

City of Lewiston
PLANNING BOARD MEETING
Minutes of September 24, 1996

I. ROLL CALL

The meeting was called to order at 7:05 PM

Members present: H. Milliken, D. Theriault, T. Peters,
M. Goulet, D. Jacques, H. Skelton

Members Absent: L. Zidle

Staff present: J. Lysen, G. Dycio, G. Arsenault, A. Metivier

II. READING OF THE MINUTES

Mr. Peters stated that the first motion on the minutes should state that "any contact by the press to staff should be dealt with through the minutes, if ratified, or the request should go to the chairman."

Mr. Theriault asked about the item he presented about teenage involvement and stated in the minutes it did not state that it was ok to incorporate the goal and the first strategy in the Comprehensive Plan. Wants the minutes to express that the Board was in agreement with incorporating the goal and strategy one in the Comprehensive Plan where appropriate.

MOTION: By Mr. Skelton, seconded by Mr. Goulet to accept the minutes of September 10, 1996 with modifications.

VOTE: Passed 6 - 0

III. CORRESPONDENCE

MOTION: By Mr. Peters, seconded by Mr. Theriault to accept the following two pieces of correspondence and place on file:

1. Letter from Robert Connors regarding action taken at August 26, 1996 meeting
2. Letter from Theresa Oleksiw of AVCOG, regarding Travel Demand Management (TDM) Plan.

VOTE: Passed 6 - 0

IV. PUBLIC HEARING

- A. Proposal to amend the Official Zoning map where the Promenade Mall property would be conditionally rezoned from Community Business (CB) District to Highway Business (HB) District.

Mr. Dycio stated that there was a proposed amendment to the Zoning and Land Use Code where the Promenade Mall property would be conditionally rezoned from Community Business (CB) District to Highway Business (HB) District. He stated that also attached was a draft copy of the agreement indicating the additions and deletions that were recommended by the Board at the September 10th meeting. He explained that direct references in the revised agreement to the Comprehensive Plan are both italicized and in quotations.

The Planning Staff has reviewed the proposed amendment and the conditional rezoning agreement, and is generally in favor of the proposed amendment.

Therefore, the Planning Staff recommends that the Board receive input from the public and Staff, review the proposed amendment and the conditional rezoning agreement, amend the conditional rezoning agreement if necessary, and send a recommendation to the City Council accordingly.

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Mr. Lysen explained that Rosalind Prince prepared the contract and illustrated that was italicized and underlined where changes were made to show changes as well as conformance with the Comprehensive Plan.

Mr. Theriault referenced the memo and where it states "staff is generally in favor" and wanted to know what that meant. Mr. Lysen stated that in was just in case there were any changes at the Public Hearing but that it did not mean anything specific. He stated that staff basically supports it.

Mr. Theriault asked if the City Attorney generally reviews these types of contracts. Mr. Lysen stated no. Mr. Theriault asked "when does he review." Mr. Lysen stated that in this case pages 2-7 were developed by the City Attorney. Mr. Lysen stated that the Board should focus on the conditions and determine if it is consistent with the Comprehensive Plan.

Mr. Milliken asked about page 2 item 7 that references a plan attached and questioned where it was. Mr. Lysen stated that the standard boundary survey will be provided later. Mr. Milliken asked Mr. Rosenthal if he had any questions. He stated no. The hearing was opened to the public at this time.

Robert Lambert, 94 Summit Avenue, stated that when the operation first started (until about a month ago) the noise was unbearable. He stated that while he was away for three weeks his wife complained there was some noise again. He went to check it out and noticed that there was a big gap in the rubber and the wall. He stated that at 11:00 this morning (Sept. 24) he and Mr. Rosenthal went down and looked at it. At 2:00 PM he went to check it again and it had been fixed. He stated that Mr. Rosenthal has been very cooperative. Mr. Milliken read condition number 3 regarding decibel levels and stated that he must meet this condition. Mr. Lambert stated that he understands there will always be some kind of noise from trucks but that they have been pretty careful lately. He stated that the problem with noise has been fixed and he is satisfied.

Larry Fox, 94 Summit Avenue, stated that the noise has decreased tremendously. He told the Board that he wanted them to realize that warehousing will make more traffic because of tractor trailers. He also mentioned that the elementary school nearby should be considered. Mr. Theriault asked Mr. Fox if he has seen any specific problem. Mr. Fox stated he just wanted to bring up the issue because there are about 10 trucks a day going in and out. Mr. Milliken asked Mr. Fox if he had any suggestions, he responded no. Mr. Theriault asked if he has noticed a build up in traffic. Mr. Fox stated no. Mr. Milliken mentioned that Lisbon Street is a major arterial in the City and can handle the truck traffic.

Mr. Arsenault stated that as far as he knows, in the past there have not been any problems with traffic on Lisbon Street regarding trucks entering and exiting. Mr. Rosenthal mentioned that the traffic is different from the upper level of the Mall to the lower level of the Mall. He stated that after April 30th there will be little truck traffic from Gates Formed Fibre.

Mr. Theriault asked if the right turn out of the mall near Burger King is sufficient. Mr. Rosenthal stated that there were no problems in the past when the mall was there. Mr. Arsenault stated that both lanes would be used when turning but that there should be no problem when using the light that is on the corner. Mr. Lysen mentioned that a reference had been made to Lisbon Street being an arterial road and that these roads are designed to handle large trucks, and this is an area that traffic is directed. Mr. Milliken asked if this traffic would effect the elementary school. Mr. Lysen stated that he felt there would not be a lot of kids crossing the street from the mall. Mr. Milliken hearing no more concerns closed the hearing to the public.

Mr. Peters stated that he wanted to commend Mr. Lambert, the community, and Mr. Rosenthal for working together to get this issue resolved, and stated that it shows that Mr. Rosenthal is willing to cooperate and work with the neighborhood. Mr. Theriault asked the Board if they would entertain the idea to have Chris Branch look at the corner near Burger King which could be done by reviewing the project. Mr. Peters stated that he felt it could be an informal request. Mr. Milliken stated that as far as the project is going now it is too late to make the changes. Mr. Theriault stated that he just wanted Chris Branch to review the entrance and exit locations and would be comfortable with his evaluation. Mr. Milliken stated that the he would like to get a note back from Chris Branch on his findings. Mr. Theriault

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stated that a copy should also be sent to Mr. Fox since he raised the issue.

MOTION: By Mr. Peters, seconded by Mr. Theriault to send a favorable recommendation to the City Council regarding the proposal to conditionally rezone the Promenade Mall area from Community Business (CB) District to Highway Business (HB) District, subject to the conditions imposed in the agreement executed by Lisbon Street Shopping Trust, Robert A. Rosenthal, Trustee.

VOTE: Passed 4 - 1 - 1 (Mr. Skelton opposed, Mr. Goulet abstained.)

- B. Proposal to amend the Zoning and Land Use Code to allow office buildings, business offices and tradesman's offices as permitted uses in the Industrial (I) District.

Mr. stated that there is a proposed amendment to the Zoning and Land Use Code to allow office buildings, business offices and tradesman offices as a permitted use in the Industrial (I) District.

The Planning Staff has reviewed the proposed amendment and is generally in favor of the amendment. However, Staff would like to explore other options with the Board that may effectively achieve what the Board originally intended to accomplish.

Therefore, the Planning Staff recommends that the Board receive input from the public and Staff, review the proposed amendment and other options, and either table the Public Hearing in order to allow Staff to provide additional information on alternatives to the amendment, or send a recommendation to the City Council accordingly.

Mr. Goulet stated that he was disappointed that the Planning Staff did not make a finding that the amendment was in conformance with the Comprehensive Plan. He referenced the General Use Plan, page 58 item 13 (Industrial) of the Comprehensive Plan which states that "land uses in these areas should be restricted to manufacturing, processing, research and development, warehousing, distribution facilities and accessory retail and service uses." He stated that this was the definition of the Industrial zone that we have now and offices are not allowed now, so would not be in the current Comprehensive Plan. He also referenced the Policy on page 46 of the Comprehensive Plan which states that "The City should set aside areas for future manufacturing, service and office uses" it further states that the "major areas suitable for the uses include Crowley Road area, the turnpike overpass area of Lisbon Road and the Goddard/Cottage/River Road area of South Lewiston." He stated that in addition, the area should be included within this designation because of the existing development in those areas. He stated that this is why he feels it is in compliance with the Comp. Plan and will be in compliance with the future plan as well as will be good for the City.

Mr. Dycio stated that he read the study and the purpose of the Industrial District and right above it item 12 there is the Office Service zone which allows offices, businesses offices and tradesman's offices. He stated that if you amend the Industrial District you will be creating two similar zones and currently there are five zones that allow business and tradesman's offices. Mr. Goulet stated that the Office Service zone has not yet been developed for office uses. Mr. Milliken stated that Mr. Goulet was correct that it is clearly in conformance with the current Comprehensive Plan. Mr. Dycio stated that he thought the Industrial District stated "restricted" and the word restricted vs. allowed seems to say you are restricting and not just allowing. He stated that the Board has also made a finding that they are looking for additional industrial land within the City. He stated that it has been shown by Mr. Faunce, that approximately half the land zoned industrial may not be suitable and that allowing offices may take away from the industrial land that we have now.

Mr. Milliken stated that he felt they should look at the definition of industrial, and up until now the definition of industrial is primarily manufacturing and that he thinks industrial should include an office park. He stated that most industrial parks in the state allow offices and that in other states such as New Hampshire and Massachusetts offices are always located near manufacturing. He stated that changing the definition of Industrial would be in compliance with the Comp. Plan. Mr. Dycio stated that if there are

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already zones that allow business offices and they do not have offices in them is there a need for businesses offices in the Industrial zone. Mr. Goulet stated that there are already two office buildings located in South Park right now. Mr. Arsenault stated that the Development Department is strongly in support of the change to the Zoning and Land Use code and feels that it is a significant opportunity for the City and that the economic spinoff would be more significant than that from manufacturing. He stated that if the Board finds that it is in compliance with the Comprehensive Plan they should send it to the City Council. Mr. Goulet reiterated that it was in compliance with the Comp. Plan. Mr. Theriault stated that he strongly recommends reading the Comprehensive Plan and feels that both Mr. Dycio and the Board has done its job in reviewing the Comp. Plan. Mr. Milliken asked what the difference was between a tradesman and a contractor. Mr. Dycio stated that tradesman have a specific trade. Discussion continued about the definition of tradesman's offices.

Mr. Peters suggested that a copy of this proposal be given to the Board of Appeals so they can see it and have an idea of what is going on. He stated that he did not think they would oppose it but he just thought they should have the opportunity to see what the Planning Board has done and why they did it.

Mr. Lysen stated that we are in a different climate today than in 1988 and that we have to be flexible and adaptive to that. He stated that he agreed with both Mr. Dycio and Mr. Goulet. He also stated that an idea that was brought up at the last Planning Board meeting to bring in an outside consultant to look for additional land that can be developed industrially. Mr. Theriault asked if a letter had been sent to Mr. Mulready. Mr. Lysen stated no and stated that a letter would be drafted for Mr. Milliken's signature to be sent to the City Administrator.

Mr. Milliken referenced a handout that Mr. Faunce passed out at the last meeting that shows the amount of dollars that different types buildings bring in and how many people it employs per square foot. He stated that it shows that 3-4 people are employed per square foot in offices compared to 2 in light industrial and industrial. He states that it would be good for the City because it would allow the City to employ more people and get more professional jobs in this area. He further suggested that the handout be added to this proposal. Mr. Peters stated that Mr. Faunce would have to appear before the City Council so his presentation would be given to them at this time.

MOTION: By Mr. Goulet, seconded by Mr. Theriault to send a favorable recommendation to the City Council regarding the proposal to amend the Zoning and Land Use Code to allow office buildings, business offices and tradesman offices as a permitted use in the Industrial (I) District. It was the finding of the Planning Board that the amendment was in compliance with the Comprehensive Plan.

VOTE: Passed 6 - 0

V. REVIEW OF DEVELOPMENT PROPOSALS - FINAL HEARING

A. CMMC - High Street Improvements (High Street)

Mr. Dycio requested that this final hearing be tabled to October 8, 1996.

MOTION: by Mr. Theriault, seconded by Skelton to table the CMMC - High Street Improvements Final Hearing to October 8, 1996.

VOTE: Passed 5 - 0

VI. REVIEW OF DEVELOPMENT PROPOSALS - PRE-APPLICATION

A. Gendron & Gendron - Office/Shop Facility (Lot #19 of South Park)- Alfred Plourde Parkway

Mr. Dycio stated that Richard A. Plourde, on behalf of Gendron & Gendron, has submitted plans for a

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proposal to construct a 15,540 square foot, single-story building where 13,500 sq. ft. (90' x 150') will be used as a shop/garage while 2,040 sq. ft. (34' x 60') will be used as a office. The area under consideration is located in the Industrial (I) District where building and construction contractors are permitted as a matter of right.

Pursuant to Article XIII, Section 3 (h)(5), the applicant is requesting a modification and a number of non-applicable status requests to the application requirements listed under Section 3 (h)(1-4). Upon review of the requests Staff submits the following comments:

- 1) A construction schedule, including anticipated beginning and completion dates, will be required for this project as these schedules are routinely incorporated in the issuance of a Certificate of Occupancy once the building is constructed.
- 2) A utility plan will be required indicating the proposed location of water and sewer lines, and the location of telephone and electrical services.
- 3) A planting schedule will also be required indicating the type and variety of landscaping to be planted on site. This plan should be tied into the construction schedule indicating anticipated dates for installation.
- 4) Staff is requesting that the applicant submit a brief statement regarding traffic impact from the project, focusing specifically on sight distance and access to and from the sight.

Staff recommends that the Board not grant non-applicable status to these four (4) issues and asks that the necessary information be submitted for Staff's review. Staff finds that the other requests are justified and recommends that the Board grant them.

The Planning Staff has conducted a preliminary review of the proposed plans and has no major concerns with the plans at this time. Staff is currently reviewing the plans and the applicant's engineer will be meeting with Staff to review our concerns once our initial review is complete.

Copies of the plans have been forwarded to the Police, Fire and Public Works Departments for their review and comments. Each department has responded and their comments are attached. Although there are a number of concerns, Staff will work closely with the applicants and their representatives to address these concerns prior to the Final Hearing.

The Planning Staff encourages the applicant to proceed with the project keeping both Staff's and the Planning Board's comments in mind.

Leo Larochelle stated that he met with Steve Johnson and Mr. Dycio and finds all their comments are reasonable. He stated that he had one request which was that he would like to incorporate the utility plan on the site plan rather than have a whole new plan for it. Mr. Dycio stated that Mr. Larochelle's request is acceptable. Mr. Theriault asked Mr. Larochelle if they were planning to start before winter. Mr. Larochelle stated yes. Mr. Theriault asked Mr. Dycio if this was the fastest way for them to go now. Mr. Dycio stated that if the Board finds that the application is substantially complete and as long as they have the information for the next meeting they can schedule a final hearing. He also stated that in talking with Mr. Larochelle and Mr. Plourde they have agreed to make the necessary changes that Staff requested by Friday and therefore, Staff would find the application to be substantially complete. Mr. Theriault asked Mr. Larochelle if he could meet these requirements. Mr. Larochelle stated that the recommendations were reasonable and that he has already begun making the necessary changes. Mr. Theriault than recommended that the Board find the application to be substantially complete.

Mr. Lysen stated that streamlining in the Comp. Plan would have an amendment where in cases of approved subdivisions there would be one meeting for that type of plan which would place the burden on the development team. Mr. Goulet stated that when the covenants are already in place there should be one meeting.

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MOTION: By Mr. Theriault, seconded by Mr. Goulet to move that the requested waivers of submission requirements by Gendron & Gendron be granted because of the size of the project and the circumstances of the site such requirements would not be applicable or would be an unnecessary burden upon the applicant and that such waivers do not adversely affect the abutting landowners or the general health, safety and welfare of the city.

VOTE: Passed 6 - 0

MOTION: by Mr. Theriault, seconded by Mr. Goulet to move that the application of Gendron & Gendron be determined to be complete. I further move that review of the completed application be scheduled on October 8, 1996 at 7:00 PM.

VOTE: Passed 6-0

VII. OTHER BUSINESS

A. Discussion regarding Child Care Facilities and possible amendments to the Zoning and Land Use Code.

Mr. Dycio stated that this item was placed on the agenda in anticipation of city council action but that has not been forwarded to the Planning Staff. Mr. Lysen stated that there was one issue that they wanted to discuss with the Board. He stated that a while back there was an amendment to allow a child care facility in conjunction with uses such as the Sons of Italy. He stated that recently there have been situations where child care has been in conjunction with a residential use but the people did not live there and neither did any of the operators. The top floor was being rented out and the first floor used for child care. He stated that the Board of Appeals made a finding that "in conjunction with" meant in conjunction with a residential use and the owner or operator had to reside there. He stated that with the language "in conjunction with" they no longer felt that a child care center could be established within the Sons of Italy hall because it is not in conjunction with that use. and in fact it looks like that use may leaving. He stated that there also has been an issue about liberation of child care specifically group care which is up to 12, being located in the same areas and perhaps we would want to look into locational criteria. Mr. Lysen stated that he felt a regular day care, which is 6 kids + 2 kids in conjunction with residential use should have no problem but when you get to having up to 12 there may need to be density requirements. He stated that Councilor Frank Kelly wanted the Board to take a look at these issues.

Mr. Peters stated that he knows that the Board of Appeals went through a lot about this issue. He asked about adult day care and asked if that would be an issue as well as group care because these facilities are on the rise. He also asked what would happen to the day cares that have been allowed and are they going to be grandfathered. Mr. Arsenault stated that the ones that have been allowed would probably be grandfathered. He stated that at the last Board of Appeals there was a request from Jamie Bolduc for 159 Pettingill Street, a two-family home she recently purchased, and her plan was to operate a group child care on the first floor and rent the top floor independent of the first floor. He stated that staff argued converting that residential use to a non-residential use because it is not done in conjunction with a residential use. He also stated that she asked for a conditional use permit for the group child care and request a hearing before the board. The Board came to the conclusion that in conjunction with a residential use meant it was within the dwelling unit. He stated that he did not think the Board was really concerned with whether the licensee was lived on the premises but an individual employed by the group child care must reside there and be engaged with the child care on a daily basis. Mr. Lysen stated that he felt this had some precedence.

Mr. Arsenault also stated that when Jamie Bolduc asked for an amendment to be made a year ago relative to the Sons of Italy, when the Planning Board and the City Council concluded that in conjunction with fraternal organizations this issue came up again. Mr. Arsenault stated that he would argue that in conjunction with a fraternal organization would mean that the Sons of Italy would have to be involved in the day care, such as the day care be for its members. He stated that if Jamie Bolduc were running the

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day care and renting space there would be no relationship except financially. He stated that there were two issues to deal with. First would be the issue of the language "in conjunction with" and second the issue about density requirements which was brought forth by the neighbors of the Pettingill School area. He stated that he thought Frank Kelly was of the opinion that some density requirements be imposed on day care centers.

Mr. Peters stated that he thought one of the problems may be with the School Departments policy which stated that if a child goes to a day care in a certain area they can attend the school in that district. He stated that there are some schools that people want to send their kids to and Pettingill school is one of them and so there is suddenly a lot of day care in that area. He stated that he thinks this policy still exists and feels maybe this has contributed to the problem.

Mr. Milliken asked if child care was allowed in office buildings. Mr. Lysen stated yes as an accessory to and stated that as long as 50% of the people employed there use the child care. Mr. Theriault asked if Mr. Arsenault found that the concentration of day care is right around the school. Mr. Arsenault stated yes there is a concentration in the neighborhood of the school. He also stated that they have mapped out where the day cares are in the city. He also stated that there is a concern in the community as to doing density requirements. Mr. Peters stated that in conjunction with was intended for a parent that may have one or two kids and wants to have some more kids staying in the day care. He stated that it was intended to mean that it was your house and not that you would purchase a house and have a day care there and stated that was never the intent.

Mr. Milliken about the City Council's concern with it and what they wanted the Planning Board to do. Mr. Lysen stated that Frank Kelly suggested looking at "in conjunction with" and the density issue. Mr. Theriault asked if the City Council had sent anything yet. Mr. Arsenault stated that he thinks at the last meeting Mr. Kelly intended to make a motion to send it to the Planning Board. Mr. Milliken asked if the Board should wait for it to be sent by the City Council. Mr. Theriault stated that if Mr. Kelly felt it was an issue for the Board to look at, and the Board feels the same way, they should go forward and say they would like to explore it themselves. Mr. Milliken stated that he would like to get input from the City Council as to what they are looking for from the Planning Board. Mr. Lysen stated they will pass it to the Planning Board and that waiting for the city council may slow up the process. Mr. Skelton stated that staff should develop language or a potential amendment that would address specifically reducing residential houses that have day care facilities unaccompanied by an actual residence; address density issues in and around particular neighborhoods and pay attention to kids clustering around certain schools; and consider techniques to limit density in residential neighborhoods.

Mr. Theriault asked that elder care be included. Mr. Milliken stated it should include elder care and that it should also see how it effects schools in the area. Mr. Peters stated he thought that had to go to the School Board. Discussion continued.

MOTION: by Mr. Skelton, seconded by Mr. Goulet to have Staff to draft up language to address reducing day care facilities unaccompanied by an actual residence; density issues around certain schools (child care, group care, and elder care) and, also draft language for School Board to consider for the superintendent regarding child care clustering around certain schools.

VOTE: Passed 6-0

The Board recessed for 15 minutes at this time.

PUBLIC HEARING

C. Comprehensive Plan

Mr. Theriault stated that there were 2 Policy 2's. He also had a question on Policy 2 Strategy D. He

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stated that he was concerned with supporting L/A together without looking at their policies or findings and further stated that he has no problem with combining the two city's as far as streamlining purchasing and those areas, but does have problems with combining police and fire departments and feels the city is doing just fine with these areas on its own. He stated that from what he has seen regarding L/A it looks as if they are heading in the direction to unify Lewiston and Auburn and that is a very serious issue that the people have to decide.

Mr. Lysen suggested changing Strategy D to "Explore efforts." He also stated that they are already doing joint purchasing and joint treatment plant. Mr. Theriault stated that he could see those uses, but feels that the police and fire are the best of their kind the way they are. Mr. Lysen stated that there may be cases where a fire station is close enough to Auburn that it could serve both Lewiston and Auburn. He stated that there are some ways that it could be combined. Mr. Peters suggested using "Explore" and cooperate while maintaining the independence of each community and there department therefore, they can collaborate and work together. Mr. Theriault stated that the Police Department already has joint cooperation with Auburn and they work together when problems arise etc., and so is the Fire Department. He stated that he feels there is nothing in the City of Lewiston that it can not handle that they need to combine itself with another city. Mr. Skelton suggested taking out the word "institutionalize." Mr. Theriault stated he had no problem with that. Mr. Skelton stated that Mr. Theriault may feel one way and others may feel another way about combining Lewiston-Auburn and stated that if that were to ever happen it is not the Planning Board's job. Mr. Theriault stated that they Board has to be on the lookout for language in that leans toward a particular direction. Mr. Skelton suggested changing it to "increase cooperative activity" and keep it broad. Mr. Theriault agreed. He also asked for the Board to receive copies of the L/A Together findings. Mr. Lysen stated that they have not received it but as soon as they do the Board will receive copies.

Mr. Skelton left at this time. Mr. Milliken asked that the Board also receive copies of the L/A Development Strategy 1996-1997. Mr. Theriault suggested that L/A representatives be changed to Lewiston representatives on Policy 3 Strategy C. Mr. Theriault stated that he wanted Auburn to be taken out of Policy 7 Strategy A because it involves marketing Lewiston. He stated that in Policy 7 Strategy B, he thought Auburn should be taken out of the resource guide. Mr. Lysen stated that the strategy was to have a joint guide. Mr. Theriault asked if a joint guide was necessary because we are in a competitive market. He asked if the city should do its own in addition to the joint guide. He also stated that a web page should be included under Strategy B.

Mr. Peters asked what the L/A Redevelopment Master Plan was. Mr. Lysen stated that it was something new and that he thought it has not been created yet. Mr. Theriault asked if Lewiston should create its own Master Plan. Mr. Jacques stated he felt they were talking about the river here. Mr. Theriault stated he understood that but felt they should still have their own without involving Auburn. Mr. Peters suggested developing their own plan and coordinating with Auburn wherever possible. Mr. Lysen stated that he thought it was to create a joint plan. Mr. Peters stated that the Greenways project should be taken out if it is not done by L/A because it is used as an example. Mr. Milliken suggested using "create a Riverfront Development Master Plan for recreational and business uses." and discuss with Auburn at that time.

Mr. Peters asked if his section on Natural Resources had been implemented. He stated that it should be placed under Natural Resources and Economy and that the language in the Economy section be written the way he presented it to the Board.

Mr. Theriault asked about Policy 8 Strategy B which states encompassing the areas including the airport. He questioned what encompassing the areas meant and stated that if it only stated the airport he would agree. Mr. Lysen suggested changing it to state "encompassing the areas covered by the joint agreement between Lewiston-Auburn including the airport." Mr. Theriault agreed.

Mr. Theriault stated that he wanted to include Canada in Policy 9 Strategy C.

Discussion began about the Public Services and Facilities section.

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Mr. Theriault asked if the section regarding Facility Closings on page five was suppose to be taken out. Mr. Lysen stated that it was a revised version and stated that it made no judgement. Mr. Milliken recommended that it be stricken completely because he does not think it fits into a long-term plan. Mr. Lysen stated that he was trying to give an example of what has occurred with other facilities. Mr. Theriault stated that it focuses on the negative and not the positive that may come out of that which is in the process. Mr. Arsenault stated that it may be misinterpreted as an example of not having the right type of planning in place. He stated that it should be kept generic. Mr. Milliken stated that it should be taken out and that the last sentence is a very bad statement. Mr. Lysen stated that the entire section would be taken out.

Mr. Theriault asked if the LCIP was involved in the programs under Policy 3 Strategy B. He stated that he does not know any programs that were funded through LCIP. Mr. Dycio looked in the current LCIP and found that there were no programs funded. Mr. Milliken suggested that programs be stricken.

Mr. Peters asked if there was a way that the sections could be brought together. Where there could be a key that would direct you to another section that is related to the same item. He stated that this would make it easier to associate similar items within the whole document.

Mr. Theriault stated that in Policy 4 Strategy B where it states "financing of bicycle and pedestrian systems" he is concerned about adding anything in the LCIP that forces the city to fund it. He stated he was not sure where financing of the bicycle and pedestrian systems was going. He stated that he was concerned with forcing spending without actually researching it to see where it is going. He stated that he does not have a problem with bicycle and pedestrian systems in town but does have a problem when it is going out of town. He stated that he was concerned with committing resources such as police and public works and wanted to know how much they were willing to commit. Mr. Lysen stated that a system will be built but we have to make sure the LCIP funds sufficiently enough to maintain that system and the city is required to do that. He also stated that as different elements of the systems are reviewed that maintenance will have to be incorporated. Mr. Theriault asked if the bicycle and pedestrian paths end up being put into general maintenance vs. LCIP. He stated that using LCIP seems to indicate that we are increasing the facility or expanding it vs. it being a maintenance.

Mr. Lysen stated that this is saying that we have to maintain our transportation systems and we have to work with Platz, MDOT and part of that is making sure we have enough money annually to develop and maintain those systems. Mr. Theriault stated that this forces a commitment. He stated that the money from the government may not go very far and if it doesn't how much of a commitment are we going to be taxing the city government. He stated that he wanted to know how this would effect the city budget to increase or decrease. Mr. Lysen stated that was why they were deliberating the LCIP with the Comprehensive Plan in a way to ensure that it is appropriate. He stated that because we are scheduling long-term we may determine that we can not afford that extensive of a bicycle and pedestrian path and we will implement as is economically feasible. Mr. Theriault stated that the Comprehensive Plan forces us to keep going for funding because it is in the Plan. Discussion ensued regarding funding and the LCIP.

Mr. Peters suggested stating "to the extent that funding is available." Mr. Lysen stated that this is not spending the money and it will have to go through a process. He stated that the city has roads, bridges and sidewalks and we have to make sure that the LCIP anticipates those expenditures on an annual basis and then funds are set aside to both develop those that are necessary and also maintain them. Mr. Peters stated that it is a living document in the sense that things change, and he has a problem with bicycle and pedestrian systems being in there or trying to develop them and continue them. He stated that he does not have a problem with the bicycle and pedestrian systems but when you only have a limited number of dollars you have to make choices. The concern is the that the Comprehensive Plan does not drive the policy when it is not a good policy given the circumstances. Discussion ensued.

Mr. Milliken suggested stating "Continue to develop and annually maintain" he stated that when "continue to develop" is used, it means provide money every year. Mr. Lysen stated that the LCIP is developed and maintained every year. Mr. Arsenault stated that LCIP use to be a wish list and now they are trying to change it to be more realistic. Mr. Milliken stated that he has a problem with stating "ensure the financing" of all of these projects. He stated that means we have to have something in there for it.

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Mr. Theriault referenced the Growth Management Act's - Inventory Analysis. Mr. Theriault stated that we are creating the Comprehensive Plan without looking at what the effect is going to be. Mr. Lysen stated that we are saying it has to be integrated in the LCIP process. Mr. Lysen stated that we have to continue to develop and maintain the LCIP so that you can ensure the financing when you have a priority. Mr. Milliken suggested inserting "with proper financing" after LCIP on Strategies A & B. the Board seemed to agree. Mr. Peters stated he did not like maintain and enhance. Mr. Goulet suggested taking out and enhance. The Board agreed.

Mr. Peters stated that Policy 3 was a School Board issue. Mr. Lysen stated that Strategy A was to support the School Department in the long-range plan. Mr. Peters stated that it should part of the School Board's plan. Mr. Lysen stated that Strategy A should state work with the School Committee and School Department. Mr. Arsenault asked if there was a role for the Development Department and Planning on that. Mr. Lysen stated yes because it is a component of the Comprehensive Plan. Mr. Arsenault stated that he does not want the School Committee and School Board to expect a lot of assistance from the Development Department. Mr. Milliken asked if Policy 3 Strategy B was a responsibility of the Development Department, Planning Board and City Council. Mr. Lysen stated that the LCIP is coordinated by the Development Department and reviewed by Planning Board and City Council. Mr. Milliken mentioned to Mr. Arsenault that the Development Department and Planning Board were only listed as supporting agencies in Strategy A. Mr. Arsenault stated that was fine.

VII. ADJOURNMENT

MOTION: By Mr. Theriault, seconded by Mr. Goulet to adjourn at 10:02 PM.

VOTE: 5-0

Mr. Dycio stated that they needed a member to volunteer for the LCIP. Mr. Theriault stated he would volunteer.

Respectfully Submitted,

Marc Goulet
Secretary