

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for March 13, 2006 – Page 1 of 3

I. ROLL CALL: This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 5:30 p.m., and was chaired by Jeffrey Gosselin.

- **Members in Attendance:** Jeffrey Gosselin, John Racine, Tom Truchon, Jim Horn, Stephen Morgan, Jonathan Earle, Roger Philippon, and Ron Chartier. **Associate Member Present:** Tom Peters.

- **Members Absent:** None.

- **Staff Present:** Gildace Arsenault, Director of Planning & Code Enforcement; David Hediger, City Planner; and Eric Cousens, Land Use Inspection Officer.

II. ADJUSTMENTS TO THE AGENDA: A request for a two- (2-) year extension of approval for Stetson Brook Estates shall be heard first on the agenda.

III. CORRESPONDENCE: Staff Memorandum from David Hediger dated March 9, 2006.

The following motion was made.

MOTION: by *John Racine*, second by *Tom Truchon* that the Planning Board accept the above correspondence, place it on record, and read it at the appropriate time.

VOTED: 7-0 (Passed).

At Staff's request and due to the nature of the request, the following item was heard out of sequence to the Agenda listing.

V. OTHER BUSINESS:

A. *A request for a two- (2-) year extension of approval for Stetson Brook Estates.* David Hediger read this portion of his Staff Memorandum dated March 9, 2006. Richard Trafton, Esq. explained the progress on the project and the plans for completion.

The following motion was made.

MOTION: by *John Racine*, second by *Steve Morgan* that the Planning Board grant a two- (2-) year extension to Stetson Brook Estates.

VOTED: 7-0 (Passed).

The remainder of the Agenda items were reviewed in the order of the Agenda listing.

IV. HEARING: *A proposal from Patricia L. Spencer d/b/a Dresser Mountain, LLC to create a three- (3-) lot subdivision for single-family homes at 155 Old Lisbon Road.* David Hediger read this portion of his Staff Memorandum dated March 9, 2006. Mr. Hediger noted that sight distance was a concern. It appears that there is a location on each lot that can provide adequate sight distance, however, the driveways will need to be located properly to meet the requirements. Staff recommends that the Board consider a condition of approval requiring that a traffic engineer designate appropriate locations and that they be shown on the approved plan. *Stuart Davis* from JKL Surveying was present to speak on behalf of the applicant and he explained that Note # 7 on the plan could be changed to require driveways to be located in the appropriate locations.

This item was then opened to the public for those in support. **John** from across Old Lisbon Road asked what types of homes would be allowed on the lots? No mobiles will be allowed by zoning or covenants. Stick built or modular homes are permitted.

Mike McConnell, 142 Old Lisbon Road was concerned that excess tree removal would allow increased noise from the turnpike on his property. It was discussed and the trees can be removed, but it is likely that the three (3) new homes will block more noise than the existing vegetation.

This item was then opened to the public for those in opposition. There, being none, this item was then brought back to this Board and the following motion was made.

MOTION: by **Tom Truchon**, second by **Ron Chartier** that the Planning Board determines the application for Old Lisbon Road Estates (creation of a three-lot subdivision for single-family homes) at 155 Old Lisbon Road to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Sections 4 and 5 of the Zoning and Land Use Code; and grants approval to Patricia L. Spencer d/b/a Dresser Mountain, LLC, subject to the following conditions:

1. That Note #7 on the Site Plan be amended to allow property owners within the subdivision to maintain vegetation (i.e. lawn area) within the hatched areas, as delineated on the Site Plan.
2. That the signature block on the Site Plan is labeled, "City of Lewiston, Planning Board Chairman".
3. That a note is added to the Plan indicating any proposed Deed restrictions are not required to be enforced by the City of Lewiston.
4. That a traffic engineer will designate safe driveway locations and they shall be shown on the approved Plan.

VOTED: 7-0 (Passed).

V. OTHER BUSINESS:

B. Proposed Outpatient Addiction Treatment Clinics Ordinance. David Hediger read this portion of his Staff Memorandum dated March 9, 2006. A Board and Staff discussion followed. The Board questioned any impacts that the requirements may have on existing services, for example, Sweetser, Protea, Tri-County, etc. and asked Staff to look into this and provide the information to the City Council for their consideration.

The following motion was made.

MOTION: by **Tom Truchon**, second by **Steve Morgan** that the Planning Board send a favorable recommendation to the City Council for their consideration on the adoption of Article XIV to the Code of Ordinances; Outpatient Addiction Treatment Clinics, subject to the following condition:

1. That Staff look into impacts for existing facilities and provide the information to the City Council for their consideration.

VOTED: 7-0 (Passed).

C. A Staff discussion regarding a recent MMA workshop. Planning Staff and the Board discussed concerns with Deed restrictions and the concern that if they are part of an application they could become Staff's responsibility to enforce. It was decided that if the restriction is not critical to make the project meet code requirements, then the Board can specifically exclude that requirement from the approval so it is the associations responsibility to enforce. Participation of Associate Members was discussed and the Board asked for a legal opinion to determine if associates should participate and/or sit at the front with the full Members.

D. Any other business Planning Board Members may have relating to the duties of the City of Lewiston Planning Board. None.

VI. READING OF THE MINUTES: *Draft Meeting Minutes for February 21, 2006 (Special Meeting) and February 27, 2006.* The minutes were not available and were not reviewed at this meeting, therefore, no motion was made.

VII. ADJOURNMENT: This meeting adjourned at 6:31p.m. The next regularly scheduled Planning Board Meeting is for Monday, March 27, 2006.

Respectfully submitted,



Steven Morgan, Planning Board Secretary

DMC:dmc

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