This included, among other housing types, multi-family housing projects and co-operative housing. This Report also emphasized the need to remove obstacles to development through revisions to the Land Use Code and Comprehensive Plan. This resulted in the passage of the City's Legacy/Lewiston Comprehensive Plan in 2017.

EXHIBIT B

The proposed housing complex will meld cohesively into the current character of the surrounding neighborhood, which is and has historically been comprised of older vintage multi-family and some single family units, many of which are no longer owner-occupied, and some of which are currently vacant. A number of these units are currently occupied by younger working families, while others are occupied by residents with long established ties to the neighborhood. The current proposed project would provide additional diversity to that neighborhood without altering its essential character. Given that the site is already serviced by public water and sewer facilities, trash removal and like services, combined with opportunities for both on-site parking for seniors capable of driving and availability of nearby public transportation for those seniors who cannot drive, this project will not only address a pressing housing need for one sector of our community desperately in need of modern and affordable housing with the conversion of underutilized inner City land to a productive use, while placing little additional pressure on already provided City services and facilities.

CONFORMANCE WITH COMPREHENSIVE PLAN

The petition before you is consistent with the City's Legacy/Lewiston Comprehensive Plan (CP), for the reasons stated above and also based on the following:

- The CP encourages the exploration of techniques which encourage development where public water and sewer services already exist. (Pages 217 and 218).
- The CP further encourages in Character District 4 (Neighborhood General), identified as high-intensity urban neighborhoods in need of attention, and considered an immediate goal for improvement, appropriate revitalization and redevelopment that provides for a mix of housing types in keeping with the character of the area and supporting Lewiston's rich diversity (Page 128).
- The CP advocates that the City strengthen neighborhoods and expand housing choices in an effort to promote distinct, safe and vibrant neighborhoods with a greater access to a diverse range of affordable and market-rate housing types to meet Lewiston's evolving population (including retirees and seniors). This includes, among other building types, multi-family residential buildings (Page 116).
- The project would also benefit senior citizen's choices for transportation and mobility by balancing the project residents' needs for walking, public transportation and motor vehicle use, given its proximity to nearby retail establishments and available municipal transportation services (Page 117).
- The proposed project will be consistent with the CP's express desire for "Infill Growth Sectors" for the vacant and underutilized real estate this project is designed to address, for the prevention of sprawl within the City and the overextension of public services. This project will also significantly improve the quality of affordable housing for seniors. (Pages 125, 164, 172-173).

In addition to the above, the CP provides, on the topic of senior housing, more than ample justification to support and pass the Petition before you, as follows on Page 54:

"There are not enough options for seniors who need assistance or wish to live independently. According to a 2013 report by the Lewiston Housing Authority, there are approximately 391 elderly/disabled public housing units in the City. With a population of nearly 6,000 residents aged 65 and older as of 2013 ACS (American Community Survey)

EXHIBIT B

data, there is a clear shortage of housing options for this demographic. Many seniors move from the City because there are few senior-specific housing choices, especially for those who no longer drive. Because of the lack of senior housing, others end up owning or renting homes that are bigger than they need and require more for upkeep and maintenance than they can afford. Senior housing needs will continue to grow as the population's overall age increases. Lewiston can enhance its ability to attract and retain seniors by expanding their available housing options.”

CONFORMANCE WITH THE COMPREHENSIVE PLAN FUTURE LAND USE PLAN

The 207 Comprehensive Plan indicates the property located at 209 Webster as G-3 Intended Growth Sector (See attachment D Map)

- G-3 Intended Growth Sector- “Intended (G-3) Growth Sector areas are largely underdeveloped but are intended for growth and substantial mixed-use development by virtue of proximity to existing or planned infrastructure, a regional thoroughfare, and/or transit. Complete neighborhoods that include both existing and new residential housing as well as some mixed-use development are appropriate. This area and includes the City’s current Community Business zone as well as new centers for walkable neighborhood development, portions of which should be rezoned as character-based districts.” (2017 Comprehensive Plan pg.125)

CONDITIONAL REZONING AGREEMENT

The petitioner requests that the official zoning map for the City be amended by deleting the subject property from the Neighborhood Conservation “A” (NCA) Zoning District and conditionally rezoning said property to the Office-Residential (OR) Zoning District, subject to the limitations more fully described below.

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

1. Land Use Table: Allowed uses of the subject property shall include those uses which are presently permitted in the NCA Zoning District and the following residential uses identified as permitted uses in the OR Zoning District, as listed in the attached Land Use Table attached hereto and fully incorporated herein and further subject to the conditions contained herein. (See Exhibit B)
2. Space and Bulk Table: Allowed space and bulk standards on the subject property shall include those standards which are presently permitted in the NCA Zoning District and those standards applicable to those permitted uses in the OR Zoning District, as listed in the attached Space and Bulk Table attached hereto and fully incorporated herein, and further subject to the conditions contained herein. (See Exhibit B)
3. The lot use limitation in Art. V, Sec. 3 (l) shall not apply. Two or more principal residential structures on one lot are permitted in accordance with Art. XIII, Sec. 8.

EXHIBIT B

4. The additional standards for multi-unit residential development contained in Art. XIII, Sec. 8 shall not apply.
5. Violations of any of the conditions herein will constitute a violation of the Code.
6. The conditions described herein shall bind the petitioner, his successors and assigns, and any person in possession or occupant of the subject property, or any portion thereof, and shall inure to the benefit of and be enforceable by the City.
7. The petitioner shall, at his 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.
8. The conditions described herein shall run with the subject property.
9. In addition to other remedies to which the City may be entitled under applicable provisions of statute or ordinance, if any party in possession or in use of the subject property fails or refuses to comply with any of the conditions imposed, any rezoning by the City in accordance with the conditions shall be of no force or effect. In that event, any use of the subject property and any building or structure 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.
10. If any of the conditions found by a court of competent jurisdiction to be invalid, such determination shall not invalidate any of the other conditions.
11. Any rezoning approved by the City conditionally shall be of no force or effect if the petitioner fails or refuses to comply with the conditions imposed.
12. Any allowed proposed use, addition or expansion of the subject property deemed applicable to Article XIII, Section 2 of the Code shall be subject to the applicable sections of Article XIII of the Code, Development Review and Standards.
13. By submitting this petition, the petitioner agrees in writing to the conditions described herein.

Respectfully Submitted,

Louis Ouellette

On September 6, 2019, Louis Ouellette personally appeared before me and acknowledged the foregoing to be his free act and deed.

Oneica D. Hyde, Notary Public
Commission Expires 4-12-23

5

ATTACHMENT C

Proposed Office Residential (OR) Land Use Chart

Land Use Table: All Zoning Districts 09-09-19	Proposed "OR" Contract Rezoning of 209 Webster Street
USES(15)(33)	
Accessory use or structure	P
Commercial-Service	
Veterinary facilities excluding kennels and humane societies	
Veterinary facilities including kennels and humane societies	
Nursery Schools	
Small day care facilities	P
Day care centers	
Day care centers accessory to public schools, religious facilities, multifamily or mixed res. developments, and mobile home parks	C (22)
Business and professional offices including research, experimental, testing laboratories, engineering, research, management and related services	
Restaurants	
Drinking places	
Adult business establishments	
Hotels, motels, inns	
Movie theaters except drive-in theaters	
Places of indoor assembly, amusement or culture	
Art and crafts studios	
Personal Services	P
Retail stores	
Neighborhood retail stores	
Lumber and building materials dealer	
Gasoline service stations	
Gasoline service stations which are a part of and subordinate to a retail use	
New and used car dealers	
Recreational vehicle, mobile home dealers	
Equipment dealers and equipment repair	
Automotive services including repair	
Registered dispensary(27)	
Registered primary caregivers engaged in the cultivations of medical marijuana for two to five registered patients.	
Tattoo Establishments	
Industrial	
Light industrial uses	
Industrial uses	
Building and construction contractors	
Fuel oil dealers and related facilities	
Wholesale sales, warehousing and distribution facilities and self-storage facilities	
Self storage facilities	
Commercial solid waste disposal facilities	
Junkyards and auto graveyards	
Recycling and reprocessing facilities	
Private industrial/commercial developments(23)	
Transportation	
Airports or heliports	
Commercial parking facilities	
Transit and ground transportation facilities	
Transportation facilities	
Public and Utility	
Pumping stations, standpipes or other water supply uses involving facilities located on or above the ground surface and towers for municipal use	P
Power transmission lines, substations, telephone exchanges, microwave towers or other public utility or communications use	C
Municipal buildings and facilities	C
Preservation of historic areas; emergency and fire protection activities; bridges and public roadways	
Dams	

ATTACHMENT C
Proposed Office Residential (OR) Land Use Chart

Land Use Table: All Zoning Districts 05.05.16	Proposed "OR" Contract Rezoning of 209 Webster Street
Institutional	
Religious facilities	
Cemeteries	
Congregate care/assisted living facilities, institutions for the handicapped, nursing or convalescent homes, group care facilities	
Hospitals, medical clinics,	
Museums, libraries, and non-profit art galleries and theaters	
Academic institutions, including buildings or structures for classroom, administrative, laboratory, dormitories, art, theater, dining services, library, bookstores, athletic facilities and student recreational uses, together with buildings accessory to the foregoing permitted principal buildings or structures,	
Civic and social organizations	
Public community meeting and civic function buildings including auditoriums	
Residential	
Single-family detached dwellings on individual residential lots	P
Mobile homes on individual residential lots	
Two-family dwellings	P
Multifamily dwellings in accordance with the standards of Article XIII	P Note: Limited to Residents 55 years and older
Single-Family attached dwelling in accordance with the standards of Article XIII	P
Mixed single-family residential developments in accordance with the standards of Article XIII	
Mixed residential developments in accordance with the standards of Article XIII	P
Mixed use structures	P
Lodging houses	
Home occupations	P
Bed and breakfast establishments as a home occupation	
In-law apartments in accordance with the standards of Article XII	
Single family cluster development	
Family day care home	P
Shelters	
Dormitories	
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
Water dependent uses, e.g. docks and marinas	
Non-residential structures for educational, scientific or nature interpretation purposes, containing a maximum floor area of not more than ten thousand (10,000) square feet	
Recreation	
Campgrounds	
Public or private facilities for nonintensive outdoor recreation	C
Commercial outdoor recreation and drive-in theaters	
Fitness and recreational sports centers as listed under NAICS Code 713940	

Exhibit C
Proposed Office Residential (OR) Space and Bulk Table

Space and Bulk Table: All Zoning District 09.09.19	
Dimensional Requirements (13)	Proposed "OR" Conditional Rezoning of 209 Webster Street
Minimum lot size with public sewer	
Single family detached (24)	7,500 sf
Single family attached	
Two-family dwellings	12,500 sf
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	20,000 sf
All permitted uses	
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	
Other uses	
Minimum net lot area per du with public sewer	
Single family detached	
Single family attached	
Two-family dwellings	5,000 sf
Mixed single family residential development (14)	
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	3,000 sf
Minimum net lot area per du without public sewer	
Single family detached, mobile homes on individual lots	
Single family attached	
Two-family dwellings	
Mixed single family residential development (14)	
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
All permitted residential uses	
Minimum frontage	
Single family detached, mobile homes -	75 ft
Single family attached	100ft (50ft)
Two-family dwellings	125 ft
Single family cluster development (with multiple vehicular accesses)	
Mixed single family residential development (with multiple vehicular access)	
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	100 ft
Minimum front setback	
Single family detached, mobile homes on individual lots	20 ft (21,22)
Single family attached	
Two-family dwellings	20 ft (21,22)
Single family cluster development	50 ft
Mixed single family residential development (14)	

Exhibit C
Proposed Office Residential (OR) Space and Bulk Table

Space and Bulk Table: All Zoning District 09.09.19	
Dimensional Requirements (13)	Proposed "OR" Conditional Rezoning of 209 Webster Street
Mixed residential development (14)	
Multifamily dwellings	
Mixed use structures	
Agriculture	
Religious facilities	
Veterinary facilities	
Other uses	
All permitted uses	20 ft (22,23)
Minimum front yard	
Single family detached, mobile homes on individual lots	20 ft (21)
Single family attached	
Two-family dwellings	20 ft (21)
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	10 ft (23)
Minimum side and rear setback	
Single family detached, mobile homes on individual lots	10 ft
Single family attached	
Two-family dwellings	10ft
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	30 ft
All permitted uses	15 ft (23)
Minimum side and rear yard	
Single family detached, mobile homes on individual lots	10 ft
Single family attached	
Two-family dwellings	10 ft
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 (16,23)
Maximum height	
Agriculture	
Other permitted uses	35 ft
Hospital, nursing homes and medical offices	
Ratios	
Maximum lot coverage	0.30
Maximum impervious coverage	0.60

6

ATTACHMENT D 2017 Comprehensive Plan Future Land Use Map



LEGEND

- C-1
- C-2
- G-1
- G-2
- G-3
- G-4
- G-5
- SD-MI
- SD-CM
- SD-IV
- SD-HOS
- Water Bodies
- Transmission Lines

7

EXHIBIT E

**CONTRACT ZONE AGREEMENT
BETWEEN
THE CITY OF LEWISTON
AND**

Bidloc Investments LLC; Louis Ouellette, Member (The Applicant)

THIS AGREEMENT made this ____ day of _____, 2019 by and between the **CITY OF LEWISTON**, a body corporate and politic, located in Androscoggin County and State of Maine (hereinafter the “**CITY**”) and **Bidloc Investments, LLC**, a Maine limited liability company (hereinafter “**Bidloc**”).

WITNESSETH

WHEREAS, Bidloc has proposed the construction of 25 senior housing units on real estate located at 209 Webster Street in Lewiston, Maine (the Project);

WHEREAS, as Bidloc (the applicant) has proposed the construction and operation of the Project) on property depicted on Lewiston Tax Map 175, Lot 6, as described in a deed from Louis Ouellette to Bidloc dated September 14, 2016, and recorded in the Androscoggin County Registry of Deeds at Book 9453, Page 97 (the “**PROPERTY**”);

WHEREAS, the **CITY** will benefit from the construction and operation of the Project;

WHEREAS, the Project is located in the current Neighborhood Conservation “A” (NCA) zoning district;

WHEREAS, the Project may be built provided the current NCA zoning district is amended to the Office Residential (OR) zoning district;

WHEREAS, the **PROPERTY** has no deed or site restrictions which would prevent the Project from being constructed, and Bidloc is requesting that the current NCA zoning district be amended to the Office Residential (OR) zoning district so the **PROPERTY** can

be utilized for this purpose and to allow a minimum lot density of 3,000 sf. per dwelling unit.

WHEREAS, the **CITY** by and through its City Council has determined that said rezoning would be and is pursuant to and consistent with the **CITY'S** comprehensive land use plan and consistent with the existing and permitted uses in the Office Residential (OR) zoning district; and

WHEREAS, the **CITY** has determined that because of the unusual nature and unique location of the proposed development it is necessary and appropriate to impose by agreement the following conditions and restrictions that relate only to the physical development or operation of the **PROPERTY** in order to ensure that the rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the **CITY** authorized the execution of this Agreement on _____, 2019;

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other, the parties covenant and agree as follows:

1. *Property Use.* Multi-family senior housing units (up to 25). (See Exhibit B)
2. *Dimensional Requirements.* The **PROPERTY** shall comply with the dimensional requirements of the Office Residential (OR) zoning district zone, except as they may be amended from time to time. (See Exhibit B)
3. Other Conditions:
 - a. The lot use limitation in Art. V, Sec. 3 (1) shall not apply. Two or more principal residential structures on one lot are permitted in accordance with Art. XIII, Sec. 8.
 - b. The additional standards for multi-unit residential development contained in Art. XIII, Sec. 8 shall not apply.

The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the **PROPERTY**, shall bind and benefit Bidloc, its successors and

assigns, and any parties in possession or occupancy of said **PROPERTY** or any part thereof, and shall inure to the benefit of and be enforceable by the **CITY**, by and through its duly authorized representatives. Bidloc shall file a copy of this **AGREEMENT** in the Androscoggin County Registry of Deeds, along with a reference to the Book and Page locations of the deeds for the **PROPERTY**, within thirty (30) days following final approval of this contract zone agreement by the **CITY**.

If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision and such determination shall not affect the validity of the remaining portions hereof.

Except as expressly modified herein, the development, use, and occupancy of the subject premises shall be governed by and comply with the provisions of the Zoning and Land Use Code of the City of Lewiston (including the Office Residential zoning district) and any applicable amendments thereto or replacement thereof.

In the event that Bidloc or any successor fails to continue to utilize the **PROPERTY** in accordance with this **AGREEMENT**, or in the event of a breach of any condition(s) set forth in this **AGREEMENT**, the Planning Board shall have the authority, after hearing, to resolve the issue resulting in the breach.

WITNESS:

CITY OF LEWISTON

By: _____
Edward A. Barrett
City Administrator

WITNESS:

Bidloc Investments, LLC

By: _____
Louis Ouellette
Its Duly Authorized Member

STATE OF MAINE
ANDROSCOGGIN, ss.

Date: _____, 2019

Personally appeared before me the above-named Edward A. Barrett, in his capacity as City Administrator, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Lewiston.

Before me,

Notary Public/Attorney at Law

STATE OF MAINE
ANDROSCOGGIN, ss.

Date: _____, 2019

Personally appeared before me the above-named Louis Ouellette, in his capacity as Member of Bidloc Investments, LLC, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Bidloc Investments, LLC.

Before me,

Notary Public/Attorney at Law

8

151 EAST AVE.
(1/2 INT.)

Bk 6084 Pg 28 #26180
09-28-2004 @ 11:48a

EXHIBIT F

Warranty Deed

Arthur Ouellette, Jr. of Lewiston, Androscoggin County, Maine, for consideration paid, grants to Louis Ouellette with a mailing address of P.O. Box 607, Sabattus, Maine 04280, with Warranty Covenants, an undivided one-half interest in and to a certain lot or parcel of land, with any buildings thereon, situated in Lewiston, Androscoggin County, Maine, bounded and described as follows, to wit:

NO MAINE R.E.
TRANSFER TAX PAID

Commencing at the intersection of the southeasterly line of East Avenue with the northeasterly line of Boston Avenue; thence in a southeasterly direction, along the northeasterly line of Boston Avenue, one hundred five-tenths (100.5) feet, to an iron pin set in the ground and land now or formerly of one Blanche Alice Dionne; thence in a northeasterly direction along the line of the said Dionne, ninety-one and five tenths (91.5) feet, to another iron pin set in the ground; thence in a westerly direction along line of land formerly of David Caron, about one hundred eighteen (118) feet, to an iron pin set in the ground on the southeasterly line of East Avenue; thence in a southwesterly direction, along the southeasterly line of East Avenue; forty-nine (49) feet, to the point of intersection of said southeasterly line of East Avenue with the northeasterly line of Boston Avenue, said point being the point of commencement.

Also another certain lot or parcel of land, with the buildings thereon, situated in Lewiston, Androscoggin County, Maine, bounded and described as follows, to-wit:

Commencing at a point on the southeasterly line of East Avenue, said point being the northwesterly corner of the lot hereinabove described; thence in a northeasterly direction, along the southeasterly line of East Avenue, forty-nine (49) feet, to an iron pin set in the ground; thence in a southeasterly direction, one hundred seventeen (117) feet, to another iron pin set in the ground; thence in a southwesterly direction, sixteen and five tenths (16.5) feet, to another iron pin set in the ground at the northeasterly corner of the lot of land hereinabove described; thence in a westerly direction along the line of land hereinabove described, about one hundred eighteen (118) feet, to the southeasterly line of East Avenue, and the point of commencement.

Being the same premises described in a deed from Louis E. Gosselin and Annette F. Gosselin to Arthur Ouellette, Jr. and Lorraine Ouellette as joint tenants dated July 30, 1957 recorded in Book 764, Page 526 of the Androscoggin County Registry of Deeds. Lorraine Ouellette has since deceased.

In Witness Whereof, the Grantor has set his hand and seal on this 24th day of September, 2004.

Witness

Arthur Ouellette, Jr.
Arthur Ouellette, Jr.

State of Maine
Androscoggin, SS.

September 24, 2004

Then personally appeared the above-named **Arthur Ouellette, Jr.** and acknowledged the foregoing instrument to be his free act and deed.

Before me,

K. Alexander Visbaras
K. Alexander Visbaras, Attorney-at-Law

\\odh:\HF\CLIENTS\Ouellette-Locbid\Deed

ANDROSCOGGIN COUNTY
Tina K. Chouinard
REGISTER OF DEEDS

151 EAST AVE.
(1/2 Int.)

Bk 7739 Pg 91 #14981
07-07-2009 @ 11:03a

Warranty Deed

Arthur Ouellette, Jr. of Lewiston, Androscoggin County, Maine, for consideration paid, grants to Louis W. Ouellette with a mailing address of P.O. Box 607, Sabattus, Maine 04280, with Warranty Covenants, all of his remaining interest in and to a certain lot or parcel of land, with any buildings thereon, situated in Lewiston, Androscoggin County, Maine, bounded and described as follows, to-wit:

Commencing at the intersection of the southeasterly line of East Avenue with the northeasterly line of Boston Avenue; thence in a southeasterly direction, along the northeasterly line of Boston Avenue, one hundred five-tenths (100.5) feet, to an iron pin set in the ground and land now or formerly of one Blanche Alice Dionne; thence in a northeasterly direction along the line of the said Dionne, ninety-one and five tenths (91.5) feet, to another iron pin set in the ground; thence in a westerly direction along line of land formerly of David Caron, about one hundred eighteen (118) feet, to an iron pin set in the ground on the southeasterly line of East Avenue; thence in a southwesterly direction, along the southeasterly line of East Avenue; forty-nine (49) feet, to the point of intersection of said southeasterly line of East Avenue with the northeasterly line of Boston Avenue, said point being the point of commencement.

Also another certain lot or parcel of land, with the buildings thereon, situated in Lewiston, Androscoggin County, Maine, bounded and described as follows, to-wit:

Commencing at a point on the southeasterly line of East Avenue, said point being the northwesterly corner of the lot hereinabove described; thence in a northeasterly direction, along the southeasterly line of East Avenue, forty-nine (49) feet, to an iron pin set in the ground; thence in a southeasterly direction, one hundred seventeen (117) feet, to another iron pin set in the ground; thence in a southwesterly direction, sixteen and five tenths (16.5) feet, to another iron pin set in the ground at the northeasterly corner of the lot of land hereinabove described; thence in a westerly direction along the line of land hereinabove described, about one hundred eighteen (118) feet, to the southeasterly line of East Avenue, and the point of commencement.

Being the same premises described in a deed from Louis E. Gosselin and Annette F. Gosselin to Arthur Ouellette, Jr. and Lorraine Ouellette as joint tenants dated July 30, 1957 recorded in Book 764, Page 526 of the Androscoggin County Registry of Deeds. Lorraine Ouellette has since deceased.

MAINE REAL ESTATE
TRANSFER TAX PAID

In Witness Whereof, the Grantor has set his hand and seal on this 2nd day of July, 2009.

L. O. Rubin
Witness

Arthur Ouellette, Jr.
Arthur Ouellette, Jr.

State of Maine
Androscoggin, SS.

July 2, 2009

Then personally appeared the above-named Arthur Ouellette, Jr. and acknowledged the foregoing instrument to be his free act and deed.

Before me,

K. Alexander Visbaras
K. Alexander Visbaras, Attorney-at-Law

ANDROSCOGGIN COUNTY
Yna M. Chauhan
REGISTER OF DEEDS

153 EAST AVE.

Bk 7573 Pg 94 #23672
11-19-2008 @ 10:45a

QUITCLAIM DEED WITH COVENANT

November

This Indenture, made on the 4th day of ~~October~~, 2008 by and between the Secretary of Veterans Affairs, having a place of business at 275 Chestnut Street, Manchester, Hillsborough County, New Hampshire 03101, hereinafter referred to as Grantor, and in consideration of One Dollar (\$1.00) and other valuable consideration paid by Louis Ouellette and Laurie Ouellette with a mailing address of P.O. Box 607 Sabattus, Maine 04280 hereinafter Grantee, the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey, with quitclaim covenant, unto the said Louis Ouellette and Laurie Ouellette, as joint tenants and not tenants in common, their heirs and assigns forever, a certain lot or parcel of land with the buildings thereon situated on 153 East Avenue, Lewiston, Maine being more particularly described in the attached Exhibit A.

MAINE REAL ESTATE
TRANSFER TAX PAID

BEING the same premises conveyed to Secretary of Veterans Affairs by Quitclaim Deed with Covenant from SunTrust Mortgage, Inc. dated February 13, 2008 and recorded in the Androscoggin County Registry of Deeds in Book 7511, Page 152.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereunto belonging, to the said Louis Ouellette and Laurie Ouellette, as joint tenants and not tenants in common, their heirs and assigns forever.

Grantor covenants with the said Grantee, their heirs and assigns, that it shall and will warrant and defend the premises to the said Grantee, their heirs and assigns forever, against lawful claims and demand of all persons claiming by, through or under Grantor.

Pursuant to provisions of 38 U.S.C. 3720 (a)(6) the Secretary of Veterans Affairs does not seek to exercise exclusive jurisdiction over the within described property.

Secretary of the Department of Veterans Affairs,

By: Sandra Colgrove
Sandra Colgrove

Its: Assistant Secretary
Countrywide Pursuant to a delegation of authority
contained in 38 C.F.R. § 36.4342(f)

SEAL

STATE OF
TEXAS _____, ss.

November ⁴/₄, 2008

On this date, before me personally appeared Sandra Colgrove, pursuant to a delegation of authority contained in 38 C.F.R. § 36.4342 (f), to me known to be the person who executed the foregoing instrument on behalf of the Secretary of Veterans Affairs, and acknowledged that he executed the same as the free act and deed of said Secretary.

In Witness Whereof, I have hereunto set my hand and affixed my official seal in the State of Texas aforesaid, this 4th day of ~~October~~, 2008.
November

Before me,

Les Geurin

Attorney at Law/Notary Public

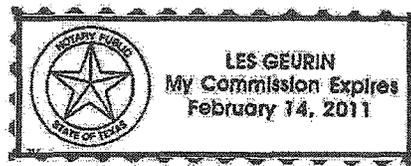


Exhibit A

Three certain lots or parcels of land, with any buildings thereon, situated in the City of Lewiston, County of Androscoggin and State of Maine, bounded and described as follows:

PARCEL ONE: Beginning at an iron rod in the easterly line of East Avenue, said rod being at the intersection of the easterly line of East Avenue, with the northerly line of the Burbank land, thence easterly by said Burbank land two hundred twenty-seven (227) feet; thence northerly, parallel with said East Avenue, fifty (50) feet; thence easterly, parallel with said Burbank land, twenty (20) feet to a proposed street; thence northerly by the westerly line of said proposed street to a point one hundred (100) feet measured at right angles to said Burbank line; thence westerly, parallel with and one hundred (100) feet distance from said Burbank land, two hundred seven (207) feet to East Avenue; thence southerly by the easterly line of said East Avenue to the point of beginning.

Together with the right to have a right of way six (6) feet in width on the northerly side of the above-described premises.

EXCEPTING AND RESERVING from the above-described property, certain land conveyed to Louis E. Gosselin and Annette E. Gosselin by David Caron, the description of which is contained in Book 741, Page 530, of the Androscoggin County Registry of Deeds to which deed reference may be had for a more particular description of the property mentioned.

Subject to highway taking from Robert W. Caron et al, recorded in said Registry, Book 1172, Page 301.

This parcel is also subject to conveyance of 63.94 square feet sold by David Caron to the City of Lewiston, recorded in said Registry, Book 739, Page 412. This parcel is also subject to conveyance of 139.54 square feet by the City of Lewiston to David Caron, recorded in said Registry, Book 944, Page 425.

PARCEL TWO: Beginning at a point marked by an iron pipe driven into the ground in the southeasterly line of East Avenue at the northeasterly corner of the property of Joseph Caron et al, thence in a southeasterly direction at an internal angle of sixty-five degrees (65°) and forty seven minutes (47') along the northerly line of Joseph Caron et al, property two hundred and seven (207) feet, more or less, to a point marked by an iron pipe set in the ground; thence in a northwesterly direction at an internal angle of two degrees (2°) and fifty minutes (50') two hundred and one and seven tenths (201.7) feet to a point marked by an iron pipe set in the ground in the southerly line of East Avenue; thence in a westerly direction along the southerly line of said East Avenue, eleven and seven

tenths (11.7) feet to the point of beginning.

PARCEL THREE: Being twenty feet by fifty feet (20'X50') rectangular piece of land abutting James C. and Rena Caron's property and more particularly described as follows: Commencing at the southwesterly point of Priscilla L. Bazinet's property, the said point being approximately two hundred twenty-seven feet (227') easterly of East Avenue and being also the southeasterly point of said Caron's land; thence in a northeasterly direction north 07 degrees 34 minutes 00 seconds east fifty feet (50'); thence in an easterly direction north 85 degrees 02 minutes 28 seconds east twenty feet (20'); thence in a southwesterly direction and parallel to the first course fifty feet (50'); thence in a northwesterly direction twenty feet (20') to the point of beginning.

The first course runs along land of said Caron and it being the same land purchased from Joseph and Priscilla Caron and Robert and Alvira Caron in April of 1977. The last course runs along the northerly line of Muriel E. Caron.

Meaning and intending to describe and mortgage the same premises conveyed to the mortgagor(s) by deed recorded in the Androscoggin County Registry of Deeds in Book 5456 at Page 129.

ANDROSCOGGIN COUNTY
THOMAS A. CHANDLER
REGISTER OF DEEDS

209 WEBSTER ST.

Bk 9420 Pg 8 #13681
07-29-2016 @ 11:29a

Warranty Deed

Priscilla L. Bazinet of Lewiston, Androscoggin County, Maine, for consideration paid, grants to Louis W. Ouellette, with a mailing address of P.O. Box 607, Sabattus, Androscoggin County, Maine 04280, with Warranty Covenants, a certain lot or parcel of land, with the buildings thereon, situated in Lewiston, Androscoggin County, Maine, bounded and described as follows, to wit:

MAINE REAL ESTATE
TRANSFER TAX PAID

Commencing at a point on the northwesterly corner of a lot of land now or formerly owned by one Silas Bartlett; thence westerly along the southerly line of East Avenue about forty-two (42) feet to land now or formerly of one Babb; thence southeasterly along the easterly line of said Babb's land and land now or formerly of one Martin Sinnott about two hundred fifty feet; thence westerly along the southerly line of said Sinnott's land twenty (20) feet to land now or formerly owned by one Urquhart; thence southerly along the easterly line of said Urquhart's lot and parallel with East Avenue fifty (50) feet; thence southeasterly on a line which would be formed by the continuation of the southerly line of said Urquhart's lot in an easterly direction about one hundred ninety-five (195) feet to a stake; thence northeasterly by land of Highland Terrace and lot now or formerly owned by one Keegan about three hundred thirty (330) feet to Webster Street; thence northwesterly along the line of said Webster Street about one hundred thirty-two (132) feet to land now or formerly owned by one Thornton; thence southwestery along the southerly line of said Thornton's land one hundred twenty (120) feet; thence northwesterly along the westerly line of said Thornton's land sixty-four (64) feet to land now or formerly of one Bubier; thence westerly by the line of said Bubier's land one hundred eleven (111) feet and nine (9) inches or thereabouts; thence at an angle northwesterly along the westerly line of said Bubier's land fifty (50) feet to the land of the aforementioned Bartlett; thence westerly along the southerly line of said Bartlett's land one hundred (100) feet; thence northwesterly along the westerly line of said Bartlett land one hundred (100) feet to the point begun at.

There is excepted and reserved from the above described premises four certain parcels of land conveyed by (a) Annie I. Bubier to Robert W. Caron dated May 9, 1952, recorded in said Registry in Book 669, Page 342; (b) Annie I. Bubier to John W. Thornton, dated August 19, 1955, recorded in said Registry in Book 728, Page 52; (c) Priscilla L. Bazinet to James C. Caron and Rena Caron dated September 1, 1983 and recorded in said Registry in Book 1671, Page 216; and (d) Priscilla L. Bazinet to Robert W. Caron dated January 26, 1984 and recorded in said Registry in Book 1700, Page 264.

Being a portion of the premises described in a warranty deed from Annie I. Bubier to Joseph W. Bazinet and Priscilla L. Bazinet, as joint tenants, dated October 22, 1958 and recorded in said Registry in Book 791, Page 108. Joseph W. Bazinet deceased on December 16, 1980, leaving Priscilla L. Bazinet as the sole surviving joint tenant owner of the above described premises.

In Witness Whereof, the Grantor has set her hand and seal, both individually and by Monique Breault, her Attorney in Fact on this 27th day of July, 2016.

Pauline Dube
Witness

Priscilla L. Bazinet
Priscilla L. Bazinet

As to both
Witness

Monique Breault
Priscilla L. Bazinet
By: Monique Breault, Attorney in Fact

State of Maine
Androscoggin, SS.

July 27, 2016

Then personally appeared the above-named Priscilla L. Bazinet individually, and Monique Breault as Attorney in Fact for Priscilla L. Bazinet, and acknowledged the foregoing instrument to be their free act and deed in their respective stated capacities.

Before me,

K. Alexander Visbaras
K. Alexander Visbaras, Attorney-At-Law

**DURABLE GENERAL POWER OF ATTORNEY
OF
PRISCILLA L. BAZINET**

I, PRISCILLA L. BAZINET, of Lewiston, County of Androscoggin and the State of Maine, do hereby make, constitute and appoint my daughter, MONIQUE BREault, and, if my said daughter resigns, dies, becomes incapacitated, is not qualified to serve or declines to serve as agent, I hereby make, constitute and appoint my daughter, PAULINE DUBE, as my successor agent, each of them being hereinafter referred to as my "agent" and having full authority to act for me and in my name, place and stead, in any and all of the following matters:

1. Real Property as defined in Section 5-934 of the Maine Uniform Power of Attorney Act (hereinafter referred to as "MUPAA").
2. Tangible Personal Property as defined in Section 5-935 of MUPAA.
3. Stocks and Bonds as defined in Section 5-936 of MUPAA.
4. Commodities and Options as defined in Section 5-937 of MUPAA.
5. Banks and Other Financial Institutions as defined in Section 5-938 of MUPAA.
6. Operation of Entity or Business as defined in Section 5-939 of MUPAA.
7. Insurance and Annuities as defined in Section 5-940 of MUPAA.
8. Estates, Trusts, and Other Beneficial Interests as defined in Section 5-941 of MUPAA.
9. Claims and Litigation as defined in Section 5-942 of MUPAA.
10. Personal and Family Maintenance as defined in Section 5-943 of MUPAA (including gifts to any one or more charitable organizations, which organizations may or may not be a charitable organization described in Sections 170(b), 2055 and 2522 of the Internal Revenue Code).
11. Benefits from Governmental Programs or Civil or Military Service as defined in Section 5-944 of MUPAA.
12. Retirement Plans as defined in Section 5-945 of MUPAA.
13. Taxes as defined in Section 5-946 of MUPAA.
14. Gifts as defined in Section 5-947 of MUPAA (including to or for the benefit of my agent).

15. The power and authority, as described under Section 5-931 of MUPAA, to: create, amend, revoke, or terminate an inter vivos trust; create or change rights of survivorship; create or change a beneficiary designation; authorize another person to exercise the authority granted under this power of attorney; waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan; exercise fiduciary powers that the principal has authority to delegate; disclaim or refuse an interest in property, including a power of appointment; exercise authority hereunder to create in my agent, or in an individual to whom my agent owes a legal obligation of support, an interest in my property; and do and perform all other acts that I could do if personally present and competent.

General and Miscellaneous Provisions: This power of attorney shall be effective immediately and shall not be affected by my disability or any lack of competence suffered by me and arising after the date hereof. Lapse of time shall not affect the validity of this power of attorney. To specifically limit the scope of Section 5-914(h) of MUPAA, I hereby state that my agent is not required to disclose receipts, disbursements or transactions to any person except me, a coagent, my conservator and, following my death, the personal representative of my estate. I hereby exonerate my agent from liability for a breach of any duty except for any breach committed dishonestly, with improper motive, or with reckless indifference to the purposes of this power of attorney. I hereby nominate my agents to serve as my conservator in the order designated herein. The provisions of this instrument shall be severable and, in the event any of them is deemed void or ineffective by a court of law, or any other authority, the others shall continue in full force and effect. A photocopy or electronically transmitted copy of this power of attorney has the same effect as the original. The validity and effect of this instrument shall be governed by, and the terms of this instrument shall be construed in accordance with, the law of the State of Maine.

Notice to the Principal (required by Maine law): As the "Principal" you are using this power of attorney to grant power to another person (called the Agent) to make decisions about your property and to use your property on your behalf. Under this power of attorney you give your Agent broad and sweeping powers to sell or otherwise dispose of your property without notice to you. Under this document your Agent will continue to have these powers after you become incapacitated. The powers that you give your Agent are explained more fully in the Maine Uniform Power of Attorney Act, Maine Revised Statutes, Title 18-A, Article 5, Part 9. You have the right to revoke this power of attorney at any time as long as you are not incapacitated. If there is anything about this power of attorney that you do not understand, you should ask a lawyer to explain it to you.

Notice to the Agent (required by Maine law): As the "Agent" you are given power under this power of attorney to make decisions about the property belonging to the Principal and to dispose of the Principal's property on the Principal's behalf in accordance with the terms of this power of attorney. This power of attorney is valid only if the Principal is of sound mind when the Principal signs it. When you accept the authority granted under this power of attorney a special legal relationship is created between you and the Principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. The

duties are more fully explained in the Maine Uniform Power of Attorney Act, Maine Revised Statutes, Title 18-A, Article 5, Part 9 and Title 18-B, sections 802 to 807 and Title 18-B, chapter 9. As the Agent, you are generally not entitled to use the Principal's property for your own benefit or to make gifts to yourself or others unless the power of attorney gives you such authority. If you violate your duty under this power of attorney you may be liable for damages and may be subject to criminal prosecution. You must stop acting on behalf of the Principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events of termination are more fully explained in the Maine Uniform Power of Attorney Act and include, but are not limited to, revocation of your authority or of the power of attorney by the Principal, the death of the Principal or the commencement of divorce proceedings between you and the Principal. If there is anything about this power of attorney or your duties under it that you do not understand you should ask a lawyer to explain it to you.

IN WITNESS WHEREOF, I, PRISCILLA L. BAZINET, have hereunto set my hand and seal this 23 day of July, 2016.

SIGNED, SEALED AND DELIVERED
in the presence of:

Down
Down
TR

Priscilla Bazinet
Priscilla L. Bazinet

Rachel Blanchette
STATE OF MAINE
COUNTY OF Maine, ss:

On this 23 day of July, 2016, personally appeared before me the above named PRISCILLA L. BAZINET, and acknowledged that the foregoing instrument was her free act and deed.

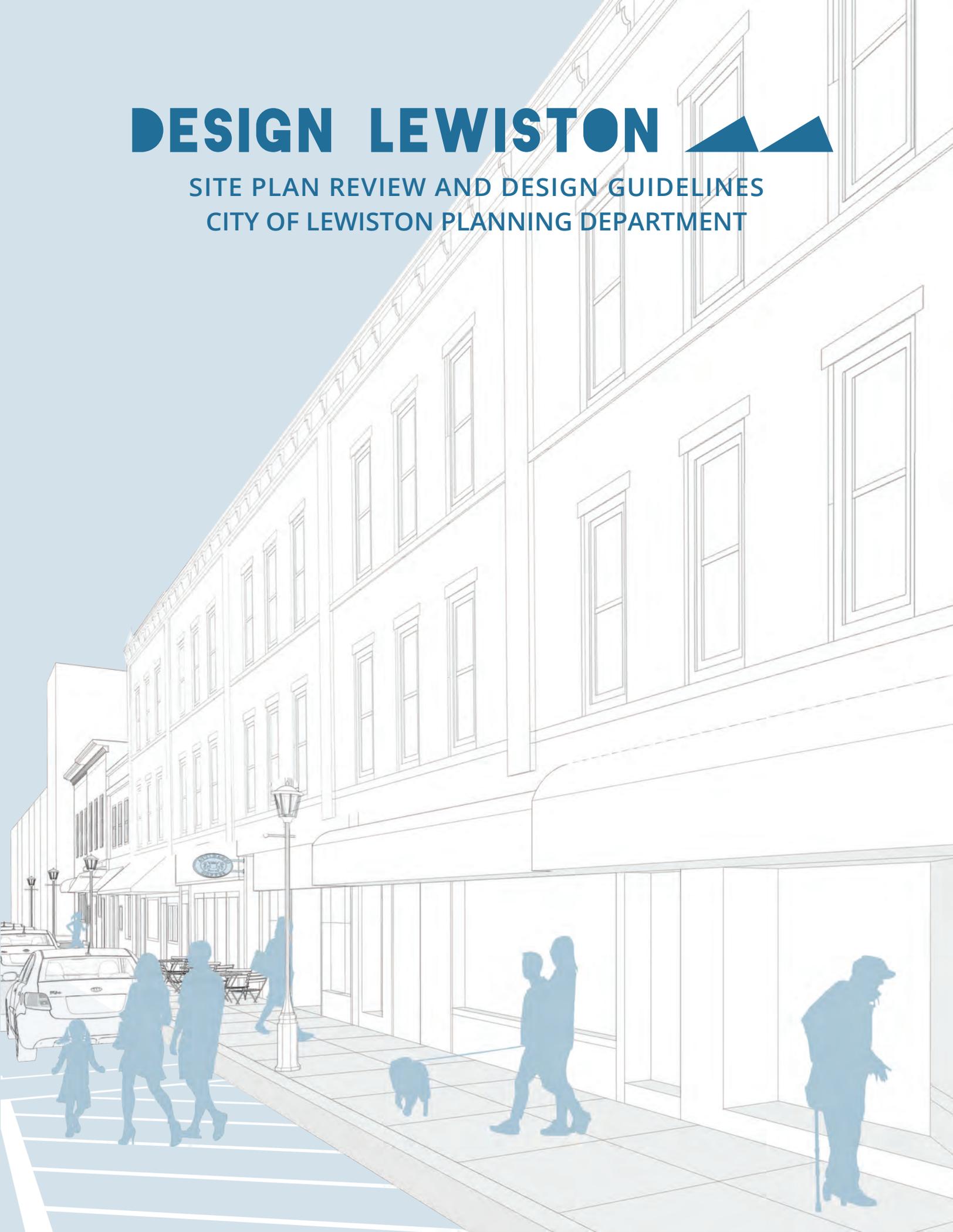
PENNY LACASSE
Notary Public, Maine
My Commission Expires January 11, 2020

Penny Lacasse
Notary Public

DESIGN LEWISTON



SITE PLAN REVIEW AND DESIGN GUIDELINES
CITY OF LEWISTON PLANNING DEPARTMENT



Design Lewiston

Site Plan Review and Design Guidelines
City of Lewiston Planning Department



Table of Contents

General Provisions 4

About Design Lewiston 4

Review Process 5

Zoning Districts 6

Citywide Design Guidelines 8

Space and Bulk Standards 10

Site Layout 14

Buffering and Screening 15

Landscape Design 17

Onsite Circulation 19

Lighting 21

Design Districts Guidelines 22

Ground Floor Uses 24

Parking Access and Design 25

Architectural Design 26

Mid-Block Accessibility 28

Context-Sensitive Design 29

Appendix 30

GENERAL PROVISIONS

ABOUT DESIGN LEWISTON

Design Lewiston was born out of the idea that straightforward and clear development guidelines can contribute to great neighborhoods, preserve Lewiston's heritage, encourage infill development, and foster a safe and walkable environment.

This document provides information for citizens, developers, deciding bodies, and staff regarding how new and renovated buildings are evaluated to ensure that Lewiston's vision for the future is achieved. Contained within are descriptions and illustrations of acceptable ways to meet the approval criteria. This document is also the Planning Board's policy for reviewing development applications requiring Site Plan Approval.

This document contains sections that apply to the entire City of Lewiston and a section that applies only to the downtown core area, called the Design Districts.

REGULATORY PURPOSE OF THE SITE PLAN REVIEW AND DESIGN GUIDELINES

The Site Plan Review and Design Guidelines (Guidelines for short) establish policies for Development Review as set forth in Article XIII Development Review Standards. The Guidelines are intended for use by applicants in preparing for Development Review, by the Staff Development Review Committee and the Planning Board in reviewing and approving proposed project plans, by the Planning Staff and other city agencies in reviewing and commenting on plans, and for educating the general public on the Design Guidelines.

The Planning Board and Staff shall consider each project in light of how it will contribute to the City's common vision, how it will relate to and interact with adjacent developments, and what the specific conditions are of the surrounding context and the site. The result of the Development Review should not be conformity and sameness, but rather a harmony between new and old development, and between adjacent developments within each segment of the urban environment, urban corridor or neighborhood.

These Guidelines make reference to the three types of distinctions found in the zoning for Site Plan Review: Minor vs. Major, Residential vs non-residential, and Citywide vs. Design Districts.

The diagrams included in the Guidelines are not intended to be the solution for a particular issue or objective. Rather, they are meant to illustrate graphically the intent of the guidelines and suggest a starting point for the individual site design to be prepared by the applicants. Subject to discussion and review with the City and its agencies, an applicant may suggest innovative techniques, which respond to the site characteristics, in order to achieve the City's common vision identified in the Comprehensive Plan and guiding principles for community development.

GENERAL PROVISIONS

DEVELOPMENT REVIEW PROCESS

What is Development Review in Lewiston?

- A thorough review process, managed by the Lewiston Planning & Code Enforcement staff, that enables the development of larger projects while minimizing adverse impacts to public facilities, the environment, and neighbors.
- Different procedures for Minor and Major projects, where smaller projects are approved by staff and larger projects are approved by the Planning Board
- Opportunities for community participation and feedback during review process
- Approval criteria established for evaluation of project features

WHEN IT IS USED

new non-residential building or change of use

new or modified residential building with more than 3 units

creation of a subdivision

DESIGN PHASE

Pre-design

concept development, expected program

Schematic Design

building massing, setbacks & buffers, driveways & parking, water supply, wastewater, drainage, exterior lighting, landscaping, construction schedule, topography



Public Comment Period



Design Development

engineering input, product specifications, wall sections, utilities

CONSTRUCTION DOCUMENTS

final documentation, stamped drawings



CONSTRUCTION ADMINISTRATION



Pre-Application Meeting

Conversations begin before the application is filed. Prospective developers meet with the City staff to outline project intentions and conceptual design, and staff inform the developers about the Development Review process.

Under Review

MINOR	MAJOR
<p><5,000 ft² non-residential 3-13 dwelling units</p> <p>Minor projects have a more direct procedure to reflect the lower potential for adverse impacts</p>	<p>>5,000ft² non-residential > 13 dwelling units</p> <p>Major projects can be more complicated and have a more in-depth review process</p>

Historic Preservation Review

Significant buildings and buildings in Historic Districts need a Certificate of Appropriateness from the approval authority to ensure that Lewiston's heritage is preserved, protected, and enhanced by changes to buildings and areas.

✓ Certificate Of Appropriateness

STAFF REVIEW COMMITTEE	PLANNING BOARD REVIEW
Staff review Minor projects for compliance with any applicable criteria	The Planning Board reviews Major projects and also adopts the Design Guidelines policy

Approved

Following the review process and community comments, projects must be formally approved by either the Staff Review Committee or the Planning Board. A number of written agreements ensure that all mitigations and community benefits are recorded. Once the Developer has received Development Review approval, the project can apply for any other required entitlements, such as any zoning variances needed, and then proceed to Building Permitting.

Board of Appeals

Projects seeking variances for dimensional and use standards require approval from the Board of Appeals for a variance.

✓ Variance

Building Permitting

The Building Department issues a building permit upon receipt of approval from relevant authorities and stamped construction documents.

Under Construction

As buildings are constructed, the City monitors that developers are complying with the mitigation and community benefits outlined in the Development Review approval.

Construction Complete

Once construction is complete, the developer receives a certificate from the City.

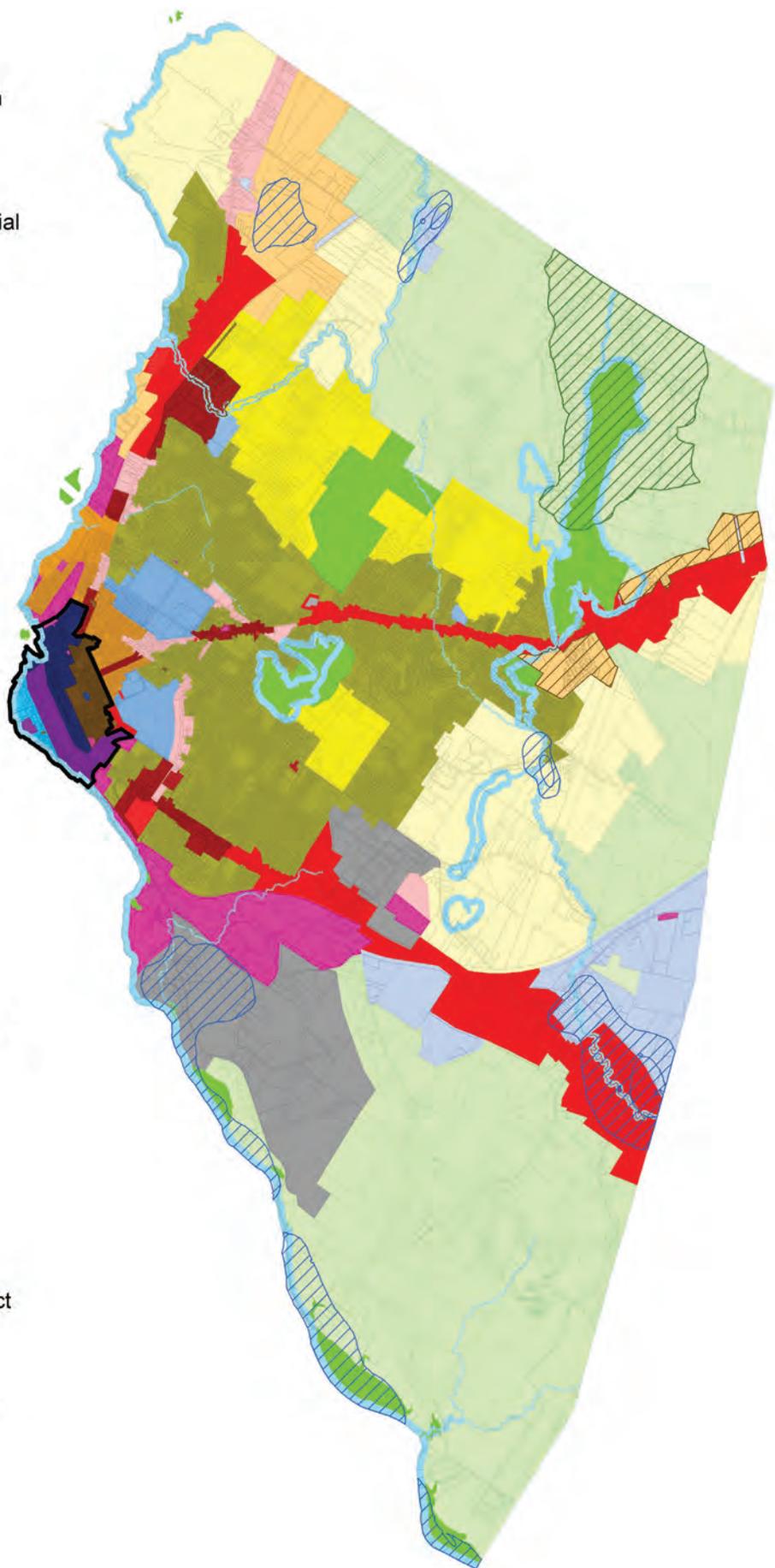
Zoning Districts

A map entitled "Official Zoning Map, City of Lewiston" is hereby adopted as part of this Code and shall be referred to as the "official zoning map." The official zoning map shall be identified by the signature of the mayor, chairman of the planning board and attested by the signature of the city clerk. The official zoning map shall be located in the office of the city clerk.

The city is divided into the following districts, as shown by the district boundary lines on the official zoning map on the following page.

GENERAL PROVISIONS

-  RC: Resource Conservation
-  RA: Rural
-  LDR: Low Density Residential
-  SR: Suburban Residential
-  MDR: Medium Density Residential
-  NCA: Neighborhood Conservation "A"
-  NCB: Neighborhood Conservation "B"
-  OR: Office Residential
-  OS: Office Service
-  IO: Institutional Office
-  CB: Community Business
-  HB: Highway Business
-  UE: Urban Enterprise
-  I: Industrial
-  Design Districts
-  DR: Downtown Residential
-  CV: Centreville
-  RF: Riverfront
-  M: Mill
-  No Name Pond Lake Conservation Overlay District
-  Mobile Home Overlay
-  Groundwater Conservation Overlay District
-  Shoreland Zoning

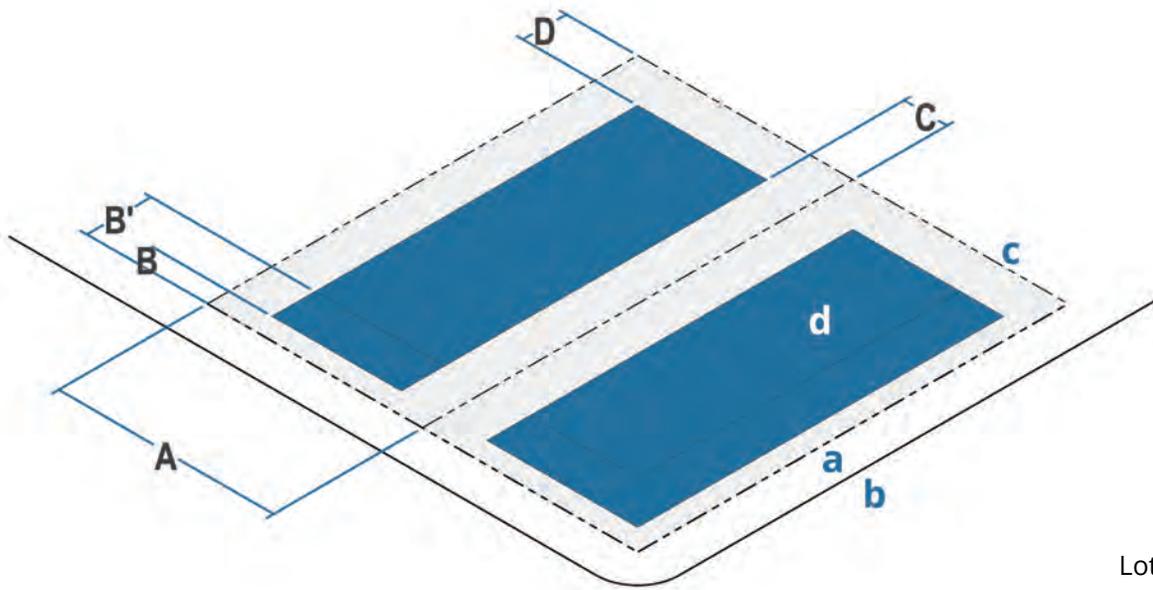


Space and Bulk Standards

Zoning establishes each district's character by providing acceptable dimensions for building size, setbacks, lot coverage, and other metrics. This is an introduction to how the space and bulk table works and the two compliance paths for front setbacks.

The distance from the street to the building, it is one of the most critical dimensions for defining a district's character. Front setbacks establish how close (or, in some cases, how far) a building can be to the front property line. On corner lots, all frontages that are along streets shall follow the front setback standard. Front setbacks have two options for compliance to provide flexibility:

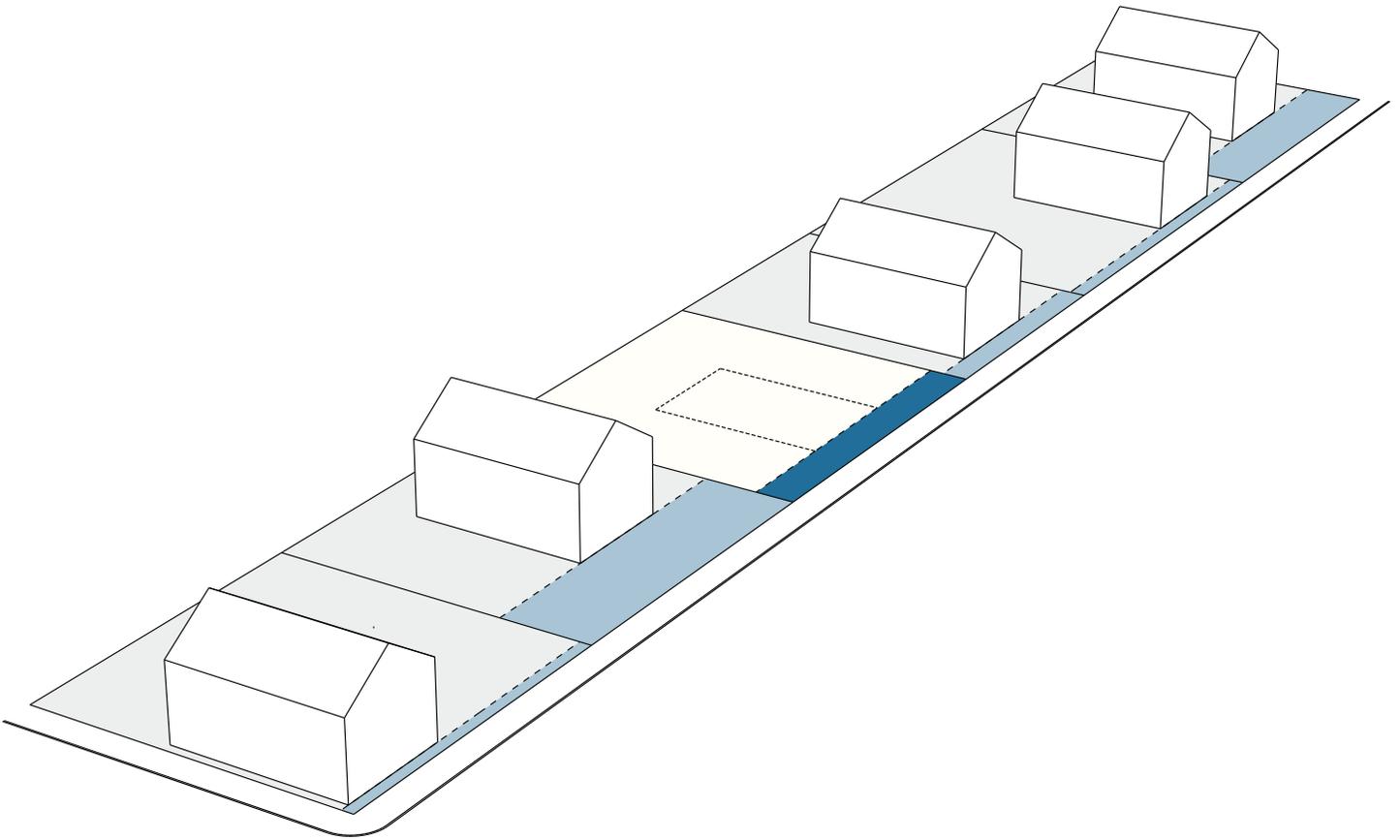
OPTION 1
Follow the dimensional standard in the space and bulk table.



- Lot Frontage - **A**
- Min. Front Setback - **B**
- Max. Front Setback - **B'**
- Side Setback - **C**
- Rear Setback - **D**
- Sidewalk - **a**
- Street - **b**
- Property Line - **c**
- Max. Lot Coverage - **d**

OPTION 2

In certain districts, applicants may use the average of existing setbacks within 500 feet on either side of the proposed building site. Based on measured average setbacks of nearby conditions, the proposed setback may fall within the range of the existing average setbacks.

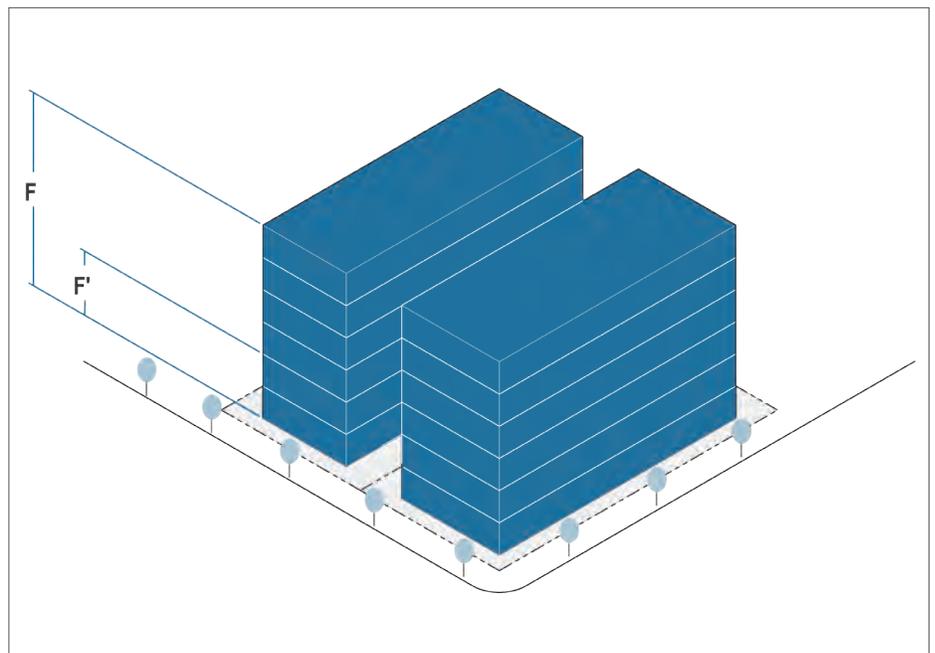
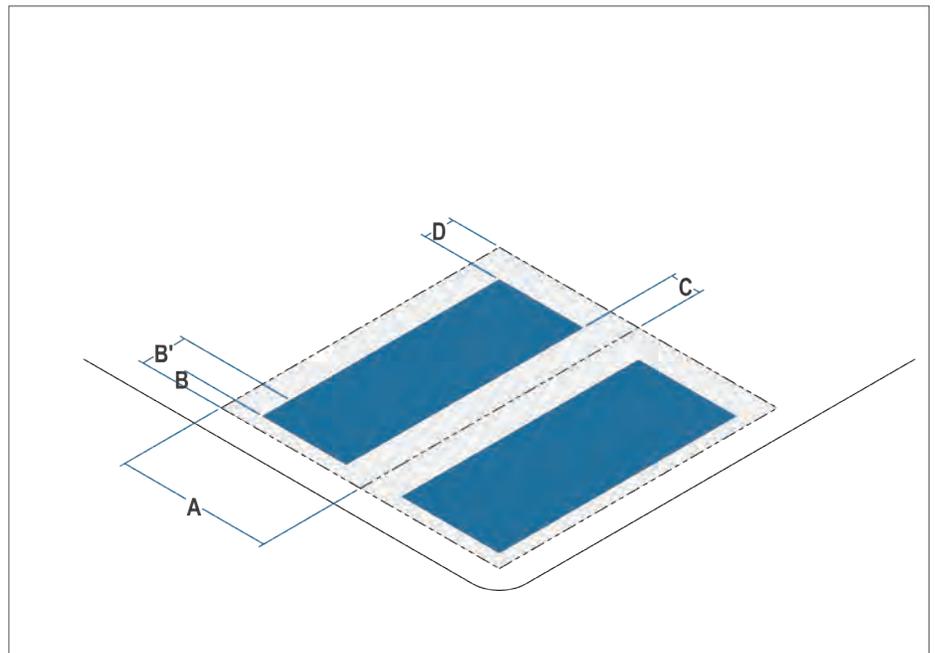


DR - Downtown Residential District

The purpose of the downtown residential district is to promote the improvement of older residential neighborhoods within the downtown by encouraging a transition to more mixed use neighborhoods, including owner-occupied, mixed-age and mixed-income housing with less density where desired and appropriate, low-intensity nonresidential uses, more open space and other neighborhood amenities, creating diverse, mixed-use neighborhoods. The standards of the district will encourage the upgrading of the existing neighborhoods by removing blight and vacancy, providing an opportunity for new residential and commercial development, and fostering a sense of community and place through neighborhood meeting, gathering and cultural places.

LOT	
A. Frontage	25' min
Lot area w/ sewer	5,000 sf min
Lot area w/o sewer	-
SETBACKS	
B. Min. Front ⁽¹⁾	5'
B'. Max Front ⁽¹⁾	15'
C. Side	10' min
D. Rear	10' min
BUILDING	
F'. Min. Height	20'
F. Max Height	60'
Lot Coverage	80% max
Pervious Area	35%
Notes	

⁽¹⁾ In areas where the existing buildings have an established uniform setback relationship to the street, 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.

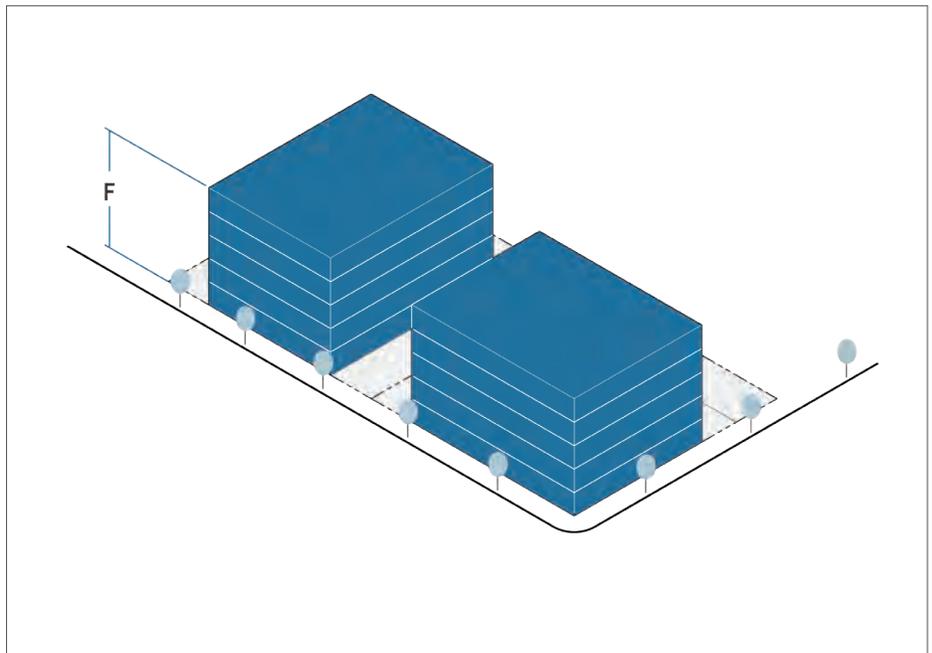
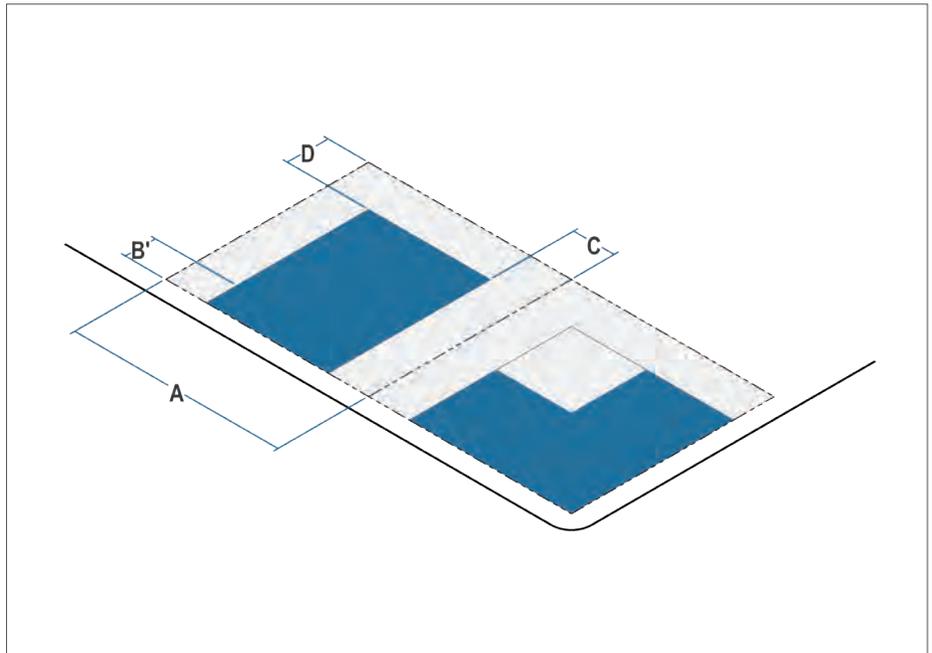


CB - Community Business District

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

LOT	
A. Frontage	40' min
Lot area w/ sewer	-
Lot area w/o sewer	-
SETBACKS	
B. Min. Front ⁽¹⁾	-
B'. Max Front ⁽¹⁾	15'
C. Side	20' min
D. Rear	20' min
BUILDING	
F'. Min. Height	0'
F. Max Height	50'
Lot Coverage	50% max
Pervious Area	35%
Notes	

⁽¹⁾ In areas where the existing buildings have an established uniform setback relationship to the street, 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.

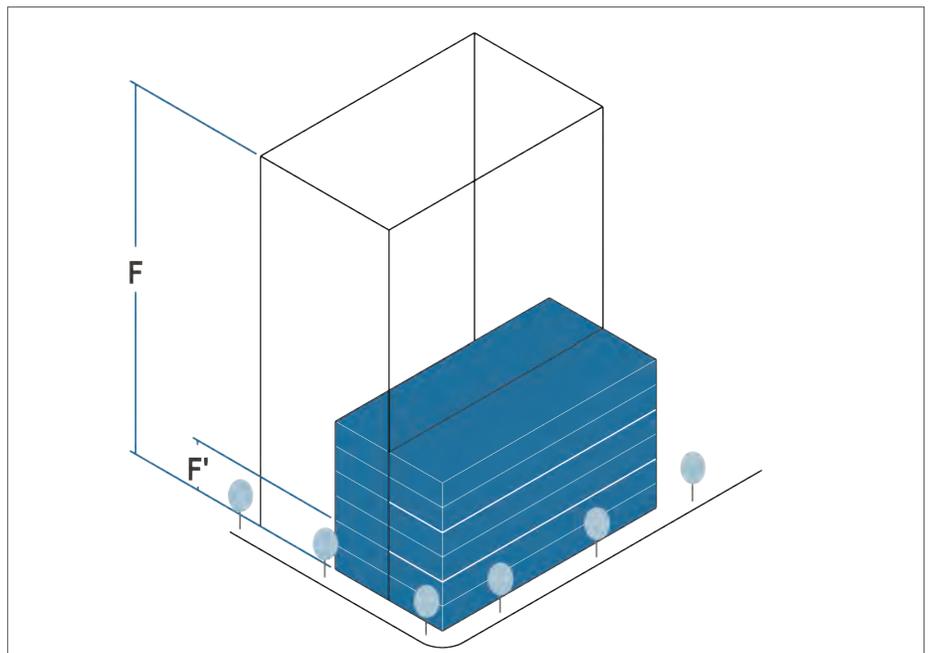
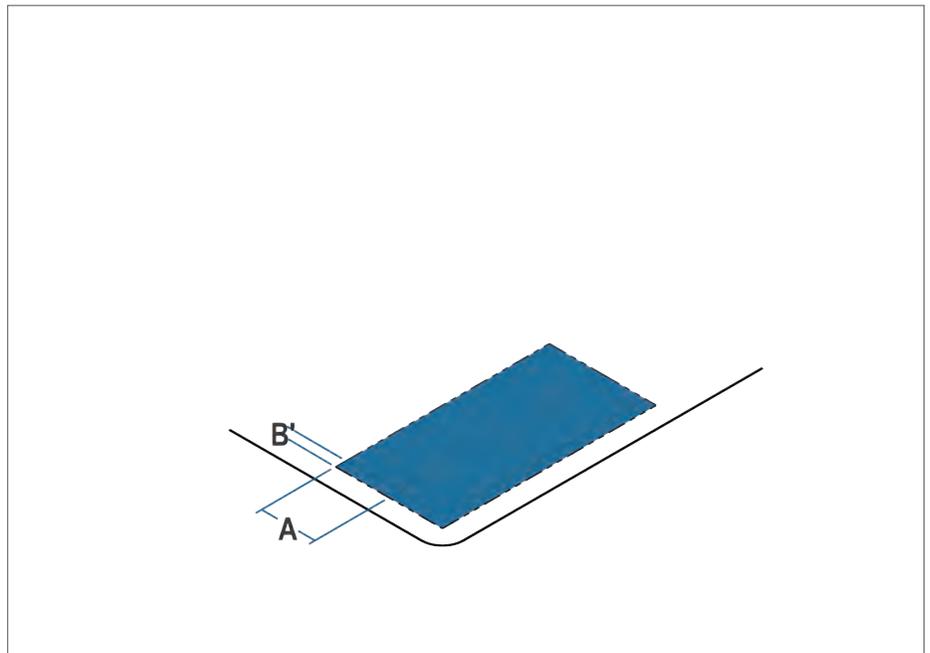


CV - Centreville District

The purpose of the Centreville district is to encourage a concentration of economic enterprises in the central business district that is convenient and attractive for a wide range of retail, service, financial, government, professional, entertainment and appropriate residential uses in a setting conducive to a high volume of pedestrian traffic. The standards of the district will initiate economic revitalization through increased occupancy of downtown properties, improved real estate values, increased consumer activity, and encourage the restoration and preservation of historic buildings and honor the rich Franco-American cultural heritage of the community.

LOT	
A. Frontage	25' min
Lot area w/ sewer	-
Lot area w/o sewer	-
SETBACKS	
B. Min. Front ⁽¹⁾	0'
B'. Max Front ⁽¹⁾	5'
C. Side	0'
D. Rear	0'
BUILDING	
F'. Min. Height	20'
F. Max Height	150'
Lot Coverage	100% max
Pervious Area	0%
Notes	

⁽¹⁾ In areas where the existing buildings have an established uniform setback relationship to the street, 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.

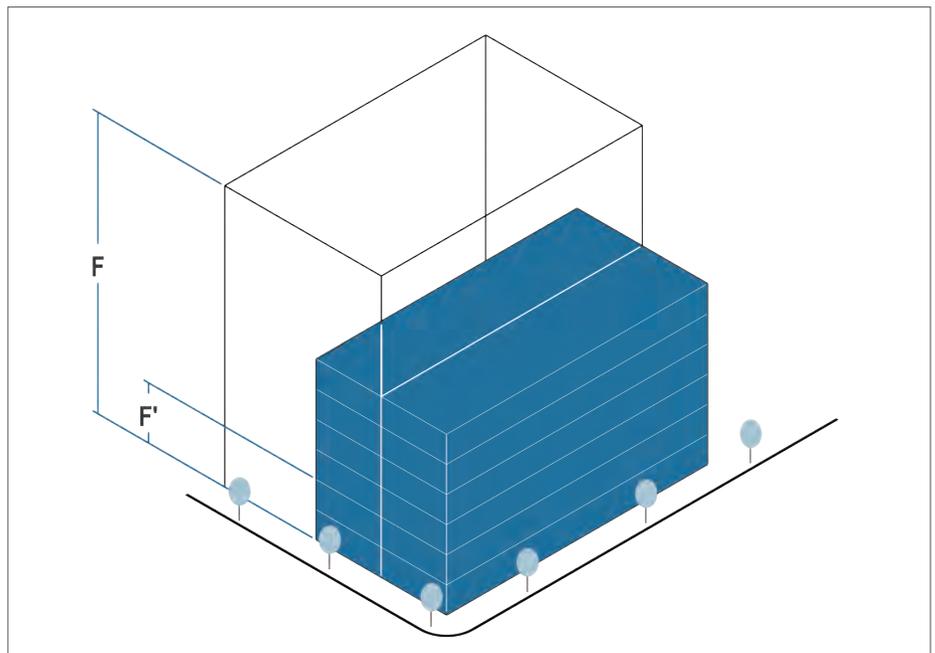
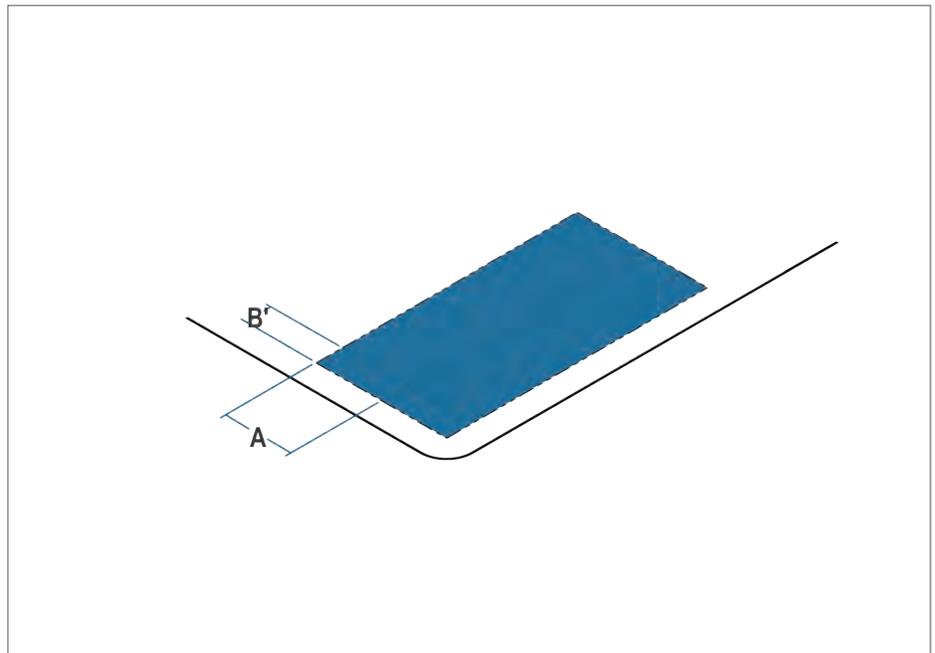


M - Mill District

The purpose of the mill district is to develop a major employment center in the downtown by fostering the development of mixed use commercial enterprises and appropriate high-density residential areas while preserving and restoring historic buildings and properties. Developments located within this district should enhance the commercial, cultural, educational and residential vitality of the downtown and link the downtown to the riverfront through a series of pedestrian corridors, pocket parks and open spaces, utilizing the historic canal system, with expanded arts and recreational amenities

LOT	
A. Frontage	25' min
Lot area w/ sewer	-
Lot area w/o sewer	-
SETBACKS	
B. Min. Front ⁽¹⁾	0'
B'. Max Front ⁽¹⁾	10'
C. Side	0'
D. Rear	0'
BUILDING	
F'. Min. Height	20'
F. Max Height	100'
Lot Coverage	100% max
Pervious Area	10%
Notes	

⁽¹⁾ In areas where the existing buildings have an established uniform setback relationship to the street, 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.



Site Layout

Projects should generate curb appeal from Lewiston's streets for pedestrians and motorists and diminish the visual impact of parked vehicles. Landscaping along streets is highly encouraged to create a positive image for Lewiston.

BUILDING PLACEMENT

Building and parking placement shall relate to natural topography and vegetation, and to the surrounding built environment. Where possible, buildings shall frame streets to create a sense of enclosure.

SERVICE AREAS

Exterior service, loading, storage, dumpsters and utility areas shall be located at the side or rear of the building, and shall be screened or sheltered so as to minimize visibility from sensitive viewpoints such as pedestrian paths, building entries, and abutting residential properties.

PARKING LAYOUT

Parking is allowed within side and rear setbacks, under the condition that lots with 4 or more spaces meet the buffering requirements (see next section).

- Residential uses: Only one vehicle may be parked between a residential building and the front setback.
- Non-residential uses: Outside of the Design Districts, parking is allowed between buildings and front setbacks, under the condition that lots with 4 or more spaces meet the buffering requirements in the Buffering section.



Buildings shall frame streets to create a sense of enclosure. Photo by Craig Saddlemire



Exterior service areas shall be located at the side or rear of the building, and shall be screened from pedestrian paths or building entries. Talbot Park, Auckland. Crosson Clarke Architects



Exterior service areas such as dumpsters, loading, storage and utility can be screened or sheltered to minimize their visibility.

Buffering and Screening

Buffering and screening protect residents and public areas from negative impacts associated with nuisances such as large parking lots and mechanical equipment. This section describes the context for buffering and screening: how and when it should be applied.

BUFFER LOCATIONS

Buffers shall screen noise and visual impact from adjacent public streets and parks and from abutting property under separate ownership in the following conditions:

- Parking lots along street frontages with 4 or more stalls
- Transition between residential uses and non-residential uses, including non-residential parking lots with 4 or more stalls
- Mechanical equipment, service areas, storage areas, fuel pumps, refuse storage areas, and loading areas not entirely enclosed within a building

BUFFER DESIGN

Buffers shall consist of one or more of the following approaches and shall adhere to the associated standards per option:

- Dense evergreen plantings: Evergreen screening shall be effective to a minimum height of 4 feet at installation. Two staggered rows of plantings spaced 12 feet on center shall be provided to accomplish the required buffering.
- Deciduous trees and shrubs: Two staggered rows shall be placed 6 to 8 feet on center based on their fullness.
- Earthen berm: Berms shall be graded with slopes of 1:3 to 1:4. The crest of the berm shall be planted with evergreens, and the side slopes planted with deciduous and/or evergreen plants.
- Grade change: Natural topographic variation and existing vegetation may be used to replace part or all required screening.
- Fences and walls: Walls and fences shall be finished with wood, concrete or stone. Walls and fences shall be 6 to 8 feet high and opaque between incompatible uses.
- Short walls: In Design Districts, short walls shall be used to screen the ground level of the automobiles in parking lots along street frontages. These walls shall be 2 to 4 feet in height, and shall be finished with brick, stone, wood or concrete that is compatible with materials on adjacent buildings.



Buffers shall screen the noise, activity levels, and visual impact from adjacent public streets and parking lots along a frontage.



Walls should be used to screen the ground level of the automobiles in the parking lots.



A pedestrian walkway and/or bikeway may be included within buffers.

Buffering and Screening (continued)

FOR BUFFERS 7.5 TO 20 FEET WIDE

Maximum screening shall be achieved by dense evergreens. In some cases, the reviewing authorities may require a site wall to further screen development (such as loading docks or storage areas). This wall should be 10 to 12 feet from the building wall or parking area, and shall be further screened with deciduous and/or evergreen landscaping on the side facing away from the site development.

FOR BUFFERS 3 TO 7.5 FEET WIDE

Evergreen hedges may be used. These hedges shall be a minimum of 4 feet at installation and shall be planted 4 to 5 feet on center and shall, at maturity, be maintained at a minimum height of 6 feet. Recommended species include False Cypress (*Chamaecyparis lawsoniana*); Eastern Arborvitae (*Thuja occidentalis*); and Canadian Hemlock (*Tsuga canadensis*).

FOR BUFFERS LESS THAN 3 FEET WIDE

Screening shall be opaque, wood fencing, 8 feet high, and with the finished side facing away from the site development. In cases where additional screening height is necessary, plantings of deciduous trees may also be required. Trees planted in conjunction with fencing shall be planted at intervals of 20 to 30 feet on center and shall have a minimum caliper of 2 1/2 inches at the time of planting. Recommended species include Yellowwood (*Cladrastis lutea*); and Honeylocust (*Glenditsia triacanthos*).

SUNLIGHT ACCESS

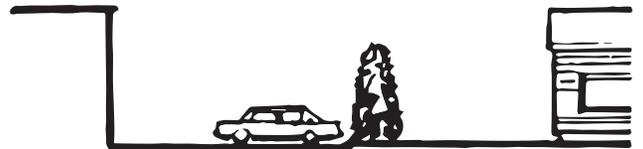
Buffers shall not have undue impacts on sunlight to adjacent buildings or scenic views that exist for neighboring properties.

WALKWAYS THROUGH BUFFERS

A pedestrian walkway and/or bikeway may be included within buffers.



Where a narrower vegetated buffer is unavoidable (20 to 100 feet wide), landscaped earth berms shall be used to provide maximum screening.



Types of buffering/landscaping; Screening may be accomplished by dense evergreen plantings, deciduous trees and shrubs, fences, walls, berms or a combination of the same.

Landscape Design

Landscaping along street edges and other areas is beneficial for the community. Landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties from adverse impacts of the development. This section describes property owners' responsibilities when it comes to planning for and maintaining landscaping.

FRONT SETBACKS

Front setbacks, including areas between the principal wall plane of a building and a public street, are required to be landscaped for the entire length except for driveways, pedestrian access ways, and allowable encroaching building attachments (stoops, chimneys, awnings, porches). Trees are recommended if the front setback is at least 5 feet wide to provide adequate space for the tree roots. Short fences of approximately 3 feet in height are desirable in residential front yards.

MAINTENANCE

Property owners are responsible for maintaining the landscape on the property as approved in Site Plan Review after receiving a certificate of occupancy for at least five years including replacement of dead plants and trees.

EXISTING TREES AND VEGETATION

Existing vegetation shall be considered in the design of the site and retained to the extent possible, especially in buffer areas and open space areas. Special effort shall be made to retain trees with a diameter greater than 6 inches.

STREET TREES

Street trees shall be planted at intervals of 25 to 50 feet on center, shall have a minimum of 2.5-inch caliper, and shall be at least 14 feet high at the time of planting. Existing trees may be preserved where they are judged to be of sufficient quality. Trees shall be sited so that future root and canopy growth will not interfere with utilities above and below ground, streets, and sidewalks. Taller deciduous trees without lower branches are recommended for street planting to minimize obstructed views and provide an overhead canopy. See the Appendix for recommended species. Tree planting along frontages of private property is encouraged in areas where there is limited public right-of-way for tree planting.



Parking areas shall be visually broken up by the use of trees and landscaped parking islands.



Parking or traffic islands shall be curbed to protect both the pedestrians and the landscaping.



Preference should be given to planting deciduous trees on the southern face of a building or outdoor area to provide shade in the summer and allow sunlight to filter in the winter.

Landscape Design (continued)

STREET LIGHTING

Where municipal lighting exists along the street, low-level lighting for pedestrians is optional. Any lights shall be directed downward or away from adjacent residential areas.

STREET FURNITURE

Street furnishing and pedestrian amenities are encouraged in setbacks, including benches, bicycle racks, bus shelters, waste receptacles, and water fountains. At building entrance areas and at drop off areas, site furnishings such as benches and sitting walls shall be encouraged.

LANDSCAPING IN PARKING LOTS

Parking areas with 40 or more stalls shall be visually broken up by the use of trees and landscaped parking islands at a rate of one island per 20 stalls. The use of hedges, grade differences, and low walls shall be used to further reinforce the spatial separation of parking areas while not obstructing snow storage areas.

A minimum of one tree per 20 parking spaces shall be provided in each parking area, within the confines of the perimeter curb or pavement edge. Trees shall have a caliper of 2.5 inches at the time of planting. Parking and traffic islands shall be curbed to better direct traffic, and to protect both the pedestrians and the landscaping. The islands shall be strategically located to assist the pedestrian in crossing the parking area.

Parking islands shall be a minimum of 10 feet wide and 15 feet long. The minimum distance from the tree to curb shall be 4 feet. Included within the width of the parking islands may be paved walkways, lawn, or ground cover.

SNOW REMOVAL

Surface parking lots shall facilitate snow removal and shall designate space for on-site snow storage that is mindful of drainage.

LANDSCAPE IN CONNECTIONS BETWEEN SITES

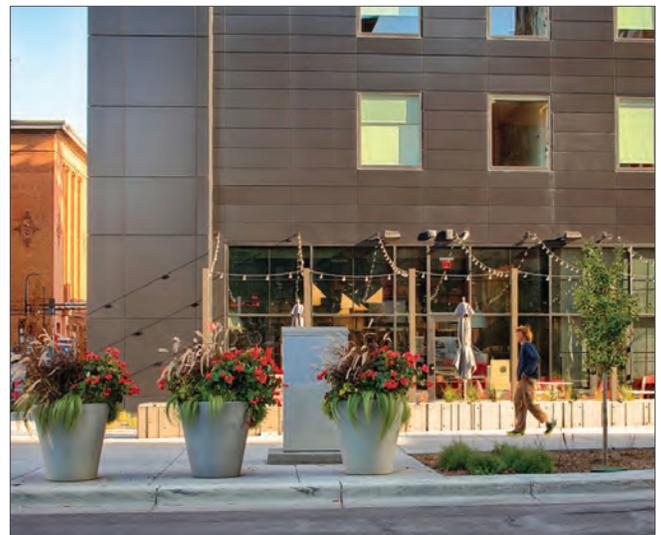
The use of predominantly deciduous trees between sites with compatible uses is recommended to allow partial views to and from adjacent uses and destinations. Connections shall use all-weather surfaces to allow for joint use of pathways by pedestrians and bicyclists.



Landscaping should be used to define street edges and break up parking areas.



Street furnishings and pedestrian amenities like benches and bicycle racks are encouraged. Photo by Stantec



It is recommended to use deciduous trees and low landscaping in connections between sites to provide better visibility.

Onsite Circulation

Site layouts should ensure safe circulation for pedestrians and motorists while avoiding negative impacts on surrounding public streets. Curb cuts for driveways should be as narrow as possible while still accommodating the expected vehicle traffic and turning movements to protect people walking.

PARKING SURFACE

Parking areas and driveways shall be surfaced with bituminous concrete or other acceptable hard and dust-free material. The reviewing authorities may, however, modify this requirement to permit some proportion of permeable surface, where groundwater recharge is of demonstrated concern.

ACCESS

Site layout shall ensure that automobiles and delivery vehicles will not back out into major roads. Vehicular access from local side streets shall be encouraged wherever feasible. Shared driveway entrances and circulation are encouraged for adjacent sites in order to minimize curb cuts and increase efficiency. Shared circulation roads are encouraged to be located behind the buildings rather than in front. Consideration of connections with abutting future projects is recommended.

WALKWAY DESIGN

Pedestrian ways shall be safely separated from vehicular traffic. Walkways shall have a minimum width of 4 feet. Sidewalks shall link the development to abutting commercial or residential sites where applicable. Pedestrian and vehicular crossings shall be clearly marked, using signage, curbs, pavement striping, or special paving materials.

CURBS

Wherever curbs are used, granite or cement concrete (extruded or precast) materials are preferred over asphalt curbs. Vegetated swales may replace the curb where space permits.

DELIVERY VEHICLES

For Major non-residential projects, the site design shall delineate a clear route for delivery vehicles, with appropriate geometric design to allow turning and backing for semi-trailer truck (WB-40) vehicles. Signage or lane markings indicating that route may be required. Any access roads shall be located a minimum of 150 feet from highways in order to avoid intersection conflicts.



*Vegetated swales may replace the curb where space permits.
Photo by Stantec*



Pedestrian and vehicular crossings shall be clearly marked, using signage, curbs, pavement striping and/or special paving materials.



All existing vegetation on the site shall be retained to the extent possible, especially in buffer areas and open space areas.



Outdoor café seating areas may be located within a sidewalk or public space provided a 4-foot clear walkway is maintained. Outdoor café seating should only use movable furnishings and should be made from durable materials, such as wood or metal.

Lighting

Site lighting should promote safety and create an attractive environment while avoiding light pollution and light trespass onto abutting properties.

LIGHT POLLUTION PREVENTION

No lighting shall be directed into travel ways or adjacent properties under different ownership.

PEDESTRIAN LIGHTING

Pedestrian lighting for safety along internal paths shall be encouraged.

FACADE ILLUMINATION

Building facades may be illuminated with soft lighting of low intensity. The light source of the building facade illumination shall be concealed. The light source must face downwards and be shielded to prevent light pollution.



Outdoor lighting design shall mitigate light trespass and glare to abutters and the public at large, reducing light pollution. Photo by Greg Hartford



Lighting along pedestrian paths is encouraged to create a safe environment. Photo by Mike Lydon



Building façades may be illuminated with soft lighting of low intensity

Buildings in Design Districts

The Design Districts are in Lewiston's historic core, an area with a walkable street pattern and historically and architecturally significant buildings. Its streets are well defined by trees, building facades, and pedestrian activity. Automobile travel speeds are relatively low, and pedestrian traffic is high.

The goals of the Design Districts are to:

1. Preserve Lewiston's heritage

- Encourage adaptive reuse of historic buildings
- Reinforce the character of districts
- Facilitate historic renovations

2. Encourage infill development in Lewiston's historic core

- Require that projects be compatible with the contextual space, bulk, and density
- Facilitate reinvestment by balancing costs of quality design with the community's long term economic goals
- Maintain a predictable design review process

3. Foster a safe and pleasurable environment that encourages pedestrian activity

- Eliminate physical barriers to pedestrian activity with clear pathways and entrances
- Ensure that ground floors incorporate detailed design and active uses
- Place buildings close to the sidewalk
- Put car parking to the side or rear of buildings



Applying Design Guidelines

Projects in the Design Districts (Riverfront District, Downtown Residential District, Centreville District, and Mill District) shall comply with the urban design provisions in the following pages. These provisions establish the desired form and character for new development and significant renovations in this area.



a. Designs should encourage active ground floors that are routinely occupied throughout the day and create an active pedestrian environment. **b.** Surface motor vehicle parking is prohibited within front setbacks, parking areas should be reallocated to the interior of the site. **c.** Mid-block connections are encouraged to promote convenience and connectivity to destinations. **d.** New construction shall complement the massing and type of roof as the surrounding adjacent structures.

Ground Floor Uses

In Design Districts, ground floors are the most important part of a building. Great places have interaction between buildings and streets and are where you intuitively want to stay longer. To achieve great streets, visible life in buildings and between buildings is even more vital than architectural design.

ACTIVE GROUND FLOORS

The ground floors of buildings facing public streets shall be routinely occupied by people throughout the day to create an active pedestrian environment and provide eyes on the street. Active ground floor uses are uses that relate to the building's principle uses, such as residential, retail, services, lobbies, or offices. The actively used area shall have a minimum depth of 20 feet, or the depth of the building if less. Parking, storage, and loading facilities shall not be considered active uses.

GROUND FLOOR WINDOWS

Non-residential ground floors shall consist of a minimum of 50 percent clear glass in total for the façade as visible from public streets. No minimum requirement shall be imposed for theaters, places of worship, fire and police stations, municipal service facility, or transformer stations.

GROUND FLOOR RESIDENTIAL

Residential ground floors shall be elevated at least 2 feet above the grade of any adjacent sidewalk and window sills of dwelling units shall be at or above the eye-level of passing pedestrians to maintain privacy for occupants.



Non-residential ground floor uses in the Design Districts must have at least 50% clear glass. Photo by Mike Lydon



The actively used area shall have a depth of at least 20 feet, or the depth of the building if less. Photo by Stantec



Ground story dwelling units shall be elevated at least feet above the grade of any adjacent sidewalk. Photo by Stantec

Parking Access and Design

Motor vehicle parking should not dominate the experience of residents and visitors in the Design Districts. This issue is addressed with requirements for where and how parking can be located and accessed, as well as by providing alternatives to personal car travel. Any new construction should add bicycle and multi-modal facilities to the greatest extent possible.

PARKING BANNED FROM FRONT SETBACKS

Surface motor vehicle parking is prohibited in the area between building frontages and public streets or parks except in conjunction with a single- or two-family dwelling.

DRIVEWAYS

Access drives to parking and service facilities located elsewhere on the site shall be limited to a total of 24 feet of width unless a wider entrance is justified for any individual driveway. The number of access drives shall be limited to one per 100 feet of lot frontage, with a minimum of one allowable driveway per lot.

REQUIRED WALKWAYS

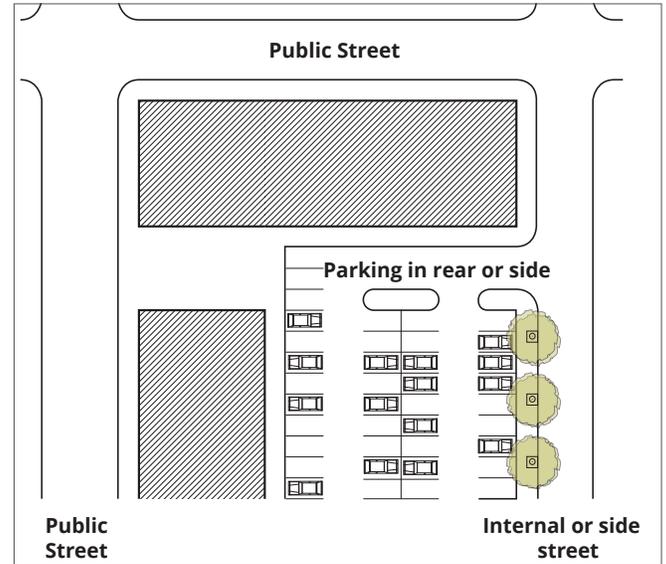
Surface parking lots with 40 spaces or greater shall be designed to separate pedestrian travel area from vehicles.

MAXIMUM NUMBER OF PARKING SPACES

For buildings with less than or equal to 60,000 gross square feet, no more than 140% of the required minimum parking spaces are permitted. For buildings greater than 60,000 gross square feet, no more than 125% of the required minimum number of parking spaces are permitted.

MULTI-MODAL FACILITIES

To promote bicycling, projects categorized as Major developments and any project with 20 or more parking spaces shall provide no fewer than 4 bicycle storage racks. Required bicycle storage racks shall be within 100 feet walking distance of a main entrance.



Parking areas shall be located within the interior of the site to minimize visibility from public streets and parks. Photo by Stantec



Required bicycle storage racks shall be within 100 feet walking distance of the project's main entrance.

Architectural Design

Architectural design should do its part in creating an interesting and human-scale environment in the Design Districts. Opportunities should be seized to create attractive and welcoming features such as stoops, porches, wall recesses and projections, and weather protection above entrances.

ENTRANCES

A minimum of one building entrance shall be located on a street frontage. The door shall be visible and accessible from a sidewalk or public park in a place appropriate for a pedestrian-oriented, street-facing use, and shall be open during normal business hours. Non-residential entrances shall have alcoves between 15 and 100 square feet in size, with a surface that matches the sidewalk. Multifamily entrances shall have weather protection.

ARCHITECTURAL DETAILS

The use of architectural features and details such as porches, awnings, columns, dormers, skylights and arches shall be used to create visually dynamic and interesting buildings. The definition of street corners with building form and architectural features is important to anchoring the building on the site and framing the street.

WINDOWS

Windows shall not be flush with exterior wall treatments and shall be recessed at least 2 ½ inches. Windows shall be provided with an architectural surround at the jambs, header, and sill.

BLANK FACADES

Blank walls longer than 10 feet shall be prohibited where buildings face public streets and parks. A blank wall is a facade that, at eye-level, does not include doors, windows, or surface relief through the use of columns, cornices, moldings, piers, pilasters, sills, sign bands, other equivalent architectural features that either recess or project from the average plane of the facade by at least 4 inches.

MECHANICAL PROTRUSIONS

Vent stacks, roof vents, and other mechanical protrusions shall be painted the color of the roof or the adjacent façade. Roofs and roof lines shall minimize the visual impact of mechanical systems.



Building facades should be designed to create welcoming entrances and a human-scale environment. Photo by Mike Lydon



Architectural details such as porches, awnings, columns, dormers, skylights and arches shall be used to create visually dynamic and interesting buildings.



Architectural design must encourage consistency of all building features visible from public streets and entrances. Photo by Brett VA

Architectural Design (continued)

ARCHITECTURAL CONSISTENCY

Projects shall maintain consistency of architectural character, treatments, and details on all building facades visible from public entrances, public streets, or public parks. Architectural features that shall remain consistent include cladding material, trim, fences and other buffers, and lighting.

Roofs should add to the Design Districts' character. Rooflines should create distinct features when viewed from the ground, hide mechanical systems, and prevent falling snow onto entrances. Roof forms should add accents along view corridors and above entrances, such as cornices, eaves, roof decks, green roofs, cupolas, parapets, and spires.

ROOFLINES

Roofs and roof lines shall avoid unbroken expanses the length of the building through the use of dormers, chimneys, and changes in the ridge line. Variations in design shall connect to the overall building design, such as being shaped to define building corners and entries.

SOLAR PANELS

Solar panels shall follow rooflines and where possible be integrated with the roof design.

FALLING SNOW

Roofs shall be designed to prevent falling ice and snow onto entrances and walkways.



Roof tops should incorporate distinct features such as roof forms, cornices, eaves and parapets. Photo by Craig Saddlemire



Roofs and roof lines shall avoid long unbroken expanses through the use of dormers, chimneys and changes in ridge line. Photo by Mike Lydon



Roofs shall be designed to prevent falling ice and snow onto entrances and walkways. Photo by Craig Saddlemire

Mid-Block Accessibility

The Design Districts are mostly composed of short blocks that encourage people to walk between destinations. However, in some circumstances in Lewiston, longer blocks have the potential of walling people off. When this occurs, mid-block connections are encouraged to promote convenience and connectivity to destinations and, where applicable, contribute to any existing open spaces in the surrounding area.

LONG BLOCKS

Where development applications are proposed on double-sided frontage lots with a frontage longer than 400 feet, consideration should be given to provide a direct and 24/7 publicly accessible mid-block passage connecting from the sidewalk of one street to another on the opposite side of the block.



*Where lot frontages are longer than 400 feet, mid-block passages will increase accessibility and connectivity for pedestrians.
Photo by Mike Lydon*



Where possible, mid-block connections should contribute to existing public open spaces. Photo by Nakano Associates



Mid-block paths will encourage people to walk between destinations.

Context-Sensitive Design

New and renovated buildings should be compatible with the architectural forms and the open spaces around them. Additional details of these criteria are located in zoning Article XV, Section 5(F)(3) and the Lewiston Historic Preservation Design Manual.

CONTEXT DOCUMENTATION

An applicant shall include documentation (site map, photos, and narrative) of adjacent building architectural style, character and site condition (two buildings on right, two on the left, and four across the street).

CONTEXT-SENSITIVE DESIGN CRITERIA

An applicant shall address how the proposed project meets the intent of the following criteria:

- The height of principal building or structure, its bulk; the nature of its roofline and the proportions of the new construction will be of the same scale and proportion as the surrounding, adjacent structures;
- The location, size, and proportions of openings in the facade, primarily windows and doors, of new construction will be consistent in proportion and rhythm with openings in the facade as the surrounding, adjacent structures.
- The massing and type of roof (flat, gabled, hip, gambrel, mansard) of the new construction shall complement the massing and type of roof as the surrounding, adjacent structures.
- Nature of building materials and texture shall exhibit the characteristics of texture, composition, and reflectivity of as the surrounding, adjacent structures.
- The placement and orientation of the new construction/in-fill shall be in harmony with the surrounding, adjacent structures.



New developments in the design districts should be compatible with the surrounding architectural context. Photo by Craig Saddlemire



Applicants shall make sure that the proposed height and roofline will be of the same scale and proportion as the surrounding structures. Photo by Craig Saddlemire



Building materials and textures on new construction shall be in harmony with those of existing structures. Photo by Craig Saddlemire

Recommended Street Tree Plantings

BOTANICAL NAME: *Acer rubrum*
COMMON NAME: Red Maple
 Zone 3, 40-60' in height, spread less than or equal to height. Very tolerant of soils, however, prefers slightly acid, moist conditions.
 Cultivars: 'Armstrong' - Narrow Spirelike Crown



Acer rubrum
Red Maple

BOTANICAL NAME: *Acer saccharum*
COMMON NAME: Sugar Maple
 Zone 3, 60 - 75' in height. Spread is 2/3's or equal to the height. Prefers well drained moderately moist, fertile soil, a slightly acid soil seems to result in greater growth, not extremely air pollution tolerant. Needs ample, unrestricted space to grow.
 Cultivars: 'Green mountain' - Upright oval crown, performs better than species in dry restricted growing areas.



Acer saccharum
Sugar Maple

BOTANICAL NAME: *Cladrastis lutea*
COMMON NAME: Yellowwood
 Zone 3, 30 - 50' in height with a spread of 40 to 50 feet. Tolerates high pH soils as well as acid situations. Requires well drained soils. Fragrant white flowers in spring. Bright yellow foliage in spring gradually change to bright green in summer and yellow in fall.



Cladrastis lutea
Yellowwood

BOTANICAL NAME: *Fraxinus americana*
COMMON NAME: White ash
 Zone 3, 50 - 80' in height with a spread of similar proportions. Prefers deep, moist, well drained soils but also withstands soils which are not excessively dry and rocky.



Fraxinus americana
White ash

BOTANICAL NAME: *Fraxinus pennsylvanica*
COMMON NAME: Green ash
 Zone 3, 50 - 60' in height by about 1/2 that in spread. Very adaptable tolerates high pH, salt, drought, and sterile soils.
 Cultivars: 'Honeyshade' - Glossy foliage. 'Marshall's Seedless' - Vigorous growth with less insect problems than the species.



Fraxinus pennsylvanica
Green ash

BOTANICAL NAME: *Ginkgo biloba*
COMMON NAME: Ginko
 Zone 4, 50 - 80' in height, variable spread 30' plus. Prefers sandy, deep, moderately moist soil but grows in almost any situation. Air pollution tolerant; a durable tree for difficult to landscape situations. Extremely free of pest.



Ginkgo biloba
Ginko

Recommended Street Tree Plantings

BOTANICAL NAME: *Gleditsia triacanthos* var. *inermis*
COMMON NAME: Thornless Honeylocust
 Zone 4, 40 - 60' in height, with comparable spread. Prefers rich, moist soils of a limestone origin, however, it withstands a wide range of conditions including dry soils, high pH and salt spray.
Cultivars: 'Fairview' - Rapid grower; strong sturdy habit of growth; wide upright. 'Shade master' - tall straight trunk with graceful arching branches.



Gleditsia triacanthos
Thornless Honeylocust



Phellodendron amurense
Amur Cork Tree

BOTANICAL NAME: *Phellodendron amurense*
COMMON NAME: Amur Cork Tree
 Zone 3, 30 - 45' in height with equal spread. Does well on many types of soils, withstands acid or alkaline conditions.
Cultivars: 'Red spire' - Compact upright form; hardiest. 'Autumn Blaze' - Wider than Redspire

BOTANICAL NAME: *Sophora japonica*
COMMON NAME: Japanese Pagoda tree
 Zone 4, 50 - 75' in height with comparable spread. Prefers loamy well-drained soil. White mildly fragrant blossoms in spring.
Cultivars: 'Fastigrata' - Upright growth habit. 'Regent' - Fast growth rate.



Sophora japonica
Japanese Pagoda tree



Tilia cordata
Little Leaf Linden

BOTANICAL NAME: *Tilia cordata*
COMMON NAME: Little Leaf Linden
 Zone 3, 60 - 70' in height and 1/2 to 2/3's that in spread. Prefers moist, well drained soil, pH adaptable and pollution tolerant. Dark glossy green foliage changing to yellow in fall. Upright - oval and densely branched habit.

CONTACT

City of Lewiston
Planning & Code Enforcement
(207) 513-3125
27 Pine Street, 3rd Floor, Lewiston, ME 04240

AUTHORS

Nels Nelson, Stantec's Urban Places
Craig Lewis, Stantec's Urban Places
Michael Lydon, Street Plans

CONTRIBUTORS

David Dixon, Stantec's Urban Places
Will Irvine, Stantec's Urban Places
Irene Balza, Street Plans

ADVISORY COMMITTEE

Ahmed Sheikh
Craig Saddlemire
Jim Lysen
Kevin Morin
Kristine Kittridge
Lucy A. Bisson
Mike Gotto
Misty Parker
Paul Robinson

THANKS TO

City Council
Planning Board
Historic Preservation Review Board
Douglas Greene, City of Lewiston
David Hediger, City of Lewiston

Design Lewiston

Site Plan Review and Design Guidelines
City of Lewiston Planning Department

