

**CITY OF LEWISTON
STAFF REVIEW MEETING**
Thursday, February 21, 2019 – 9:00 A.M.
Third Floor Conference Room
Lewiston City Building
27 Pine Street, Lewiston, ME

AGENDA

I. ROLL CALL

II. ADJUSTMENTS TO THE AGENDA

III. CORRESPONDENCE

IV. PUBLIC HEARINGS:

An application submitted by Gabrielle Russell for a subdivision of the existing structure located at 223 Lisbon Street to consist of commercial space and six dwelling units.

V. OTHER BUSINESS

VI. READING OF THE MINUTES: Motion to adopt minutes from the January 10, 2019 meeting.

VII. ADJOURNMENT

Development Review Application
Le Messenger – 223-225 Lisbon St., Lewiston, Maine
February 7, 2019

Dear Mr. Hediger & City Staff,

This letter is being presented as part of the Development Review application for Le Messenger Building, located at 223-225 Lisbon Street, Lewiston, Maine 04240.

The purpose of this application is to secure subdivision approval for the existing 4 story building. Currently the building has a business tenant on the 1st floor at street level. The 2nd floor has 1 residential unit and the 3rd and 4th floors are vacant. I am proposing to have a total of 6 residential units on the 2nd through 4th floors following a renovation to the space. My hope is to have this building full and active again as it once was. Please see the attached subdivision plan by Jones Associates.

Sincerely,



Gabrielle Russell, LEED AP
Maine Licensed Architect



Development Review Application

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



PROJECT NAME: Le Messenger Building

PROPOSED DEVELOPMENT ADDRESS: 223-225 Lisbon Street, Lewiston

PARCEL ID#: RE00009593

REVIEW TYPE: Site Plan/Special Exception Site Plan Amendment
 Subdivision Subdivision Amendment

PROJECT DESCRIPTION: I'm seeking a subdivision plan approval for 6 residential units in my existing building. Currently there is 1 residential unit on the 2nd floor. The 3rd and 4th floors are currently vacant.

CONTACT INFORMATION:

Applicant

Name: Gabrielle Russell
Address: PO Box 3814, Auburn
Zip Code 04212-3814
Work #: 207-784-2941
Cell #: 207-240-6403
Fax #:
Home #:
Email: 223lisbonstreet@gmail.com

Property Owner

Name: same as applicant
Address:
Zip Code
Work #:
Cell #:
Fax #:
Home #:
Email: _____

Project Representative

Name: same as applicant
Address:
Zip Code
Work #:
Cell #:
Fax #:
Home #:
Email: _____

Other professional representatives for the project (surveyors, engineers, etc.),

Name:
Address:
Zip Code
Work #:
Cell #:
Fax #:
Home #:
Email: _____

PROJECT DATA

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

IMPERVIOUS SURFACE AREA/RATIO

Existing Total Impervious Area 2500 sq. ft.
Proposed Total Paved Area 0 sq. ft.
Proposed Total Impervious Area 2500 sq. ft.
Proposed Impervious Net Change 0 sq. ft.
Impervious surface ratio existing 100 % of lot area
Impervious surface ratio proposed 100 % of lot area

BUILDING AREA/LOT

COVERAGE

Existing Building Footprint 2500 sq. ft.
Proposed Building Footprint 2500 sq. ft.
Proposed Building Footprint Net change 0 sq. ft.
Existing Total Building Floor Area 2500 sq. ft.
Proposed Total Building Floor Area 2500 sq. ft.
Proposed Building Floor Area Net Change 0 sq. ft.
New Building no (yes or no)
Building Area/Lot coverage existing 100 % of lot area
Building Area/Lot coverage proposed 100 % of lot area

ZONING

Existing
Proposed, if applicable

Centreville

LAND USE

Existing
Proposed

RESIDENTIAL, IF APPLICABLE

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

1
6
0

PARKING SPACES

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

No parking existing
No parking proposed
No parking required for historic structures

ESTIMATED COST OF PROJECT

\$600,000

DELEGATED REVIEW AUTHORITY CHECKLIST

SITE LOCATION OF DEVELOPMENT AND STORMWATER MANAGEMENT

Existing Impervious Area 2500 sq. ft.
Proposed Disturbed Area 0 sq. ft.
Proposed Impervious Area 2500 sq. ft.

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

TRAFFIC ESTIMATE

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

Total traffic estimated in the peak hour-proposed (Since July 1, 1997) n/a passenger car equivalents (PCE)

If the proposed increase in traffic exceeds 100 one-way trips in the peak hour a traffic movement permit will be required

Zoning Summary

1. Property is located in the Centreville zoning district.
2. Parcel Area: 0.0573921 acres / 2,500 square feet(sf).

Regulations	<u>Required/Allowed</u>	<u>Provided</u>
Min Lot Area	None /	<u>2,500</u>
Street Frontage	25' /	<u>25'</u>
Min Front Yard	none /	<u>0'</u>
Min Rear Yard	none /	<u>0'</u>
Min Side Yard	none /	<u>0'</u>
Max. Building Height	20' -150' /	<u>50'</u>
Use Designation	/	/
Parking Requirement	<u>not applicable (historic structure)</u>	
Total Parking:	<u>not applicable /</u>	
Overlay zoning districts (if any):	/ / /	
Urban impaired stream watershed?	<u>NO</u>	

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submission shall include payment of fee and fifteen (15) complete packets containing the following materials:

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

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

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

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

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

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

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

Signature of Applicant: 	Date: <u>2/7/19</u>
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WARRANTY DEED

CRAIG G. ROUSSEAU, of Lewiston, County of Androscoggin and State of Maine, for consideration paid, grants to **RUMOR PROPERTIES LLC**, a Maine limited liability company with its principal place of business in Lewiston, County of Androscoggin and State of Maine, with **WARRANTY COVENANTS**, a certain lot or parcel of land, with the buildings and improvements thereon, situated in Lewiston, County of Androscoggin and State of Maine, bounded and described as follows:

Beginning at the line of the Savings Bank Block, so-called, on the westerly side of Lisbon Street; thence southerly twenty-five (25) feet; thence westerly one hundred (100) feet on line of land now or formerly of A.W. Sturgis; thence northerly on Canal Alley twenty-five (25) feet; thence easterly one hundred (100) feet to the point of beginning.

Being the same premises conveyed to Craig G. Rousseau by deed of Normand R. Rousseau dated April 22, 2004 and to be recorded in the Androscoggin County Registry of Deeds in Book 5877, Page 232.

Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

This transfer is a conveyance for value and grantor acknowledges receipt of adequate and full consideration for the transfer.

WITNESS my hand and seal this 19th day of November, 2010.

WITNESS:

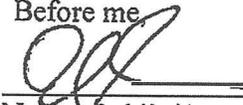



_____ **CRAIG G. ROUSSEAU**

STATE OF MAINE
ANDROSCOGGIN, SS

November 19, 2010

Personally appeared the above-named Craig G. Rousseau and acknowledged the foregoing instrument to be his free act and deed. Before me


_____ **Notary Public/Attorney at Law**
Print name: Paul R. Gosselin

ANDROSCOGGIN COUNTY
TINA H CHOUINARD
REGISTER OF DEEDS

MAINE REAL ESTATE
TRANSFER TAX PAID

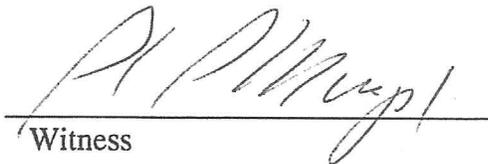
ASSIGNMENT OF MEMBERSHIP INTEREST

KEVIN MORISSETTE ("Assignor"), as the owner and holder of a Fifty Percent (50%) Membership Interest (the "Membership Interest," as hereafter defined) in and to Rumor Properties, LLC, a Maine limited liability company (the "Company"), for good and valuable consideration, does hereby assign, transfer, set over and convey to **GABRIELLE RUSSELL** ("Assignee"), of Lewiston, Maine, Assignor's entire Membership Interest in the Company, effective as of December 21, 2015.

For purposes hereof, the term "Membership Interest" means interest as a member in the Company, including but not limited to, (i) all the profits, losses, items in the nature of income, gain, credit, expense or loss, and the surplus and/or distributions allocable to the Assignor in respect of such interest; (ii) Assignor's rights, powers and benefits as a member of the Company in respect of such interest, including, without limitation, those set forth in the Operating Agreement dated September 28, 2010; and (iii) any other right, title and interest attributable to the Assignor under any other agreement relating to the Company, the Limited Liability Act of the State of Maine, or any other applicable law in respect of such interest.

Assignor warrants that he is the lawful owner of the Membership Interest, free and clear of all liens, pledges, or encumbrances.

IN WITNESS WHEREOF, the Assignor has executed this Assignment of Membership Interest on this 21st day of December, 2015.


Witness

ASSIGNOR:

Kevin Morissette

ACCEPTANCE OF ASSIGNMENT

Effective as of the effective date of the foregoing assignment, the Assignee hereby: (i) accepts the assignment set forth above; (ii) agrees to his substitution for Assignor as member of the Company in respect of the Membership Interest conveyed in such assignment; and (iii) assumes all of the duties, responsibilities and rights, and agrees to perform and discharge all of the obligations of the Assignor with respect to the Membership Interest hereby assigned.

IN WITNESS WHEREOF, the Assignee has executed this Acceptance of Assignment on this 21st day of December, 2015, effective as of December 21, 2015.


Witness

ASSIGNEE:

Gabrielle Russell

LIMITED LIABILITY COMPANY

STATE OF MAINE
CERTIFICATE OF AMENDMENT
(for a Maine LLC)

RUMOR PROPERTIES LLC

(Name of Limited Liability Company)

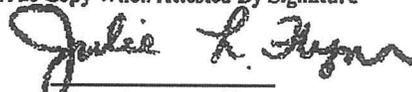
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File No. 20110827DC Pages 3
Fee Paid \$ 50
DCN 2153573600024 LNME
---FILED---
12/23/2015



Deputy Secretary of State

A True Copy When Attested By Signature



Deputy Secretary of State

Pursuant to 31 MRSA §1532, the undersigned limited liability company executes and delivers for filing this certificate of amendment:

FIRST: The name of the limited liability company has been changed to (if no change, so indicate)

Le Messenger LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "L.L.C.," "LLC," "L.C." or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c." - see 31 MRSA 1508)

SECOND: The date of filing of the initial certificate of formation: September 9, 2010
(date)

THIRD: Designation as a low profit LLC (Check only if applicable):

- This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:
- A. The company intends to qualify as a low-profit limited liability company;
 - B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
 - C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
 - D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor.

FOURTH: Designation as a professional limited liability company (Check only if applicable)

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

(type of professional services)

FIFTH: Complete only if there is a change to the registered agent information.

The Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number: P10202

Michael S. Malloy
(Name of commercial registered agent)

Noncommercial Registered Agent

(Name of noncommercial registered agent)

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

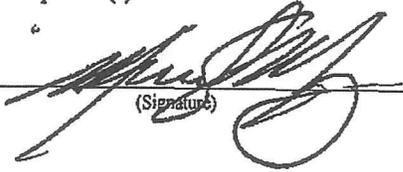
(mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §§105.2 or 108.3, the registered agent listed above has consented to serve as the registered agent for this limited liability company.

SEVENTH: Other changes this certificate of amendment makes to the certificate of formation as most recently amended or restated are set forth in Exhibit ____ attached and made a part hereof.

Dated December 2, 2015

**Authorized person(s)



(Signature)

Michael S. Malloy, Registered Agent

(Type or print name and capacity)

(Signature)

(Type or print name and capacity)

***Examples of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians. (This is not an inclusive list – see 13 MRSA §723.7)**

****Pursuant to 31 MRSA §1676.1, this Certificate of Amendment MUST be signed by a person authorized by the limited liability company.**

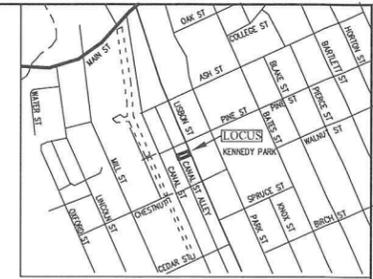
The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

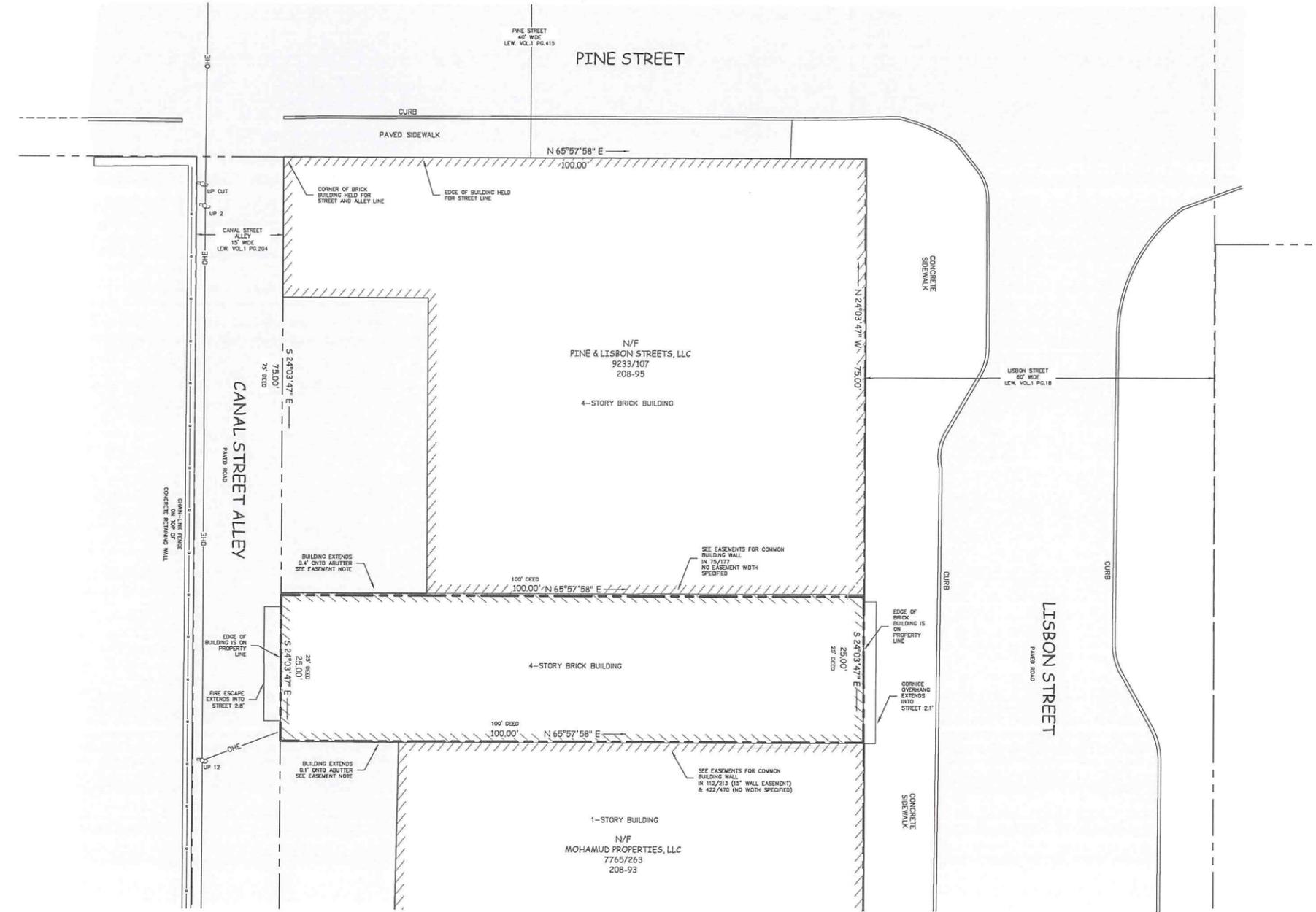
Submit completed form to:

**Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101
Telephone Inquiries: (207) 624-7752**

Email Inquiries: CEC.Corporations@Maine.gov



LOCATION PLAN



NOTES:

- RECORD OWNER: LE MESSENGER LLC
- PARCEL DEED REFERENCE: SEE DEED FROM CRAIG C. ROUSSEAU TO RUMOR PROPERTIES LLC DATED NOVEMBER 19, 2010, RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN BOOK 8060, PAGE 21. SEE ALSO CERTIFICATE OF AMENDMENT FOR A MAINE LLC FOR NAME CHANGE FROM RUMOR PROPERTIES LLC TO LE MESSENGER LLC RECORDED AT SAID REGISTRY OF DEEDS IN BOOK 9289, PAGE 140.
- ALL BOOK AND PAGE REFERENCES REFER TO THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS
- PARCEL TAX MAP REFERENCE: CITY OF AUBURN, MAP 208, LOT 84
- TOTAL AREA OF PARCEL 2500 SQUARE FEET.
- ALL BEARINGS ARE REFERENCED TO MAINE STATE PLANE NAD 83 GRID NORTH
- THE LOCATION, SIZE, AND DEPTH OF UNDERGROUND UTILITY LINES, TANKS, AND/OR STRUCTURES NOT DETERMINED BY THIS SURVEY.
- PLAN REFERENCES:
- ADOT RIGHT OF WAY MAP, STATE HIGHWAY "17", LEWISTON, ANDROSCOGGIN COUNTY, FEDERAL AID PROJECT NO. DP-017-(31), SHEET NO. 2 & SHEET NO. 3, D.O.T. FILE NO. 1-148.

APPROVAL

APPROVED BY THE CITY OF LEWISTON DEVELOPMENT REVIEW COMMITTEE

CHAIRMAN _____ DATE _____

THE PURPOSE OF THIS PLAN IS TO SECURE SUBDIVISION APPROVAL FOR THE EXISTING 4-STORY BUILDING LOCATED AT 223 LISBON STREET. THE PROPOSED SUBDIVISION IS AS FOLLOWS:

	EXISTING	PROPOSED
1ST. FLOOR	1-BUSINESS OFFICE UNIT	1-BUSINESS OFFICE UNIT
2ND. FLOOR	1-RESIDENTIAL UNIT	3-RESIDENTIAL UNITS
3RD. FLOOR	VACANT	2-RESIDENTIAL UNITS
4TH. FLOOR	VACANT	1-RESIDENTIAL UNITS

REVISIONS			
NO.	DATE	DESCRIPTION	BY

SUBDIVISION PLAN OF LAND OF
LE MESSENGER LLC
223 LISBON STREET
LEWISTON, MAINE

PREPARED BY:
JONES ASSOCIATES INC.
Professors, Surveyors And
Environmental Geologists
280 POLAND SPRING ROAD, AUBURN, MAINE 04210
(207) 541-0335

RECORD OWNERS:
LE MESSENGER LLC
C/O GABRIELLE RUSSELL
271 PARK STREET
LEWISTON, ME 04240

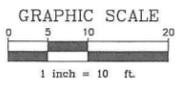
PLAN DATE:
DECEMBER 13, 2018

SCALE: 1" = 10'

PROJ. #: 18-096LE

LEGEND

---	SUBJECT BOUNDARY LINE
- - - -	ABUTTER OR RIGHT OF WAY LINE
N/F	NOW OR FORMERLY
000/000	DEED BOOK PAGE REFERENCE
000-000	TAX MAP AND LOT NUMBER
● IPF/RF/RBF	IRON PIPE/ROD/REBAR FOUND
○ CRBS	5/8" REBAR W/ CAP TO BE SET
⊕	UTILITY POLE



CERTIFICATION:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS TO THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, STANDARDS OF PRACTICE (CHAPTER 90, SECTIONS 1 & 2).
EXCEPTION: PINS COULD NOT BE SET DUE TO BOUNDARY CORNERS BEING LOCATED WITHIN THE BUILDING

Michael A. Hartman
MICHAEL A. HARTMAN, P.L.S. #2433
FOR JONES ASSOCIATES INC.

Androscoggin, ss. Registry of Deeds
Received _____ at _____ h. ____ m. ____ M
Recorded in Plan Book _____ Page _____
Attest _____
Registrar

