

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for APRIL 27, 2020

- I. **ROLL CALL:** The meeting was held through remote access with Zoom Video Conferencing during declaration of state of emergency due to Covid-19 and was called to order at 5:30 p.m. Chairperson, Pauline Gudas, chaired the meeting.

Members in Attendance: Pauline Gudas, Normand Anctil, Kristine Kittridge, Lucy Bisson, Shanna Cox and Linda Scott

Member Absent: Ryan Rhoades

Associate Members in Attendance: Roger Fuller and Timothy Gallant

Roger Fuller was appointed full voting member for this meeting.

Staff Present: David Hediger, Director of Planning and Code, Douglas Greene, City Planner and Linda Tripp, Administrative Assistant

- II. **ADJUSTMENT TO THE AGENDA:** The board agreed to begin the meeting with agenda item V(a) and to hear agenda item IV(f) immediately following agenda item IV(b).

- III. **CORRESPONDENCE:** None

IV. **PUBLIC HEARINGS:**

- a. Stoneybrook Land Use, Inc., an agent for Connor Realty, LLC, submitted a Development Review Application to construct a 7,083 sf. Dunkin Donuts and multi-tenant building at 1896 Lisbon Street.

Douglas Greene summarized the request then welcomed and answered questions from the board. Mike Gotto of Stoneybrook Land Use, Inc. presented on behalf of the applicant then welcomed and answered questions from the board.

Pauline Gudas opened the discussion to the public. No public spoke.

The following motion was made:

MOTION: by **Lucy Bisson** that the application submitted by Stoneybrook Land Use, Inc. on behalf of Connor Realty, LLC, to construct a 7,083 sf. Dunkin Donuts and multi-tenant building located at 1896 Lisbon Street meets all of the necessary criteria contained in the Zoning and Land Use Code, including, but not limited to Article XIII, Section 4 of the Zoning and Land Use Code, and that the application has addressed the requirements of Maine DOT Chapter 305 for

a Traffic Movement Permit and approval be granted with the following conditions:

1. The design of the South Lisbon Road access drive shall be reviewed to the satisfaction of the City of Lewiston prior to the issuance of a building permit.
2. The applicant shall pay an Outer Lisbon Street Impact Fee prior to the issuance of a building permit.

Second by **Linda Scott**

VOTED: 7-0 (Passed)

- b. David Langelier of 10 East Merrill Road submitted a petition to change the zoning for properties located at 949 College Street, 2 East Merrill Road, 4 East Merrill Road, 6 East Merrill Road, 8 East Merrill Road, 10 East Merrill Road, and portions of 1 East Merrill Road, 3 East Merrill Road and 5 East Merrill Road from Rural Agricultural district (RA) to Low-Density Residential district (LDR).

Douglas Greene read staff comments then welcomed David Langelier and Emma Burgess Roy who summarized the request then welcomed and answered questions from the board.

Pauline Gudas opened the discussion to the public. No public spoke.

The following motion was made:

MOTION: by **Lucy Bisson** to send a favorable recommendation to the City Council for the zoning application to change properties zoned Rural Agriculture (RA) in the Latulippe Subdivision to Low-Density Residential (LDR) with the following findings:

1. The application meets the requirements of Article XVII, Amendment and Other Legal Provision, Section 5 Amendments.
2. The purpose and intent of the 1988 amended Latulippe Subdivision was to create a low-density type development.
3. The rezoning of the portion of the Latulippe Subdivision currently zoned Rural Agriculture (RA) to Low-Density Residential will bring the development into conformance with the Comprehensive Plan's description of a low-density type development (pg. 33).

4. The portion of the Latulippe Subdivision zoned Low-Density Residential in 1988, did not anticipate that the subsequent low-density development (Latulippe Subdivision rev. 2) would extend into land zoned Rural Agriculture and create split-zoned properties.

Second by **Normand Anctil**.

VOTED: 7-0 (Passed)

- c. VHB Engineers, an agent for NextGrid Inc., submitted a Development Review and Conditional Use Application to construct a 4.004 MWdc solar facility covering 17.25 ac. at 1043-1045 Main Street.

Douglas Greene summarized the requested then welcomed and answered questions from the board. Daniel Serber of NextGrid Inc. and Gil Paquette of VHB Engineers reviewed the proposed project and program then welcomed and answered questions.

Pauline Gudas opened the discussion to the public.

Daniel Dube of 1055 Main Street stated he was not in opposition nor in favor of the project. He then requested clarification of the exact location of the facility which was provided by David Hediger. April Clark of 142 Stetson Road expressed concern regarding visibility from her property then stated she would like to see additional landscape screening of the site to which Daniel Serber agreed would be done.

The public session was closed.

The following motion was made:

MOTION: by **Lucy Bisson** that the application submitted by VHB on behalf of NextGrid, Inc. to construct a 4.004 MWdc solar facility covering 17.25 acres at 1043 and 1045 Main Street meets all of the necessary criteria and standards contained in the Zoning and Land Use Code, including, but not limited to Article XIII, Development Review and Standards, Section 4, Approval Criteria and Article X, Conditional Uses, Section 3, Standards for Conditional Use Permits and that approval be granted with the following conditions:

1. The applicant shall provide details for the sizing of silt socks, location of BMP, and a stormwater operation and maintenance plan be developed and approved by the City of Lewiston before the issuance of any permit approvals and before construction activity can begin.
2. Additional landscaping be added to Main Street and Stetson Road to the approval of staff.

Second by **Norman Anctil**.

VOTED: 7-0 (Passed)

- d. VHB Engineers, an agent for NextGrid Inc., submitted a Development Review and Conditional Use Application to construct a 1.879 MWdc solar facility covering 9.55 ac. at 1875 Lisbon Street.

Douglas Greene summarized the requested then welcomed and answered questions from the board. Daniel Serber of NextGrid Inc. and Gil Paquette of VHB Engineers reviewed the proposed project and program then welcomed and answered questions. Daniel Serber stated that in his opinion the site and project conditions are ideal and a good model for solar projects all over the country.

Pauline Gudas opened the discussion to the public. No public spoke.

The following motion was made:

MOTION: by **Lucy Bisson** that the application submitted by VHB on behalf of NextGrid, Inc. to construct a 1.879 MWdc solar facility covering 13.19 acres at 1875 Lisbon Street meets all of the necessary criteria and standards contained in the Zoning and Land Use Code, including, but not limited to Article XIII, Development Review and Standards, Section 4, Approval Criteria and Article X, Conditional Uses, Section 3, Standards for Conditional Use Permits and that approval be granted with the following conditions:

1. The applicant shall provide details for the sizing of silt socks, location of BMP, and a stormwater operation and maintenance plan be developed and approved by the City of Lewiston before the issuance of any permit approvals and before construction activity can begin.
2. Additional landscaping be added along Lisbon Street to the approval of staff.
3. The applicant shall provide financial security to cover the decommissioning of The System in an amount determined by the applicant's engineer of record. This shall be held by The City in perpetuity for decommissioning if the applicant fails to comply with the decommissioning plan. The financial security will be required until decommissioning of the solar facility is complete as determined by The City of Lewiston.

Second by **Shanna Cox**
VOTED: 7-0 (Passed)

- e. VHB Engineers, an agent for NextGrid Inc., submitted a Development Review and Conditional Use Application to construct a 5.297 MWdc solar facility covering 19.81 ac. at 265 Merrill Road.

Douglas Greene summarized the requested then welcomed and answered questions from the board. Daniel Serber of NextGrid Inc. and Gil Paquette of VHB Engineers reviewed the proposed project and program then welcomed and answered questions.

Pauline Gudas opened the discussion to the public.

Chris Morin of 251 Merrill Road questioned continued access to the site. Daniel Serber said that while gated access is proposed and required he is willing to be flexible and allow continued access to the river and surrounding area.

The following motion was made:

MOTION: by **Lucy Bisson** that the application submitted by VHB on behalf of NextGrid, Inc. to construct a 5.297 MWdc solar facility covering 19.81 acres at 265 Merrill Road meets all of the necessary criteria and standards contained in the Zoning and Land Use Code, including, but not limited to Article XIII, Development Review and Standards, Section 4, Approval Criteria and Article X, Conditional Uses, Section 3, Standards for Conditional Use Permits and that approval be granted with the following conditions:

1. The applicant shall provide details for the sizing of silt socks, location of BMP, and a stormwater operation and maintenance plan be developed and approved by the City of Lewiston before the issuance of any permit approvals and before construction activity can begin.
2. Prior to construction activity, the developer will document the condition of Merrill Road from its intersection of Main Street to the development site's access road and issue a bond or letter of credit for any necessary maintenance or repairs to damage caused by development activity associated with the project.
3. Should the project be located on a separate lot, the new parcel will have to meet all zoning space and bulk standards, including street frontage, prior to any permits or construction activity.

4. The applicant shall provide financial security to cover the decommissioning of The System in an amount determined by the applicant's engineer of record. This shall be held by The City in perpetuity for decommissioning if the applicant fails to comply with the decommissioning plan. The financial security will be required until decommissioning of the solar facility is complete as determined by The City of Lewiston.

Second by **Shanna Cox.**

VOTED: 7-0 (Passed)

- f. Site Lines, PA, an agent for 410 Industries, LLC, submitted a Development Review Application to construct a 7,500 sf. office and warehouse building at 1222 Sabattus Street.

Douglas Greene read staff comments then welcomed and answered questions from the board. Curtis Neufeld and Melissa Archbell of Sitelines, PA clarified the current and projected use of the site. The board expressed appreciation for the proposed landscaping and said they consider it to be a significant improvement to the site.

Pauline Gudas opened the discussion to the public. No public spoke.

The following motion was made:

MOTION: by **Lucy Bisson** that the application submitted by Site Lines, PA, an agent for 410 Industries, LLC, to construct a 7,500 sf addition at property located at 1222 Sabattus Street meets all of the necessary criteria contained in the Zoning and Land Use Code, including, but not limited to Article XIII, Section 4 of the Zoning and Land Use Code, and that approval be granted.

Second by **Normand Anctil.**

VOTED: 7-0 (Passed)

V. OTHER BUSINESS:

- a. Minor Amendment to Maple Ridge Subdivision, De Minimis change to existing lot lines at 4 Bayberry Lane (Lots 24-26).

Douglas Greene summarized the request and Peter Biegel of Land Design Solutions provided some clarification regarding lots. Pauline Gudas polled the board and the De Minimis change was approved by all.

- b. Update on Design Lewiston was postponed to a later meeting.

- c. Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

VI. READING OF MINUTES: Adoption of the February 24, 2020 draft minutes.

The following motion was made:

MOTION: by **Lucy Bisson** to accept the February 24, 2020 draft minutes as presented. Second by **Normand Anctil**.

VOTED: 6-0-1 (Passed. Kristine Kittridge Abstained)

VII. ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **Lucy Bisson** that this meeting adjourns at 8:30 p.m. Second by **Roger fuller**.

VOTED: 7-0 (Passed)

The next regularly scheduled meeting is for Monday, June 8, 2020 at 5:30 p.m.

Respectfully Submitted:

A handwritten signature in cursive script that reads "Normand Anctil" followed by a circled "A" in the right margin.

Normand Anctil, Secretary