

**CITY OF LEWISTON
PLANNING BOARD MEETING
November 25, 1997**

I ROLL CALL

Meeting called to order at 6:10 PM

Members present: Harry Milliken, Denis Theriault, Harold Skelton, David Jacques (arrived 6:15)
Lewis Zidle (arrived at 7 PM), Mark Paradis, Tom Peters

Staff Present: J. Lysen, G. Dycio, D. Ouellette, Gil Arsenault, J. Andrews

STREAMLINING WORKSHOP

H. Milliken informed the Board that E. Friedman sent his regrets for not being able to attend tonight's workshop, and wanted to set up another meeting at another date regarding streamlining. H. Milliken also noted that D. Jacques' term is expiring this year and a new member needed to be appointed.

At this time, J. Lysen informed the Board that streamlining is meant to move along projects quicker. Development review is a one step meeting. He suggested that major developments of more than 10,000 feet would be reviewed by the Planning Board. Currently, the threshold is 5,000 square feet. However, the Development Department can, on a project that is between 5,000 to 10,000, decide that the project should be reviewed by the Planning Board due to several different factors. These were outlined in a six page memo to the Board. J. Lysen explained that the standards have not been reduced. Conditional Use Permits is currently being handled by the Board of Appeals. All intensifications currently require development review, often J. Lysen will ask for public works' input and input from other departments. T. Peters voiced his concern regarding objective opinions. He asked whether something should be added that would allow a petitioner or an abutter to bring it to the Planning Board. D. Theriault also voiced his concern about political influences. He would like it to come in front of the Board. J. Lysen said he would like to bring it before the Board in a one-shot deal. D. Theriault also noted that if it is reviewed by Staff, it is done during the day and that becomes a problem for most people. H. Milliken said he could go along with increasing the amount for landfill, but when it comes to development review, he said he was comfortable with 1,000 to 5,000 feet as it is right now. D. Theriault said he would like to still see a mechanism where it came before the Planning Board and then passed back to Staff for development review. J. Lysen said Staff needed time to review and make its recommendation.

Gil Arsenault said he would like Staff to deal with landfill projects. He said the public could be better served if it was done at Staff level. G. Arsenault also mentioned regarding zoning that he didn't feel it was necessary to have a petition if Staff already felt it was not going to benefit only one person and was thinking of rezoning that particular street anyway.

G. Arsenault said streamlining would save time for the petitioner. He said that if the petitioner's application was in proper form, one meeting should be sufficient; it is currently a three-step process. H.

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Milliken said determination of completeness could be done at Staff level, but there was a problem with the waivers. H. Skelton said he was comfortable with letting staff take care of that. H. Skelton asked what if it was scheduled for one meeting and then if there was a controversy, if a second meeting could be held. T. Peters suggested that all projects should be streamlined; perhaps a 45 day process, and two meetings can take up to 90 days. He said not to use the threshold of 10,000, but to streamline all projects. The projects could be notified by Staff in "Other Business" to let the Board know what is under Development Review. J. Lysen cautioned going to one meeting. D. Theriault suggested to have a return portion for concerns when notifying abutters and giving them a deadline date.

H. Skelton said Staff should work on a one-meeting process for all development review matters. J. Lysen asked if the threshold of 10,000 on earthmoving was acceptable. D. Theriault said he had no problem with that because the Board receives input from Public Works and the Board usually acts on their recommendation. T. Peters agreed, and added that it probably should be increased to 45 days to give Staff enough time. G. Dycio said he had some concerns with the deadlines and that a minimum of thirty days would be helpful. J. Lysen said some of the deadlines are set by code. He said he would bring this item up on the meeting of January 13th.

Meeting recessed for 5 minutes:

II READING OF THE MINUTES

Minutes of November 10, 1997

H. Milliken noted on page 4 that it was he and not T. Peters who suggested the *Ad Hoc* Committee.

MOTION: by H. Skelton, seconded by L. Zidle to accept the minutes as amended.

VOTE: 7-0.

III CORRESPONDENCE

- 1) Memo from J. Lysen dated November 20, 1997 regarding Bates College students presentation on Garcelon Bog.
- 2) Finance Department memo regarding purchase of property at 43 Knox Street.
- 3) Fire Department memo regarding purchase of property on Montello Street.
- 4) Memo from Public Works and Fire Department regarding Montello Street property purchase.
- 5) Memo from George regarding Foss Road.

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MOTION: by H. Skelton, seconded by D. Theriault to accept the correspondence and placed on file and be read at the appropriate time.

Discussion: T. Peters, said he had a problem with departments who did not respond on time. He said he did not know if there was an issue, or if they were simply ignoring the requests. He suggested that the correspondence received this evening not be accepted because they were received after the deadline.

H. Milliken said the Board should be somewhat flexible. He stated that one memo in particular would certainly have an influence. T. Peters said that the memo requesting comments went out only on the 19th and it may not be enough time for other departments to respond. H. Milliken said J. Lysen called him up and discussed the issues. T. Peters asked about the other late responses. H. Milliken said it would be good to accept them to streamline the process. D. Theriault said he thought there was a deadline in Planning Board's policy manual. T. Peters said he would like this item put under other business to further discuss it so that the date could be enforced. He also would like a letter drafted from the Board to see if these dates could be enforced.

VOTE: 7-0

IV REVIEW OF DEVELOPMENT PROPOSALS - FINAL HEARING

A. Fireslate Place Subdivision - First Revision - Fireslate Place

Paul LaRoche, on behalf of Doug Boyd and the Maine Bucket Company, submitted plans for a proposal to amend a previously approved subdivision where lots #5, 6, 7 and additional land abutting the subdivision will be combined into one lot (lot #5), and a new, temporary cul-de-sac will be constructed due to the vacation of the last 400 feet of Fireslate Place, including the existing cul-de-sac. Due to the size of the subdivision, the proposed amendment will be reviewed under Lewiston's Expanded Review Authority and forwarded to the DEP for their review and approval.

Pursuant to Article XIII, Section 3(h)(5), the applicant requested modifications and non-applicable status requests to the application requirements listed under Section 3 (h)(1-4). Upon review of the requests, Staff found the request to be justified and recommended that the Board grant them.

The Planning Staff also reviewed the project's application for completeness and found it to be complete. However, after reviewing the site plans, Staff had a minor concern. A note must be placed on the plans indicating the Shoreland Area setbacks from the high water mark of Stetson

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Brook. Staff discussed this concern with the applicant's representative and the necessary change will be made to the revised plans.

Police and Fire Department had no concerns, however, Public Works raised one issue regarding the proposed temporary cul-de-sac. Code requires that a permanent cul-de-sac be deeded to the City for plowing, turning around, etc. Staff discussed this concern with a representative from Public Works and a condition of approval was suggested where a permanent cul-de-sac must be constructed and deeded to the City within twelve (12) months of the approval date. All of this hinges upon the tire warehouse being razed and the tires disposed of properly. Once the applicant has control over Lot #4, a permanent cul-de-sac that meets City Code requirements can be constructed.

The Planning Staff also reviewed the plans against the Approval Criteria outlined under Article XIII, Section 4(a-u) and the Coordination with State Subdivision Law standards outlined under Section 5(1-14) and found that the plans meet all of the applicable criteria. Therefore, the Planning Staff recommended that the Planning Board review the applicable criteria, make findings that the plans meet all of the applicable criteria, and grant final approval to the project with the conditions that the necessary note be placed on the revised plans, that the issue regarding the cul-de-sac be adequately addressed, and that any concerns raised by DEP be adequately addressed prior to signing and recording the plan at the Registry of Deeds.

Paul LaRochelle was at the meeting and had no additional comments. The Board had no questions. H. Milliken opened this item to the public - seeing none, he closed it and returned it back to the Board.

MOTION: by T. Peters, seconded by D. Theriault that the Board find the application of Doug Boyd of the Maine Bucket Company meets all of the approval criteria under Article XIII, Section 4 and Article XIII, Section 5 and further that the Board grant final approval to the project subject to a note being placed on the revised plan and that the issue regarding the cul-de sac be completed within one year from approval of this Board.

Discussion: Denis Theriault reminded Staff to place the tire situation at Fireslate Place on the next agenda under Old Business.

VOTE: 6-0-1. H. Skelton abstained.

B. Foss Road Business Park - Revision I - Foss Road

Bob Faunce, on behalf of Denis and Ron Barriault, submitted plans for a proposal to amend a previously approved subdivision where several lot lines will be revised and the protective

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covenants will be amended to conform with current zoning requirements. Due to the size of the subdivision, the proposed amendment will be reviewed under Lewiston's expanded Review Authority and forwarded to DEP for their review and approval.

Pursuant to Article XIII, Section 3(h)(5), the applicant is requesting a number of waivers, modifications and non-applicable status request to the application requirements listed under Section 3(h)(1-4). Upon review of the request, Staff found the requests to be justified and recommended that the Board grant them.

The Planning Staff reviewed the project's application for completeness and found that the application was substantially complete. However, staff had some minor concerns after reviewing the site plans. A note must be placed on the plans indicating the Shoreland Area setbacks from the high water mark of No Name Brook, and the limit of the shoreland area should be shown on the plan (250 feet from the high water mark of No Name Brook). Staff discussed this concern with the applicant's representative and the necessary changes will be made to the revised plans. In addition, Staff reviewed the protective covenants that are proposed for "reservation" and had no concerns. Staff asked the Board to review the covenants and provide direction to Staff and the applicant as to which covenants are to be reserved as requested.

The Planning Staff reviewed the plans against the Approval Criteria outlined under Article XIII, Section 4(a-u) and the Coordination with State Subdivision Law standards outlined under Section 5 (1-14) and found that the plans met all of the applicable criteria. Staff recommended that the Board approve the plan subject to any concerns raised by DEP be adequately addressed prior to signing and recording the plan at the Registry of Deeds.

Police, Fire and Public Works Departments had no concerns. However, G. Dycio said he received a phone call from DEP with concerns. They are as follows:

- 1) No revision dates are shown on the plans. DEP would like the title " First Revision" placed within the revision block shown on the plans.
- 2) The original lot lines are not indicated on the plan. The original lot lines must be shown as light, dashed, "ghost" or otherwise indicated to show the changes to the lots.
- 3) All the lots within the subdivision are not shown on the plans. The DEP has requested that lots #1, 2, and 3 be shown on the plans, including the missing portion of lot #12.
- 4) There appears to be an unidentified easement that crosses lots # 8, 9, and 10. Staff has referred to the original plans and finds that this is a drainage easement and it should be identified as such on the revised plans.

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5) DEP commented on the newly created lots #6 & 9 and questioned why these lots were being reconfigured to the point where they are not buildable without proper permitting. The DEP questioned why these two lots were not dissolved and incorporated into the abutting lots thereby making larger lots that would be buildable while reducing the total number of lots. If the lots are not incorporated, then DEP will require that a note be placed on the plans. Staff has drafted an appropriate note for consideration which the DEP says would address their concerns. The note is as follows:

"Lots # 6 & # 9, as shown on this plan, are not buildable lots as indicated and cannot be built upon unless the necessary state and local permits are applied for and granted, or that state and local regulations are amended such that the necessary permits are no longer required".

In light of these concerns, Staff asked that the recommended conditions of approval, as outlined in the November 29th Staff memo, be added to the Planning Board's action.

Mr. Faunce was in the audience and said the lots' flood plains were not required to be shown on the plan originally. Wetlands significantly impacted the plans, and his client wanted to create as many lots that were relatively free of wetlands that could be sold. Lots 6 and 9 will probably never be developed. Mr. Faunce said he was concerned with DEP's request for the original subdivision plan to be recreated since the project was originally done in 1988 before CAD computers. It would add considerable expense to do this. H. Milliken asked if the full developmental plans were made available to DEP, would they refuse it. J. Lysen suggested adding a note to the plan because it will go to the Registry where the original plan is filed so that changes could easily be noted. G. Dycio said DEP didn't have the original plans. T. Peters said adding the comments onto it should be sufficient. H. Milliken said he could not see what the changes were because he didn't have the original as well. G. Dycio said the original covenants were in the packets. H. Milliken suggested tabling this issue without the old plan in front of the Board and to also have the actual new covenants in proper form.

B. Faunce said he went through the sub-division thoroughly, there were four covenants that were substantially more stringent than what was in the City Code. These four covenants are not recorded covenants, but solely are self-imposed and at the discretion of the Barriaults. H. Skelton asked if the original covenants were on the plans back in 1988. B. Faunce said they were unusual covenants and that by amending the covenants, it did not require the concurrence of any of the existing lot owners. D. Theriault asked what the City's position was on reviewing covenants. G. Dycio said a lot of them were self-imposed - as long as the requirements were not less than what Code required. D. Theriault asked if the Board was responsible for enforcing these self-imposed covenants. G. Dycio said no. B. Faunce presented a topographic site plan that was presented to the Board back in 1988. Lots 6 and 9 contain most of the important wetlands. The original plan had no thoughts to wetlands. H. Milliken had a concern that if the covenants were part of the original packet and wanted the

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minutes to be checked. T. Peters said the minutes should be checked to see if the covenants were added to the motion made when accepting the plan. B. Faunce said he would not be available for the next Planning Board meeting if this were tabled. H. Milliken was concerned with the DEP comments.

H. Milliken opened the meeting to the public. No comments. H. Milliken said he didn't think this application was complete and did not feel comfortable with moving on this project. B. Faunce said he didn't remember submitting a plan showing prior lot lines on any revision; the purpose of the plans is clearly stated in the notes.

MOTION: by D. Theriault, seconded by H. Skelton that the requested waivers of submission requirements by Robert Faunce on behalf of Foss Road Business Park, Revision I, 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 7-0.

MOTION: by D. Theriault seconded by H. Skelton that the Board find that the application of Robert Faunce on behalf of Foss Road Business Park, Revision I, meets all of the approval criteria under Article XIII, Section 4 and Article XIII, Section 5 and further that the Board grant final approval to the project subject to a note being placed on the plans indicating a shoreland area set back and the high water mark of No Name Brook and the limit of the shoreland area should be shown on the plans from 50 feet of the high water mark of No Name Brook. Also final approval is subject to the concerns of DEP being met as outlined in George Dycio's November 25, 1997 memo. Final approval is also subject to covenants being the same as they were in 1988.

Discussion: D. Jacques asked for clarification of the motion. H. Skelton said that he understood it to mean if the covenants were a condition of approval back in 1988, then those same covenants must be incorporated into the plan before them now.

VOTE: 5 - 2 (T. Peters and H. Milliken opposed).

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V DETERMINATION OF COMPLETENESS & SCHEDULING OF HEARING

A. Rite-Aid - Corner of East Avenue and Sabattus Street

Craig Martin, of Delta Engineering, on behalf of Richard LeCompte and Sabattus Street Associates, submitted plans for a proposal to construct an 11,180 square foot (130' x 86') single-story Rite-Aid pharmacy store, located at the corner of East Avenue and Sabattus Street. The area under consideration is located in the Community Business (CB) District where retail stores are permitted as a matter of right. The project had its Pre-Application conference at the October 8th Planning Board meeting where the Board also reviewed a proposal to rezone a portion of the property under consideration from Neighborhood Conservation "A" (NCA) District to Community Business (CB) District, to allow for access to and from East Avenue, and forwarded a favorable recommendation to the City Council.

The Planning Staff reviewed the additional information submitted to date and forwarded the following comments:

1. The Planning Staff and Police Chief requested that a Traffic Impact Analysis be submitted as part of the project's application. A copy of the analysis was forwarded to the LACTS Director at AVCOG for his review and comments. Upon review of the analysis, Staff found that there will be no significant reduction in the level of service based on the pre and post development conditions. The traffic engineer also stated in the analysis of page five that the East Avenue and Sabattus Street intersection is defined as a "High Accident Locations" based on the number of accidents (56) that occurred within a three (3) year period. However, the traffic engineer states that, in his professional opinion, the proposed MDOT improvements to the intersection should improve the safety conditions in this area.

2. With respect to traffic and on-site maneuvering, Staff has not received the requested information regarding tractor-trailer maneuvering capabilities or the size of the vehicles that would be used for deliveries. Staff strongly suggested that the Board consider a condition of approval limiting the size (wheel base-length) of the tractor-trailers utilized for deliveries at this location. The Lisbon Street Rite-Aid was designed for a specific size vehicle, however, due to the additional Rite-Aids in the area that require deliveries, the vehicles have increased in size (i.e length) which, in turn, has created a situation where all vehicular maneuvering is **not** accomplished on-site. Staff requested that this written information be submitted for Staff's review prior to the Final Hearing.

3. Staff reviewed the landscaping plan and has some minor concerns. Additional street trees will be required along East Avenue and Sabattus Street. The Green Mountain Sugar Maples, as show along the abutting property of Andre and Donna Dionne should be extended to the

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landscaped areas along East Avenue and Sabattus Street. Staff asked the Board to review the landscaping plan and provide further guidance and direction to the applicant.

Copies of the revised plans and supporting information have been submitted to the Public Works Department for their review and comments. Upon review of the plans, Public Works had no concerns. The Fire Department was satisfied that the plans met their requirements and stated so at the Pre-Application conference, while the Police Department requested a Traffic Impact Analysis be conducted for safety reasons (high accident rate intersection). A copy of the analysis was submitted to the Police Chief for his review and he is satisfied that the safety issues will be addressed.

The Planning Staff found the project's application complete and asked the Board to review it for completeness and schedule it for a Final Hearing at the next available Planning Board meeting (December 16th).

D. Theriault asked when MDOT plans to do its study. G. Dycio said they indicated sometime early next spring. G. Dycio said he would request a set of plans from MDOT to see what they have proposed. Elizabeth Ann's side of Sabattus Street is where MDOT was planning to take some property. D. Theriault asked questions regarding the tractor trailer on sites - enforceability would be a problem. G. Dycio said all tractors should be maneuvered on site. The applicant had to demonstrate that they could do so with a wheel base size of 50. H. Milliken asked about the East Avenue entrance because it is only 90 feet from the intersection. The applicant said the truck was only delivering once a week between 5:30 and 6:30 PM. H. Milliken suggested that further review should be done in that area before this plan could be approved. MDOT's plan has not been made available as of yet. T. Peters reminded the Board when they made the approval on Maine Family, that a condition was put on it and that someone needed to look at the whole picture. R. LeCompte said there was one truck delivery per week and if the Board wanted to restrict it, then it was fine with him.

Real Roy, Lisbon Street asked how many people were going to be displaced by tearing down the proposed buildings. D. Theriault said he understood Mr. Roy's concerns, but it does not fall under the review of the Board - it's the owner's right to tear down his building if he chooses.

T. Peters would like to find out what MDOT was planning for that area and asked Staff to set up a presentation by MDOT for Sabattus Street- East Avenue to Maine Family Federal Credit Union.

H. Milliken suggested that the applicant get the plans from the State because it said it was a high accident area. H. Skelton said it was up to the applicant to prove to the Board that this would be a safe project. H. Milliken agreed that the Board needed a presentation of what was going on in that whole corridor. He asked if there is a condition of approval and the State does not do the

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improvements, then does the applicant's project go on hold until the improvements are done. He then suggested that the applicant work with Staff to work in proper access management; what the State was doing on this project, and have the information by the 16th. Mr. LeCompte said that since MDOT was not taking any of Rite-Aids land, it would not have any affect on his project. He said MDOT indicated to them that it will not use his site. G. Dycio said he saw a copy at Public Works and asked for a copy for the meeting of the 16th. H. Milliken asked G. Dycio to find out if Public Works had a copy of the plan for the whole corridor.

MOTION: by D. Theriault, seconded by M. Paradis that the application of Rite Aide be determined to be complete and further move that review of the completed application be scheduled on December 16th at 7:00 PM. Further moved that the final hearing be a public hearing.

Discussion: H. Milliken noted that he would like to have scales on the plans; two of the site plans did not have it.

VOTE: 7-0.

VI OTHER BUSINESS

A. New Business

1. Community Development Block Grant - process for FY 99 CDBG funding requests.

J. Andrews said that a sub-committee met with him and other staff to streamline and present the CDBG process. He presented a schedule to the Board outlining the timeframe for CDBG. Planning Board will look at the proposals, formulate the funding, and hold a minimum of one public hearing (perhaps two) to hear the presentations. Mr. Andrews said he felt this would expedite the process. H. Skelton proposed that Staff and the sub-committee put together numbers and a proposal, and that would be available at a public hearing. J. Andrews said it gives the public an opportunity to come to the hearings. There will be a public notice in the paper that will list out what funds are available.

MOTION: by H. Skelton, seconded by L. Zidle to send a favorable recommendation to the City Council on the proposed FY99 CDBG Citizen Participation Plan and schedule.

VOTE 7-0.

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2. Review of a proposal to acquire property located at 43 Knox Street and forward a recommendation to the City Council.

H. Milliken said he saw a memo from Dick Metivier that no action be done for at least thirty days and asked if the City Council expected a recommendation from Planning Board on this. J. Andrews said the City received loan money and grant money to revitalize inner-city residential neighborhoods. This was used to acquire and demolish property within that zone, and this property falls within that category. The procedure is to purchase property at assessed value less any outstanding taxes. J. Lysen said this property has not been occupied for at least two years. D. Theriault said that the city would sell that property. J. Andrews agreed that it would try to sell it to an abutter. D. Theriault said it would be a good use of grant money to tear this building down and add additional parking for abutting neighbors.

MOTION: by T. Peters, seconded by D. Theriault to send a favorable recommendation to the City Council to purchase the property located at 43 Knox Street less the assessed water & sewer fees and back taxes owed to the City.

VOTE 7-0.

3. Review of a proposal for the School Department to acquire the land at 347-349 Montello Street and forward a recommendation to the City Council.

J. Lysen said that Staff received correspondence from several departments regarding the acquisition of this property. Robert Connors said the offer was delivered to the School Department a while back and this would give the school an additional 86 feet which would then give the school additional access in the back. H. Skelton asked if the school had a back access if it would use it. R. Connors said the original plan had a back access, but because of a problem with an abutting neighbor, it was not used. T. Peters asked if Thorn Crag would consider using the back area as parking and absorb some of the cost.

MOTION: by D. Theriault, seconded by T. Peters to send a favorable recommendation to the City Council to purchase the land at 347-349 Montello Street at a price not to exceed \$10,700 and also for the School Department to explore the possibility of a joint venture for parking with Stanton Bird Club for the Thorncrag Bird Sanctuary.

VOTE: 6-1 (H. Skelton).

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Susan Hayward, representative from Thorn Crag Bird Sanctuary stated there was a problem in crossing Montello in that area and would be interested in a traffic study. The curve is a serious issue.

4. Review of a proposed amendment to the Zoning and Land Use Code, where properties located at 109 Campus Avenue and 53 Sylvan Avenue (Dairy Joy site) would be rezoned from Office-Residential (OR) and Neighborhood Conservation "A" (NCA) Districts respectively to Community Business (CB) District; and "Drive-in Restaurants" would be able to stand on their own as a permitted use in the Community Business (CB) District; and scheduling of a Public Hearing.

G. Dycio said the applicant was proposing to make two changes to the code. Because his business is a seasonal use, to put this as a drive-in would not stand on its own, so therefore the need for the rezoning from NCA to CB. Staff asked that the Board review the petition and schedule this for public hearing on the 16th. Attorney Edward Rabascco, representative of the applicants, said the Dairy Joy has been there since 1952. His client purchased the property next door, a dilapidated one-family structure, and has razed it. His goal is to be conforming and secondly to use the lot for some additional parking. His client would like to add four more feet to the back of the storage area, two feet wider, and one story higher. J. Lysen said he didn't see any problem with rezoning this to CB.

Ron Nadeau of 137 Spring Street, Auburn, owner of the Sabattus Street Dairy Joy, said he has 50 feet and wanted to put 20 feet as black top. This will then leave him with a 15 foot buffer with grass, shrubs, trees, and fence and still leave 15 more feet to give to his neighbor.

J. Lysen suggested the Board take a look at Robert's Card Shop and perhaps rezone it the same so that it conforms to zoning because as it is right now, it is non-conforming, but is grandfathered. OR allows no retail.

MOTION: by H. Skelton, seconded by D. Theriault to schedule a public hearing to amend the Zoning and Land Use Code to rezone properties located at 109 Campus Avenue and 53 Sylvan Avenue (Dairy Joy Site) from Office-Residential (OR) and Neighborhood Conversation "A" (NCA) Districts respectively to Community Business (CB) District for December 16th and to include two other properties.

Vote: 7-0.

H. Milliken said Staff needed to notify the abutters.

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5. Discussion of possible rezoning requests and/or code amendments concerning properties along Sabattus Street (1136 Sabattus Street - Gary Chicoine & 15 Riley Street - Donald Christianson - see attached letter).

J. Lysen said one of the owners wants to convert his home into a two-family. He borders on NCA and HB does not allow residential. G.Chicoine wants Riley rezoned to allow him to put on a car port. It has a 30 foot setback because he is in HB. H. Milliken asked if he had checked with the applicant to see what their schedule was because part of the comp plan was to look at the Sabattus Street corridor. He said he would like to put this area of the comp plan as top priority.

MOTION: T. Peters, seconded H. Skelton to schedule the rezoning request and/or code amendments concerning properties at 1136 Sabattus Street and 125 Riley Street to the second meeting in February, 1998.

VOTE: 7-0.

6. Forming of an *Ad Hoc* committee to study Downtown Issues.

H. Milliken's suggested, since the City had scheduled a meeting December 4th regarding the downtown area, to wait and see what direction that meeting set. T. Peters suggested to just keep this item on the agenda

7. Progress report on the FY 99 Lewiston Capital Improvement Program (LCIP).

J. Lysen said Staff was waiting for Public Works proposals, and most of the others had come in.

8. Appoint someone to LMRC Board.

H. Milliken appointed Tom Peters to the LMRC Board and Tom accepted subject to clarification of his letter (regarding conflict of interest).

MOTION: H. Skelton moved to endorse the chairman's appointment of T. Peters to the LMRC Board for one year subject to T. Peters receiving satisfying answers to his concerns, seconded D. Jacques.

VOTE: 7 - 0.

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B. Old Business

1. Proposed (Paper) Streets:

- a) Review and comment on the proposed process for the vacation of proposed (paper) streets.

The Board reminded Staff to present this to the Board after ten request were received or six months passed.

2. Planning Board/Board of Appeals - Development of standards/proposed amendments to the Zoning and Land Use Code with respect to conditional use permits and setback modifications .

T. Peters said he could not attend the meeting of December 3rd and asked if the Board could delegate another member. D. Theriault said he could make the 8:30 AM Wednesday meeting.

3. Comprehensive Plan Update:

- a) Development of a Work Plan for the implementation of the Comprehensive Plan.

J.Lysen said that the State suggested the language be made stronger in some of the areas.

VII ADJOURNMENT

MOTION: by T. Peters, seconded by L. Zidle to adjourn the meeting.

VOTE: 7 - 0.

Meeting adjourned 10:05 PM

Respectfully submitted,

Denis Theriault
Secretary

dlo