

**LEWISTON CITY COUNCIL AGENDA  
CITY COUNCIL CHAMBERS  
SEPTEMBER 17, 2019**

**6:00 p.m. Executive Session** – To discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

**6:30 p.m. Executive Session** – To discuss a personnel matter.

**6:45 p.m. Workshop** – Temporary Sign Request – Tree Street Neighborhood and Kennedy Park

**7:00 p.m. Regular Meeting**

Pledge of Allegiance to the Flag

Recognition of the All Star Little League Players

Acceptance of the minutes of the July 16 and August 13, 2019 meetings.

Public Comment period – Any member of the public may make comments regarding issues pertaining to Lewiston City Government (3 minutes per speaker; maximum time for all comments is 15 minutes)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 3.

**REGULAR BUSINESS:**

1. Public Hearing on applications for a new liquor license and special amusement permit for Live Entertainment for Sea 40, Inc., 40 East Avenue.
2. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Fast Breaks, 1465 Lisbon Street.
3. Public Hearing on an application from Dana's Garage, 193 Crowley Road, for an Automobile Graveyard/Junkyard permit.
4. Public Hearing on an application from Maine Heavy Equipment, 1445 Sabattus Street, for an Automobile Graveyard/Junkyard permit.
5. Public Hearing on an application from Grimmel's Industries, 50 River Road, for an Automobile Graveyard/Junkyard permit.
6. Public Hearing on an application from the Lewiston Public Works Department, 424-482 River Road, for an Automobile Graveyard/Junkyard permit.
7. Public Hearing on an application from ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway, for an Automobile Graveyard/Junkyard permit.
8. Ordinance Amending Chapter 54 of the Code of Ordinance – Parks and Recreation – Prohibiting the Use of Tobacco Products in City Parks, Playground, and Athletic Fields.
9. Ordinance, Amending Chapter 14, Animals, Article IX, Public Lands, Parks and Playgrounds: Control or Prohibition of Domestic Animals – Clarifying areas where Leashes are Required and Where Domestic Animals are Prohibited.
10. Ordinance, Adopting a New Chapter 18, Article VI to the Code of Ordinances – Registration Requirement for Multi-Family Buildings.
11. Public Hearing and Final Passage to contractually rezone the property at 183 Merrill Road Rear for Medium Density Residential District Bulk and Space Requirements for frontage and building height.

12. Public Hearing on Amendments to the General Assistance Policy for annual authorization of eligibility amounts.
13. Order, Authorizing the issuance of Refunding Bonds in a principal amount not to exceed \$3,830,000 for the purpose of refunding the City's Public Improvement Bonds Series A dated May 17, 2011, and to pay any redemption premiums thereon and costs of issuance.
14. Resolve, Adopting a Choice Neighborhood Transformation Plan for Downtown Lewiston: Growing Our Tree Streets
15. Resolve, Transferring Funding for the Adams Avenue Retaining Wall Project to a New Project to Replace the Sidewalks Around and Near City Hall.
16. Resolve, Appropriating \$110,000 from Available FY17 Bond Premium Funds to the Middle/Blake/Main/Oak Utility and the Second River Crossing Transmission Main Design Projects.
17. Order, Authorizing the City Administrator to Execute a Memorandum of Understanding Between Gendron Corp. and the City of Lewiston for Installation of New Water Line and Resurfacing of Memorial Avenue from Main Street to End of Existing Paving and Authorizing Funding for the City's Portion of this Work.
18. Reports and Updates – Notification of appointments to the Recycling and Waste Reduction Committee
19. Any other City Business Councilors or others may have relating to Lewiston City Government.
20. Executive Session to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.
21. Executive Session to discuss Disposition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

LEWISTON CITY COUNCIL  
WORKSHOP AGENDA  
TUESDAY, September 17, 2019  
6:00 PM

1. Executive Session – Economic Development – 30 minutes
2. Executive Session – Personnel Issue – 10 minutes
3. Temporary Sign Request – Tree Street Neighborhood and Kennedy Park

As a part of the Choice Neighborhood Effort, we have been approached with a request to install temporary signs in the public right of way and in Kennedy Park urging residents to help beautify the area. The signs would be in a variety of languages. Temporary signs are currently allowed in our right of way under both state law and city ordinance. Placing such signs in Kennedy Park, however, would require Council approval. Representatives of the area will be present to present this request and answer any questions you may have.

IMMEDIATELY FOLLOWING THE REGULAR SESSION

4. Executive Session – Land Acquisition
5. Executive Session – Land Disposition



## PUBLIC WORKS DEPARTMENT

Dale F. Doughty, Director

11 September 2019

TO: Ed Barrett, City Administrator

Re: Positive Signage Proposal for the Tree Street Area of Lewiston

This memo is intended to introduce a proposal by New Mainers Thrive for multilingual positive signage in the Tree Street and Kennedy Park areas of the City. Earlier this summer Christelle Kasongo approached the Public Works Director and the Assistant City Administrator about this project. We discussed some initial concerns and provided some advice on design, installation and maintenance of the proposed signs. New Mainer's Thrive was very responsive to the advice and have modified their project accordingly. Ms. Kasongo sent us responses to all our questions in writing.

These signs will provide messages to encourage people to take pride in their community and promote community stewardship. Messages such as "Keep Me Clean and Beautiful" presented in 6 languages will be the type of themes. The signs will be 18"x24" plastic or cardboard signs mounted wire mounts. The signs will be located on private property (with permission), within street right of ways and in parks (if approved by City Council). New Mainers Thrive will be responsible for the installation and maintenance of all signs. Public Works will assist New Mainers Thrive by providing guidance on the location of these signs on public property to maximize safety and so that they do not interfere with operation of these public facilities.

All signs placed in the right of way or on City property will conform to APPENDIX A – ZONING AND LAND USE CODE ARTICLE XII. PERFORMANCE STANDARDS Sec 16, Signs.

If signs are damaged or vandalized Public Works will contact New Mainers Thrive and they will remove them or replace them.

Signs on private property and in the right of ways are permitted by the ordinance cited above. However, signs placed in City Parks or City Property require City Council approval. As this effort may help in reducing litter and vandalism of City property and promote community pride, all improving the City's image, Public Works recommends that the Council support this effort.

A handwritten signature in blue ink, appearing to read "Dale Doughty".

Dale Doughty, C. G.  
Director of Public Works  
City of Lewiston

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6:00pm

**SUBJECT:**

Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

**INFORMATION:**

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

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

State statutes define the purposes for entering into an executive session.

*ERB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405 (6) (c) to discuss an Economic Development issue of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 17, 2019**

**AGENDA INFORMATION SHEET:**                      **AGENDA ITEM NO. 6:30pm**

**SUBJECT:**

Executive Session pursuant to MRSA Title 1, section 405(6)(A) to discuss a personnel matter.

**INFORMATION:**

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

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

Entering into executive session is permitted and defined under Maine State Statutes.

*EAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To enter into an Executive Session pursuant to MRSA Title 1, section 405(6)(A) to discuss a personnel matter.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 17, 2019**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 1**

**SUBJECT:**

Public Hearing on applications for a new liquor license and special amusement permit for Live Entertainment for Sea 40, Inc., 40 East Avenue.

**INFORMATION:**

We have received applications for a new liquor license and special amusement permit for Live Entertainment from Sea 40, Inc., 40 East Avenue. This liquor license application is for malt, vinous and spirituous.

The Police Department has reviewed and approved the application.

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

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EPB/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for Sea 40, Inc., 40 East Avenue.

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

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/>	

PRESENT LICENSE EXPIRES: \_\_\_\_\_

NEW application:  Yes  No

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

Requested inspection (New Licensees/ Ownership Changes Only) Date: \_\_\_\_\_ Business hours: 10:00 A.M - 11:00 P.M.

INDICATE TYPE OF PRIVILEGE:  MALT  VINOUS  SPIRITUOUS

INDICATE TYPE OF LICENSE:

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

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Sea40 Inc.</u>			Business Name (D/B/A) <u>Sea40 Japanese Cuisine</u>		
APPLICANT(S) - (Sole Proprietor) <u>Yan Yun Cao</u>		DOB: <u>7/15/1983</u>	Physical Location:		
		DOB:	City/Town	State	Zip Code
Address <u>24 Webster Street.</u>			Mailing Address <u>40 East AVE #Sea40</u>		
City/Town	State	Zip Code	City/Town	State	Zip Code
<u>Lewiston</u>	<u>ME</u>	<u>04240</u>	<u>Lewiston</u>	<u>ME</u>	<u>04240</u>
Telephone Number		Fax Number	Business Telephone Number		Fax Number
			<u>207-795-6888</u>		<u>207-795-6880</u>
Federal I.D. # <u>84-250-6900</u>			Seller Certificate #: or Sales Tax #:		
Email Address: Please Print			Website: <u>www.sea4ome.com</u>		

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: \_\_\_\_\_

2. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_

3. Is applicant a corporation, limited liability company or limited partnership? YES  NO

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

4. Do you permit dancing or entertainment on the licensed premises? YES  NO

5. Do you own or have any interest in any another Maine Liquor License?  Yes  No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # \_\_\_\_\_ Name of Business \_\_\_\_\_  
Physical Location \_\_\_\_\_ City / Town \_\_\_\_\_

6. If manager is to be employed, give name: \_\_\_\_\_

7. Business records are located at: \_\_\_\_\_

8. Is/are applicant(s) citizens of the United States? YES  NO

9. Is/are applicant(s) residents of the State of Maine? YES  NO

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
YAN YUN CAO	07/15/1983	China

11. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: _____	City: _____	State: _____
Name: _____	City: _____	State: _____
Name: _____	City: _____	State: _____

12. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States?

YES  NO

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_

Disposition: \_\_\_\_\_ (use additional sheet(s) if necessary)

13. Will any law enforcement official benefit directly in your license, if issued?

Yes  No  If Yes, give name: \_\_\_\_\_

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

15. Does/do applicant(s) own the premises? Yes  No  If No give name and address of owner: \_\_\_\_\_

16. Describe in detail the premises to be licensed: (On Premise Diagram Required) \_\_\_\_\_  
Restaurant

17. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES  NO  Applied for: \_\_\_\_\_

18. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? \_\_\_\_\_

Which of the above is nearest? \_\_\_\_\_

19. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES  NO

If YES, give details: \_\_\_\_\_

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

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

Dated at: Lewiston on Aug 29, 20 19  
Town/City, State Date

Please sign in blue ink

Yan Yun Cao  
Signature of Applicant or Corporate Officer(s)  
YAN YUN CAO  
Print Name

\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)  
\_\_\_\_\_  
Print Name

FEE SCHEDULE

<b>FILING FEE: (must be included on all applications)</b> .....	\$ 10.00
<b>Class I</b> Spirituous, Vinous and Malt .....	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
<b>Class I-A</b> Spirituous, Vinous and Malt, Optional Food (Hotels Only) .....	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
<b>Class II</b> Spirituous Only .....	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
<b>Class III</b> Vinous Only .....	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class IV</b> Malt Liquor Only .....	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns;	
<b>Class III &amp; IV</b> Malt & Vinous Only .....	\$ 440.00
CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class V</b> Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) .....	\$ 495.00
CLASS V: Clubs without catering privileges.	
<b>Class X</b> Spirituous, Vinous and Malt – Class A Lounge .....	\$2,200.00
CLASS X: Class A Lounge	
<b>Class XI</b> Spirituous, Vinous and Malt – Restaurant Lounge .....	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	



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

For Office  
License #: \_\_\_\_\_  
SOS Checked  
100% Yes

Corporate Information Required for  
Business Entities Who Are Licensees

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

Please clearly complete this form in its entirety.

- Exact legal name: \_\_\_\_\_
- Doing Business As, if any: Sea40 Znc.
- Date of filing with Secretary of State: July 18, 2019 State in which you are formed: MAINE
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: \_\_\_\_\_
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
YAN YUN CAO	24 Webster Street. Lewiston ME 04240	7/15/1988	owner	100

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

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

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?  Yes  No

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

Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_

Location of Conviction: \_\_\_\_\_

Disposition: \_\_\_\_\_

Signature:

\_\_\_\_\_  
Signature of Owner or Corporate Officer

\_\_\_\_\_  
Date

YAN YUN CAO  
Print Name of Owner or Corporate Officer

Submit Completed Forms to:

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

(E)  
CITY OF LEWISTON  
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

Date of Application: Aug 29 2019

Expiration Date: \_\_\_\_\_

- Class A - \$125.00 - restaurants with entertainment, which does not have dancing
- Class B - \$125.00 - lounges/bars with entertainment, which does not have dancing
- Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
- Class D - \$150.00 - function halls with entertainment, including dancing
- Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
- Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months?  Yes  No

\*\*\*PLEASE PRINT\*\*\*

Business Name: SEA40 INC. Business Phone: 207 795 6888

Location Address: 40 East Ave #SEA40 Lewiston ME 04240

(If new business, what was formerly in this location: SEA ASIAN Bistro.)

Mailing Address: 40 East Ave #SEA40 Lewiston ME 04240.

Email address: sea4ome@email.com

Contact Person: Franki Tam. Phone: 207 795 6888

Owner of Business: YAN YUN CAO Date of Birth: 07/15/1983.

Address of Owner: 24 Websler Street. Lewiston ME 04240

Manager of Establishment: Franki Tam. Date of Birth: 11/25/1977

Owner of Premises (landlord): Zi Qin Zhang

Address of Premises Owner: 36 Pine land street Lewiston ME 04240-

Does the issuance of this license directly or indirectly benefit any City employee(s)?  Yes  No

If yes, list the name(s) of employee(s) and department(s): \_\_\_\_\_

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston?  Yes  No If yes, please list business name(s) and location(s): \_\_\_\_\_

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? \_\_\_ Yes X No If yes, please explain: \_\_\_\_\_

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: SEAFO Inc.

Corporation Mailing Address: 40 Best Ave # SEAFO Lewiston ME 04240

Contact Person: Franki Tan Phone: 207 795 6888

Do you permit dancing on premises? \_\_\_ Yes X No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? \_\_\_ Yes X No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? \_\_\_\_\_

Please describe the type of proposed entertainment:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> dancing                      | <input checked="" type="checkbox"/> stand up comedian | <input checked="" type="checkbox"/> piano player  |
| <input checked="" type="checkbox"/> music by DJ       | <input checked="" type="checkbox"/> karaoke           | <input type="checkbox"/> other, please list _____ |
| <input checked="" type="checkbox"/> live band/singers | <input checked="" type="checkbox"/> magician          | <input type="checkbox"/> other, please list _____ |

If new applicant, what is your opening date?: \_\_\_\_\_

\*\*\*\*\*

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

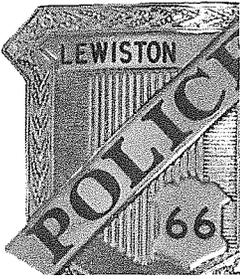
I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: Manager Date: 8/29/2019

Printed Name: Chi Wai Tan

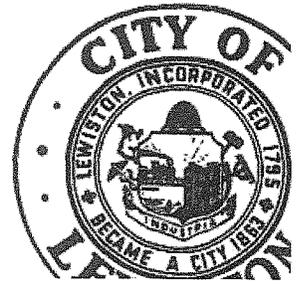
\*\*\*\*\*

Hearing Date: 9-17-19



## *POLICE DEPARTMENT*

Brian O'Malley  
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: September 04, 2019

RE: Liquor License/Special Amusement Permit – **Sea 40 Japanese Cuisine**

\*\*\*New Owner\*\*\*

Yan Yun Cao, 07-15-83

We have reviewed the Liquor License/Special Amusement Permit Application and have no objections to the following establishment:

**Sea 40 Japanese Cuisine**  
**40 East Ave, Lewiston, Maine**



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007  
[www.lewistonpd.org](http://www.lewistonpd.org)



*Professionalism*

*Integrity*

*Compassion*

*Dedication*

*Pride*

*Dependability*

**CITY OF LEWISTON  
PUBLIC NOTICE**

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on ***Tuesday, September 17, 2019, at 7:00 p.m.***, or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Sea 40 Japanese Cuisine  
40 East Avenue  
Yan Yun Cao, owner

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

***PUBLISH ON: September 11, 12, & 13, 2019***

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

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 2**

**SUBJECT:**

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Fast Breaks, 1465 Lisbon Street.

**INFORMATION:**

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Fast Breaks, 1465 Lisbon Street.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

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

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*ERB/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Fast Breaks, 1465 Lisbon Street.



Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law?      Yes    No    If yes, please explain: \_\_\_\_\_

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Lela Richard 11-14-63 LISBON FALLS ME

Corporation Name: First Break Inc.

Corporation Mailing Address: 1468 Lisbon St Lewist ME 04240

Contact Person: Lela Richard Phone: 782-3305

Do you permit dancing on premises?      Yes    No    (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM?      Yes    No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 300 ft

Please describe the type of proposed entertainment:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> dancing                      | <input type="checkbox"/> stand up comedian | <input type="checkbox"/> piano player             |
| <input type="checkbox"/> music by DJ                  | <input type="checkbox"/> karaoke           | <input type="checkbox"/> other, please list _____ |
| <input checked="" type="checkbox"/> live band/singers | <input type="checkbox"/> magician          | <input type="checkbox"/> other, please list _____ |

If new applicant, what is your opening date?: \_\_\_\_\_

\*\*\*\*\*

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: owner Date: 9-10-19

Printed Name: Lela Richard

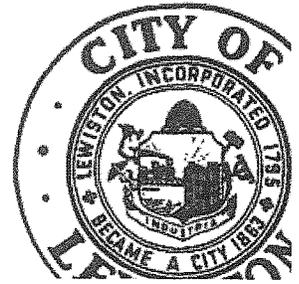
\*\*\*\*\*

Hearing Date: 9-17-19



## *POLICE DEPARTMENT*

Brian O'Malley  
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. David St.Pierre, Support Services

DT: August, 20, 2019

RE: Liquor License– **Fast Breaks**

We have reviewed the Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

**Fast Breaks**  
1465 Lisbon St, Lewiston, Maine



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007  
[www.lewistonpd.org](http://www.lewistonpd.org)



*Professionalism*

*Integrity*

*Compassion*

*Dedication*

*Pride*

*Dependability*

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 3**

**SUBJECT:**

Public Hearing on an application from Dana's Garage, 193 Crowley Road, for an Automobile Graveyard/Junkyard permit.

**INFORMATION:**

Dana's Garage, 193 Crowley Road, is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EAB/KMM*

<b>REQUESTED ACTION:</b>	1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to Dana's Garage, 193 Crowley Road, subject to the condition that no more than 1,000 tires may be stored on the property.

**CITY OF LEWISTON  
RENEWAL APPLICATION  
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: 9-6-2019

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2020

PUBLIC HEARING DATE: SEPTEMBER 17, 2019

NAME OF BUSINESS DANA'S GARAGE

BUSINESS ADDRESS 193 CROWLEY ROAD

CITY/STATE LEWISTON, ME 04240

BUSINESS TELEPHONE 207-782-0777

NAME OF OWNER(S) NORMAN TALBERT

CONTACT PERSON/GENERAL MANAGER SAME

HOME ADDRESS 199 CROWLEY ROAD

CITY/STATE LEWISTON, ME 04240

HOME TELEPHONE 207-7821143

**CITY & STATE REGULATIONS**

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard 193 CROWLEY ROAD  
LEWISTON, ME 04240  
(Street address)

How is yard "screened" - Fence? (Type) \_\_\_\_\_ Height? \_\_\_\_\_

Trees? (Type) PINE, SPRUCE, HARD WOOD Embankment? \_\_\_\_\_

Gully? \_\_\_\_\_ Hill?  Other? \_\_\_\_\_

How far is edge of "yard" from center of highway? 250 YARD

Can junk be seen from any part of highway? Yes \_\_\_\_\_ No

Was junkyard law, requirements and fees explained to you?

Yes ✓ No \_\_\_\_\_

When was last permit issued? 2018

To whom? NORMAN JALBERT

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

TIRES DISPOSE BY, FUEL TANK & BATTERIES GAINMEL'S

FLUIDS. FLUID DISPOSE FOR WASTE OIL FURNACE

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY Norman Jalbert

FOR DANA'S GARAGE INDIVIDUAL  
(Name of Company, corporation, partnership or individual)



## FIRE DEPARTMENT

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**Brian D. Stockdale, Fire Chief**  
**Mark E. Caron, Assistant Chief**

Friday, September 6, 2019

Kelly Brooks  
Deputy City Clerk  
City Clerk's Office  
27 Pine St  
Lewiston, ME 04240

**RE: 193 Crowley Rd, Dana's Garage**

Dear Kelly,

I have no issues or concerns at this time regarding Dana's Garage, located at 193 Crowley Rd, which prohibits the issuance of their 2019 Auto Graveyard/ Junkyard License.

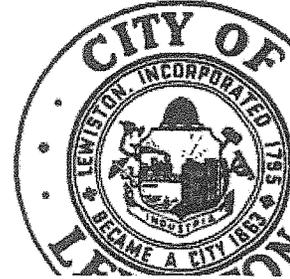
Respectfully,

Ryan Coleman  
Certified Fire Inspector / Fire Investigation Technician  
Lewiston Fire Department  
Fire Prevention Bureau



***POLICE DEPARTMENT***

Brian T. O'Malley  
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk  
FROM: Lt. David St.Pierre, Lewiston PD  
REF: Automobile Graveyard/Junkyard Permits (Renewals)  
DATED: September 05, 2019

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

**Dana's Garage, 193 Crowley Road**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO:** City Clerks  
**FROM:** Steve LeBrun, Code Enforcement Officer  
**SUBJECT:** Automobile Graveyard/Junkyard Permits  
**DATE:** September 4, 2019

Planning and Code Enforcement staff recommends the license renewal be granted for Dana's Garage-193 Crowley Road.

PUBLIC NOTICE

CITY OF LEWISTON

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 17, 2019*, in the Council Chambers, City Hall, at 7:00pm or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

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

**PUBLISH ON: Monday, September 9, 2019**

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 4**

**SUBJECT:**

Public Hearing on an application from Maine Heavy Equipment, 1445 Sabattus Street, for an Automobile Graveyard/Junkyard permit.

**INFORMATION:**

Maine Heavy Equipment, 1445 Sabattus Street are requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EPIS/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to Maine Heavy Equipment, 1445 Sabattus Street.

**CITY OF LEWISTON  
RENEWAL APPLICATION  
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: 8/21/2019

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2020

PUBLIC HEARING DATE: SEPTEMBER 17, 2019

NAME OF BUSINESS Maine Heavy Equipment

BUSINESS ADDRESS 20 Highland Spring Rd. Lewiston

CITY/STATE Lewiston Maine

BUSINESS TELEPHONE 207-784-7944

NAME OF OWNER(S) Gary St. Laurent

CONTACT PERSON/GENERAL MANAGER Gary St. Laurent

HOME ADDRESS 18 Woodman Lane

CITY/STATE Morrmouth, ME 04259

HOME TELEPHONE \_\_\_\_\_

**CITY & STATE REGULATIONS**

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard 1445 Sabattus St.

Lewiston ME  
(Street address)

How is yard "screened" - Fence? (Type) \_\_\_\_\_ Height? \_\_\_\_\_

Trees? (Type) Pine trees Embankment? \_\_\_\_\_

Gully? \_\_\_\_\_ Hill? \_\_\_\_\_ Other? \_\_\_\_\_

How far is edge of "yard" from center of highway? 500 feet

Can junk be seen from any part of highway? Yes \_\_\_\_\_ No X

Was junkyard law, requirements and fees explained to you?

Yes   X   No \_\_\_\_\_

When was last permit issued?   9/30/2018  

To whom?   Maine Heavy Equipment  

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

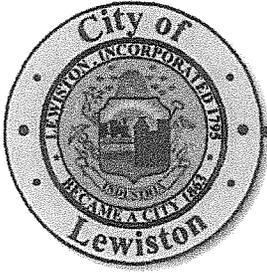
  Area is not currently used to store any of these.    
\_\_\_\_\_  
\_\_\_\_\_

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY   [Signature]  

FOR   Maine Heavy Equipment    
(Name of Company, corporation, partnership or individual)



## FIRE DEPARTMENT

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**Brian D. Stockdale, Fire Chief**  
**Mark E. Caron, Assistant Chief**

Friday, September 6, 2019

Kelly Brooks  
Deputy City Clerk  
City Clerk's Office  
27 Pine St  
Lewiston, ME 04240

**RE: 1445 Sabattus Rd, Maine Heavy Equipment**

Dear Kelly,

I have no issues or concerns at this time regarding, Maine Heavy Equipment's, property located at 1445 Sabattus St, which prohibits the issuance of their 2019 Auto Graveyard / Junkyard License.

Respectfully,

Ryan Coleman  
Certified Fire Inspector / Fire Investigation Technician  
Lewiston Fire Department  
Fire Prevention Bureau



***POLICE DEPARTMENT***

Brian T. O'Malley  
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk  
FROM: Lt. David St.Pierre, Lewiston PD  
REF: Automobile Graveyard/Junkyard Permits (Renewals)  
DATED: September 05, 2019

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

**Maine Heavy Equipment, 1445 Sabattus Street**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO:** City Clerks  
**FROM:** Steve LeBrun, Code Enforcement Officer  
**SUBJECT:** Automobile Graveyard/Junkyard Permits  
**DATE:** September 4, 2019

Planning and Code Enforcement staff recommends the license renewal be granted for **Maine Heavy Equipment-1445 Sabattus Street.**

PUBLIC NOTICE

CITY OF LEWISTON

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 17, 2019*, in the Council Chambers, City Hall, at 7:00pm or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

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

**PUBLISH ON: Monday, September 9, 2019**

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 5**

**SUBJECT:**

Public Hearing on an application from Grimmel's Industries, 50 River Road, for an Automobile Graveyard/Junkyard permit.

**INFORMATION:**

Grimmel's Industries, 50 River Road is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EPB/KMM*

**REQUESTED ACTION:**

	1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to Grimmel's Industries, 50 River Road, subject to the following conditions:

1. The hours of operation shall be limited to 7:00 a.m. to 5:00 p.m., Monday through Saturday.
2. Maintain screening from the Maine Turnpike.

**CITY OF LEWISTON  
RENEWAL APPLICATION  
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: 9-6-2019

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2020

PUBLIC HEARING DATE: SEPTEMBER 17, 2019

NAME OF BUSINESS Grinnell Industries

BUSINESS ADDRESS 50 River Rd.

CITY/STATE Lewiston, Me. 04240

BUSINESS TELEPHONE 784-6754

NAME OF OWNER(S) Gary + Betty Grinnell

CONTACT PERSON/GENERAL MANAGER Cory Grinnell

HOME ADDRESS 520 North Park Rd.

CITY/STATE Turner Me. 04252

HOME TELEPHONE 207-713-4262

**CITY & STATE REGULATIONS**

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard 50 River Rd.

Lewiston, Me. 04240  
(Street address)

How is yard "screened" - Fence? (Type) Chainlink Height? 8 feet + 10 feet

Trees? (Type) Pine Embankment? yes

Gully? \_\_\_\_\_ Hill? \_\_\_\_\_ Other? Burn on Turnpike side

How far is edge of "yard" from center of highway? No change

Can junk be seen from any part of highway? Yes winter Only No \_\_\_\_\_

Was junkyard law, requirements and fees explained to you?

Yes X No \_\_\_\_\_

When was last permit issued? September 2018

To whom? General Industries

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

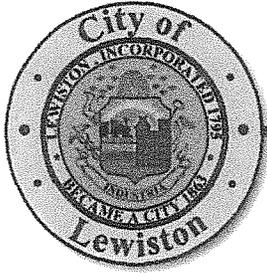
We do not take any fluids whatsoever. Batteries are palletized and shipped to a recycler out of state. Tires are skidded to the vehicle and shipped offsite to be shredded (we don't take tires otherwise)

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY [Signature]

FOR General Industries  
(Name of Company, corporation, partnership or individual)



## FIRE DEPARTMENT

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**Brian D. Stockdale, Fire Chief**  
**Mark E. Caron, Assistant Chief**

Monday, September 9, 2019

Kelly Brooks  
Deputy City Clerk  
City Clerk's Office  
27 Pine St  
Lewiston, ME 04240

**RE: 38 Alfred Plourde Pkwy, ReEnergy Lewiston, LLC**

Dear Kelly,

I have no issues or concerns at this time regarding, ReEnergy Lewiston located at 38 Alfred Plourde Pkwy, which prohibits the issuance of their business license.

Respectfully,

Ryan Coleman  
Certified Fire Inspector / Fire Investigation Technician  
Lewiston Fire Department  
Fire Prevention Bureau



***POLICE DEPARTMENT***

Brian T. O'Malley  
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk  
FROM: Lt. David St.Pierre, Lewiston PD  
REF: Automobile Graveyard/Junkyard Permits (Renewals)  
DATED: September 05, 2019

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

**Grimmel's industries, 50 River Road**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO:** City Clerks  
**FROM:** Steve LeBrun, Code Enforcement Officer  
**SUBJECT:** Automobile Graveyard/Junkyard Permits  
**DATE:** September 4, 2019

Planning and Code Enforcement staff recommends the license renewal be granted for **Grimmel's Industry – 50 River Road.**

**PUBLIC NOTICE**

**CITY OF LEWISTON**

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 17, 2019*, in the Council Chambers, City Hall, at 7:00pm or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

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

**PUBLISH ON: Monday, September 9, 2019**

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 6**

**SUBJECT:**

Public Hearing on an application from the Lewiston Public Works Department, 424-482 River Road, for an Automobile Graveyard/Junkyard permit.

**INFORMATION:**

Lewiston Public Works Department, 424-482 River Road, is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EMB/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to the Lewiston Public Works Department, 424-482 River Road.

**CITY OF LEWISTON  
RENEWAL APPLICATION  
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: August 22, 2019

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2020

PUBLIC HEARING DATE: SEPTEMBER 17, 2019

NAME OF BUSINESS City of Lewiston - Public Works

BUSINESS ADDRESS 424 River Rd.

CITY/STATE Lewiston, Maine

BUSINESS TELEPHONE 513-3006

NAME OF OWNER(S) Dale F. Dougherty, C.G.  
Dir. Public Works

CONTACT PERSON/GENERAL MANAGER Rob Stalford - Superintendent

HOME ADDRESS 103 Adams Ave.

CITY/STATE Lewiston, Maine

HOME TELEPHONE 513-3006

**CITY & STATE REGULATIONS**

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard City of Lewiston  
Solid Waste Facility, 424 River Rd.  
(Street address)

How is yard "screened" - Fence? (Type) Chain Link w/ slats Height? 10'

Trees? (Type) White Pine Spruce Embankment? 8' Earthen Berm

Gully? \_\_\_\_\_ Hill? \_\_\_\_\_ Other? Building

How far is edge of "yard" from center of highway? 480 LF

Can junk be seen from any part of highway? Yes \_\_\_\_\_ No X

Was junkyard law, requirements and fees explained to you?

Yes X No \_\_\_\_\_

When was last permit issued? 10-1-2018

To whom? \_\_\_\_\_

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

Tire - Recycled, Batteries - Recycled, Engine  
Lubricant - Recycled, Engine Coolant - Recycled  
Other waste items are not accepted.

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY Robert Stafford 

FOR City of Lewiston - DPW  
(Name of Company, corporation, partnership or individual)



## FIRE DEPARTMENT

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**Brian D. Stockdale, Fire Chief**  
**Mark E. Caron, Assistant Chief**

Friday, September 6, 2019

Kelly Brooks  
Deputy City Clerk  
City Clerk's Office  
27 Pine St  
Lewiston, ME 04240

**RE: 424 River Rd, Lewiston Public Works- Solid Waste Facility**

Dear Kelly,

I have no issues or concerns at this time regarding, the Lewiston Public Works- Solid Waste facility, located at 424 River Rd, which prohibits the issuance of their 2019 Auto Graveyard/ Junkyard License.

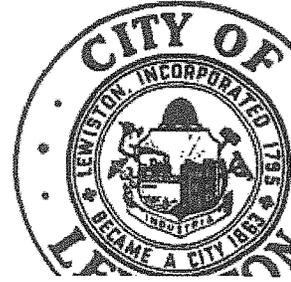
Respectfully,

Ryan Coleman  
Certified Fire Inspector / Fire Investigation Technician  
Lewiston Fire Department  
Fire Prevention Bureau



***POLICE DEPARTMENT***

Brian T. O'Malley  
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk  
FROM: Lt David St. Pierre, Lewiston PD  
REF: Automobile Graveyard/Junkyard Permits (Renewals)  
DATED: September 05, 2019

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

**City of Lewiston, Public Works Dept., 424-482 River Road**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO:** City Clerks  
**FROM:** Steve LeBrun, Code Enforcement Officer  
**SUBJECT:** Automobile Graveyard/Junkyard Permits  
**DATE:** September 4, 2019

Planning and Code Enforcement staff recommends the license renewal be granted for  
**Public Works Department-424-482 River Road.**

**PUBLIC NOTICE**  
**CITY OF LEWISTON**

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 17, 2019*, in the Council Chambers, City Hall, at 7:00pm or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

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

**PUBLISH ON: Monday, September 9, 2019**

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 7**

**SUBJECT:**

Public Hearing on an application from ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway for an Automobile Graveyard/Junkyard permit.

**INFORMATION:**

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EPB/KMM*

<b>REQUESTED ACTION:</b>	1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway, subject to the attached conditions.

**ReEnergy Lewiston, LLC**  
(10-1-2019 through 9-30-2020)

1. Permit is granted for storage of construction and demolition debris (CDD), wood waste (includes demolition debris) and oversized bulky waste (OBW). CDD and OBW will consist of wood waste, sheetrock, insulation, metal, wire, aggregate products, dirt, sand, furniture, rugs, plastics, roofing materials, cardboard and any other large burnable household goods. Unacceptable materials are units containing CFC's, universal waste, municipal solid waste (MSW), hazardous materials, asbestos, and medical waste.
2. All wood waste and OBW which is to be placed in storage shall be piled no higher than 30'.
3. The width and length of the piles will be sized as indicated on the plan view of the back yard, but shall be no wider than 90' and no longer than 150'.
4. There shall be no more than nine (9) piles of wood waste and OBW at any time. OBW will not exceed two (2) piles.
5. Access rows or fire lanes shall be maintained between piles with a minimum distance of 30' between piles.
6. The main entrance roadway must be kept at a minimum of 24' of travel way at all times.
7. An additional access road or fire lane shall be maintained from Alfred A. Plourde Parkway at a minimum width of 20' to the storage area at all times.
8. All roads and fire lanes on the facility shall be of all weather surface adequately constructed to support fire apparatus likely to be operated on site at all times.
9. All storage pile locations shall be properly identified by the placement of a pole at the corner of the pile. A mark shall be placed at a height of 30' on the pole.
10. The site shall be designated no smoking throughout except office areas and control room. A no smoking sign shall be placed at the entrance to the facility.
11. Training of employees shall be provided on the use of fire protection equipment and fire reporting procedures on an annual basis.
12. ReEnergy Lewiston, LLC shall conduct a self-inspection of their activities and inspections shall be conducted on a weekly basis. Records of inspections shall be kept on site for Fire Prevention Bureau review when requested.
13. Pine trees shall be planted along the perimeter to provide a buffer and dead and/or missing trees shall be replaced promptly.
14. That the processing of pressure treated wood be done in full compliance with the EPA & DEP regulations.
15. An effective visual screen at least six feet in height shall be located and maintained around all sides of the area where junk is located such that these areas are entirely screened from ordinary view from all directly abutting properties and public ways at all times. The existing 'wood and pole' fence that was adjacent to 32 Plourde Parkway will be replaced with a 'screen-mesh and pole' fence of similar length and height. This new fence shall be properly maintained at all times, including the replacement of the 'screen-mesh and pole' should the material degrade such that an effective visual screen is no longer provided. Given that the proposed screening material represents a non-standard design with limited history on its performance, the City reserves the right to evaluate the screening integrity of the fence bi-annually and if it is determined that it no longer meets the requirements of the City Code of Ordinances, Article XII, Section 22-75(c) (1) and (2) and MRSA Title 30-A §3754-A it will need to be replaced.

CITY OF LEWISTON  
RENEWAL APPLICATION  
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT

DATE OF APPLICATION: 9-4-19

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2020

PUBLIC HEARING DATE: SEPTEMBER 17, 2019

NAME OF BUSINESS ReEnergy Lewiston LLC

BUSINESS ADDRESS 38 Alfred A. Plourde Parkway

CITY/STATE Lewiston, ME 04240

BUSINESS TELEPHONE (207) 783-2941

NAME OF OWNER(S) ReEnergy Lewiston LLC

CONTACT PERSON/GENERAL MANAGER David McCutcheon

HOME ADDRESS 39 Field Ave

CITY/STATE Auburn, ME 04210

HOME TELEPHONE (207) 520-8234

CITY & STATE REGULATIONS

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760,  
and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard \_\_\_\_\_

38 Alfred A. Plourde Parkway

(Street address)

How is yard "screened" - Fence? (Type) Screen & Poles Height? 15 Feet

Trees? (Type) White Pines Embankment? Earth Berm

Gully? \_\_\_\_\_ Hill? \_\_\_\_\_ Other? \_\_\_\_\_

How far is edge of "yard" from center of highway? 300 Feet

Can junk be seen from any part of highway? Yes  No

Was junkyard law, requirements and fees explained to you?

Yes     X     No                     

When was last permit issued?     9-30-18    

To whom?     ReEnergy Lewiston LLC    

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

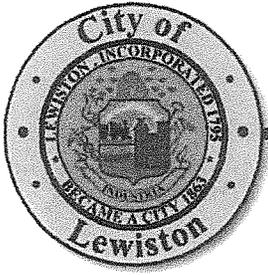
    Applicant is a construction and demolition (C&D) wood processing / recycling facility and does not solicit or accept the materials listed above. It is the applicants intent to operate the facility in a manner consistent with the current license with exception of one additional condition. See attached addendum.    

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY     David McCutcheon    

FOR     RE Energy Lewiston, LLC      
(Name of Company, corporation, partnership or individual)



## FIRE DEPARTMENT

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**Brian D. Stockdale, Fire Chief**  
**Mark E. Caron, Assistant Chief**

Friday, September 6, 2019

Kelly Brooks  
Deputy City Clerk  
City Clerk's Office  
27 Pine St  
Lewiston, ME 04240

**RE: 50 River Rd, Grimmell's Industries**

Dear Kelly,

I have no issues or concerns at this time regarding Grimmell's Industries, located at 50 River Rd, which prohibits the issuance of their 2019 Auto Graveyard / Junkyard License.

Respectfully,

Ryan Coleman  
Certified Fire Inspector / Fire Investigation Technician  
Lewiston Fire Department  
Fire Prevention Bureau



***POLICE DEPARTMENT***

Brian T. O'Malley  
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk  
FROM: Lt. David St.Pierre, Lewiston PD  
REF: Automobile Graveyard/Junkyard Permits (Renewals)  
DATED: September 05, 2019

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

**Re-Energy Lewiston LLC. 38 Alfred A. Plourde Pkwy**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO:** City Clerks  
**FROM:** Steve LeBrun, Code Enforcement Officer  
**SUBJECT:** Automobile Graveyard/Junkyard Permits  
**DATE:** September 4, 2019

Planning and Code Enforcement staff recommends the license renewal be granted for **ReEnergy Lewiston. – 38 Alfred A Plourde Parkway.**

**PUBLIC NOTICE**

**CITY OF LEWISTON**

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 17, 2019*, in the Council Chambers, City Hall, at 7:00pm or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

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

**PUBLISH ON: Monday, September 9, 2019**

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 17, 2019**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 8**

**SUBJECT:** Ordinance, Amending Chapter 54 of the Code of Ordinances – Parks and Recreation – Prohibiting the Use of Tobacco Products in City Parks, Playgrounds, and Athletic Fields.

**INFORMATION:**

The Council recently held a workshop at which extending the no smoking prohibition to Dufresne Plaza was discussed. At that time, the Council indicated a desire to designate all city parks and recreational facilities no smoking areas. A revised ordinance to that effect is attached. The proposed amendment also updates the list of City parks, playgrounds, and athletic fields found in this Chapter.

Recently, the City Council also adopted a fine schedule for violating the no smoking restriction on certain public ways adjacent to St. Mary's Hospital. That fine schedule differs from the current fine schedule for violating the smoking restrictions in certain parks. We are suggesting that the two fine schedules be the same: \$100 for the first offense, \$200 for the second, and \$300 for the third, and that the fines be moved from the ordinance to our Master Policy 81.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EPB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve first passage of the Ordinance, Amending Chapter 54 of the Code of Ordinances – Parks and Recreation – Prohibiting the Use of Tobacco Products in City Parks, Playgrounds, and Athletic Fields and to continue the public hearing for final passage to the next regularly scheduled meeting.

Ordinance, Amending Chapter 54 of the Code of Ordinances – Parks and Recreation – Prohibiting the Use of Tobacco Products in City Parks, Playgrounds, and Athletic Fields.

Whereas, Lewiston is a safe and healthy place to live, work, and recreate; and

Whereas, tobacco use is the foremost preventable cause of premature death in the United States, causing over 400,000 deaths in the United States each year; and

Whereas, the Surgeon General of the United States has stated that there are no safe levels of exposure to secondhand smoke; and

Whereas, tobacco-free policies support tobacco-free lifestyles and encourage tobacco users to quit; and

Whereas, discarding cigarette and cigar butts onto the ground is unsightly, unclean, and potentially hazardous, particularly to young children and wildlife;

Now, therefore, the City of Lewiston Hereby Ordains that Chapter 54 of the Code of Ordinances is amended as follows:

## Chapter 54

### PARKS AND RECREATION\*

Sec. 54-7. Unlawful to be in the following city parks and school grounds during certain hours; exception.

Sec. 54-8. Public drinking of alcoholic beverages prohibited.

Sec. 54-10. ~~Smoking on athletic fields during certain times and on city playgrounds and in certain parks prohibited.~~ Smoking in public parks, playgrounds or recreational facilities prohibited

#### **Sec. 54-7. Unlawful to be in the following city parks and school grounds during certain hours; exception.**

It shall be unlawful for any person to be or remain in Farwell School grounds, Franklin Pasture Athletic Complex, ~~Gaslight Park~~, Geiger School grounds, Jude's Place at Marcotte Park, Judge Armand A. Dufresne, Jr. Plaza, Knox Street Park, Leeds Park, Lewiston Athletic Park, Lincoln Street Boat Launch and Park, Lionel Potvin Park, Longley School grounds, Jude's Place at Marcotte Park, Mark W. Paradis Park, Martel School grounds, Mayher Park, McMahon School grounds, Montello School grounds, Pettingill School Park, Randall Road Softball Complex, Raymond Park, Ricker Park, Simard-Payne Police Memorial Park, Smiley Park, ~~St. Mary's playground (Oxford Street)~~, Sunnyside Park and Veterans Memorial Park in the city between the hours of 9:00 p.m. and 5:00 a.m., unless such person is in lawful employment, participating in a program or activity sponsored or authorized by the city.

(Code 1982, § 20-7; Ord. No. 94-11, 10-6-94; Ord. No. 01-8, 7-5-01; Ord. No. 01-16, 10-18-01; Ord. No. 09-03, 7-02-09; Ord. No. 13-02a, 3-21-13; Ord. No. 15-05, 7-2-15; Ord. No. 15-11, 11-05-15; Ord. No. 18-05, 8-09-18)

PARKS AND RECREATION

**Sec. 54-8. Public drinking of alcoholic beverages prohibited.**

(a) *Definitions.* As used in this section, the following terms have the following meanings:

*Liquor* means and includes any alcoholic, spirituous, vinous, fermented or other alcoholic beverage or combination of liquors and mixed liquors, intended for human consumption, which contains more than one-half of one percent of alcohol by volume.

*Open container* means not having a cap, stopper or other cover in place.

*Public park, playground or recreational facility* means any of the following city-owned or operated public fields, parks, playgrounds and recreational facilities:

Child's Park;

Couture Park;

Farwell School grounds;

Franklin Pasture Athletic Complex;

~~Gaslight Park;~~

Geiger School grounds;

~~Holy Family athletic field;~~

Jude's Place at Marcotte Park

Judge Armand A. Dufresne, Jr. Plaza;

Kennedy Park;

Knox Street Park;

Leeds Park;

Lewiston Athletic Park;

Lewiston Memorial Armory;

Lincoln Street Boat Launch and Park;

Lionel Potvin Park;

Longley School grounds;

Marcotte Park;

Mark W. Paradis Park;

Martel School grounds;

Mayer Park;

McMahon School grounds;

Montello School grounds;

Pettingill School Park;

Randall Road Softball Complex;

## PARKS AND RECREATION

Raymond Park;  
Ricker Park;  
Riverside Greenway;  
Simard-Payne Police Memorial Park;  
Smiley Park;  
~~St. Mary's playground (Oxford Street);~~  
Sunnyside Park;  
Veterans Memorial Park.

- (b) *Penalty.* A person is guilty of public drinking if he drinks liquor while at any public park or playground, unless at specific events authorized by the city council.
- (c) *Evidence.* The possession of an open container of liquor at a public park or playground is prima facie evidence of a violation of this section.

(Code 1982, § 20-8; Ord. No. 94-11, 10-6-94; Ord. No. 01-8, 7-5-01; Ord. No. 01-16, 10-18-01; Ord. No. 09-01, 3-19-09; Ord. No. 13-02a, 3-21-13; Ord. No. 15-04, 6-4-15; Ord. No. 15-05, 7-2-15)

### **Sec. 54-10. Smoking in public parks, playgrounds or recreational facilities~~on athletic fields during certain times, on city playgrounds and in certain parks~~ prohibited.**

Smoking and all other use of tobacco products, including vaping and e-cigarette use, will not be permitted on city-owned public parks, playgrounds or recreational facilities. ~~athletic fields for the period commencing one half hour prior to and for the duration of any city or school department scheduled or sanctioned activity or event.~~

~~Smoking and all other use of tobacco products in Mark W. Paradis Park, Pettingill School Park and all city-owned playground areas, to include playgrounds, aquatic areas, skateparks and basketball courts as outlined in Section 14-47 (c) is prohibited.~~

(Ord. No. 09-03, 7-02-09; Ord. No. 15-05, 7-2-15)

### **Sec. 54-11. Penalties**

A violation of section 54-10 shall be subject to minimum fines as established by a policy adopted by the City Council. ~~A person who violates a section of this chapter (except section 54-9) is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a civil penalty of not less than \$25.00 and not more than \$100.00. First time violators may have the penalty waived upon proof of receipt of tobacco education materials. The effective date of this section shall be June 2, 2010.~~

(Ord. No. 09-03, 7-02-09)

Additions are underlined; deletions are ~~struck through~~.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 17, 2019**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 9**

**SUBJECT:** Ordinance, Amending Chapter 14, Animals, Article IX, Public Lands, Parks and Playgrounds: Control or Prohibition of Domestic Animals – Clarifying Areas Where Leashes are Required and Where Domestic Animals are Prohibited.

**INFORMATION:**

In the process of developing a code amendment to prohibit the use of tobacco products in city parks, staff also updated the list of city parks, playgrounds, and athletic facilities to reflect recent changes. In that process, staff also reviewed Chapter 14 of our Code where domestic animals are prohibited from certain areas or required to be on leashes. The listing of parks, playgrounds, and athletic facilities in that section of the Code also needed to be updated to reflect changes. The revised version is attached.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EAB/KMM*

**REQUESTED ACTION:**

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To approve first passage of the amendment to Chapter 14, Animals, Article IX, Public Lands, Parks and Playgrounds: Control or Prohibition of Domestic Animals – Clarifying Areas Where Leashes are Required and Where Domestic Animals are Prohibited and to continue the public hearing for final passage to the next regularly scheduled Council meeting.

Ordinance, Amending Chapter 14, Animals, Article IX, Public Lands, Parks and Playgrounds: Control or Prohibition of Domestic Animals – Clarifying Areas Where Leashes are Required and Where Domestic Animals are Prohibited.

The City of Lewiston hereby ordains that Chapter 14, Animals, Article IX, Public Lands, Parks and Playgrounds: Control or Prohibition of Domestic Animals is hereby amended to Clarify Areas Where Leashes are Required and Where Domestic Animals are Prohibited as follows:

## ARTICLE IX. PUBLIC LANDS, PARKS AND PLAYGROUNDS: CONTROL OR PROHIBITION OF DOMESTIC ANIMALS

### DIVISION 1. LEASH REQUIREMENTS

#### Sec. 14-46. Sixteen-foot leash requirements and exceptions.

Only domestic animals are authorized on all city-owned public ways, sidewalks, and all publicly owned property within the city. Any such animal shall be on a leash or other tether, in the control of an individual, of not more than 16 feet in length with the following exceptions:

- (1) Any domestic animal in the aforementioned public areas must be on a leash or other tether of not more than eight feet in length when signs are posted stating "Maximum Eight-Foot Leash is Required" by the city to accommodate mass gatherings or public events. The authority to post such areas shall lie with the city council.
- (2) All domestic animals may only be present during the specified hours between 6:00 a.m. to 8:30 a.m. and 6:00 p.m. and 8:30 p.m. at the following public facilities:
  - a. Montello Track (~~outside track~~ far ~~right~~ left-hand side of the track field closest to the woods and farthest away from the playground).
  - b. Sunny Side Park (field area).
  - c. ~~Simard Payne Police Memorial Park (area farthest away from the planned playground and closest to the river).~~
- (3) The City Administrator or his/her designee may authorize exceptions to this Section for city approved events. Such exceptions must specify the conditions under which the animal(s) shall be on the supervised; the time of day and specific dates that they will be authorized to be on the property; and any other conditions that may be applicable to the event and to the city property involved.

(Ord. No. 01-7, 5-31-01; Ord. No. 08-09, 1-1-09; Ord. No. 16-05, 6-16-16)

### DIVISION 2. CITY PROPERTY

#### Sec. 14-47. Parks, cemeteries, playgrounds and athletic fields.

The City Administrator or his/her designee may authorize exceptions to this Section for city approved events. Such exceptions must specify the conditions under which the animal(s) shall be on the supervised; the time of day and specific dates that they will be authorized to be on the property; and any other conditions that may be applicable to the event and to the city property involved.

## ANIMALS

- (a) Domestic animals will not be permitted in the following parks and athletic fields for the period commencing one-half hour prior to and for the duration of any city or school department scheduled or sanctioned activity or event: ~~Holy Family Field, Marcotte Park,~~ Randall Road Softball Complex and Simard-Payne Police Memorial Park.
- (b) Domestic animals may be authorized in all city-owned cemeteries and must be on a leash or other tether, under the control of an individual, of not more than 16 feet in length provided, however, that such animals shall be allowed only on the roadways and walkways of the cemeteries and not on the cemetery lots.
- (c) All domestic animals shall not be permitted in the following public parks and playground areas: Lionel Potvin Park, ~~St. Mary's Playground (Oxford Street),~~ Jude's Place at Marcotte Park playground area, Kennedy Park playground area, Knox Street Playground, Mark W. Paradis Park, Pettingill School Park playground area and basketball court, River Valley basketball courts and Sunnyside Park playground area.
- (d) All domestic animals shall not be permitted in the following athletic fields: Franklin Pasture Athletic Complex, Lewiston Athletic Park ~~Marcotte Park Mutli-use field,~~ Montello mMulti-use field, and Simard-Payne Police Memorial Park mMulti-use field, and Upper Franklin field.

(Ord. No. 01-7, 5-31-01; Ord. No. 08-09, 1-1-09; Ord. No. 13-02b, 3-21-13; Ord. No. 15-06, 7-2-15; Ord. No. 16-05, 6-16-16)

Additions are underlined; deletions are ~~struck through~~.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 10**

**SUBJECT: Ordinance,** Adopting a New Chapter 18, Article VI to the Code or Ordinances – Registration Requirement for Multi-Family Buildings.

**INFORMATION:** In May 2018, the Lewiston Area Public Health Committee, in conjunction with staff of the City Planning and Code Enforcement Department, developed a draft rental registration ordinance. This work was undertaken in light of a goal set in the City’s comprehensive plan to establish a rental registration program as a mechanism to expand property maintenance and life safety inspection services associated with multifamily dwelling units and to provide information on an annual basis such as emergency contact information for owners and managers. This plan was presented to the City Council during a workshop on May 15, 2018. A number of stakeholders appeared at that meeting, including owners of multi-family buildings in Lewiston, to express their opinions on the proposal. While there were some who spoke in favor, a majority of those present expressed opposition.

Given this, the City Council established an Ad-Hoc Advisory Committee on Rental Registration on June 19, 2018 and charged the Committee to investigate whether the City should or should not adopt a rental registration program and to report its findings and recommendations to the City Council. The final report of the Committee recommended that a no-cost registration program be implemented. The Council accepted the report and provided funding in the FY20 budget to support its implementation.

The attached ordinance, which is modeled after the recommendations of the Committee (see attached excerpt from report), would adopt such a program.

**NOTE: Potential Fine Schedule:** Fines are established through the City’s Master Policies as approved by the City Council. This requires a separate action which will be presented to the Council at the time this Ordinance is on the agenda for final passage. Suggested fine schedule: \$50 per month for the first month or portion thereof during which the building fails to have a current registration, \$100 per month for the next months or portions thereof up to the sixth month and \$200 per month for any additional months or portions thereof beyond six. For other violations, \$100 per offense.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.



**REQUESTED ACTION:**

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To approve the first passage of the Ordinance, Adopting a New Chapter 18, Article VI to the Code or Ordinances – Registration Requirement for Multi-Family Buildings and to continue the public hearing to the next regular City Council Meeting.

**Ordinance, Adopting a New Chapter 18, Article VI to the Code or Ordinances – Registration Requirement for Multi-Family Buildings.**

The City of Lewiston Ordains that a new Article VI to Chapter 18 of the Code of Ordinances is hereby adopted as follows:

**CHAPTER 18. BUILDINGS AND BUILDING REGULATIONS**

**Article VI. Registration Requirement for multi-family buildings**

**18-91. Purpose; intent.**

The city has a large number of multi-family buildings, many of which are older and present property owners and managers significant challenges regarding upkeep and maintenance while placing a significant burden on the city’s code enforcement efforts. The number of real estate proprietorships, partnerships, and corporations that own buildings in the city, sometimes managed through property management companies, creates challenges to the proper enforcement of the city’s fire, building, and property maintenance codes, all of which are designed to ensure the public safety and welfare of residents.

The purpose of this article is to: require disclosure of the ownership of these buildings; identify those responsible for maintaining them and responding to violations identified through city inspections; ensure the city has access to contact information on the individual who is responsible for responding to emergencies; provide basic information on these buildings to allow the city to effectively develop and implement housing policies and programs; and provide residents, including both owners and renters, accurate, complete, and transparent data about the city’s Multi-Family housing stock. Information priorities include:

- (a) Accurate, up-to-date, and complete ownership, management, and contact information for every Multi-Family building;
- (b) An accurate inventory of dwelling unit quantity and configuration; and
- (c) An accurate assessment of certain items that impact the health and safety of dwelling units.

**18-92. Definitions.**

The following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this article, which are defined in articles adopted by reference, have the meanings ascribed to them as stated in those articles.

**Business Operator:** A specific individual person, not a corporation or partnership, with a legal ownership interest in a property who makes financial, maintenance, and policy decisions.

**Emergency Contact:** The individual who responds to emergency after hour calls from tenants and public safety personnel.

**Legal Owner:** The individual or legal entity, such as an LLC or LP, holding the deed to the property.

Multi-Family Building: A detached building in common ownership interest containing three (3) or more dwelling units designed for residential use and occupancy by three (3) or more families living independently of one another, including mixed use buildings, that is not a single-family dwelling, excluding Boarding and Lodging Houses or such other buildings that are separately licensed by the City or the State of Maine.

Property Management Company, Property Manager: An individual or business entity, which may be the Building Owner, Business Operator, or a party that has no ownership stake in a property, that serves as property manager on behalf of and at the direction of the Business Operator or Legal Owner; an individual or business entity that maintains and repairs the physical property and often manages tenant relationships and routine matters involving the property. The Property Manager serves as the primary contact for the City, its inspectors, and tenants.

Rent: Payments made for the use of a premises, including, but not limited to, money, services, trade, or a combination thereof; or the sharing of housing expenses with persons not part of the homeowner's immediate family.

**18-93. Applicability; exceptions.**

- (a) The provisions of this article apply to all Multi-Family Buildings except as noted in (b).
- (b) The provisions of this article do not apply to single family dwelling units; dwelling units in cooperative, condominium, or townhouse buildings where no one entity owns more than two dwelling units; lodging houses, hotels, motels, or bed and breakfasts; hospitals; convalescent, rest, or nursing homes; residential care or congregate care facilities or other institutional beds or rooms used for medical or mental health treatment services otherwise licensed by the city or state; or mobile home parks.

**18-94. Registration required.**

All Multi-Family buildings in which rental housing is located must be individually registered with the city, at no cost, under the terms of this article. No person, including without limitation a legal owner, owner's associate, real estate broker, associate real estate broker, real estate agent, business operator, or property manager, shall allow any rental housing unit to be occupied, or let or offer to another any Multi-Family rental housing unit for occupancy, or charge, accept or retain rent for any dwelling unit, unless the Legal Owner, the Business Operator, or the Property Manager has registered under the terms of this article. Any person carrying on such a business activity without registering is in violation of this article.

A registration certificate will be issued to the Legal Owner of the building named on the approved registration form or, at the request of the Legal Owner, to the Property Manager. One certificate will be issued for each building. The certificate for each building shall include emergency contact information for that building.

The registration certificate, or a facsimile thereof, shall be posted and shall remain posted in close proximity to the main entrance of the structure in an area that is easily accessible to tenants during the full period the registration is in effect.

Such registration is voided upon the sale or transfer of the building to a new owner.

### **18-95. Renewal; term.**

Before March 1 of each year, the Legal Owner, the Business Operator, or the Property Manager shall submit a registration application for each Multi-Family building. Within 60 days of purchasing or transferring the ownership of such building, or converting a building into a Multi-Family property including through the addition of more units, the Legal Owner, the Business Operator, or the Property Manager shall register the building. Newly constructed Multi-Family buildings must be registered within 30 days of the date the city issues a certificate of occupancy. All registrations expire at the end of February.

### **18-96. Registration Process and Requirements.**

A registration application shall be made to the City Clerk's Office on a form furnished by the City Clerk and shall include the following information:

- (a) Name, business or residence address, cell and primary telephone numbers, and email address of the Legal Owner or owners of the building;
- (b) Name, business or residence address, cell and primary telephone numbers, and email address of the Business Operator of the building;
- (c) Name, business or residence address, cell and primary telephone numbers, and email address of the Property Manager of the building. This is the individual with whom the City will schedule inspections and who takes responsibility for maintaining the building, including responding to emergencies occurring during business hours. This individual may be the Legal Owner or the Business Operator
- (d) Emergency Contact. The name, business or residence address, cell and primary telephone numbers, and e-mail address for the city's primary contact for after hours emergencies at the building.
- (e) Street address, map and lot, and real estate tax identification number of the building.
- (f) Number and type of dwelling units within the building. For each dwelling unit, the floor number, unit number and/or letter and/or designation, bedroom count, and whether the unit is or is not occupied must be provided.
- (g) The year the building was constructed and documentation, if any, of the buildings lead free or lead safe status.
- (h) Whether the building has a monitored or supervised fire alarm or sprinkler system.

Any Changes to the information required in (a), (b), (c), and (d) that occur more than thirty days in advance of the date of the next required registration must be reported to the city clerk within fifteen days of its occurrence.

All owners must allow on-site inspections of their buildings by the city including, without limitations, all rental units. Failure to allow such inspections will result in revocation of the building's registration.

All Multi-family buildings must be registered prior to March 1, 2020.

### **18-97. Rejection of Registration**

The city clerk may reject any registration application where the application is incomplete or has been determined to include inaccurate information. Buildings with rejected registrations will be considered unregistered.

### **18-98. Unregistered multi-family buildings.**

Any person failing to register a multi-family building or failing to comply with any other requirement of this article shall be in violation of this article and subject to a civil penalty enforced by the code enforcement office and a fine as established by the city council.

Unregistered multi-family buildings are not eligible for any City administered state, federal, or city-sponsored loans or grants or other city-sponsored or provided programs that are available through separate applications and which are not universally provided to all multi-family buildings.

### **18-99. Appeals.**

The Zoning Board of Appeals shall hear appeals of orders, decisions, or determinations made relative to application and interpretations of this article. Appeals to the Zoning Board of Appeals shall be submitted as otherwise set forth in City Code regarding administrative appeals, subject to the payment of any fees as may be determined by the municipal officers from time to time.

### **18-100. Severability.**

If any clause, sentence, paragraph, section, article, or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

## **Registration Program for Multi-Family Properties**

### **Lewiston, Maine (5th Draft, 3/15/2019)**

The purpose of the Registration Program for Multi-Family Properties is to collect and share information so the City and its residents, including both owners and renters, have accurate, complete, and transparent data about Lewiston's Multi-Family housing stock. Information priorities include:

- Accurate inventory of housing unit quantity and configuration.
- Accurate and complete ownership, management, and contact information for every unit.
- Accurate assessment of the health and safety of every unit.

#### Definitions:

- Legal Owner: The individual or legal entity, such as an LLC or LP, who holds the deed to the property.
- Business Operator: The specific individual with a legal ownership stake who makes major financial, maintenance, and policy decisions. A Business Operator may own multiple properties, and may have ownership stakes in multiple legal entities.
- Property Manager: An individual or business entity that maintains and repairs the physical property, and often manages tenant relationships and routine finances. In some cases the Property Manager is the Business Operator; in other cases the Property Manager is a Property Management Company.
- Property Management Company: An individual or business entity that has no ownership stake in a property, but serves as Property Manager on behalf of and at the direction of one or many Business Operators.
- Emergency Contact: The individual or business entity that responds 24/7 to emergency calls from tenants and public safety personnel.
- Multi-Family Property: A structure that contains 3 or more residential housing units.

#### Registration Requirements:

1. Registration is mandatory for all Multi-Family Properties in Lewiston.
2. Registration requires Business Operators and Property Management Companies to provide detailed information to the City annually.
3. Business Operators will receive a hardcopy Certificate of Registration for each registered Multi-Family property, which includes the Emergency Contact information. A copy of this certificate shall be permanently and prominently posted at each property.
4. The City shall determine the exact set of data to be collected from Business Operators (see examples on Page 4); the City may collect this type of information:
  - a. Ownership, management, and contact information for each property.
  - b. Configuration and condition information for each property.
5. The City shall determine the exact set of data to be collected from Property Management Companies; the City may collect this type of information:
  - a. Ownership, management, and contact information of the Property Management Company.
  - b. A list of all Lewiston Multi-Family Properties currently under management. For each property, the name and business address of the Legal Owner and the Business Operator.

6. Registration Program Funding:
  - a. No registration fees shall be collected from Business Operators or Property Management Companies.
  - b. Costs associated with the program should be supported by the City's General Fund, recognizing that the committee is recommending a no-fee registration program.
7. Registration Incentives:
  - a. Incentives apply to Business Operators who either:
    - i. Register in the first 60 days of the standard registration period and have no outstanding Notices of Violation; OR
    - ii. Purchase a Multi-Family Property after the annual registration period and register the property within 60 days of the purchase date.
  - b. Eligible Business Operators receive this incentive:
    - i. The City is already planning a rollout of Smart Water Meters, which will allow Business Operators to understand, correct, and ultimately save money on water use issues. The City will prioritize properties for meter installation according to registration date; for example, properties belonging to the first Business Operator who registers will be first on the installation list.
8. Penalties for Late or Non-Registration:
  - a. Business Operators and Property Management Companies who do not register within the 60-day period are publicly listed as "Unregistered" and incur a fine to be determined by the City for the period of time that they remain unregistered.
9. Registration benefits:
  - a. The Public has access to accurate and transparent information about the Multi-Family housing stock, which will:
    - i. Help renters, owners, housing agencies, and investors make better decisions when selecting housing.
    - ii. Reduce the volume of data requests to the City, which saves staff time and resources currently spent managing and responding to those requests.
  - b. The City can use registration status as an indicator of high risk properties, and may choose to prioritize inspections accordingly, for example:
    - i. Unregistered with active violations
    - ii. Unregistered with no active violations
    - iii. Registered with active violations
    - iv. Registered with no active violations
  - c. Registered Business Operators:
    - i. Are shown as Registered in the public database.
    - ii. Are eligible to apply for City incentives and assistance, such as rehabilitation loans and lead abatement funds.
    - iii. May be eligible for other funding offered by other sources, such as Efficiency Maine.
    - iv. May be subject to fewer inspections if they routinely pass inspections and have no history of violations. This frees up valuable inspection resources to focus on high risk properties.
  - d. Unregistered Business Operators and Property Management Companies:
    - i. Are shown as Unregistered in the public database.
    - ii. Are not eligible to apply for City incentives or assistance.
    - iii. Are prioritized for inspections.

Scope and Timeline:

- The Scope of the Registration Program is:
  - All Multi-Family properties in Lewiston (approximately 1,000)
- The Timeline of the Registration Program is:
  - All Business Operators and Property Management Companies can register starting January 1, 2020.
  - On-time Registration ends on February 29, 2020.
  - Unregistered Business Operators and Property Management Companies begin to incur fines as of March 1, 2020.

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 17, 2019**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 11**

**SUBJECT:**

Public Hearing and Final Passage to contractually rezone the property at 183 Merrill Road Rear for Medium Density Residential District Bulk and Space Requirements for frontage and building height.

**INFORMATION:**

The Planning Board voted 6-1 to send a favorable recommendation to the City Council to contractually rezone the property at 183 Merrill Road Rear for Medium Density Residential District Bulk and Space Requirements for frontage and building height, subject to the contract rezoning agreement.

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

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

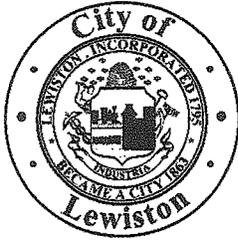
The City Administrator recommends approval of the requested action.



**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve Final Passage of the amendment to the Zoning and Land Use Code and Map to contractually rezone the property at 183 Merrill Road Rear for Medium Density Residential District Bulk and Space Requirements for frontage and building height, subject to a contractual agreement.



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

TO: Mayor Cloutier and Lewiston City Council

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

DATE: September 3, 2019

RE: Planning Board Action

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The Planning Board took the following action at their meeting held on August 26, 2019 regarding a recommendation to the City Council on a contract zone request by Central Maine Power (CMP) for Medium Density Residential district bulk and space requirements for frontage and building height at a property located at 183 Merrill Road (rear).

The following motion was made:

**MOTION:**

by **Lucy Bisson** pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council on CMP's request to contract zone the property located at 183 Merrill Road (rear). Second by **Sandy Marquis**.

**VOTED: 6-1 (Passed, Opposed by Benjamin Martin)**



## CITY OF LEWISTON

### Department of Planning & Code Enforcement

**TO:** Lewiston Planning Board

**FROM:** Doug Greene, AICP, City Planner

**DATE:** August 26, 2019

**RE:** Proposed Contract Rezoning by Central Maine Power for a portion of 183 Merrill Road (rear)

Pursuant to Article VII, Planning Board, Section 4, Powers and Duties and Article XVII, Section 5, Amendments of the Zoning and Land Use Code, Central Maine Power (CMP) has submitted a request to contract zone a property located at 183 Merrill Road (rear). The property is zoned Medium Density Residential (MDR) and two provisions (building height and lot frontage) in Article XI, District Regulations, Section 23, Space and Bulk Table are requested to be amended to allow an "High Voltage Direct Current (HVDC) Converter Substation" to be developed.

**The Proposal-** Central Maine Power has selected a 20.1 acre site, located at the rear portion of 183 Merrill Road, adjacent to an existing CMP transmission corridor and near the Greene town boundary. The project is a large 70 foot tall structure that can convert DC current to AC current and facilitates the transmission of electricity from Canada to Massachusetts. The current maximum height in the MDR zone is thirty-five feet (35') and the applicant is requesting a maximum height of eighty feet (80') to allow the HVDC Converter Substation to be built. The 20.1 acre site for this proposed project does not have street frontage. The adjacent CMP corridor does have the required street frontage on Merrill Road, but the Public Utility Commission is requiring that the converter substation be located on a separately owned property. The MDR district requires a minimum street frontage of one hundred (100') feet and the applicant is requesting a minimum frontage of zero feet (0'). An access drive to the site is proposed from a property located at 1651 Main Street. (See tab A in the application)

#### **Contract Rezone Uses and Space, Bulk Requests-**

There are no changes requested for Land Uses with the contract rezoning. The proposed converter substation is currently allowed as conditional use in the MDR district.

The contract rezoning is requesting the following changes to the Space and Bulk Table with the contract rezoning request:

- Maximum Height in the Medium Density Residential (MDR) district of eighty feet (80').
- Minimum Frontage in the Medium Density Residential (MDR) district of zero feet (0').

### **Compliance with the Comprehensive Plan-**

The applicant lists three excerpts from the 2017 Comprehensive Plan that demonstrate the contract re-zone request's compliance. They are:

- Page 111: "Work is needed to improve [broadband internet] connectivity in the city in an effort to improve the quality of life for its residents and advance economic growth."
- Page 116: "Promote a healthful and sustainable business environment by investing actively in efficient infrastructure, providing favorable incentives, and building a community that is attractive to employers and their workers. . . . Investment and recruitment initiatives should realize 'triple bottom-line' benefits for City residents by seeking to improve the tax base, promote economic vitality for local businesses, and increase access to employment opportunities and living wage jobs within the City."
- Page 164: "Lewiston must build on its growing momentum to actively invite new investment and create the critical mass of economic energy needed to launch the City into a new era of growth and productivity."

### **Planning Board Action-**

The Planning Board is asked to make a recommendation to the City Council on the contract re-zone request. The Zoning Ordinance in Article XVII, Amendment and Other Legal Provisions, Section 5, Amendments, (g) Conditional or Contract Zoning, describes 5 conditions that must be met:

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. 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 pursuant to the rezoning shall be abated and the property brought into compliance with all applicable provisions of this Code.

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

The purpose of this contract zoning request is to change the maximum height and minimum frontage requirements in the Medium Density Residential (MDR) district and does not permit the development of the proposed AC/DC Conversion Substation. The applicant will have to submit a development review and conditional use application to be approved by the Planning Board prior to development activity.

**Action Necessary-**

Make a motion pursuant to Article VII, Section 4 and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation to the City Council on CMP's request to contract zone the property located at 183 Merrill Road (rear).

**MATTHEW D. MANAHAN**

VIA OVERNIGHT MAIL

August 14, 2019

Douglas M. Greene, AICP  
City Planner  
City of Lewiston  
27 Pine Street  
Lewiston, ME 04240

Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101

**P** 207.791.1189  
**F** 207.791.1350  
**C** 207.807.4653  
mmanahan@pierceatwood.com  
pierceatwood.com

Admitted in: MA, ME, NH

RE: Central Maine Power Co., New England Clean Energy Connect Contract Zone Application

Dear Doug:

As you know, I represent Central Maine Power Company (CMP) with respect to permitting of the New England Clean Energy Connect (NECEC) Project. I enclose CMP's certified petition to amend the City of Lewiston Zoning and Land Use Code, to allow construction and operation of a new +/- 320kV DC power to 345kV AC power 1,200 MW converter station (the Merrill Road Converter Station) as part of the NECEC Project. The amendment is necessary for two reasons:

1. The maximum building height in the MDR zone is 35 feet, but the Merrill Road Converter Station must be constructed to a height of approximately 70 feet, so CMP is requesting that the allowable height be 80 feet to ensure that the final Converter Station measurements will not exceed the height limit.
2. The minimum street frontage for lots in the MDR zone is 100 feet for "other uses," but the Converter Station lot does not have any street frontage, so CMP is requesting that the Converter Station lot not require any street frontage.

As you requested, I enclose 22 sets of the petition (I understand you have the original certified petition) and exhibits A-D (Exhibit A is 11" x 17"); 12 sets are for Planning Board review and 10 sets are for City Council review. I also include an original of the signed Exhibit B (the application). The check for the \$700 application fee will arrive separately, from CMP, in the next several days.

Please let me know if you have any questions or need additional information. Thank you for your continued assistance.

Sincerely,



Matthew D. Manahan

Enclosures

cc: David Hediger  
Lincoln Jeffers  
Gerry Mirabile (CMP)  
John Carroll (CMP)

**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) years of age or older, do hereby petition the City of Lewiston to establish a contract rezoning of the "Converter Station Parcel", located at 183 Merrill Road (rear) depicted on the June 20, 2019 sketch plan entitled "HVDC Converter Substation Site," attached hereto as Exhibit A, to allow for the construction and operation of a converter station for the New England Clean Energy Connect project, as more particularly described in Exhibit B hereto.

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1.		ROBERTA PERRON	183 MERRILL RD	8/09/19
2.		LOUIS PERRON	183 MERRILL RD	8/09/19
3.		KAREN LEMELIN	30 Sleeper Rd.	8/09/19
4.		MARK L. LAVIGNE	1581 Main St	8-9-19
5.		GABRIEL LAVIGNE	465 College St	8/9/19
6.		BRIAN HARRISON	1535 Main	8/9/19
7.		JUDY LETOURNEAU	1651 Main ST	8/9/19
8.		JOSEPH PHILIPPON	21 Bristol Rd.	8-9-19
9.		CELESTE PHILIPPON	3 Champlain Ave	8/9/2019
10.		HOWARD G. JOHNSON	163 Main St	8/9/2019
11.		GLENDAL JOHNSON	1763 MAIN ST	8-9-19
12.		VERN L. HODGKIN	1655 MAIN ST.	8-9-19
13.		JOHN FOLIQUN	1501 Main	8-9-19
14.		DAREU BUJESS	22 Ashmont	8-9-19
15.		RONALD CHARTIER	38 LARRABEE RD	8-9-19
16.		AMY CHARTIER	38 LARRABEE RD	8-9-19
17.		CHRISTIAN GUMPRECHT	1140 Sabathus St	8-9-19
18.		ROGER G. PHILIPPON	3 Champlain Ave.	8-9-19
19.		ROBERT E. MASON	650 L St	8/10/19
20.		ROBERT R. TALBOT	64 SCRIBNER BLVD	8/11/19

*Mark L. Lavigne 465 College*

**CIRCULATOR'S VERIFICATION**

I hereby certify 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.

\_\_\_\_\_ John H. Carroll \_\_\_\_\_ August 12, 2019  
Signature of Circulator Printed Name of Circulator Date

**REGISTRAR'S CERTIFICATION**

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

Total Valid: 16 Total Invalid: 4

\_\_\_\_\_  
Date: 9-23-19  
Signature of Registrar/Deputy Registrar

**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) years of age or older, do hereby petition the City of Lewiston to establish a contract rezoning of the "Converter Station Parcel", located at 183 Merrill Road (rear) depicted on the June 20, 2019 sketch plan entitled "HVDC Converter Substation Site," attached hereto as Exhibit A, to allow for the construction and operation of a converter station for the New England Clean Energy Connect project, as more particularly described in Exhibit B hereto.

	SIGNATURE	PRINTED NAME	PHYSICAL STREET ADDRESS (No PO Boxes)	DATE
1.	<i>[Signature]</i>	DAN DIPIETAS	23 SPENCER ST LEW	8-12-19
2.	<i>[Signature]</i>	JACKIE BOY	11 SUMMIT AVE.	8-12-19
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20.				

**CIRCULATOR'S VERIFICATION**

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

*[Signature]*  
Signature of Circulator

John H. Carroll  
Printed Name of Circulator

August 12, 2019  
Date

**REGISTRAR'S CERTIFICATION**

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

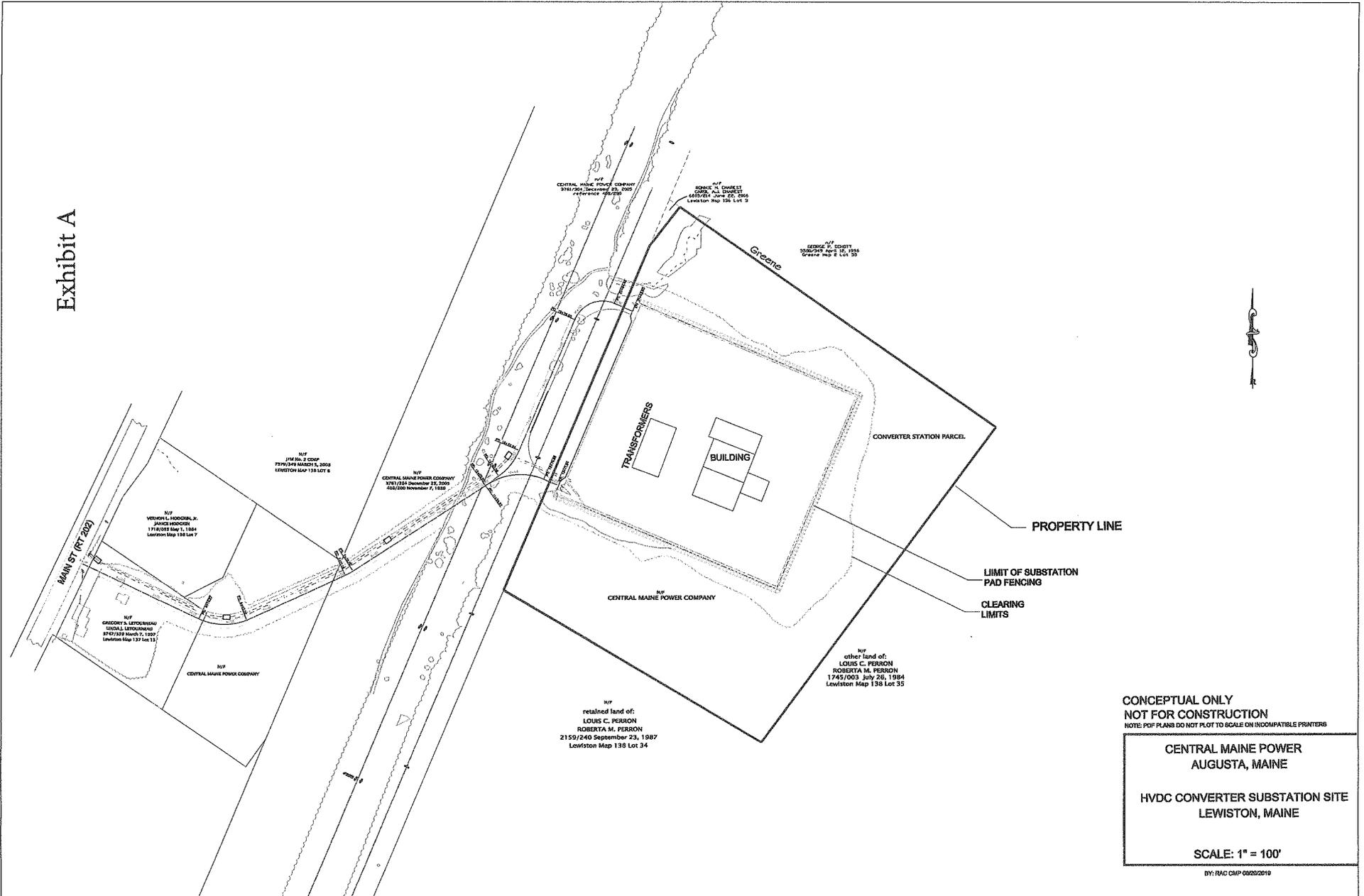
Total Valid: 2 Total Invalid: 0

*[Signature]*  
Signature of Registrar/Deputy Registrar

Date: 8/13/19

## **EXHIBIT A**

# Exhibit A



**CONCEPTUAL ONLY**  
**NOT FOR CONSTRUCTION**  
 NOTE: PDF PLANS DO NOT PLOT TO SCALE ON INCOMPATIBLE PRINTERS  
**CENTRAL MAINE POWER**  
**AUGUSTA, MAINE**  
**HVDC CONVERTER SUBSTATION SITE**  
**LEWISTON, MAINE**  
**SCALE: 1" = 100'**  
 BY: RAC CMP 09/20/2016

## **EXHIBIT B**

**EXHIBIT B**

**THE CITY OF LEWISTON HEREBY ORDAINS:**

Appendix A of the Code of Ordinances of the City of Lewiston, Maine is hereby amended to add a contract zone overlay to the Medium Density Residential (MDR) zone that applies only to the “Converter Station Parcel” depicted on the June 20, 2019 sketch plan entitled “HVDC Converter Substation Site,” attached hereto as Exhibit A, to allow for the construction and operation of a DC power to AC power converter station for the New England Clean Energy Connect (NECEC) transmission line project. Within the overlay zone all underlying standards of the MDR, as they may be amended from time to time, continue to apply, except for the following:

- Appendix A, Art. XI, Sec. 23, Space and Bulk Table, Maximum height, MDR, is 80 feet for utility buildings.
- Appendix A, Art. XI, Sec. 23, Space and Bulk Table, Minimum frontage, MDR, is zero.

+++++

**REASONS FOR THE PROPOSED AMENDMENT**

The reason for the proposed amendment is to allow construction and operation of a new +/- 320kV DC power to 345kV AC power 1,200 MW converter station (the Merrill Road Converter Station) as part of the NECEC Project. A sketch of the Converter Station property, as proposed, is attached hereto as Exhibit A. CMP’s deed to the property, dated April 9, 2018, is attached hereto as Exhibit C.

***Background***

The NECEC Project is a high voltage direct current (HVDC) transmission line and related facilities that will be capable of delivering up to 1,200 megawatts of renewably generated (i.e., reservoir hydropower) electricity from the Canadian border to the ISO-New England (ISO-NE) electric grid. Central Maine Power Company (CMP) proposed the Project in response to the March 31, 2017 Request for Proposals for Long-Term Contracts for Clean Energy Projects (RFP) issued by the Massachusetts Department of Energy Resources and the Electric Distribution Companies of Massachusetts. The Project has been selected as the winning bidder in the RFP solicitation and the associated NECEC long-term agreements have been signed and submitted for regulatory approval.

CMP is the developer of the Maine transmission and associated substation portions of the Project, which includes several critical components in Lewiston:

**Segments 1, 2, and 3**

- 145.3 miles of new +/-320kV HVDC transmission line from the Canadian border to the new Merrill Road Converter Station in Lewiston;
- 1.2 miles of new 345kV transmission line from the Merrill Road Converter Station to the existing Larrabee Road Substation in Lewiston;

- Partial rebuild of 0.8 mile of 34.5kV transmission line Section 72 outside of the Larrabee Road Substation to make room in the corridor for the above 1.2-mile 345kV transmission line;
- The Merrill Road Converter Station; and
- A new 345kV transmission line terminal at the existing Larrabee Road Substation.

#### Segment 4

- New 345kV +/-200MVAR STATCOM (a voltage support device) at a new Fickett Road Substation in Pownal;
- New 0.3-mile 345kV AC transmission line from the existing Surowiec Substation in Pownal to the new Fickett Road Substation in Pownal;
- Rebuild of 16.1 miles of 115kV Section 64 AC transmission line from the existing Larrabee Road Substation in Lewiston to the existing Surowiec Substation in Pownal; and
- Rebuild of 9.3 miles of 115kV Section 62 AC transmission line from the existing Crowley Road Substation in Lewiston to the existing Surowiec Substation in Pownal.

#### Segment 5

- New 26.5-mile 345kV AC transmission line from the existing Coopers Mills Substation in Windsor to the existing Maine Yankee Substation in Wiscasset;
- Partial rebuild of 0.3 mile of 345kV Section 3025 transmission line between Larrabee Road Substation in Lewiston and Coopers Mills Substation in Windsor;
- Partial rebuild of 0.8 mile of 345kV Section 392 transmission line between Maine Yankee Substation in Wiscasset and Coopers Mills Substation in Windsor; and
- Partial rebuild of 0.8 mile each of 115kV Sections 60 and 88 outside of Coopers Mills Substation in Windsor.

#### Other Components

- Additional equipment will be installed, and additional upgrades will be made, at Larrabee Road Substation in Lewiston, Crowley's Substation in Lewiston, Surowiec Substation in Pownal, Raven Farm Substation in Cumberland, Coopers Mills Substation in Windsor, and Maine Yankee Substation in Wiscasset.

The Project is on schedule to achieve its December 13, 2022 commercial operation date.

#### ***Benefits to Lewiston***

The NECEC will provide increased municipal tax revenues to communities in which the Project is sited, including to Lewiston, where CMP proposes to construct the Merrill Road Converter Station. These new revenues will be a substantial benefit for Lewiston. The estimated property tax revenues for the City of Lewiston alone will be approximately \$8.39 million annually, beginning in 2023. This revenue injection will better allow Lewiston to address the needs of its residents, including those who need social services support from the City. Importantly, the NECEC will provide this benefit without requiring a corresponding increase in the tax rate, and may even permit the City to lower a state adjusted tax rate of, as of February 2019, \$23.66, which was approximately 57% higher than the statewide rate of \$15.06. This economic benefit

to the City of Lewiston and its residents is accomplished at no cost to the City (*i.e.*, the NECEC Project will not increase the need for municipal services such as police, emergency, or educational) and at no cost to any neighboring community or to the State of Maine.

Lewiston will be a focus of Project construction activity, resulting in new jobs for the City and its residents. The NECEC is forecasted to generate, on average, over 1,600 direct, indirect, and induced Maine jobs each year during the six-year development and construction period (2017-2022).<sup>1</sup> Over 850 of these jobs are direct jobs, and the remaining 750+ jobs will be indirect and induced. The projected annual average of jobs to be added during the initial operations period, from 2023-2037, will be 291. Lewiston will benefit by gaining a proportional share of these new jobs, which are steady, good-paying jobs that will lead to additional spending within the community.

The City's need for reliable and affordable electric energy will not diminish, and will likely increase as Lewiston strives to promote responsible economic development that will benefit its residents in the years to come. Such increasing need comes at a correspondingly substantial cost, especially in the New England region where the average price per kilowatt hour in December 2018 was higher than that of any other region of the country. The NECEC will facilitate the transmission of up to 1,200 MW of clean hydropower generation to the New England transmission grid for forty years, and will help to lower electricity costs. The estimated 15-year net present value of the savings in the electricity market for Maine's retail electricity customers is \$119 million, in 2023 dollars. This translates to \$13 million of benefits (in nominal dollars) per year for retail electricity customers in Maine. Importantly, the NECEC's transmission of additional clean hydropower generation will also help to offset anticipated retirements of existing gas, nuclear, and oil-fired generators in Maine and the region that might otherwise increase generation costs and, by extension, electricity rates.

In a stipulation filed with the Maine Public Utilities Commission (PUC), CMP made several commitments to facilitate broadband internet expansion in communities that host the NECEC HVDC transmission line and associated upgrades. Broadband expansion is an important factor in economic and business development in Lewiston and throughout Western Maine. Under the terms of the Stipulation, CMP is required to include the necessary facilities and equipment to provide additional fiber optic capacity on the NECEC HVDC line and to construct the necessary fiber optic infrastructure to provide access to this fiber optic capacity at major road crossings or other appropriate access points along the NECEC project route. Additionally, Hydro-Quebec has committed to funding a \$10 million NECEC Broadband Fund that will be used to provide grants to support the implementation and maintenance of high speed broadband infrastructure in the host communities through which the NECEC transmission facilities run. As Lewiston is a host community for the HVDC line, Lewiston will also benefit from the additional broadband infrastructure and will potentially benefit from grant funding to make the broadband infrastructure available to low income residents. High speed internet access is not only an important amenity for current and future residents, it is also a significant factor in retaining and

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<sup>1</sup> Direct jobs are related to the specific industry, while **indirect jobs** are those that support the industry. **Induced jobs** are those that are a result of direct/indirect employee's spending money in the community.

growing existing businesses, attracting new businesses to the area, and encouraging start-ups. The potential for better service by way of an added Montreal broadband connection is also important as part of a comprehensive economic development program in a changing economy.

### *Need for the Proposed Contract Zone Amendment*

The maximum building height in the MDR zone is 35 feet. The Merrill Road Converter Station, however, must be constructed to a height of approximately 70 feet, and CMP is requesting that the allowable height be 80 feet to ensure that the final Converter Station measurements will not exceed the height limit.

In addition, the minimum street frontage for lots in the MDR zone is 100 feet for “other uses.” The Converter Station lot, however, does not have any street frontage, and will be accessed via a private drive from Main Street / Route 202. Although the Converter Station lot abuts the existing CMP transmission line corridor, which has street frontage, the PUC is requiring CMP to transfer the NECEC properties to a CMP-related entity, so the Converter Station lot cannot attain the required frontage by being merged into the CMP transmission line corridor. Thus, CMP is requesting that the Converter Station lot not require any street frontage.

The Merrill Road Converter Station will require development review and approval from the City, after approval of this proposed contract zone agreement. Note also that the NECEC transmission line poles, frames, and lightning masts will exceed 35 feet in height, but that the City has previously taken the position that the “maximum height” line in the Space and Bulk Table (Appendix A, Art. XI, Sec. 23) does not apply to such non-building utility structures. The term “height of building” refers to “building or structure,” but in the context of electric transmission line poles and associated structures the word “structure” refers to the definition of “utility structures.” That term includes only buildings, not other structures such as poles. CMP requests that the City provide written confirmation of this interpretation so that no ordinance amendment is needed to accommodate the required pole heights.

### **CONFORMANCE WITH THE COMPREHENSIVE PLAN**

The proposed contract zone agreement is in conformance with the City’s Comprehensive Plan, as demonstrated by the following excerpts from the 2017 Legacy Lewiston Comprehensive Plan:

- Page 111: “Work is needed to improve [broadband internet] connectivity in the city in an effort to improve the quality of life for its residents and advance economic growth.”
- Page 116: “Promote a healthful and sustainable business environment by investing actively in efficient infrastructure, providing favorable incentives, and building a community that is attractive to employers and their workers. . . . Investment and recruitment initiatives should realize ‘triple bottom-line’ benefits for City residents by seeking to improve the tax base, promote economic vitality for local businesses, and increase access to employment opportunities and living wage jobs within the City.”
- Page 164: “Lewiston must build on its growing momentum to actively invite new investment and create the critical mass of economic energy needed to launch the City into a new era of growth and productivity.”

There is nothing in the City's Comprehensive Plan that is inconsistent with the proposed contract zone agreement.

In addition, the contract zone overlay area will be consistent with the existing and permitted uses within the original MDR district. The contract zone overlay land will be adjacent to the existing CMP transmission line corridor, and 1.2 miles from the existing Larrabee Road Substation, also located in the MDR district. Power transmission lines, substations, and other public utility uses are permitted as conditional uses in the MDR district. The majority of uses in the MDR district, however, and the primary uses permitted in the MDR district, are residential dwellings of various types. The Converter Station will be a good neighbor that is compatible with those uses. The Converter Station will have the following attributes of a good neighbor, in addition to those discussed previously:

- Quiet
- No other uses on the 20-acre property
- Well-maintained property
- No signs
- Very few visitors
- Low light levels at night
- No garbage
- No vehicle storage
- Does not require extra municipal services

Thus, the converter station will be consistent with existing and permitted uses in the MDR.

#### **PROPOSED WRITTEN CONTRACT**

CMP requests that the City enter into the contract attached hereto as Exhibit D, by which, in consideration of the contract zone overlay of said property, certain conditions or restrictions not imposed on other similarly zoned properties will be imposed.

CMP hereby submits this proposal as of the 12<sup>TH</sup> day of AUGUST, 2019.

By: Gerry J. Mirabile

Name: GERRY J. MIRABILE

## **EXHIBIT C**

WARRANTY DEED

Louis C. Perron and Roberta M. Perron, of Lewiston, County of Androscoggin, State of Maine, whose mailing address 183 Merrill Road, Lewiston, Maine 04240 for good and valuable consideration, GRANT to

Central Maine Power Company, a corporation organized under the laws of the State of Maine, with a principal office in Augusta, Maine and whose mailing address is 83 Edison Drive, Augusta, Maine 04336, its successors and assigns forever,

with WARRANTY COVENANTS,

a certain lot or parcel of land situated in the City of Lewiston, County of Androscoggin, State of Maine, being more particularly bounded and described as follows:

(SEE EXHIBIT A ATTACHED HERETO)

and with QUITCLAIM COVENANT,

a certain triangular shaped lot or parcel of land situated in the City of Lewiston, County of Androscoggin, State of Maine, being more particularly bounded and described as follows:

(SEE EXHIBIT B ATTACHED HERETO)

IN WITNESS WHEREOF, the Grantors have set their hands and seals this 9 day of April, 2018.

  
Louis C. Perron

  
Roberta M. Perron

State of Maine  
County of Androscoggin, ss

April 9, 2018

The above-named Louis C. Perron and Roberta M. Perron, personally appeared before me and acknowledged the foregoing instrument to be their free act and deed.

Before me,

  
Notary Public/Attorney  
Name: Eben A. Thomas  
My Commission Expires: 3/20/2022

MAINE REAL ESTATE  
TRANSFER TAX PAID

## EXHIBIT A

A certain lot or parcel of land, situated in the City of Lewiston, County of Androscoggin and State of Maine, and being further bounded and described as follows:

Beginning at a 5/8" iron rebar with survey cap #2318 to be set on the southwesterly municipal boundary by and between The City of Lewiston and the Town of Greene at a point located at the northwesterly corner of land conveyed to Louis C. Perron and Roberta M. Perron by a deed dated July 26, 1984 and recorded in the Androscoggin County Registry of Deeds in Book 1745, Page 003, said point of beginning being N 55°-08'27"W a distance of 27.78 feet from a 5/8" iron rebar with survey cap #2259 set on the City of Lewiston and the Town of Greene municipal boundary;

Thence, southwesterly on a course of S 36°-46'-19" W along the southwesterly line of land of Perron a distance of nine hundred seventy-six and zero hundredths (976.00) feet to a 5/8" iron rebar with survey cap #2318 to be set;

Thence, northwesterly on a course of N 59°-26'-38" W through land conveyed to Louis C. Perron and Roberta M. Perron by a deed dated September 23, 1987 and recorded in the Androscoggin County Registry of Deeds in Book 2159, Page 240, a distance of seven hundred forty-five and forty hundredths (745.40) feet to a point located on the easterly line of land of Central Maine Power Company, as described in a deed of conveyance dated December 31, 1930 and recorded in the Androscoggin County Registry of Deeds in Book 407, Page 663 and reference to a deed of merger dated December 23, 2005 and recorded in the Androscoggin County Registry of Deeds in Book 3761, Page 304 and to a deed dated November 14, 1930 and recorded in the Androscoggin County Registry of Deeds in Book 407, Page 526;

Thence, northerly on a course of N 22°-59'-06" E along the easterly line of land of Central Maine Power Company a distance of nine twenty-nine and four hundredths (929.04) feet to a point located on the northwesterly line of LOT 79 of the City of Lewiston;

Thence, northeasterly on a course of N 38°-00'-54" E along the northwesterly line of LOT 79 a distance of one hundred twenty-two and forty-one hundredths (122.41) feet to a point located on the southwesterly municipal boundary by and between The City of Lewiston and the Town of Greene;

Thence, southeasterly on a course of S 55°-08'-27" E along said southwesterly municipal boundary, being the southwesterly line of land of George P. Schott as described in a deed dated April 12, 1996 and recorded in the Androscoggin County Registry of Deeds in Book 3580, Page 349, a distance of nine hundred sixty and twenty-nine hundredths (960.29) feet to the point and place of beginning. Containing 20.01 acres of land, more or less.

Bearings are based on a GPS Observation of Grid North.

The parcel herein conveyed and described above to include so much of the Grantor's land, if any, described in said deed recorded in the Androscoggin County Registry of Deeds in Book 1745,

**EXHIBIT B**  
**(Triangular Parcel)**

The Grantor also hereby conveys the following premises with quitclaim covenant only:

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

Beginning on the southwesterly municipal boundary by and between The City of Lewiston and the Town of Greene at a point located on the easterly line of land of Central Maine Power Company, as described in a deed of conveyance dated December 31, 1930 and recorded in the Androscoggin County Registry of Deeds in Book 407, Page 663 and reference to a deed of merger dated December 23, 2005 and recorded in the Androscoggin County Registry of Deeds in Book 3761, Page 304 and to a deed dated November 5, 1930 and recorded in the Androscoggin County Registry of Deeds in Book 408, Page 280, being the southwesterly line of land conveyed to George P. Schott by a deed dated April 12, 1996 and recorded in the Androscoggin County Registry of Deeds in Book 3580, Page 349;

Thence, southeasterly on a course of S 55°-08'-27" E along the southwesterly municipal boundary, being the southwesterly line of land of said Schott a distance of thirty-two and forty-four hundredths (32.44) feet to a point located on the northwesterly corner of LOT 79 of the City of Lewiston;

Thence, southwesterly on a course of S 38°-00'-54" W along the northwesterly line of LOT 79 a distance of one hundred twenty-two and forty-one hundredths (122.41) feet to a point located on the easterly line of land of Central Maine Power Company (408/280);

Thence, northerly on a course of N 22°-59'-06" E along the easterly line of land of Central Maine Power Company a distance of one hundred twenty-four and ninety hundredths (124.90) feet to the point and place of beginning. Containing 1,982.40 square feet (0.046 acres).

Bearings are based on a GPS Observation of Grid North.

Further reference is made to the Boundary Survey entitled "Perron Parcel" prepared by Sackett & Brake, Inc. dated June 12, 2017 to be recorded herewith.

Page 003.

Further reference is made to the Boundary Survey entitled "Perron Parcel" prepared by Sackett & Brake, Inc. dated June 12, 2017 to be recorded herewith.

Grantee, by acceptance of this conveyance, covenants and agrees with Grantor, their heirs and assigns, that Grantee will not construct and locate a permanent access road from the Merrill Road to the herein conveyed premises over or across that part of Grantee's land abutting Grantor's remaining land lying within the below described area :

Beginning on the north line of Merrill Road at the southwest corner of Grantor's now remaining land as described in a deed to Grantor dated September 23, 1987 and recorded in the Androscoggin County Registry of Deeds in Book 2159, Page 240 and the southeast corner of Grantee's 400-foot-wide transmission line corridor designated Sections 200 and 251; thence northerly along the common line between Grantor and Grantee a distance of 750 feet; thence westerly across land of Grantee at a right angle a distance of 250 feet; thence southerly on a line parallel and 250 feet westerly of the common line between Grantor and Grantee a distance of 705 feet, more or less, to the northerly line of Merrill Road; thence easterly along the northerly line of Merrill Road a distance of 255 feet, more or less, to the point of beginning.

The aforesaid restriction is intended to benefit the now remaining abutting land of Grantor described above.

ANDROSCOGGIN COUNTY  
TINA N CHOUINARD  
REGISTER OF DEEDS

## **EXHIBIT D**

EXHIBIT D

**CONTRACT ZONE AGREEMENT  
BETWEEN  
CITY OF LEWISTON  
AND  
CENTRAL MAINE POWER COMPANY**

**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 **CENTRAL MAINE POWER COMPANY**, a Maine corporation (hereinafter “**CMP**”).

**W I T N E S S E T H**

**WHEREAS**, **CMP** has proposed the construction and operation of the New England Clean Energy Connect (NECEC) transmission line project, a high voltage direct current (HVDC) transmission line and related facilities that will be capable of delivering up to 1,200 megawatts of renewably generated electricity from the Canadian border to the ISO-New England (ISO-NE) electric grid;

**WHEREAS**, as part of the NECEC Project **CMP** has proposed the construction and operation of a converter station north of Merrill Road in the **CITY** (the “Merrill Road Converter Station”) on a portion of Tax Map 138 Lot 34, as described in a deed from Louis C. Perron and Roberta M. Perron to **CMP**, dated April 9, 2018, and recorded in the Androscoggin County Registry of Deeds at Book 9817, Page 72 (the “**PROPERTY**”);

**WHEREAS**, the **CITY** will benefit from construction and operation of the NECEC, including the Merrill Road Converter Station;

**WHEREAS**, the Merrill Road Converter Station is located in the Medium Density Residential (MDR) zoning district, in which the maximum building height is 35 feet and the minimum street frontage is 100 feet for “other uses”;

**WHEREAS**, the Merrill Road Converter Station must be constructed to a height of approximately 70 feet, and CMP is requesting that the allowable height be 80 feet to ensure that the final Converter Station measurements will not exceed the height limit;

**WHEREAS**, the **PROPERTY** does not have any street frontage, and will be accessed via a private drive from Main Street / Route 202, and **CMP** is requesting that the **PROPERTY** not require any street frontage;

**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 MDR zone; 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.* **CMP** shall be establish and maintain the Converter Station on the **PROPERTY**.

2. *Dimensional Requirements.* The **PROPERTY** shall comply with the dimensional requirements of the MDR zone, with the following exceptions:
- a. Maximum building height: Appendix A, Art. XI, Sec. 23, Space and Bulk Table, Maximum height, MDR, is 80 feet for utility buildings.
  - b. Minimum street frontage: Appendix A, Art. XI, Sec. 23, Space and Bulk Table, Minimum frontage, MDR, is zero.

The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the **PROPERTY**, shall bind and benefit **CMP**, its successors and assigns, and any party 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. **CMP** 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 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 MDR zoning district) and any applicable amendments thereto or replacement thereof.

In the event that **CMP** 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:** **CENTRAL MAINE POWER COMPANY**

\_\_\_\_\_ By \_\_\_\_\_

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  
KENNEBEC, ss. Date: \_\_\_\_\_, 2019

Personally appeared before me the above-named \_\_\_\_\_, in his said capacity, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Central Maine Power Company.

Before me,  
  
\_\_\_\_\_  
Notary Public/Attorney at Law

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:                    AGENDA ITEM NO.    12**

**SUBJECT:**

Public Hearing on Amendments to the General Assistance Policy for annual authorization of eligibility amounts.

**INFORMATION:**

Each year, the City is required to review, and amend if necessary, the maximum amounts of assistance issued by the City for residents in need. The City Council is required to adjust the maximums allowed for general assistance as well as the maximum amounts allowed for food and housing. These amounts are set by the Department of Housing and Urban Development guidelines and the current Thrifty Food Plan.

The recommended amounts for the City of Lewiston are included in the attached material on the three pages entitled "General Assistance Policy". The State's recommended changes to the eligibility amounts have been incorporated into this document (language for removal is struck out and proposed new language in underlined). As noted in the memorandum from Acting Social Services Director Elaine Brackett, the amounts for utilities, heating fuel and personal care have not changed. Categories for food, housing and overall maximums are recommended for increases.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.



**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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That the maximum amounts allowed for general assistance and the maximum amounts allowed for food, housing, personal/household supplies, and utilities in the General Assistance Policy, for persons eligible to receive assistance in accordance with the standards of eligibility, be adopted as presented, in accordance with HUD guidelines and the current Thrifty Food Plan.

(NOTE: Amended items in the attached Policy are underlined, deleted items have ~~strikeouts~~.)

## GENERAL ASSISTANCE POLICY

As provided by Chapter 46 of the Code of Ordinances, the City Council hereby establishes the following allowed maximum amounts for food, housing, personal/household supplies, utilities, heating fuel, clothing, burial, cremation, and transportation expenses for persons eligible to receive assistance in accordance with the standards of eligibility.

### *MAXIMUM AMOUNTS*

The total maximums allowed for general assistance, which are 110% of HUD guidelines, (reduced by 10% from 10/01/2018 ~~9-~~ 09/30/201920), are:

No. in Household		Weekly	Monthly	
1	<u>168.60</u>	<del>155.58</del>	<del>669.00</del>	<u>725.00</u>
2	<u>182.09</u>	<del>171.16</del>	<del>736.00</del>	<u>783.00</u>
3	<u>234.19</u>	<del>216.74</del>	<del>932.00</del>	<u>1007.00</u>
4	<u>294.19</u>	<del>277.44</del>	<del>1193.00</del>	<u>1265.00</u>
5	<u>373.49</u>	<del>339.76</del>	<del>1461.00</del>	<u>1606.00</u>
6	<u>390.93</u>	<del>357.20</del>	<del>1536.00</del>	<u>1681.00</u>

Additional persons in the household will be budgeted at \$75.00 per person per month.

### *FOOD (Effective 10/01/2018 ~~9-~~ 09/30/201920)*

The maximum amounts allowed for food are:

No. in Household		Weekly	Monthly	
1	<u>45.11</u>	<del>44.65</del>	<del>192.00</del>	<u>194.00</u>
2	<u>82.55</u>	<del>82.09</del>	<del>353.00</del>	<u>355.00</u>
3	<u>118.37</u>	<del>117.44</del>	<del>505.00</del>	<u>509.00</u>
4	<u>150.23</u>	<del>149.30</del>	<del>642.00</del>	<u>646.00</u>
5	<u>178.60</u>	<del>177.21</del>	<del>762.00</del>	<u>768.00</u>
6	<u>214.18</u>	<del>212.56</del>	<del>914.00</del>	<u>921.00</u>
7	<u>236.74</u>	<del>235.12</del>	<del>1011.00</del>	<u>1018.00</u>
8	<u>270.69</u>	<del>268.60</del>	<del>1155.00</del>	<u>1164.00</u>

Additional persons in the household will be budgeted at ~~\$144.00~~ 146.00 per month. The administrator will exceed the above maximums when necessary for households having members with special dietary needs. The administrator may require a doctor's statement.

# GENERAL ASSISTANCE POLICY

## *HOUSING (Effective 10/01/2018 ~~9-~~ 09/30/2019~~20~~)*

The maximum amounts allowed for housing are:

<b>Unheated</b>		<b>Weekly</b>	<b>Monthly</b>	
Efficiency	<u>133.00</u>	117.00	503.00	<u>574.00</u>
1 Bedroom	<u>137.00</u>	125.00	540.00	<u>591.00</u>
2 Bedroom	<u>177.00</u>	165.00	711.00	<u>763.00</u>
3 Bedroom	<u>224.00</u>	211.00	907.00	<u>965.00</u>
4 Bedroom	<u>288.00</u>	261.00	1122.00	<u>1240.00</u>
<b>Heated</b>		<b>Weekly</b>	<b>Monthly</b>	
Room		100.00	430.00	
Efficiency	<u>156.00</u>	140.00	604.00	<u>671.00</u>
1 Bedroom	<u>167.00</u>	154.00	664.00	<u>719.00</u>
2 Bedroom	<u>216.00</u>	197.00	847.00	<u>929.00</u>
3 Bedroom	<u>273.00</u>	254.00	1094.00	<u>1174.00</u>
4 Bedroom	<u>348.00</u>	314.00	1349.00	<u>1497.00</u>

Housing rates apply to rooms, efficiencies, apartments, shelters and mortgage payments. Room should include everything except kitchen and bathroom facilities. Efficiency should include kitchen and bathroom facilities.

Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level for the number of rooms actually needed.

### ***PERSONAL/HOUSEHOLD SUPPLIES***

Expenses for ordinary personal and household supplies will be budgeted and allowed according to the applicant's actual need for these items, up to the maximums below.

<b>No. in Household</b>	<b>Weekly</b>	<b>Monthly</b>
1-2	\$ 10.50	\$ 45.00
3-4	11.60	50.00
5-6	12.80	55.00
7-8	14.00	60.00

Additional persons will be budgeted at \$5.00 per month.

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 6 years of age for items such as cloth

## GENERAL ASSISTANCE POLICY

or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

No. of Children	Weekly	Monthly
1	\$ 12.80	\$ 55.00
2	17.40	75.00
3	23.30	100.00
4	27.90	120.00

### *UTILITIES – ELECTRIC (Effective 10/01/2018~~9~~– 09/30/2019~~20~~)*

The maximum amounts allowed for utilities are:

without hot water No. In Household	Weekly	Monthly
1	\$14.00	\$60.00
2	15.70	67.50
3	17.45	75.00
4	19.90	86.00
5	23.10	99.00
6	25.00	107.00

Additional persons will be budgeted at \$7.50 per month

with hot water No. In Household	Weekly	Monthly
1	\$20.65	\$89.00
2	23.75	102.00
3	27.70	119.00
4	32.25	139.00
5	38.75	167.00
6	41.00	176.00

Additional persons will be budgeted at \$10.00 per month

# GENERAL ASSISTANCE POLICY

## *HEATING FUEL*

The maximum amounts allowed for heating fuel are:

Month	Gallons
September	50
October	100
November	200
December	200
January	225
February	225
March	125
April	125
May	50

## *CLOTHING*

Clothing will be budgeted at \$20.00 per person per month when the general assistance administrator finds it necessary to authorize clothing.

## *BURIAL*

The maximum amount of general assistance granted for the purposes of burial is ~~\$1,000.00~~ 1,475.00, with additional payments, where there is an actual cost, for the wholesale cost of a liner if the cemetery bylaws require one, the opening and closing of the gravesite, and a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally-owned cemetery or in a cemetery under municipal control, or in a cemetery that donates the lots to the city, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

## *CREMATION*

The maximum amount of assistance granted for a cremation shall be ~~\$785.00~~ 1,025.00, with additional payments where there is an actual cost, for the wholesale cost of a liner if the cemetery bylaws require one, and a cremation lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally-owned cemetery or in a cemetery under municipal control, or in a cemetery that donates the lots to the city, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

## *TRANSPORTATION*

This municipality adopts the State of Maine travel expenses reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 44 cents per mile.

## *PENALTY - Confidentiality of information*

A civil penalty of not less than \$30.00 nor more than \$100.00. Note: This penalty is outlined in the City Code of Ordinances Chapter 46 General Assistance, Article I In General.



**Social Services Department  
Elaine Brackett  
Acting Social Services Director**



## **MEMORANDUM**

**TO: Mayor Cloutier and Members of the City Council**

**FR: Elaine Brackett, Acting Social Services Director**

**RE: G.A. Maximums**

**DT: September 17, 2019**

Enclosed are the General Assistance Maximums – appendices A-H. Appendices D (utilities) E (heating fuel) and F (personal care) have not changed.

Appendices A (overall maximums), C (housing maximums) and H (burial maximums) have increased. These maximums have increased due to inflation. The burial maximums have not had an increase since 2012 and are not aligned with the actual cost for this service.

The maximums are effective October 1, 2019 through September 30, 2020.

Municipalities are required to annually adopt these maximums, and DHHS requires annual verification that we have done so.

Janet T. Mills  
Governor

Jeanne M. Lambrew, Ph.D.  
Commissioner



Maine Department of Health and Human Services  
Office for Family Independence  
109 Capitol St.  
11 State House Station  
Augusta, Maine 04333-0011  
Tel.: (207) 624-4168; Toll-Free: (800) 442-6003  
TTY: Dial 711 (Maine Relay); Fax: (207) 287-3455

To: Welfare Officials and Contracted Agents  
From: Sara Russell, Program Manager, General Assistance  
Date: September 6, 2019  
Subject: New GA Maximums

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Enclosed please find the following items:

- MMA's new (October 1, 2019–September 30, 2020) “**General Assistance Ordinance Appendices**” (A – F and H).
- “**GA Maximums Adoption Form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (*see “Filing of GA Ordinance and/or Appendices” below for further information*).

### Appendix A – F & Appendix H

The enclosed Appendices A – F, and Appendix H have been revised for your municipality’s General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – F and Appendix H. Even if you have already adopted MMA's model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices yearly**.

### The Adoption Process

The **municipal officers (i.e., selectpersons/council)** adopt the local General Assistance Ordinance and yearly Appendices, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices **after notice and hearing**. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

### **Municipalities May Establish Their Own Maximums**

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for Food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality.

### **Filing of GA Ordinance and/or Appendices**

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site [www.memun.org](http://www.memun.org)).* In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 13**

**SUBJECT:** Order, Authorizing the issuance of Refunding Bonds in a principal amount not to exceed \$3,830,000 for the purpose of refunding the City's Public Improvement Bonds Series A dated May 17, 2011, and to pay any redemption premiums thereon and the costs of issuance.

**INFORMATION:**

In conjunction with the upcoming 2019 Lewiston Capital Improvement Plan (LCIP) general obligation bond sale, an analysis was done of the city's outstanding debt to determine if it would be advantageous to refund any of the City's current outstanding obligations.

Given the dip in interest rates, the City has one former bond issue that would be lucrative to refund or advance refund. The following table outlines pertinent information on the proposed refunding issue, noting the refinancing is projected to generate an adequate present value savings to warrant refunding the callable portion.

Bond Issue	Par Amount	Average Coupon Rate	Projected TIC	PV Savings	Cash Savings
20011	\$3,750,000	3.70%	1.98%	\$291,497	\$311,696

The targeted sale date for the 2019 LCIP bonds and the refunded bonds is November 6, 2019. Currently, we are anticipating a \$19,785,000 bond sale which includes the 2019 LCIP and this one refunding.

It is recommended that the attached resolution be authorized by the City Council.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EARB/KMM*

**REQUESTED ACTION:**

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First, to open a public hearing. Following the hearing, to approve the **Order**, Authorizing the issuance of Refunding Bonds in a principal amount not to exceed \$3,830,000 for the purpose of refunding the City's Public Improvement Bonds Series A dated May 17, 2011, and to pay any redemption premiums thereon and costs of issuance.

**City of Lewiston Maine**  
**City Council Order**  
**September 17, 2019**

**Order,** Authorizing the issuance of Refunding Bonds in a principal amount not to exceed \$3,830,000 for the purpose of refunding the City's Public Improvement Bonds Series A dated May 17, 2011, and to pay any redemption premiums thereon and the costs of issuance.

**Be It Ordered by the City Council of the City of Lewiston,** that the Mayor and the City Treasurer are authorized to issue refunding bonds in a principal amount not to exceed \$3,830,000 in order to refund all or part of the principal of and interest on the City's General Obligation Bonds Series A dated May 17, 2011, with a par value of approximately \$3,750,000 and to pay any redemption premiums thereon and the costs of issuance;

**Be It Further Ordered,** that the City Council instruct the Finance Director to advertise for bids for the bonds or negotiate the sale of bonds with any qualified purchaser; to award the loan; and to employ Locke Lord LLP to furnish the legal opinion for the same;

**Be It Further Ordered,** that the bonds shall be signed by the City Treasurer and Mayor;

**Be It Further Ordered,** that the date, maturities, denominations, interest rate or rates, place or places of payment, form or other details of the bonds and of the provisions for the sale thereof shall be determined by the Finance Director; and

**Be It Further Ordered,** that the bonds hereunder may be subject to call for redemption or refunded on such terms as may be determined by the Finance Director.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 14**

**SUBJECT:** Resolve, Adopting a Choice Neighborhood Transformation Plan for Downtown Lewiston: Growing Our Tree Streets

**INFORMATION:**

In 2018, the City of Lewiston was one of three communities that received combined Choice Neighborhood planning and action grant along with the cities of Los Angeles and Philadelphia. Over the past 18 months, city staff, along with our grantee partner Community Concepts, has worked with a large number of stakeholders and residents of the city and the targeted Tree Street neighborhood to develop a transformation plan intending to dramatically transform the social and physical components of the area. This program leverages significant public and private dollars to address struggling neighborhoods with distressed public or HUD assisted housing through a comprehensive approach focusing on the neighborhood, housing, and people.

City staff worked with a planning consultant and market analyst and engaged over 400 residents in forums, meetings, and workshops to develop this plan. A draft was presented to the Council in June and public comments were accepted through July 25, 2019. The plan has been reviewed and accepted by the U.S. Department of Housing and Urban Development. We are now asking that the City Council approve and adopt the plan as a blueprint for implementation.

The plan's draft executive summary is attached and the complete final plan and executive summary can be found on the City's website at: <https://www.lewistonmaine.gov/933/Choice-Neighborhood-Grant>.

We would also like to thank all of those who participated in this process. This planning process could not have been a success without them. I would also like to publicly recognize our Economic Development manager Misty Parker who has worked tirelessly on this project.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.



**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Resolve, Adopting a Choice Neighborhood Transformation Plan for Downtown Lewiston: Growing Our Tree Streets



COUNCIL RESOLVE

**Resolve, Adopting a Choice Neighborhood Transformation Plan for Downtown Lewiston:  
Growing Our Tree Streets**

Whereas, the City of Lewiston and its co-grantee Community Concepts, Inc were awarded in 2018 a Choice Neighborhood Planning and Action Grant from the Department of Housing and Urban Development; and

Whereas, the Choice Neighborhoods program leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation focused in the areas of neighborhood, housing and people.

Whereas, Lewiston's Choice Neighborhood encompasses the boundaries of Census Tracts 201, 203 & 204; and

Whereas, within Lewiston's Choice Neighborhood the Plan targets the Tree Streets Neighborhood; an area demonstrating elevated rates of economic disparity, health, education, and housing related concerns relative to the City and County; and

Whereas, the City worked with a planning consultant and market analyst to develop the plan and engage over 400 residents in the planning process, including forums, meetings, and workshops; and

Whereas, the draft plan was presented to City Council June 25, 2019 and public comments were requested through July 25, 2019; and

Whereas, the Department of Housing and Urban Development has accepted the draft plan deliverable;

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

A Choice Neighborhood Transformation Plan for Downtown Lewiston, "Growing Our Tree Streets" is hereby approved and adopted.

**Be it Further Resolved that**

the City Council hereby expresses its appreciation to all partners and residents who participated in the creation of this plan and to their continued commitment to transforming the Tree Streets Neighborhood. Without an unprecedented level of commitment to the work, this plan would not have been possible.

# Economic and Community Development

Misty Parker

Economic Development Manager



**To:** Honorable Mayor and Members of the City Council  
**From:** Misty Parker  
**RE:** Choice Neighborhood Transformation Plan Adoption  
**Date:** September 17, 2019

In 2018, in partnership with Community Concepts as co-grantee, the City was fortunate to receive a \$1.3 million Choice Neighborhood Planning and Action Grant from the Dept. of Housing and Urban Development (HUD) to develop a transformation plan for the Tree Streets, and to make some initial brick and mortar changes to the neighborhood based on the expressed needs and desires of neighborhood residents. The Choice Neighborhood program leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation.

The planning process requires focused community participation throughout the process from the residents of our target housing development, Maple Knoll, as well as residents within the surrounding neighborhood. Over the past year and a half the City and its partners have engaged over 400 residents in developing the transformation plan: Growing Our Tree Streets. The comprehensive planning process included a market analysis, existing conditions analysis, mapping workshops, pop-up events, housing forums, open houses, strategy sessions, and community dinners. The resulting plan encompasses the input of the community, best practices, and establishes nine measurable goals to transform the Tree Street Neighborhood. Partners have committed to implementing the strategies identified in the plan and can be identified in the implementation matrix.

Upon completion of this plan, the neighborhood has already seen over \$2 million invested in the neighborhood as a direct result of the planning process. Partners have leveraged over \$875,000 to support the planning work; an additional \$140,000 has been invested toward neighborhood improvements; and over \$1,375,000 has been invested in private properties. The neighborhood and our partners are excited and motivated to start implementing the plan.

The draft plan was completed in June. Workshops were hosted with the Planning Board as well as City Council to solicit feedback on the draft plan. The draft plan was also submitted to HUD in June for review as part of the grant agreement.

The draft was accepted by HUD and comments incorporated. Public comment was open until July 25<sup>th</sup> and all comments were reviewed by the planning teams and revisions were made to the draft plan. The plan before you represents the vision of the Tree Streets Neighborhood, a commitment from community partners, and an opportunity to revitalize our most distressed neighborhood through a measured strategic plan. Staff recommends adoption of the Choice Neighborhood Transformation Plan for Downtown Lewiston: Growing Our Tree Streets.

The full transformation plan and appendix are located on the City website:  
<http://www.lewistonmaine.gov/933/Choice-Neighborhood-Grant>



# GROWING

OUR TREE STREETS

A Choice Neighborhood Transformation Plan for Downtown Lewiston

# EXECUTIVE SUMMARY

## WHAT IS GROWING OUR TREE STREETS?

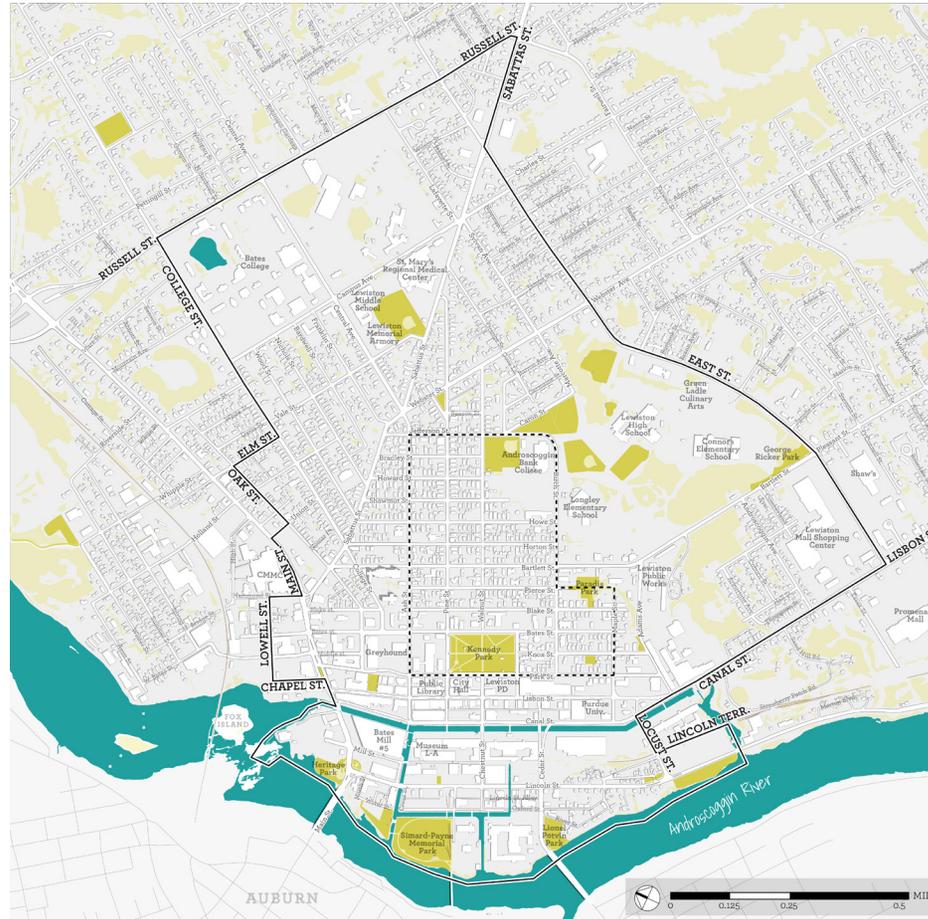
In 2017, the City of Lewiston, in partnership with Community Concepts, Inc. (CCI) applied for, and received, a competitive grant from the U.S. Department of Housing and Urban Development (HUD). Funded by HUD's Choice Neighborhood Initiative, the Downtown Lewiston Choice Neighborhood Planning and Action Grant brought much needed resources to Lewiston to develop a community-based comprehensive Transformation Plan for a three-Census Tract Study Area (Tracts 201, 203, 204).

The Study Area encompasses approximately 1.5 square miles including Downtown Lewiston, the historic textile mills and canal system, some of the City's oldest residential neighborhoods, plus Bates College, St. Mary's Medical Center, Lewiston High School, and the new Connors Elementary School currently under construction.

HUD's Choice Neighborhoods Initiative aims for holistic transformation in neighborhoods struggling to address the interconnected challenges of distressed housing, poor health, underperforming schools, crime, and lack of investment.

**The program seeks to catalyze change in three different areas:**

- › **In the lives of People** – the Transformation Plan should aim to improve the education, health, income, and employment outcomes of households living in new Choice-funded homes and within designated Choice Neighborhoods
- › **In local Housing and Homes** – the Transformation Plan should aim to replace distressed public and HUD-assisted housing with high-quality mixed-income homes and apartments that are managed well and actively respond to the needs of the local community



### STUDY AREA

Source: City of Lewiston

- CHOICE STUDY AREA
- ⋮ TREE STREETS NEIGHBORHOOD
- PARK
- WOODED AREA
- RIVER
- RAIL

- › **In the Choice Neighborhood** – the Transformation Plan should help create the conditions necessary for public and private reinvestment in distressed neighborhoods. These conditions include public safety, a healthy environment, good schools and opportunities for learning, and commercial activity

The focus of this Transformation Plan is the Tree Streets Neighborhood. Named for many of its

streets, which, in turn, are named for different tree species, the neighborhood lies at the heart of the City and the Choice Study Area. The documented issues in the Downtown Lewiston Choice Neighborhood, such as the disproportionate levels of childhood lead poisoning, concentrated poverty, disinvested housing stock, slow pace of revitalization and rehab, and recent traumas tied to race-related violence and substance misuse, are significantly more pronounced within the Tree Streets.

# PLANNING PROCESS & COMMUNITY INVOLVEMENT

The Downtown Lewiston Choice Neighborhood Transformation Plan process was a truly collaborative effort, requiring the dedication, commitment, and expertise of many diverse partners.

**The City of Lewiston** was the lead applicant for the grant, with Community Concepts, Inc. (CCI) as co-applicant. The City worked closely with the local community, and managed the consultant team hired to develop this plan.

**Community Concepts, Inc. (CCI)** is a local provider of housing, economic development, and social services. CCI spearheaded the needs assessment and People Team, and hired additional staff to serve as Family Advocates. These Family Advocates work directly with Maple Knoll residents and guided them through this planning effort. They will continue working with them through its implementation.

**The Healthy Neighborhood Planning Council (HNPC)** is a coalition of local residents and community organizations who were already hard at work transforming the Tree Streets Neighborhood even before Lewiston received a Choice Neighborhood Planning and Action Grant. HNPC served as the governing body for the planning effort, embracing the role of steering committee and grounding the planning process in the Council's core values of inclusiveness and relationship building.

**Lewiston-Auburn Community Housing, Inc. (LACH)** and **Lewiston Housing Authority (LHA)** both served on the Leadership Team and will be essential partners in implementing this plan. LACH, an affiliate non-profit of CCI, is deeply rooted in the Tree Streets, with neighborhood representation at the board level. As a HUD-certified Community Housing Development Organization, LACH has local experience in developing affordable housing for low- and moderate-income persons. As a HUD High-Performing Agency, the LHA has housing management experience unmatched in Lewiston.

The **John T. Gorman Foundation** has generously supported the Choice Neighborhood Transformation Planning effort through the dedication of staff time and research, resources for early implementation activities, and the financial support of project experts retained to advise on Choice planning, capacity building, and implementation efforts.

And, importantly, the **Tree Streets Residents and Community Members** have given generously of their time and ideas to shape this plan for our neighborhood.

The planning process unfolded between April to April, 2018 to 2019, with three main phases of work, all of which are documented in the Growing Our Tree Streets Neighborhood Transformation Plan:

- › **Understanding the Existing Conditions** – The first phase of the project focused on data collection. The consultant team conducted interviews and a parcel-by-parcel field survey, as well as a thorough analysis of available datasets from demographics to transportation, and crime to code violations. Data entry and analysis by faculty at Bates College and Neighborhood Development Team members allowed for an assessment of quantitative data alongside qualitative information. CCI undertook the Needs Assessment with residents of Maple Knoll Apartments and worked with Bates College faculty to develop a short-form neighborhood survey tool to help understand the population of Maple Knoll in the context of the broader neighborhood's population.
- › **Establishing a Vision and Guiding Principles** – With a clear understanding of the existing conditions in the Choice Neighborhood Study Area and the issues and opportunities of the Tree Streets, the second phase of work focused on creating a vision. This pivot from

thinking about how the neighborhood was in the past and is today to how it will be the future was a collaborative effort, undertaken with care and intention by community members and the consultant team. To support the forward-looking vision for the neighborhood and frame the strategies that comprise the plan, community members drafted a series of goals and guiding principles which establish shared values and ground rules for future change.

- › **Developing Strategies and a Plan for Implementation** – The third phase of work focused on developing the strategies for change. The strategies respond to the issues and opportunities identified during the analysis of existing conditions and reinforce the community's vision and goals for the future. Some of the strategies are immediately achievable while others may take years or even decades to complete. The implementation plan identifies phasing, key partners, probable funding sources, and measurable outcomes and objectives to track change over time.

Growing Our Tree Streets is the result of a community-led planning process which was defined by a robust and inclusive outreach effort spearheaded by HNPC's Community Engagement and Neighborhood Development Teams.

**Over 400 people speaking over eight languages lent their voice and vision to the planning effort.**

Participants included life-long Lewiston residents and recent newcomers, Maple Knoll residents and neighbors from throughout the Choice Neighborhood Study Area, business owners, community organizations, City staff, elected officials, advocates, property owners, investors, foundations, local youth, people experiencing homelessness, and currently incarcerated women who will re-enter the Tree Streets community.



# THE TREE STREETS, TODAY

The Tree Streets Neighborhood, a residential area within Downtown Lewiston, is home to one of the most diverse communities in the State of Maine. The 30 blocks between Lewiston's beloved Kennedy Park and the Colisée, enjoyed by generations, are now home to residents from more than 30 nations around the world – many from Eastern and Central Africa. In a city that had been experiencing job and population loss since the 1970s, the growing number of African refugees and asylum seekers since 2001 has repopulated a housing stock originally built in the mid-1800s for French Canadian immigrants drawn to job opportunities at the Bates Mill. Storefronts on Lisbon Street offer products from around the globe, 36 languages and dialects are spoken at Longley Elementary School, soccer rivals hockey as a neighborhood pastime, and we neighbors – lifelong residents and “New Mainers” – are working to improve our community. Our neighborhood lies at the heart of the City, and our commitment to the Tree Streets is both a commitment to Lewiston and a recommitment to our roots.

Despite the trend of growth, our Tree Streets Neighborhood faces many challenges today. Housing stock suffers from decades of disinvestment. A full 96 percent of households are renters, and many of us are forced to rent homes that are in substandard condition, which includes the danger of lead poisoning. Over half of our households are currently living in poverty, and although Lewiston is a college town, most Tree Streets residents do not have a college degree. Among other health-related issues, we are also suffering the same substance-abuse problems as so many other parts of the nation.

Neighbors struggle to meet their basic needs for safe housing, healthy, affordable food, and access to jobs and quality services such as daycare in the neighborhood. There are also divisions within Lewiston's Tree Streets based on race and prejudices, exacerbated by long-standing negative perceptions held by those who do not live here.

And yet the Tree Streets are alive with hope, determination, and grit. Our neighborhood is a truly global community, rich with a history of immigrants forming new beginnings. Though we may come from around the corner or around the world, with different experiences, cultures, and traditions, we have common ground: a vibrant neighborhood with good bones, wonderful assets, and a shared sense of priorities.

This plan, *Growing Our Tree Streets: A Choice Neighborhood Transformation Plan for Lewiston's Tree Streets*, documents our shared values and priorities.



## OUR VISION

Our vision for the Tree Streets is to continue cultivating our shared values and grow as a **safe, healthy, welcoming, equitable, and vibrant** community – a community in which anyone would choose to live, work, play, and raise a family. We are organized, committed to change and unprecedented inclusion. Working together, guided by a collective voice and vision, we are sowing a future in the Tree Streets where all can thrive.

The Tree Streets we are creating:

- › offer an environment where our **PEOPLE** can share their skills and talents and thrive with access to resources, educational opportunities, economic stability, and health and well-being. Our close-knit and resilient population celebrates our diverse roots and builds strength through our collective voice.
- › provide **HOMES** for all neighbors that are safe, healthy, and 100 percent lead-free, with options for a range of family sizes and income levels so that anyone who wants to live in the Tree Streets as an owner or renter can do so. Developing sustainably is important in order to create homes that work for generations to come.
- › support a **NEIGHBORHOOD** that people proudly choose to call home. It cultivates community inclusion and interaction across race, class, and ability. It nurtures our children while itself growing greener, more connected, safer, and stronger through shared stewardship, robust resources, and a thriving economy.

# SUMMARY OF ISSUES AND OPPORTUNITIES

Based on data from the analysis of existing conditions, the market study, the needs assessment, as well as input from in-depth conversations with community residents, the planning process identified nine key issues critical to the transformation of our Tree Streets Neighborhood.

## 1 **The Deleterious Effects of Lead**

The presence of lead in our soil, in our homes, and in our blood is poisoning our futures, both as individuals and as a community. Support for a lead-free neighborhood has galvanized the community to action and will require sustained and multi-faceted action to achieve.

## 2 **The Desire for a Clean, Safe Neighborhood We are Proud to Call Home**

The narrative surrounding the Tree Streets is negative, but we are rewriting our own story. Efforts to clean up the neighborhood, restore public safety on our streets, and add beauty will improve our quality of life as well as public perception.

## 3 **The Lack of Trust and Tolerance**

Many see our neighborhood's diversity and multi-culturalism as among our greatest strengths. But until trust and tolerance are universal, we have work to do to build relationships across cultures in order to become a truly inclusive community.

## 4 **The Stagnant Housing Market, Coupled with a Lack of Housing Choice**

The prolonged lack of investment in our housing stock has resulted in a lack of safe, quality, and affordable homes for households of all sizes and income levels. To jump-start the housing market and respond to the need to replace obsolete and sub-standard units will require both catalytic redevelopments as well as strategic infill.

## 5 **The Need for Greater Levels of Ownership and Community Control**

There are very few homeowners in the Tree Streets, though many residents hope to put down roots and invest. Given the very low incomes of many households and the reality that homeownership may not be achievable or appropriate for all, other mechanisms to increase pathways to ownership and boost community control and sense of ownership will be necessary.

## 6 The Drive for Improved Health and Wellness

Grassroots community organizing efforts in the Tree Streets which predated the Choice Transformation Planning effort emerged in response to local health crises – elevated lead levels, food insecurity, and gaps in access to care – which remain issues today. The health of our community members is directly tied to the health of our neighborhood.

## 7 The Need to Support our Young People

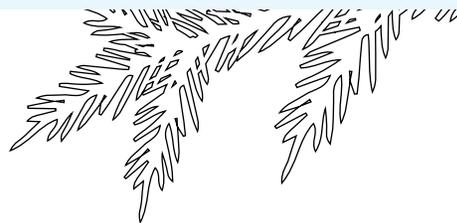
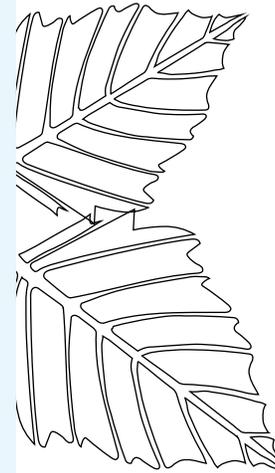
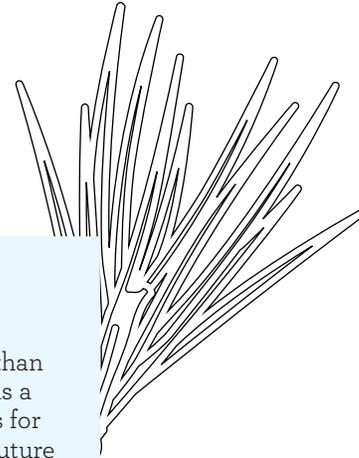
The Tree Streets is a neighborhood blessed by many children. Living in tight quarters, our neighborhood youth spend much of their out-of-school time out and about in the neighborhood. A nurturing environment that provides safe spaces for play, access to mentorship, engaging programs, and employment opportunities will help to ensure bright futures for kids in the neighborhood.

## 8 The Value of Lifelong Learning

In the Tree Streets, perhaps more than many other neighborhoods, there is a need for educational opportunities for all ages. Lack of education limits future opportunities for work, and varied degrees of English language literacy and lifelong developmental challenges due to lead poisoning create additional barriers to employment. Learning and educational achievement should begin in early childhood, continue for school-aged children, and remain a part of adult life.

## 9 The Path to Economic Mobility and a Stronger Local Economy

Ultimately, pathways to a future in which our neighbors and our neighborhood thrive economically will require the replacement of barriers with bridges to workforce training and jobs that pay a living wage, and the cultivation of commercial services that respond to community needs, which, in turn, become local businesses supported by the local community.



The balance of the plan focuses on **addressing these issues and maximizing opportunities** through the coordinated, creative, and strategic use of existing and available resources.

# GOALS & STRATEGIES

Each of the following goal statements seek to address those key issues and opportunities, and are designed to help achieve the vision while providing a framework for organizing strategies. The strategies listed under each of the goal statements on the following pages are proposed recommendations that describe not only what should be done, but also where, when, and how to achieve the goals. The page numbers below point to the relevant section of the full Transformation Plan where additional information and details can be found.

<b>GOAL 1</b> LEAD-FREE <b>1</b> <b>GROW A HEALTHY FUTURE THROUGH A HOLISTIC LEAD-FREE LEWISTON EFFORT ROOTED IN THE TREE STREETS</b> <b>P. 110</b>	<b>GOAL 4</b> HOMES <b>4</b> <b>GROW AN INVENTORY OF HEALTHY HOUSING AND OFFER HOUSING CHOICES FOR ALL</b> <b>P. 150</b>	<b>GOAL 7</b> YOUTH <b>7</b> <b>GROW OUR TREE STREETS INTO A FUN, SAFE &amp; NURTURING ENVIRONMENT FOR OUR YOUTH</b> <b>P. 194</b>
<b>GOAL 2</b> CLEAN & SAFE <b>2</b> <b>GROW A NEW NARRATIVE FOR THE TREE STREETS AS A SAFE AND BEAUTIFUL NEIGHBORHOOD</b> <b>P. 118</b>	<b>GOAL 5</b> OWNERSHIP <b>5</b> <b>GROW COMMITMENT TO AND INFLUENCE IN THE NEIGHBORHOOD FROM LOCAL OWNERS, LONG-TERM INVESTORS, AND RESIDENTS</b> <b>P. 172</b>	<b>GOAL 8</b> LEARNING <b>8</b> <b>GROW INDIVIDUAL EDUCATION OUTCOMES</b> <b>P. 208</b>
<b>GOAL 3</b> MULTI-CULTURAL <b>3</b> <b>GROW THE INCLUSIVENESS OF OUR COMMUNITY BY INCREASING TRUST AND RELATIONSHIPS ACROSS CULTURES</b> <b>P. 142</b>	<b>GOAL 6</b> HEALTH & WELLNESS <b>6</b> <b>GROW AN ENVIRONMENT THAT SUPPORTS HEALTH AND WELLNESS AMONG COMMUNITY MEMBERS</b> <b>P. 180</b>	<b>GOAL 9</b> JOBS & ECONOMIC DEVELOPMENT <b>9</b> <b>GROW PATHWAYS TO THRIVE AND ECONOMIC MOBILITY FOR ALL</b> <b>P. 218</b>

# GOAL 1 GROW A HEALTHY FUTURE THROUGH A HOLISTIC LEAD-FREE LEWISTON EFFORT ROOTED IN THE TREE STREETS

Strategies and key actions include:

## 1.1 Engage Community Navigators to increase education and screening to foster bright futures for children and families with children

- > Organize all caregivers in the community, share information about the dangers of lead, and connect them to the lead prevention resources available through Healthy Androscoggin
- > Refer all children under five for screening for lead exposure
- > Expand proactive nutrition, health, and wellness strategies to combat lead exposure

## 1.2 Remove lead from the Tree Streets Neighborhood and eliminate incidents of childhood lead poisoning

- > Replace, or rehab to lead-free, every one of the 1,451 pre-1950 dwelling units in the Tree Streets by 2043
- > Advocate for the testing and remediation of formal and informal outdoor play spaces

## 1.3 Develop resources, policies, and guidance for creating safe, healthy housing within existing properties

- > Require that housing rehabilitation and development efforts constructed with public dollars meet the standard of lead-free
- > Enforce the proper disposal of contaminated construction debris and the containment of particles during demolition
- > Continue to build and maintain the Property Health Report to inform decision making and measure change
- > Work to create more energy-efficient structures and upgrade building performance

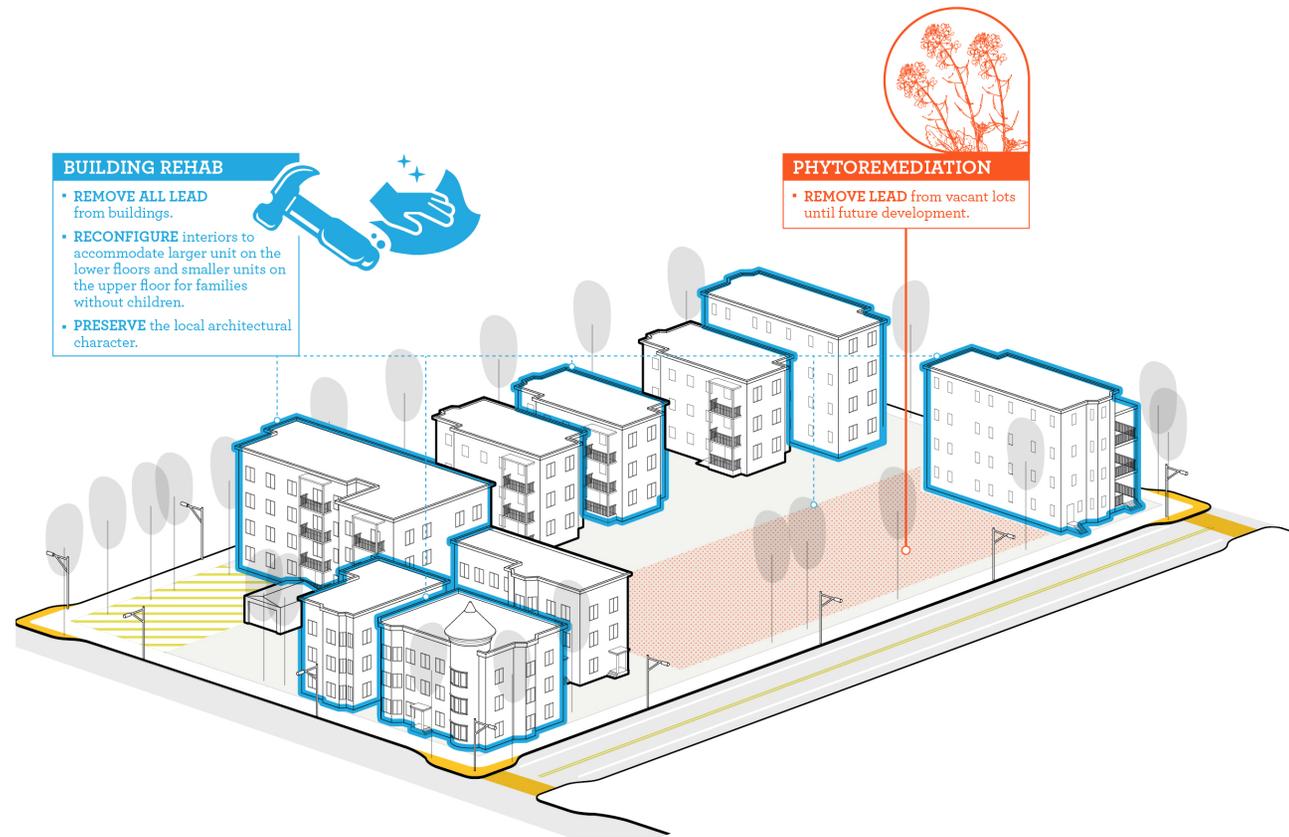


Diagram of proposed physical lead abatement measures in the neighborhood

# GOAL 2

## GROW A NEW NARRATIVE FOR THE TREE STREETS AS A SAFE AND BEAUTIFUL NEIGHBORHOOD

Strategies and key actions include:

### 2.1 Increase safety and perceptions of safety

- > Redevelop with a mix of uses to put more eyes on Kennedy Park
- > Support and expand the Lewiston Police Department's efforts to build relationships with residents
- > Improve lighting with porch lights, pedestrian scale fixtures, and decorative lighting

### 2.2 Beautify the neighborhood and increase pride and stewardship

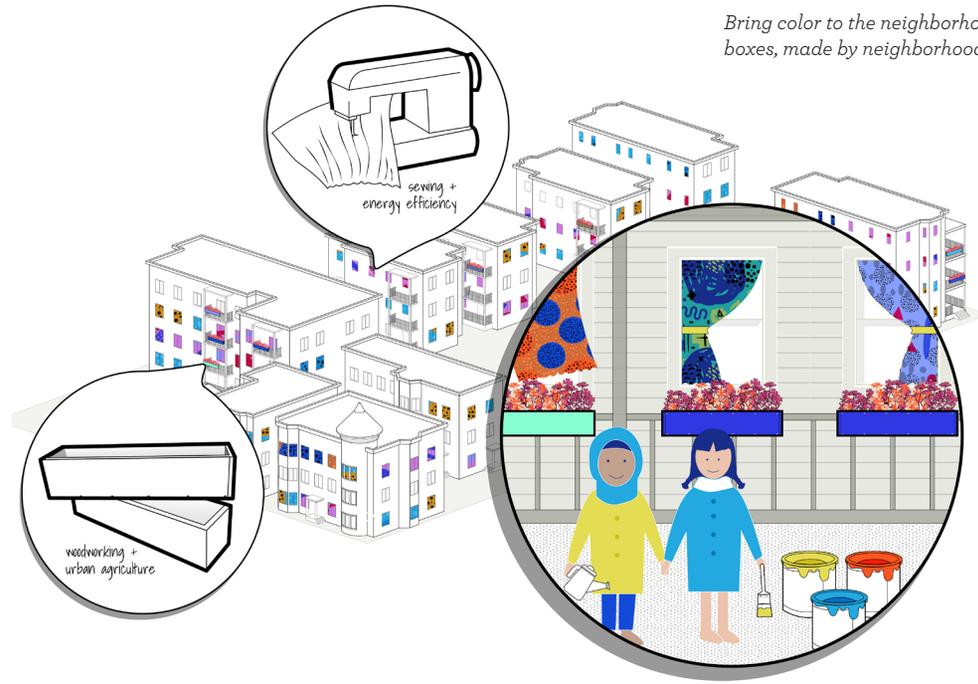
- > Continue community clean-ups and strengthen code enforcement
- > Add more color with community projects like window boxes, curtains, and public art
- > Activate and maintain vacant lots

### 2.3 Make the Tree Streets safe for walking, biking, and riding the bus

- > Improve the walking experience with traffic calming designs, crosswalks, and sidewalk enhancements that support improved accessibility in all seasons
- > Advocate to restore funding that brings back the previous level of transit service
- > Assess opportunities for rideshare with community-run jitney buses
- > Expand the bike network

### 2.4 Change the narrative of the neighborhood

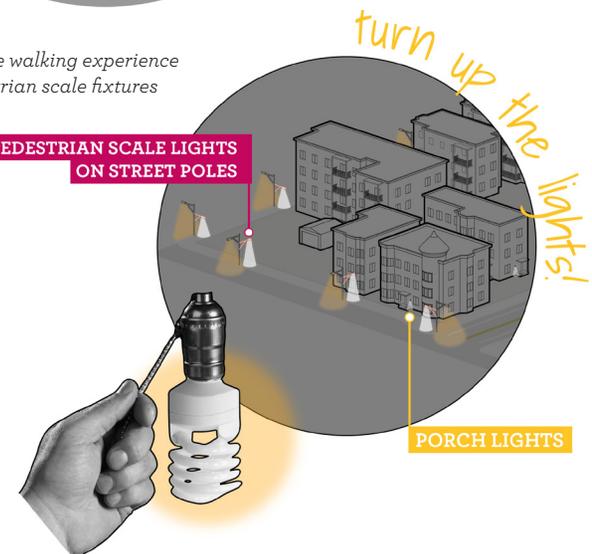
- > Offer Meet the Tree Streets Neighborhood tours and events



*Bring color to the neighborhood with curtains and flower boxes, made by neighborhood youth*

*Improve the walking experience with pedestrian scale fixtures*

**PEDESTRIAN SCALE LIGHTS ON STREET POLES**



# GOAL 3

## GROW THE INCLUSIVENESS OF OUR COMMUNITY BY INCREASING TRUST AND RELATIONSHIPS ACROSS CULTURES

Strategies and key actions include:

### 3.1 Build community traditions with regularly scheduled events that nurture community, social connections, and social supports

- > Build International Day and Lewiston-Auburn World Refugee Day
- > Bring more programming to Kennedy Park and across the neighborhood

### 3.2 Find common ground through shared stories

- > Cultivate story telling by community members and sharing in person and via social media
- > Develop a Cultural Exchange Ambassadors Program

### 3.3 Work to better understand and celebrate our multiculturalism

- > Conduct a community census
- > Increase civility and compassion through trainings for City workers, police officers, employers, landlords, and residents

### 3.4 Ensure that all voices are heard and all voices have power

- > Bolster Lewiston Adult Ed's Citizenship program
- > Ensure access to legal representation and remove language barriers

JANUARY	FEBRUARY	MARCH	APRIL
 Winterfest	 Winter Farmers' Market	 Continue Community Dinners	 Spring Clean up Egg Hunt
MAY	JUNE	JULY	AUGUST
 Outdoor Movies Mother's Day	 Porch Music Festival, Pride L/A Congolese Independence Day Great Falls Brewfest	 World Refugee Day 4th of July	 Bring back the Summer BBQ in Kennedy Park Balloon Festival, International Youth Day
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
 National Kids Day Maine Inside Out Block Party	 Pumpkin carving contest Trick or Treat Halloween Party	 Thanksgiving Community Dinner Twin Cities Holiday Celebration	 Lighting of Christmas Tree, Winter Festival Community Christmas Party, Sparkle Sunday
OTHER NON-SEASONAL EVENTS			
			Lewiston Farmers' Market, Art Walk, Gardening together at community gardens, Various events in Kennedy Park

Community Calendar

# GOAL 4

## GROW AN INVENTORY OF HEALTHY HOUSING AND OFFER HOUSING CHOICES FOR ALL

Strategies and key actions include:

### 4.1 Redevelop sites in the Choice Neighborhood with different types of homes and selective density

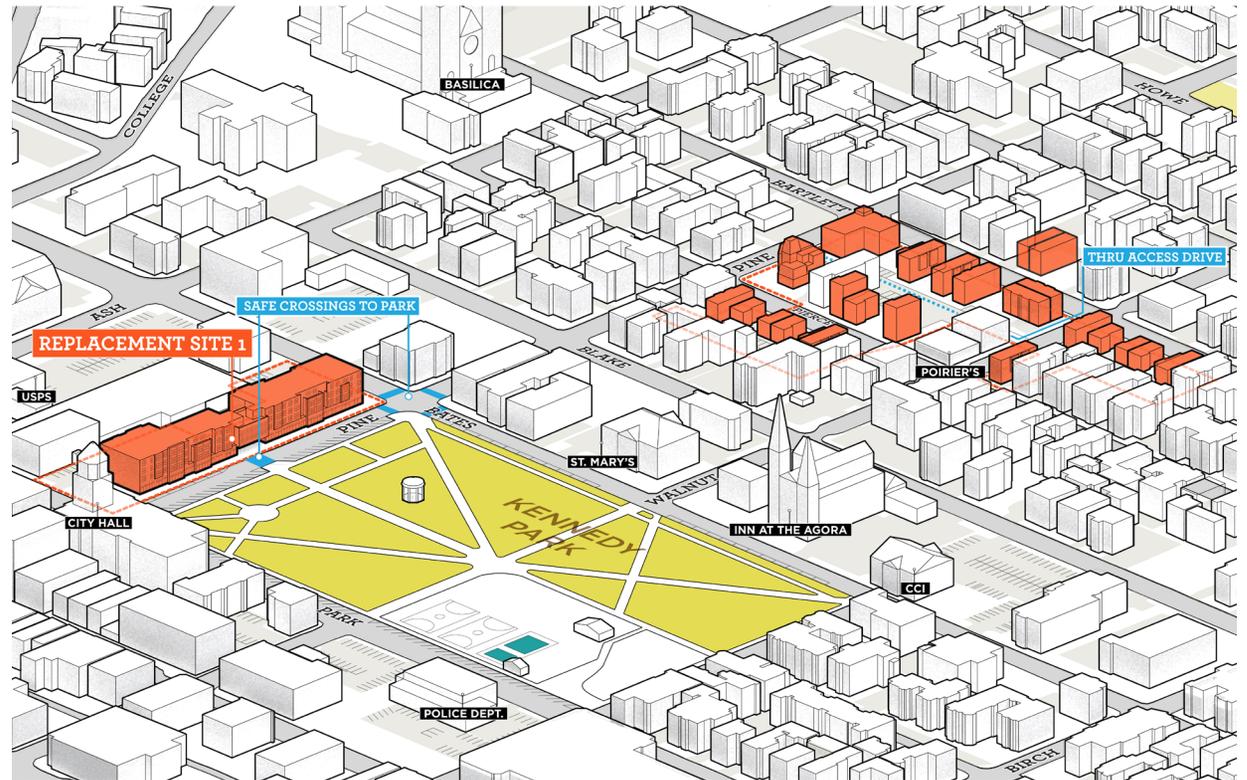
- › Redevelop the northern edge of Kennedy Park with a 66-unit mixed-use mixed-income apartment building (Replacement Site 1)
- › Extend the market momentum up Pine Street into the heart of the Tree Streets with a 64-unit mixed-income family-oriented development (Replacement Site 2)
- › Adopt a Relocation Plan that eases the transition for Maple Knoll residents by building first and relocating only once
- › Redevelop the Maple Knoll site to create new homeownership opportunities at a density and scale compatible with adjacent single family homes

### 4.2 Encourage strategic infill of new homes with building designs that are responsive to the neighborhood

- › Adopt a pattern book with a selection of community-informed, resource-efficient housing typologies
- › Attract investment from small developers willing to undertake rehabilitation projects and then transition ownership to residents
- › Update zoning to support development that reflects neighborhood values

### 4.3 Develop supportive housing for people experiencing homelessness and other hard to house persons and families

- › Adopt a Housing First Model
- › Establish low barrier transitional housing
- › Provide additional permanent housing with on-site wrap-around supports for residents living with disabilities and/or in recovery



Model view of Maple Knoll replacement sites



Before photo of the Kennedy Park site (Replacement Site 1), looking down Pine Street toward City Hall. A rendering of the proposed development can be seen on the opposing page.



*Rendering of the proposed Kennedy Park development*

# GOAL 4

**GROW AN INVENTORY OF HEALTHY HOUSING AND OFFER HOUSING CHOICES FOR ALL**

**60 NEW CONSTRUCTION  
4 REHABS  
64 TOTAL NEW HOMES**



*Rendering of homes proposed at Replacement Site 2*



\* The Wedgewood House rehab should include a 4BR unit on the ground floor with a separate entrance to accommodate a family, (1) 1BR unit and (1) 2BR unit on the second floor, and (1) 2BR unit on the third floor.

Type	
A	Multi-Family Duplex, 1 BR-1BA
B	Multi-Family Combo, 3 BR-2BA and 1 BR-1BA
C	Multi-Family Combo, 4 BR-2.5BA and 2 BR-1.5BA
F	Multi-Family, 1BR-1BA and Studios

Density	
■ (orange)	2-story
■ (red)	3-story

Unit Count	
⊠ (with X)	Total unit count

Amenities	
⊠ (with T)	Trash & Recycling Enclosure

**SEE PP. 160-161 IN THE TRANSFORMATION PLAN FOR DETAILS ON THE DESIGN OF THESE NEW HOMES**

*Site plan for Replacement Site 2, neighborhood-scale family-oriented infill*



*Redevelop the Maple Knoll Community Garden so it becomes a true community asset*

**Proposed 2-Story Townhouses 3 Units Total**

**SEE PP. 166-167 IN THE TRANSFORMATION PLAN FOR DETAILS ON THE DESIGN OF THESE NEW HOMES**

Site plan of the Maple Knoll redevelopment as a location for new homeownership opportunities

# GOAL 5

## GROW COMMITMENT TO AND INFLUENCE IN THE NEIGHBORHOOD FROM LOCAL OWNERS, LONG-TERM INVESTORS, AND RESIDENTS

Strategies and key actions include:

### 5.1 Increase the number of long-term homeowners and community-controlled homes in the Tree Streets

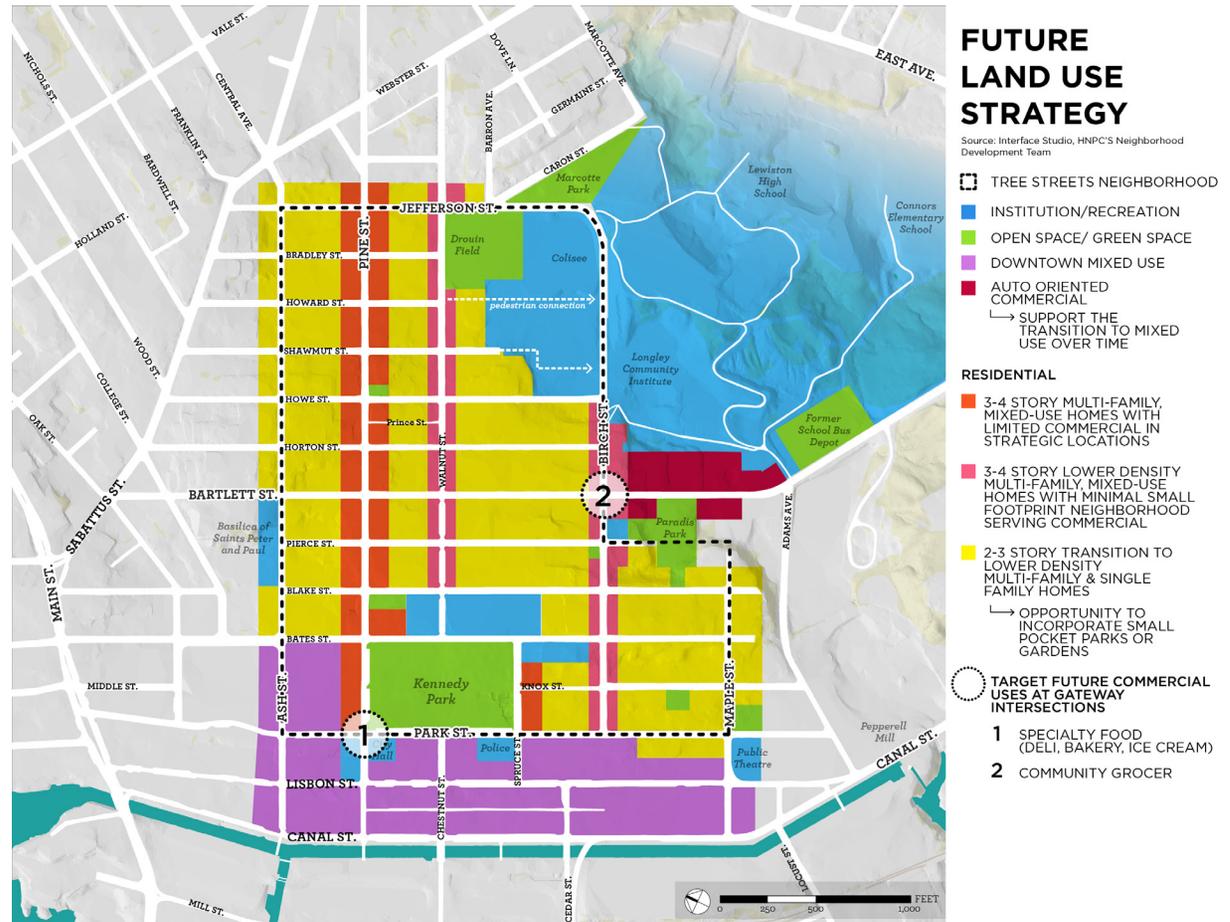
- > Increase access to and utilization of financial coaching among residents
- > Connect potential home buyers with first time home buyer assistance programs
- > Offer pathways to homeownership through rent-to-own financing structures
- > Support the expansion and creation of more housing cooperatives

### 5.2 Strengthen tenants' voices

- > Re-establish a tenants' union
- > Mediate known and recurring landlord-tenant challenges

### 5.3 Build neighborhood leadership and organization, and increase community control

- > Institute a neighborhood governance structure, led by residents
- > Create a network of Block Captains
- > Establish community participation in the owner-entity for Choice replacement housing through formal partnerships with Lewiston-Auburn Community Housing
- > Promote the development and stewardship of neighborhood property through a community-based development organization
- > Support development proposals and future land uses compatible with the community vision



Future Land Use Map

# GOAL 6 GROW AN ENVIRONMENT THAT SUPPORTS HEALTH AND WELLNESS AMONG COMMUNITY MEMBERS

Strategies and key actions include:

## 6.1 Increase access to and utilization of health services

- > Work to increase residents' utilization of local health services
- > Employ a new Health Equity Coordinator at B Street Health Center (one site of Community Clinical Services) who will form relationships with patients burdened by unsafe housing

## 6.2 Identify a location in the Tree Streets for Community Clinical Services to consolidate its services into a single, accessible location

- > Bring together family, dental, pediatric, and behavioral care services

## 6.3 Address identified gaps in the health system and network of community resources

- > Provide access to warm, welcoming spaces during the day and in all seasons for those experiencing homelessness

## 6.4 Expand access to quality nutritious food

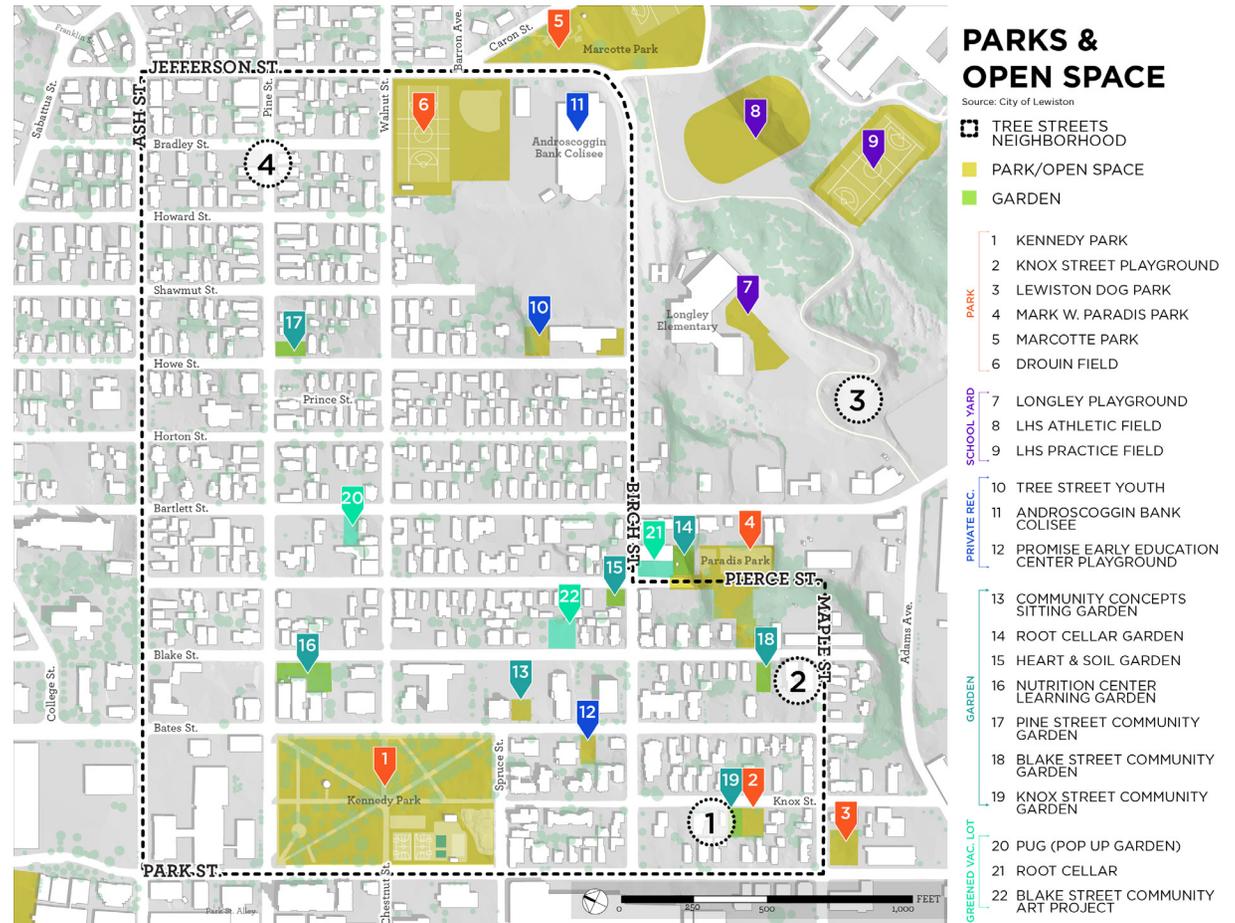
- > Secure a permanent location for the Lewiston Farmers' market in/near the neighborhood
- > Develop a wholesome food vendor with a permanent store in the neighborhood
- > Create more places to grow food in the neighborhood

## 6.5 Encourage increased physical activity

- > Offer exercise programming for all seasons, all ages, all genders
- > Create a local "World Cup" tournament

## 6.6 Create a healthy neighborhood environment

- > Commit to smartgrowth and a green city
- > Increase the tree canopy



Map of neighborhood gardens and open spaces

# GOAL 7

## GROW OUR TREE STREETS INTO A FUN, SAFE & NURTURING ENVIRONMENT FOR OUR YOUTH

Strategies and key actions include:

### 7.1 Incorporate opportunities for play throughout the neighborhood

- > Transform outdoor amenities for use in winter months
- > Provide flexible indoor recreation space

### 7.2 Improve gathering and public spaces so they are high quality and strengthen community ties

- > Make capital improvements at Kennedy Park and Paradis Park
- > Install a soccer dome at Drouin Field for year-round play

### 7.3 Support community-based programming that provides education, mentorship, and enrichment for neighborhood youth

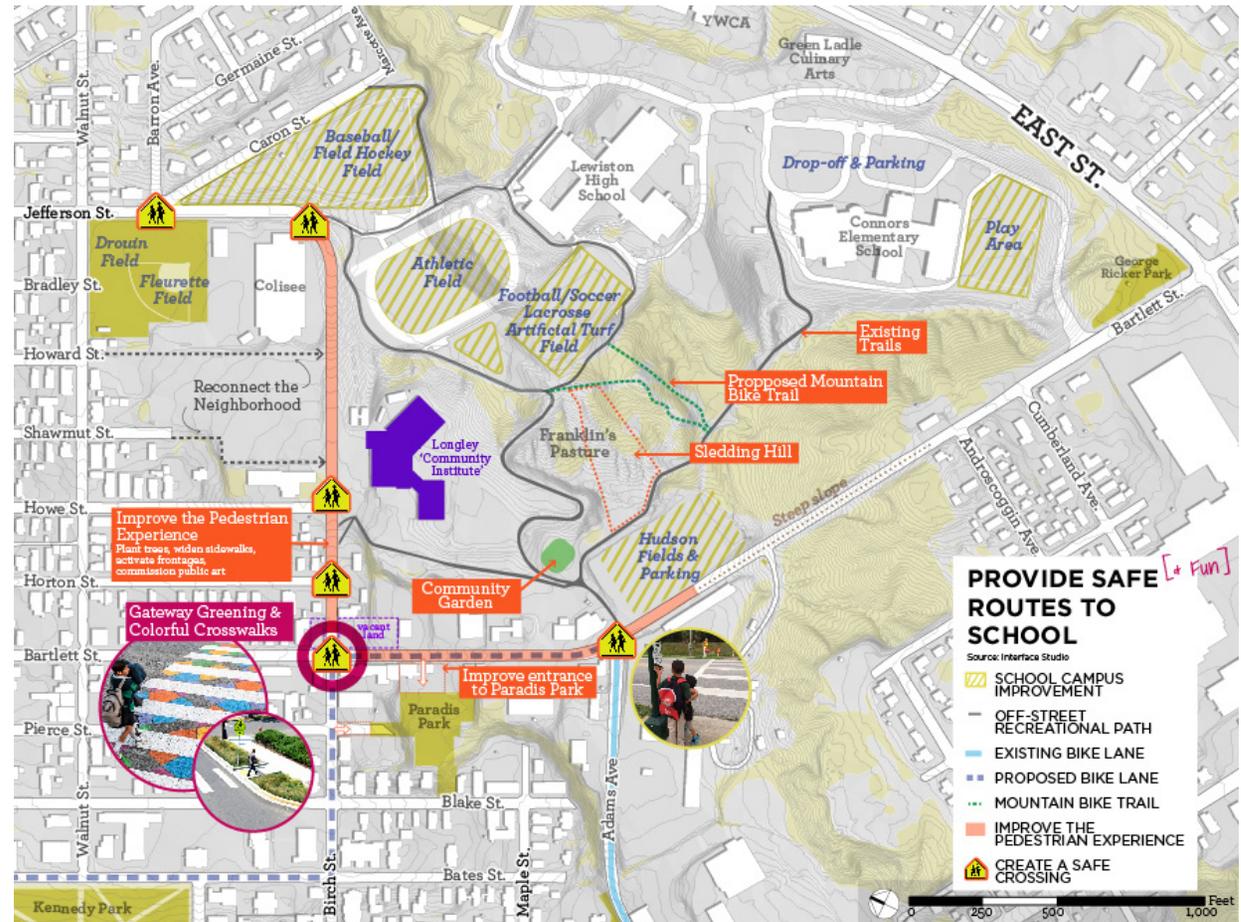
- > Including Tree Street Youth, The Root Cellar, Maine Immigrant & Refugee Services, and St. Mary's Nutrition Center

### 7.4 Ensure that youth are ready for work and engaged as active members of the community

- > Expand after-school and summer programs with an employment (and employment coaching) component to build accountability

### 7.5 Provide wrap around services for youth and families

- > Address risk factors identified on the behavioral youth survey through mentorship and youth engagement strategies
- > Embed wraparound support in schools



Provide safe routes to school for the neighborhood youth

# GOAL 8 GROW INDIVIDUAL EDUCATION OUTCOMES

Strategies and key actions include:

## 8.1 Expand the supply of quality early childhood classroom space in the Tree Streets by 50 percent through 2025

- > Create six additional classrooms for children aged six months to three years
- > Create two additional classrooms for children aged three to five years

## 8.2 Expand the utilization of existing and new quality early childhood programs among Tree Street families

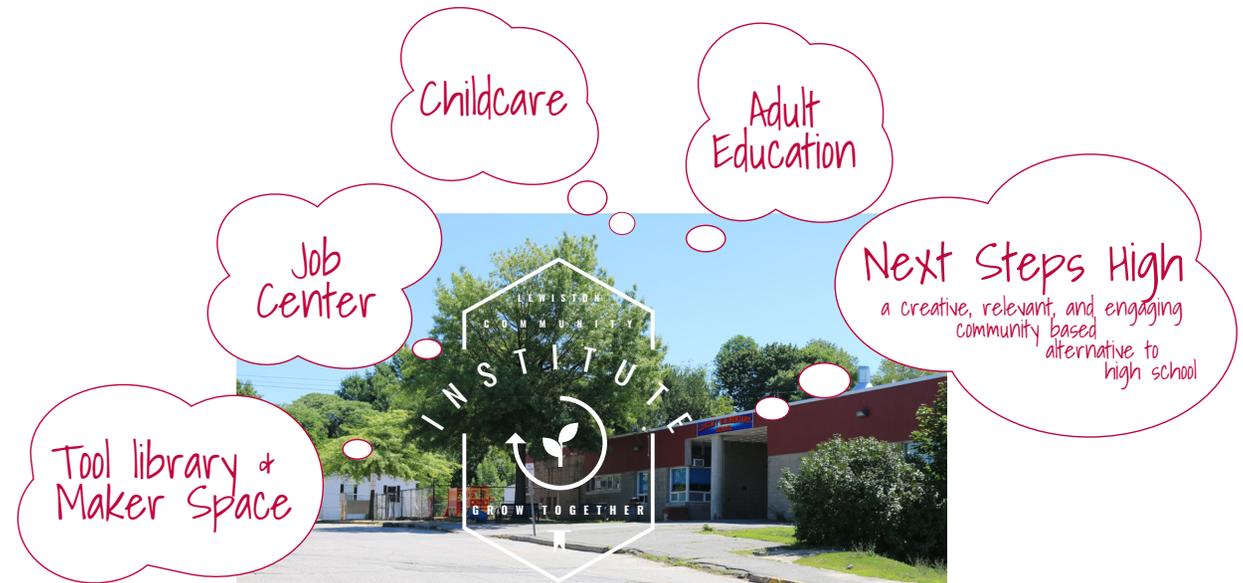
- > Increase enrollment in the Maine Child Care Subsidy Program
- > Connect guardians with specialists to develop coordinated plans for their children's early development

## 8.3 Collaborate with Lewiston Public Schools and the School Committee to improve conditions for learning

- > Ensure that school campuses are safe and welcoming for neighborhood youth
- > Advocate for restorative practices to reduce suspensions
- > Support the reuse of Longley Elementary School as a Community Institute

## 8.4 Provide fun (and safe) paths to school and welcoming school communities

- > Improve routes to school, school bus stops, and signage
- > Maximize the city-owned property surrounding the new school campus with off-road routes to the new Connors Elementary School



## REUSE LONGLEY ELEMENTARY AS A COMMUNITY INSTITUTE

*Work with the Lewiston Public Schools to re-purpose the Longley School building so that it can continue to be an educational resource for the community*

## 8.5 Encourage life-long learning and skills development with educational opportunities for adults

- > Tailor Adult Ed with contextualized English Language Learning opportunities
- > Connect to Lewiston's Adult Ed College Transition Program

# GOAL 9 GROW PATHWAYS TO THRIVE AND ECONOMIC MOBILITY FOR ALL

Strategies and key actions include:

## 9.1 Connect residents to jobs, and provide supports for job retention

- > Increase utilization of existing workforce resources
- > Connect residents to career path opportunities such as apprenticeships, on the job training, and certification programs

## 9.2 Work to reduce poverty by adopting three strong, national best practices:

- > EMPath Mobility Mentoring and Bridge to Self Sufficiency, Getting Ahead Curriculum, and Family-Centered Coaching

## 9.3 Increase access to and partnerships with commercial and professional service networks

- > Partner with local employers to understand their needs and create tailored workforce development programs

## 9.4 Develop career skills over time that are in demand in the region's growth industries – Health Care, Manufacturing, and Construction

- > Create rapid connections to low-entry-level-requirement training and experience
- > Through workforce coaching, guide participants through the initial accumulation of skills and experience

## 9.5 Build businesses to create new job opportunities for residents in response to neighborhood needs

- > General contracting, micro-transit, day care services



Lisbon Street

## 9.6 Grow our economic strength and local business presence

- > Assess the opportunity to provide neighborhood-wide wifi
- > Work with existing neighborhood businesses to maintain and grow their presence
- > Support the continued redevelopment of Lisbon Street as a mixed-use meeting place



# NEXT STEPS & IMPLEMENTATION

The plan for Growing Our Tree Streets will be realized over 25 years and will rely on a broad network of collaborative partners, multiple funding sources, and the sustained involvement and oversight of Maple Knoll residents and Tree Streets neighbors. Public-private partnerships strengthened through the planning process are essential to successful implementation of the plan. Likewise, the intentional practice of inclusive and meaningful community participation, which has been a hallmark of this Choice Neighborhood Transformation Plan effort, will remain central as the focus shifts from planning to implementation.

Three lead entities have been identified to drive implementation efforts:

**Community Concepts, Inc. (CCI)**, the lead partner in developing the plan’s People strategies, will remain actively involved, serving as the People Lead. With extensive experience supporting families within the community, and strong connections to a broad base of other social, health, and educational supports, CCI will provide the bulk of cross-agency coordination and organization. CCI will also grow its staff, retaining the Family Advocate positions dedicated to working with Maple Knoll residents, throughout plan implementation and relocation, while also adding new Community Navigator and Health Equity Coordinator positions.

**Lewiston-Auburn Community Housing, Inc. (LACH)** will serve as the Housing Lead, working in close collaboration with **Lewiston Housing Authority (LHA)** as development moves forward. LACH is deeply rooted in the Tree Streets, with neighborhood representation at the Board level. As a HUD-certified Community Housing Development Organization, LACH has experience in developing affordable housing for low- and moderate-income persons locally. As a HUD High-Performing Agency, the LHA has housing management experience unmatched in Lewiston. With their combined expertise, LACH and LHA will evaluate proposals from qualified private and/or non-profit developers who will be selected, in consultation with the other Lead entities and the community to undertake development of the affordable and market rate homes built to replace Maple Knoll. The Housing Leads will work to secure the resources necessary to develop the replacement housing and will coordinate with private investors and developers working on rehab and smaller-scale infill efforts to dramatically improve the housing stock throughout the Tree Streets.

**The City of Lewiston**, lead applicant for this Choice Planning Grant, will serve as the Neighborhood Lead. The City will assume responsibility for public infrastructure improvements and will allocate CDBG and HOME funding for improvements that complement and reinforce Choice-funded implementation activities. The City will also continue to work closely with the Tree Streets community, the **Maple Knoll Resident Advisory Group, and Healthy Neighborhoods Planning Council**, remaining at the table as active partners in implementation. They will continue to organize and undertake community-led projects while holding all project leads accountable to the plan’s vision and the community’s shared values and priorities.

Certainly, the implementation of this Transformation Plan cannot be accomplished alone by a single entity. The many private, non-profit, and philanthropic partners who helped shape Growing Our Tree Streets also remain committed to playing significant roles in implementation. As strategies were drafted and developed, the City and Healthy Neighborhoods Planning Council worked diligently to align strategies with the appropriate partners within their broad network. Support for the plan exists among these groups, and roles and responsibilities have been assigned to ensure that the plan’s recommendations move forward through ongoing involvement, energy, and resources dedicated by all partners. An Implementation Matrix at the conclusion of the full Transformation Plan summarizes the plan, with information about timeframe, potential partners, and metrics for measuring success tied to each goal and strategy.

In the immediate future, the City and CCI, together with the Healthy Neighborhoods Planning Council and the community at large, will be focused on selecting and implementing early Action Activities. With Lewiston’s Choice Planning Grant award, project partners also received an Action Grant of \$1.1 million that will enable the continuation of momentum and energy built through the planning process. These resources will allow the process to move forward with tangible, visible neighborhood improvements in the coming year that substantially advance this Transformation Plan and respond to neighborhood needs.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 15

**SUBJECT:** Resolve, Transferring Funding for the Adams Avenue Retaining Wall Project to a New Project to Replace the Sidewalks Around and Near City Hall

**INFORMATION:**

The sidewalks adjacent to City Hall are composed of bricks and granite blocks, many of which have deteriorated or been impacted by the growth of tree roots. You may have noticed that areas of the sidewalk have received temporary repairs or are now blocked off or marked in an effort to avoid hazardous situations. Given the number of visitors who come to City Hall and the potential trip and fall hazard, we would like to replace these sidewalks with concrete, much as we have been doing in other areas.

In May of this year, the City Council appropriated \$150,000 from fund balance to repair/replace a retaining wall of Adams Avenue. The Public Works Department has done some interim repair work on this retaining wall that it believes will allow it to continue to function for several years. Given the issue at City Hall, staff is recommending that these funds be transferred to allow for replacing the sidewalks around and near City Hall.

We would recommend your approval of this transfer.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.



**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Resolve, Transferring Funding for the Adams Avenue Retaining Wall Project to a New Project to Replace the Sidewalks Around and Near City Hall.



CITY OF LEWISTON, MAINE

September 17, 2019

COUNCIL RESOLVE

**Resolve,** Transferring Funding for the Adams Avenue Retaining Wall Project to a New Project to Replace the Sidewalks Around and Near City Hall.

Whereas, sidewalks adjacent to City Hall are composed of bricks and granite blocks, many of which have deteriorated or been impacted by the growth of tree roots; and

Whereas, areas of the sidewalk have received temporary repairs or are now blocked off or marked in an effort to avoid hazardous situations; and

Whereas, given the number of visitors who come to City Hall and the potential trip and fall hazard, these sidewalks should be replaced; and

Whereas, in May of this year, the City Council appropriated \$150,000 from the City's fund balance to repair/replace a retaining wall of Adams Avenue; and

Whereas, the Public Works department has performed interim repair work on this retaining wall that should allow it to continue to function for several years; and

Whereas, given the issues with the sidewalks at City Hall, it is appropriate to transfer these funds to allow for replacing the sidewalks around and near City Hall.

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

The amount of \$150,000 is hereby transferred from account 4331-457000 to an account to be determined by the Finance Director for the purpose of replacing deteriorated sidewalks around and near City Hall.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 16**

**SUBJECT:** Resolve, Appropriating \$110,000 from Available FY17 Bond Premium Funds to the Middle/Blake/Main/Oak Utility and the Second River Crossing Transmission Main Design Projects

**INFORMATION:**

Public Works proposes to transfer \$110,000 from available FY17 bond premium funds to the following needs on existing projects:

**Middle/Blake/Main/Oak**

Transfer \$70,000 to the Middle/Blake/Main/Oak project currently under construction. The bids came in over budget so two City blocks were cut from the contract to award this left little contingency funding. Working in the downtown presents many unknowns requiring field changes. Although efforts were made to explore and anticipate field conditions in these areas there are times when changes are necessary to make the design fit field conditions. This funding will cover \$9,950 for two traffic signal cameras to replace broken detection loops, \$40,000 for inspection services (due to recent engineering staff turnover) and \$20,000 in contingency for extra water materials and minor field design changes as necessary.

**Transmission Main Design 2<sup>nd</sup> River Crossing**

In February 2019, \$37,952 was transferred from the transmission main account to complete the design for North Temple St. prior to receiving construction funding in the FY20 budget. This was to ensure a portion of the construction could be completed while school is out on summer break. At the time, Engineering Div. estimated that final design could be completed with the remaining funding. Since receiving the final preliminary design report from CDM Smith and talking with Tighe and Bond about final design, Engineering will need that funding restored for final design. The complexity of environmental permitting required for the Androscoggin River crossing is a significant factor. So \$40,000 is proposed to be transferred into the Transmission Main Design account.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

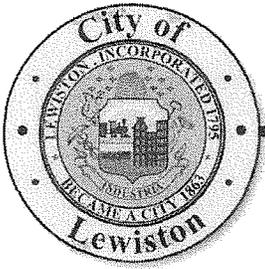
The City Administrator recommends approval of the requested action.

*EAB/Kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Resolve, Appropriating \$110,000 from Available FY17 Bond Premium Funds to the Middle/Blake/Main/Oak Utility and the Second River Crossing Transmission Main Design Projects



CITY OF LEWISTON, MAINE

September 17, 2019

COUNCIL RESOLVE

**Resolve,** Appropriating \$110,000 from Available FY17 Bond Premium Funds to the Middle/Blake/Maine/Oak Utility Project and the Second River Crossing Transmission Main Design Project.

Whereas, the Middle/Blake/Main/Oak Utility Project came in over budget, requiring eliminating two city blocks from the contract and reducing available contingency funding; and

Whereas, utility work in a downtown setting presents numerous unknowns that require field changes once encountered; and

Whereas, \$9,950 is required for two traffic signal cameras to replace broken in-ground traffic signal detector loops; \$40,000 for inspection services resulting from recent engineering staff turnover; and \$20,000 in contingency funding for extra water materials and minor field design changes; and

Whereas, in February 2019, \$37,952 was transferred from the Transmission Main River Crossing Design Project to allow for completing the design of the North Temple Street project so that a portion of this project could be completed during school summer break; and

Whereas, at that time, Engineering estimated that final river crossing design could be completed within the remaining River Crossing funding; and

Whereas, due to the complexity of environmental permitting required for the River Crossing, additional funding in the amount of \$40,000 will be required to complete this design project; and

Whereas, adequate funds are available to cover the costs of these projects from the bond premium the City received as a result of the FY17 bond sale;

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

There is hereby appropriated the sum of \$110,000 from the FY17 bond premium as follows: \$40,000 to the Water Transmission Line River Crossing Design project and \$70,000 to the Middle/Blake/Main/Oak utility replacement project.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 17**

**SUBJECT:** Order, Authorizing the City Administrator to Execute a Memorandum of Understanding Between Gendron Corp. and the City of Lewiston for Installation of New Water Line and Resurfacing of Memorial Ave from Main Street to End of Existing Paving and Authorizing Funding for the City's Portion of this Work.

**INFORMATION:**

Murphy Homes is in the process of constructing a new school on property accessed via Memorial Drive. To support the project, the contractor, Gendron Corporation, has proposed to share with the City the cost of replace the existing water line located in Memorial Avenue and to reconstruct the street. The City is being asked to supply the needed water line materials at an estimated cost of \$16,598.96 and to pave the street once reconstruction is completed at a cost of \$28,894. In addition, the City is being asked to accept a new turnaround that Gendron will build at the end of the street. This addition will make it easier for the City to plow and maintain the road during the winter. Absent this agreement, the City would eventually need to both replace the waterline and upgrade the street at an estimated total additional cost of \$65,917.

The City's share of street paving will come from the FY2020 street maintenance program. The waterline replacement will be funded through appropriation of funds from the 2017 Bond Premium.

Please see the attached memorandum from Public Works Director Dale Doughty.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To approve the Order, Authorizing the City Administrator to Execute a Memorandum of Understanding Between Gendron Corp. and the City of Lewiston for Installation of New Water Line and Resurfacing of Memorial Ave from Main Street to End of Existing Paving and Authorizing Funding for the City's Portion of this Work.



CITY OF LEWISTON, MAINE

September 17, 2019

COUNCIL ORDER

**Order,** Order, Authorizing the City Administrator to Execute a Memorandum of Understanding Between Gendron Corp. and the City of Lewiston for Installation of New Water Line and Resurfacing of Memorial Ave from Main Street to End of Existing Paving and Authorizing Funding for the City's Portion of this Work.

Whereas, Murphy Homes is in the process of constructing a new school on property accessed via Memorial Drive; and

Whereas, Gendron Corporation, a contractor on the project, has proposed to share with the City the cost of replace the existing water line located in Memorial Avenue and to reconstruct the street; and

Whereas, the City is being asked to supply the needed water line materials at an estimated cost of \$16,598.96, to pave the street once reconstruction is completed at a cost of \$28,894, and to accept a new turnaround that Gendron will build at the end of the street; and

Whereas, absent this agreement, the City would eventually need to both replace the waterline and upgrade the street at an estimated total additional cost of \$65,917;.

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

The City Administrator is hereby authorized to execute a Memorandum of Understanding Between Gendron Corp. and the City of Lewiston for Installation of New Water Line and Resurfacing of Memorial Ave from Main Street to End of Existing Paving, in a form substantially as attached hereto.

Be it Further ordered, that

Funding for the street paving portion of the agreement shall come from the FY2020 street maintenance program and funding for the waterline replacement will be funded through appropriation of the required amounts from the 2017 Bond Premium, which are hereby appropriated in the amount of \$16,599 for that purpose.



## PUBLIC WORKS DEPARTMENT

Dale F. Doughty, Director

26 August 2019

TO: Ed Barrett, City Administrator

Re: Memorial Avenue Agreement

The purpose of this memo is to describe a proposal by Gendron Corp. to make certain improvements to Memorial Avenue associated with a new special needs school.

Recent surveys rate the Memorial Street surface with a Pavement Condition Rating (PCI) of 77, Fair Condition. The water line in the street is an 8" unlined cast pipe that is in need of upgrade to ductile iron pipe. Both represent future capital investments for the City. Without this school project both would be at least several years out into the future.

As part of their school development, they propose to reconstruct the street and replace the water line. Once complete this would remove Memorial Avenue from the City's backlog of street repair and the unlined water line from the utility's future capital needs.

The city's contribution would be:

- Supplying the actual water line materials at an estimated cost of \$16,598.96,
- Pave the street once reconstruction is complete at an estimated cost of \$28,894.00, and
- Allow Gendron Corp. to build a turnaround at the end of the street, and then accept the turnaround into the City street network.

Funding for the water main materials is proposed to come from 2017 Bond Premium and funding for the paving of Memorial Avenue would come from the FY2020 Street Maintenance Program. Funds were held in the paving contract for this possibility. If Memorial Avenue is not paved then the funds could be redirected.

If the City were to undertake the water main replacement and street reconstruction, it would cost an additional estimated \$8,371 for paving and \$57,546 for the water main replacement.

Gendron Corp. is seeking approval from the City Council to authorize you to sign the attached Memorandum of Understanding.

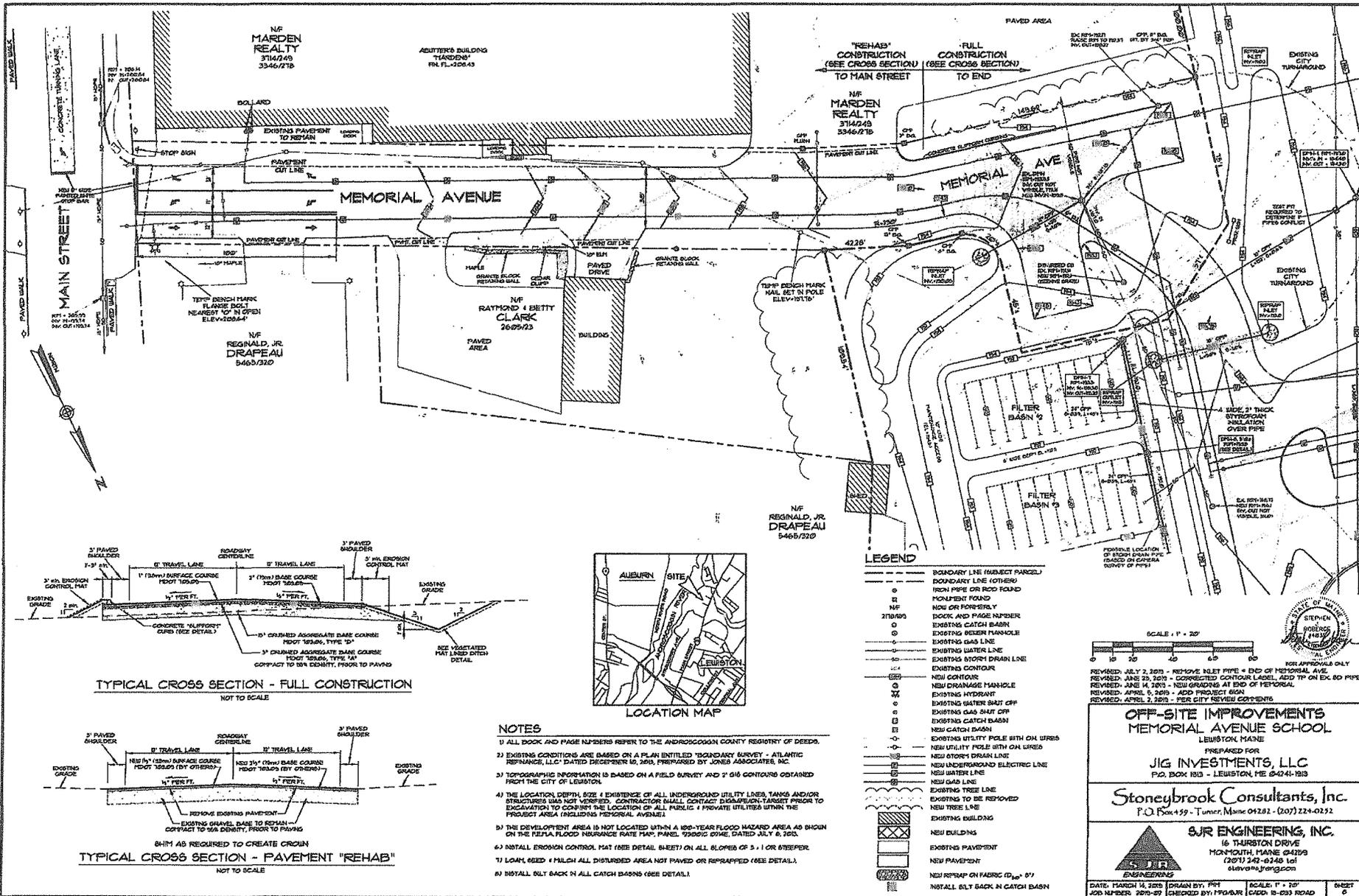
Respectfully,  
  
Dale Doughty, C. G.  
Director of Public Works  
City of Lewiston

Attachments:

Location Map  
Draft MOU  
Plan Sheet 8



Location of Memorial Avenue and New Special Needs School



N/F MARDEN REALTY  
3142/25  
3346/27B

ADVERTISER BUILDING  
"MARDEN"  
R/L FL-326.43

"REHAB"  
CONSTRUCTION  
(SEE CROSS SECTION)  
TO MAIN STREET

N/F MARDEN REALTY  
3142/25  
3346/27B

"FULL  
CONSTRUCTION  
(SEE CROSS SECTION)  
TO END

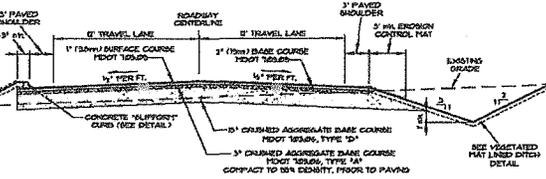
MEMORIAL AVENUE

MEMORIAL AVE

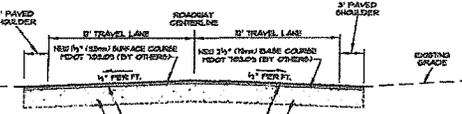
N/F REGINALD, JR.  
DRAPEAU  
5465/22D

N/F RAYMOND & BETTY  
CLARK  
2609/23

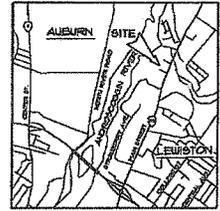
N/F REGINALD, JR.  
DRAPEAU  
5465/22D



TYPICAL CROSS SECTION - FULL CONSTRUCTION  
NOT TO SCALE



TYPICAL CROSS SECTION - PAVEMENT "REHAB"  
NOT TO SCALE



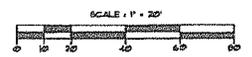
LOCATION MAP

NOTES

- 1) ALL BOOK AND PAGE NUMBERS REFER TO THE ANDROSCOGGAN COUNTY REGISTRY OF DEEDS.
- 2) EXISTING CONDITIONS ARE BASED ON A PLAN ENTITLED "BOUNDARY SURVEY - ATLANTIC REFINANCE, LLC" DATED DECEMBER 10, 2010, PREPARED BY JONES ASSOCIATES, INC.
- 3) TOPOGRAPHIC INFORMATION IS BASED ON A FIELD SURVEY AND 2' GTS CONTOURS OBTAINED FROM THE CITY OF LEWISTON.
- 4) THE LOCATION, DEPTH, SIZE & EXISTENCE OF ALL UNDERGROUND UTILITY LINES, TANKS AND/OR STRUCTURES WAS NOT VERIFIED. CONTRACTOR SHALL CONTACT DISA/EMER-TARGET PRIOR TO EXCAVATION TO CONFIRM THE LOCATION OF ALL PUBLIC & PRIVATE UTILITIES WITHIN THE PROJECT AREA (INCLUDING MEMORIAL AVENUE).
- 5) THE DEVELOPMENT AREA IS NOT LOCATED WITHIN A 100-YEAR FLOOD HAZARD AREA AS SHOWN ON THE MEPLA FLOOD INSURANCE RATE MAP, PANEL 190002C 0204E, DATED JULY 8, 2010.
- 6) INSTALL EROSION CONTROL MAT (SEE DETAIL SHEET) ON ALL SLOPES OF 3:1 OR STEEPER.
- 7) LOAM, NEED & MULCH IN ALL DISTURBED AREA NOT PAVED OR REPAVED (SEE DETAIL).
- 8) INSTALL SILT BACK IN ALL CATCH BASINS (SEE DETAIL).

LEGEND

- BOUNDARY LINE (SUBJECT PARCEL)
- BOUNDARY LINE (OTHER)
- IRON PIPE OR ROD FOUND
- NONFERT FOUND
- NEW OR PROPOSED
- BOOK AND PAGE NUMBER
- EXISTING CATCH BASIN
- EXISTING RESEWER MANHOLE
- EXISTING GAS LINE
- EXISTING WATER LINE
- EXISTING STORM DRAIN LINE
- EXISTING CONTOUR
- NEW CONTOUR
- NEW DRAINAGE MANHOLE
- EXISTING HYDRANT
- EXISTING WATER SHUT OFF
- EXISTING GAS SHUT OFF
- EXISTING CATCH BASIN
- NEW CATCH BASIN
- EXISTING UTILITY POLE WITH OH WIRES
- NEW UTILITY POLE WITH OH WIRE
- NEW STORM DRAIN LINE
- NEW UNDERGROUND ELECTRIC LINE
- NEW WATER LINE
- NEW GAS LINE
- EXISTING TREE LINE
- EXISTING TO BE REMOVED
- NEW TREE LINE
- EXISTING BUILDING
- NEW BUILDING
- EXISTING PAVEMENT
- NEW PAVEMENT
- NEW REPAV ON FABRIC (D<sub>max</sub> 8")
- INSTALL SILT BACK IN CATCH BASIN



FOR APPROVAL ONLY  
REVISION: JULY 2, 2010 - REMOVE INLET PIPE @ END OF MEMORIAL AVE.  
REVISION: JUNE 23, 2010 - CORRECTED CONTOUR LABEL, ADD TP ON EX. SD PIPE  
REVISION: JUNE 14, 2010 - NEW GRADINGS AT END OF MEMORIAL  
REVISION: APRIL 9, 2010 - ADD PROJECT BOOK  
REVISION: APRIL 2, 2010 - PER CITY REVIEW COMMENTS

**OFF-SITE IMPROVEMENTS  
MEMORIAL AVENUE SCHOOL**  
LEWISTON, MAINE  
PREPARED FOR  
**JIG INVESTMENTS, LLC**  
P.O. BOX 183 - LEWISTON, ME 04241-183

**Stoneybrook Consultants, Inc.**  
P.O. Box 159 - Turner, Maine 04282 - (207) 224-0232

**SJR ENGINEERING, INC.**  
16 THURSTON DRIVE  
MONMOUTH, MAINE 04259  
(207) 242-6248  
slava@sjaeng.com

DATE: MARCH 14, 2010 DRAWN BY: PPH SCALE: 1" = 20' SHEET  
JOB NUMBER: 2010-07 CHECKED BY: PPH/AVR CAD: 10-033 ROAD 6

**MEMORANDUM OF UNDERSTANDING BETWEEN GENDRON  
CORP. OF LEWISTON, AND THE CITY OF LEWISTON FOR  
INSTALLATION OF NEW WATER LINE AND, RESURFACING OF  
MEMORIAL AVE FROM MAIN STREET TO END OF EXISTING  
MEMORIAL AVENUE PAVING**

This agreement is entered into on this            day of            ,  
2019, by Gendron Corp. and the City of Lewiston ("City"), for installation of  
new water line and resurfacing of Memorial Ave from Main Street to end of  
existing Memorial Avenue paving. This agreement also includes the  
construction of a new turnaround and adjustments to the existing  
stormwater system in the area of the turnaround.

**WITNESSETH:**

**WHEREAS**, GENDRON CORP. has a planned construction of a special needs  
school off the end of Memorial Avenue in Lewiston (the "Project Site"), and

**WHEREAS**, the project requires a water line extension from the end of the  
existing water line on Memorial Avenue into the Project Site, and

**WHEREAS**, the City desires to replace the existing water line on Memorial  
Avenue from Main Street to the end of the existing water line on Memorial  
Avenue, and

**WHEREAS**, GENDRON CORP. plans to construct a new turnaround at the  
end of Memorial Avenue which will require adjustments to existing stormwater  
structures to accept stormwater flow from the new turnaround and adjacent  
areas, and

**WHEREAS**, the City agrees to allow these changes to the stormwater system  
to accommodate the proposed turnaround,

**NOW, THEREFORE**, in consideration of the mutual covenants,  
agreements, and undertakings hereinafter expressed, the parties  
agree as follows:

1. GENDRON CORP. agrees to install a new water line on Memorial Avenue  
between Main Street and the end of existing water line on Memorial Avenue  
including connections to all existing services, removal of ledge as necessary,  
and all appurtenances, to City standards, all being in accordance with the  
Plan (the "Plan") for Off-Site Improvements, Memorial Avenue School,  
prepared by Stoneybrook Consultants, Inc. dated March 14, 2019, revised  
through July 2, 2019 (the "Water Line Installation").

2. The City agrees to supply all the materials for the Water Line Installation, said materials to be delivered by the City to the Project Site.
3. Gendron Corp. agrees to construct, and the City consents to the construction of, the new turnaround (the "Turnaround") in accordance with the Plan. The Turnaround construction shall include the installation of base gravels and pavement as shown on Sheet 8 of the Plan. Upon completion of the Turnaround in accordance with the Plan, the City shall accept the Turnaround as a public way. Gendron Corp. shall be responsible for adjusting the existing stormwater structures (i.e. manholes and catch basins existing prior to the commencement of work by Gendron Corp.) to finish grade to accept stormwater flow from the new street improvements and adjacent area.
4. Gendron Corp. will strip all the existing pavement within the right of way for Memorial Avenue between Main Street and the end of existing pavement on Memorial Avenue and construct revised entrance for right out and right in turning movements from Main Street as shown on Sheet 8 of the Plan. Gendron Corp. will prepare gravel base for paving, including shim gravel, shaping crown, compaction, and restore lawn and driveway damage from construction activities on Memorial Avenue.
5. The City will pave Memorial Avenue to the limits shown on Sheet 8 for "Rehab".

**Indemnification.**

Gendron Corp. agrees to defend, indemnify, and hold harmless the City, its departments and their representatives, officers, agents or employees from and against all claims of any nature whatsoever for damages, including damages or loss to personal property, personal injuries and death resulting from the proposed upgrades performed by Gendron Corp. on Memorial Avenue.

**Effective Date.**

This agreement shall be effective upon the date of signing.

**Duration.**

This agreement shall be effective until acceptance of the work on Memorial Avenue by the City, or no later than July of 2020.

**Amendment.**

This Agreement may not be amended except by a written instrument validly entered into and executed as provided herein for the execution of this Agreement initially.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives pursuant to due legal authorization and authority as of the day and year first above written.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, two thousand nineteen by.

Signed,

\_\_\_\_\_  
Edward A Barrett  
City Administrator  
City of Lewiston

Signed,

\_\_\_\_\_  
John Gendron  
President  
Gendron Corp.

**LEWISTON CITY COUNCIL  
MEETING OF SEPTEMBER 17, 2019**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 18**

**SUBJECT:**

Reports and Updates – Notification of appointments to the Recycling and Waste Reduction Committee.

**INFORMATION:**

Mayor Cloutier and Councilor Beam recently reviewed the applications submitted for members to the new Recycling and Waste Reduction Committee. Mayor Cloutier has appointed the following: John Farina, Julie McCabe, Sean Monteith, Joshua Nagine, Helen Price-Wharff and Paul Robinson.

This agenda item is to notify and inform the Council of the members who were appointed to this Committee. Councilor Beam is the Council representative to the Committee.

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

This is informational only to keep members of the City Council abreast of various activities.

*EAB/KMM*

**REQUESTED ACTION:**

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**(NO ACTION REQUESTED)**

**Kathy Montejo**

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**From:** noreply@civicplus.com  
**Sent:** Thursday, August 22, 2019 9:26 AM  
**To:** Kathy Montejo; Kelly Brooks  
**Subject:** Online Form Submittal: Application for Appointment to City Board/Commission/Committee

**Application for Appointment to City Board/Commission/Committee**

Full Name	John Farina
Street Address	28 JEANNETTE AVE
Mailing Address (if different than street address)	<i>Field not completed.</i>
Phone Number (daytime)	[REDACTED]
Phone Number (evening)	[REDACTED]
Email Address	[REDACTED]
Length of Time as a Lewiston Resident	7 years
Council Ward	4
I wish to be appointed to:	Recycling and Waste Reduction Committee
Check one or both	Full Membership Status, Associate Member Status
Please list any related experience, knowledge, education, skills, or abilities that you feel would make you a good fit for this Board/Commission/Committee:	Interagency interaction (33 years Federal employee), Pharmacist B.S. degree - 5 years (Chemistry), AARP Volunteer for 3 years involved in local L/A events and at the State House in Augusta.
Date	8/22/2019
Electronic Signature	John J Farina

*Thank you for your interest in serving the City of Lewiston.*

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Email not displaying correctly? [View it in your browser.](#)

## Kathy Montejo

---

**From:** noreply@civicplus.com  
**Sent:** Thursday, August 22, 2019 9:05 AM  
**To:** Kathy Montejo; Kelly Brooks  
**Subject:** Online Form Submittal: Application for Appointment to City Board/Commission/Committee

### Application for Appointment to City Board/Commission/Committee

Full Name	Julie McCabe
Street Address	26 DAVIS ST #2 Lewiston Maine 04240
Mailing Address (if different than street address)	<i>Field not completed.</i>
Phone Number (daytime)	[REDACTED]
Phone Number (evening)	[REDACTED]
Email Address	[REDACTED]
Length of Time as a Lewiston Resident	9
Council Ward	1
I wish to be appointed to:	Recycling Committee
Check one or both	Full Membership Status, Associate Member Status
Please list any related experience, knowledge, education, skills, or abilities that you feel would make you a good fit for this Board/Commission/Committee:	<p>Dear Mayor and Councilwoman Cloutier,</p> <p>I have been a Lewiston resident since graduating from Bates College in 2012. Upon graduation, I began my career as a teacher. I am also working towards my Masters Degree in Government through Johns Hopkins University. In addition to my education and employment background, my husband and I are also property owners of three small multi-unit buildings in Lewiston. We take great pride in maintaining our buildings which includes providing trash and recycling receptacles. To further improve our city's image and reputation, we must encourage a culture of caretaking and responsibility beginning in each home with proper trash and recycling management.</p>

As a member of the city's new recycling committee, I will apply my ongoing education and my vested and spirited interest in the city's future. I am an organized, analytical, hardworking team-player with the relevant civic skills to serve the city. I know there are economic realities that Lewiston must consider when charting a new path. I want to be a part of creating a balanced plan that does not unduly burden the city, landlords, taxpayers and residents but incentivizes recycling through a shared approach. We have much to learn from other cities and towns and upon research, reflection, communication, and collaboration, we can improve our rates of recycling and further boost the image and appeal of our city.

Thank you for your consideration,

Julie McCabe

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Date 8/22/2019

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Electronic Signature Julia Anne Griffin McCabe

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*Thank you for your interest in serving the City of Lewiston.*

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**Kathy Montejo**

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**From:** noreply@civicplus.com  
**Sent:** Wednesday, August 21, 2019 1:00 PM  
**To:** Kathy Montejo; Kelly Brooks  
**Subject:** Online Form Submittal: Application for Appointment to City Board/Commission/Committee

**Application for Appointment to City Board/Commission/Committee**

Full Name	Sean Patrick Monteith
Street Address	20 Judith Street
Mailing Address (if different than street address)	<i>Field not completed.</i>
Phone Number (daytime)	[REDACTED]
Phone Number (evening)	[REDACTED]
Email Address	[REDACTED]
[REDACTED]	[REDACTED]
Resident	
Council Ward	6
I wish to be appointed to:	Recycling and Waste Reduction Committee
Check one or both	Full Membership Status, Associate Member Status
Please list any related experience, knowledge, education, skills, or abilities that you feel would make you a good fit for this Board/Commission/Committee:	Environmentalist Former President of the Lewiston High School Environmental Club Going to College to Study Environmental Studies/Business City Lead for Maine Strikes (Climate Change Youth Organization) Youth Journalism International (YJI) Reporter  With the Environmental Club when I was in high school a few months ago, I organized a meeting with Joline Beam (City Counselor for Ward 6) and the Environmental Club to discuss what we would want the City of Lewiston to do to become more environmentally friendly. One of the things we discussed was if she could form an Environmental/Recycling Committee, now several

months Joline was able to create the Recycling and Waste Reduction Committee.

Since I am going to Central Maine Community College in Auburn, and still living and working in Lewiston/Auburn I very much want to get more involved with trying to reduce waste in our city. Part of the many solutions that I have studied for reducing waste one of the most tangible solutions, is not just educating the people of Lewiston of how to recycle and compost. But a more sustainable solution is educating our local businesses and industries in town on how to reduce waste and to become more sustainable.

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Date 8/21/2019

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Electronic Signature Sean Patrick Monteith

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*Thank you for your interest in serving the City of Lewiston.*

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## Kathy Montejo

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**From:** noreply@civicplus.com  
**Sent:** Thursday, August 22, 2019 8:02 PM  
**To:** Kathy Montejo; Kelly Brooks  
**Subject:** Online Form Submittal: Application for Appointment to City Board/Commission/Committee

### Application for Appointment to City Board/Commission/Committee

Full Name	Joshua Nagine
Street Address	108 Spring Sr.
Mailing Address (if different than street address)	<i>Field not completed.</i>
Phone Number (daytime)	[REDACTED]
Phone Number (evening)	[REDACTED]
Email Address	[REDACTED]
Length of Time as a Lewiston Resident	15 years
Council Ward	One
I wish to be appointed to:	Recycling Committee (would also be interested in Planning Board or CBGD Board)
Check one or both	Full Membership Status
Please list any related experience, knowledge, education, skills, or abilities that you feel would make you a good fit for this Board/Commission/Committee:	Great interest in all three. I work on sustainability issues for Lewiston Farmers Market and am generally knowledgeable on a range of best practices for recycling, composting and reducing impact on our trash facilities/upcycling.
Date	8/22/2019
Electronic Signature	Joshua Lee Nagine

*Thank you for your interest in serving the City of Lewiston.*

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Email not displaying correctly? [View it in your browser.](#)

**City of Lewiston**  
Application for Appointment to City Board/Commission/Committee

AUG 27 2019

Full Name: Helen T. Price-Wharff

Street Address: 45 Jeffrey St.

Mailing Address (if different): \_\_\_\_\_

Telephone: [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

Length of time as a Lewiston resident: 17 Council Ward: 7

I wish to be considered for appointment to the:  
Recycling and Waste Reduction Committee  
(Name of Board/Commission/Committee)

Check one or both:  Full Membership Status  Associate Membership Status

Please list any related experience, knowledge, education, skills, or abilities that you feel would make you a good fit for this Board/Commission/Committee:

I have been a passionate recycler for many decades! One of my goals on this committee would be to increase access to recycling, such as among those residents living in rental properties and similar situations in which the option to recycle has not been readily available.

Date: 8/25/19 Signature: Helen T. Price-Wharff

Thank you for your interest in serving the City of Lewiston.

Please return form to: City Clerk's Dept., 27 Pine Street, Lewiston, ME 04240-7297

AUG 30 2019

City of Lewiston

Application for Appointment to City Board/Commission/Committee

Full Name: PAUL S ROBINSON

Street Address: 200 GAYTON ROAD LEWISTON 04240

Mailing Address (if different): \_\_\_\_\_

Telephone [REDACTED] (daytime) [REDACTED]

[REDACTED] (ALL LOWER CASE)

[REDACTED] time as a Lewiston resident: SINCE [REDACTED] Council Ward: 6

I wish to be considered for appointment to the:

RECYCLING CYCLING COMMITTEE  
(Name of Board/Commission/Committee)

Check one or both:  Full Membership Status  Associate Membership Status

Please list any related experience, knowledge, education, skills, or abilities that you feel would make you a good fit for this Board/Commission/Committee:

HAVE BEEN A MEMBER OF THE PUBLIC WORKS COMMITTEE SINCE ITS INCEPTION. THIS COMMITTEE HAS DISCUSSED "RECYCLING" AT ALMOST EVERY MEETING... EDUCATION: BS DEGREE - SAN DIEGO STATE UNIVERSITY. HAVE SERVED ON THE PLANNING BOARD, BOARD OF APPEALS, FINANCE COMMITTEE, 911 COMMITTEE, AUBURN/LEWISTON AIRPORT BOARD AND OTHERS

Date: 30 AUG 19 Signature: [Signature]

Thank you for your interest in serving the City of Lewiston.

Please return form to: City Clerk's Dept., 27 Pine Street, Lewiston, ME 04240-7297

**LEWISTON CITY COUNCIL**  
**MEETING OF SEPTEMBER 17, 2019**

**AGENDA INFORMATION SHEET:**

**AGENDA ITEM NO. 20**

**SUBJECT:**

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

**INFORMATION:**

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

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*ERB/KMM*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Acquisition of Property, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

# LEWISTON CITY COUNCIL

## MEETING OF SEPTEMBER 17, 2019

**AGENDA INFORMATION SHEET:                      AGENDA ITEM NO.                      21**

**SUBJECT:**

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

**INFORMATION:**

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

**APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:**

The City Administrator recommends approval of the requested action.

*EVAB/kmm*

**REQUESTED ACTION:**

1	2	3	4	5	6	7	M
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To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Disposition of Property, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.