

**CITY OF LEWISTON  
PLANNING BOARD MEETING  
MINUTES for November 23, 1999 - Page 1 of 9**

**I. ROLL CALL:**

This meeting was called to order at 6:35 p.m. and chaired by Harry Milliken.

**Members In Attendance:** Rob Robbins, Tom Peters, Harry Milliken, Lewis Zidle, Mark Paradis, and Dennis Mason.

**Staff Present:** James Lysen, Planning Director; James Fortune, Planning Coordinator; Jim Andrews, Community Development Director; Gil Arsenault, Deputy Development Director; David Hediger, Land Use Inspector, and Doreen Asselin, Administrative Assistant.

**Member Absent:** John Cole.

**II. CORRESPONDENCE:** None presented at this meeting.

*Since the MDRTF Members were still in their meeting, the following item, out of sequence on the agenda, was presented.*

**V. OTHER BUSINESS:**

A. New Business:

1. *Program Participation and Scheduling of FY2001 Community Development Block Grant (CDBG) Funding Request.*

**Jim Andrews** presented this item. He stated that before everyone was a memorandum that will be sent out to the Public Service Agencies. If this is approved, it will go forward as a recommendation to the City Council. This is typical of what has been done in past years with a few changes to the criteria, based on input that has been received from various people in the City, including Staff and City Councilors. The Sub-Committee has met. Also involved in this process was Community Development Staff Member **Mike Myatt**. **Phil Nadeau** from the Administrator's Office has also been involved. Discussions were held on how to streamline this process a little bit more before the transition into the CDBG Year 2001. **Jim Andrews** said that the plan stays basically the same besides the dates. The FY2001 Community Development Planning Process Schedule (Year 26) was included in the Planning Board packets. The criteria was tightened up. The Sub-Committee will review the Public Service Agencies and all the different projects brought to them and will come up with a consensus, based on each Committee Member's input and also some priorities that will be looked at from the Administrator's Office, Public Works, and any other department in the City. This process had input and involved Planning Board Members **Tom Peters** and **Rob Robbins**. **Jim Andrews** said that the best effort was made to put this Development Plan in process for the next year. This will appear before the City Council. There may be suggestions from previous years. **Tom Peters** said that the criteria has been tightened up a

little bit and that they are trying to get a sense of what Staff and Administration are looking for. The figures should be about the same as they were for last year. He said that **Phil Nadeau, Rob Robbins**, and himself will appear before the City Council with a recommendation so that this will be coming from Administrator representing Staff and the Planning Board to eliminate controversy. Suggestions from previous years will be brought up to prevent problems down the road. Recommendations will be made after there has been an opportunity for a Public Hearing. After being heard by the Planning Board at this meeting, **Jim Andrews** said that it is recommended that the program participation plan go forward to the City Council at their December 14, 1999 meeting and that they adopt this plan so that it can be forwarded with the process to send out the application. **Jim Andrews** said that this is the same process as last year, with a Public Hearing to take this forward. He also mentioned that schedules for the entire year will also be included. The real work comes after the City Council adopts this. From the application, this process should be put into affect now. When the application comes back, the Sub-Committee will then deal with it. More information has been requested on the application.

After this presentation, but before the motion was made, **Harry Milliken** mentioned that it has been a pleasure working with **Jim Andrews**. **Jim Andrews** then made reference to **Harry Milliken's** departure from the Planning Board. He said that it had also been a real pleasure working with him. He said that it was great to talk business because he was always straight forward and talked about the issues. "We may not have agreed all the time but we always worked things out." In closing, **Jim Andrews** then said, "We appreciate that work, Harry!"

**MOTION:** by **Tom Peters**, seconded by **Dennis Mason** that the Planning Board moves that the Citizen Participation Plan and Schedule FY2001 Community Development Block Grant (CDBG) Funding Request be recommended to the City Council for adoption.

**VOTED:** 5-0.

*Lewis Zidle arrived at this meeting at 7:03 p.m.*

**III. JOINT WORKSHOP:** *A Discussion Between the Mayor's Downtown Renaissance Task Force (MDRTF) and Planning Board Members on the Proposed Downtown Rezonings.*

Involved in this joint workshop were some of the Mayor's Downtown Renaissance Task Force Members which were as follows: **Rita Dube, Claudette Caron, Joyce Bilodeau, Paul Badeau, Norm Rousseau, and Jim Carignan.**

**Jim Lysen** started this presentation by reading the memorandum prepared by **Jim Fortune** dated November 17, 1999. As mentioned in this memorandum, the MDRTF Members received in their packets an updated copy of the matrix and a map of the proposed zoning districts for the downtown area. This matrix was updated following the November 9, 1999 Planning Board Meeting. The changes made were reflected in the Planning Board Minutes for the November 9, 1999 Planning Board Meeting. To date, the Planning Board has already had two (2) meetings. This MDRTF initiative started 1-1/2 years ago. The most difficult was where the boundaries in different zones should be and also the uses. **Jim Lysen** mentioned the four (4) districts, which are: Downtown Residential (DR); Centre Ville; Mill; and Riverfront Districts. What was covered in this meeting were the zoning districts and possible uses to be allowed. The Planning Board made some minor adjustments.

The rezoning in the downtown area was in respect to the recommendations in the Downtown Master Plan. The proposed district boundaries and the list of permitted uses included in the matrix were reviewed at this meeting and are consistent with the implementation of the Downtown Master Plan. The purpose of this joint workshop was to fine-tune the district boundaries and develop and confirm the justification for them, and to develop a set of permitted uses that will facilitate the development and adaptive reuse of downtown properties.

Some of the minor adjustments include - the proposed Mill District boundary (the line between the MD and RF Districts - this includes R.I. Mitchell, the border along Lincoln Street, and Lincoln Street Alley). Input is needed from the MDRTF. This area needs some fine tuning. The Lewiston Sun-Journal is classified as a manufacturing plant. The new code calls them information systems, which would be allowed in the CV District.

Some of the questions raised on LePage Bakeries are, as follows. What do we do with LePage Bakeries? They are a non-conforming use in the Centre Ville District. How do we make them permitted in the downtown district? **Tom Peters** said that we should say "yes" they can stay and then work with them. **Tom Peters** then asked, "Is there a compromise with LePage Bakeries?" It was suggested to try to curtail their expansion in the downtown area. The following questions were then raised: What would we like to have in our downtown? What do we want in our downtown? What would we like to see? This is a gateway area to our downtown.

The following MDRTF members expressed their concerns and made the following comments.

**Rita Dube** asked, "What happens if another bakery wants to come in?" The response was, if they are a permitted use, they would be allowed.

**Claudette Caron** suggested maybe looking into grandfathering.

**Jim Carignan** stated that commercial bakeries should be made a conditional use. LePage Bakeries definitely needs improved access to their building. He also said that the possibility of another bakery was never discussed. **Jim Lysen** said that there would be no problem with making LePage Bakeries conditional and then relocating a different area for their loading dock. A conditional use would be appropriate. **Tom Peters** mentioned that contract zoning could be used and that this would prohibit other growth. He suggested that the Planning Board sit down with LePage Bakeries to see where they want to go. **Rita Dube** said she agrees with contract zoning. **Mark Paradis** then asked, "Are LePage Bakeries aware of our new Downtown Master Plan and have they been contacted?" **Jim Lysen**'s response was, "Yes". **Dennis Mason** then asked, "What would the MDRTF like to see on Lincoln Street?" Right now it is light industrial uses along the whole strip of Locust Street. **Jim Lysen** commented that, in his opinion, the real estate is too valuable for industrial uses in that area. **Harry Milliken** then asked, "Do we want anything on the right side limited to the Industrial Office (IO) District? **Jim Lysen** said that Lincoln Street will be a thoroughfare. **Harry Milliken** commented that the street is a boundary.

**Joyce Bilodeau** commented that Lincoln Street is transitioning on its own. It was then agreed that everything on the right side will be in the Riverfront District and everything on the left side will be in the Mill District. All members were in favor of the property on the Riverfront District. **Harry Milliken** is not in agreement with contract zoning. **Tom Peters** pointed out that contract zoning is available now. **Dennis Mason** mentioned putting this as a conditional use or removing it as a permitted use. **Dennis Mason** also mentioned having LePage Bakery coming to the Planning Board for contract zoning. **Tom Peters** said that we will work to assist LePage Bakery. We do not want to squelch growth.

**Norm Rousseau** said that we need to decide what we want. He suggested grandfathering LePage Bakery. This is just one (1) window of opportunity for contract zoning. **Tom Peters** commented that we want to be good neighbors. We do not want any future plans to conflict with what is there now.

**Rita Dube** expressed concern about the Good Shepard Food Bank building. This building is empty now. What if LePage Bakery wants or decides to buy that? This is the gateway to our downtown.

**Jim Carignan** said that in the past LePage Bakery has not been on good terms or had a good relationship with City Officials. **Harry Milliken** suggested that a sub-committee will be assigned from Staff, Planning Board, and the MDRTF to set up a meeting with LePage Bakery. **Jim Carignan** suggested that nothing happen until LePage Bakery has been contacted or it will collapse.

There were some suggestions in regards to the upper portion of the Mill District. **Jim Carignan** mentioned what if we wanted a mill and its uses put on the gateway area into Lewiston. In the area that the Peppermill is located, he asked if we want this zoned MD. **Claudette Caron** suggested that this area be zoned Centre Ville. **Joyce Bilodeau** said that we should be concentrating on this area being an attractive gateway entrance. On the Downtown Plan, it is labeled Southern Gateway. **Harry Milliken** said he does not want to eliminate small, light industrial uses. He also said that the building needs to be upgraded. There is a need to work with people in that area to do light manufacturing. **Jim Lysen** said the mills, if maintained, could add to the gateway. He would like to keep this area zoned as MD. **Tom Peters** said that this area is a corridor to the downtown and that it should look attractive. He suggested that the uses could remain as they are right now until a certain date. **Joyce Bilodeau** said that we need more bodies in the downtown. She also said that the design standards needs to be the responsibility of the municipality, not just the property owners.

**Tom Peters** commented that the facade should be the same all the way through. **Jim Carignan** said that there are design standards proposed for the City and referenced the Downtown Master Plan's Recommendation No. 23, which is "Establish design guidelines for the downtown". **Jim Lysen**'s response was that we need grant money to do this. This also needs to be put in code as to what will be done. He mentioned that it is a high priority.

**Dennis Mason** said that there are a lot of additional permitted uses under proposals for the new DR District. **Jim Carignan** said that he is concerned with the DR area. He would like to look more at this area.

It was suggested that the Mayor's Downtown Renaissance Task Force (MDRTF) Members need to sit in on the Planning Board Staff's next meeting concerning the matrix before this gets presented to the City Council. The following Districts are *existing*: Urban Enterprise (UE), Downtown (D), Neighborhood Conservation "B" (NCB), and Office Residential (OR). The following Districts are being *proposed*: Riverfront (RF), Downtown Residential (DR), Centre Ville (CV), and Mill (MD). **Joyce Bilodeau** said that there are no changes so far on the proposed matrix. She agrees with everything so far that has been proposed and presented to the MDRTF Members. It was suggested that a Sub-Committee be formed from the MDRTF members to go over the proposed matrix at their next meeting which is scheduled for January 2000. A second meeting, which will be a workshop, on the fourth Tuesday of January 2000 (January 25, 2000) will be a joint meeting between the Planning Board and the MDRTF.

This present workshop accomplished having the line moved between the MD and the RF Districts, which is the proposed Mill District boundary.

Also agreed to was that a Sub-Committee meeting needs to be scheduled with LePage Bakery before the matrix is finalized. This will involve appointing volunteer members from both Planning Board Staff and the MDRTF, and possibly bringing in several property owners (suggested by **Harry Milliken**) of the downtown area to have an open forum discussion.

There are currently three (3) members on the MDRTF that are City Council Members.

Lastly, **Dennis Mason** suggested that we need to work on drafting design guidelines.

*There was a brief recess between these Workshops from 8:06 - 8:15 p.m.*

#### **IV. WORKSHOPS:**

- A. *Proposed Amendments to the Zoning and Land Use Code Concerning Lot Layout and Configuration.*

**Jim Lysen** presented this item. In the ordinance pertaining to Lot Layout and Configuration, Item Nos. (2) and (3) were moved from Article XIII, Development Review and Standards, to Article V, Administration and Enforcement, as Item Nos. (1) and (2). This was changed for the provision of odd-shaped lots. This criteria applies to the creation of lots and has eliminated the wording, “*tidal water*” (see strick-out in red lettering).

Under Article XIII, Development Review and Standards, Section 4, Approval Criteria, Item (p) (1) remains the same. As mentioned above, Item Nos. (2) and (3) are struck-out, since they were brought to Article V, Administration and Enforcement. A map (enclosed in the Planning Board packets) labeled, Figure 18, will be included in the code. The diagram, labeled Figure 20, may want to be included in the code. Both the map and diagram are helpful to explain. This ordinance will eliminate problematic lots in the future. All lot changes will be going through the GIS system.

**Jim Lysen** said that under Article V, Administration and Enforcement, Section 3. General Provisions, Item (2), in summary, this Item pertains to an interior lot to a flag lot. Therefore, a flag lot would not be permitted under the new code. **Rob Robbins** then asked, “What is an irregular-shaped lot?” **Tom Peters** then suggested that three (3) or four (4) examples should be given to define what an irregular-shaped lot is. **Jim Lysen** mentioned that this could be done in the Site Plan Review and Design Guidelines. **Harry Milliken** asked, “Offsets cannot be at a right angle?” **Jim Lysen** said that with the first 25 feet, you need 100 feet. In Article V, Administration and Enforcement, Section 3, General Provisions, Item (3) should be changed from “*equal*” to read, “*at least equal to*”.

This item was brought to the Planning Board for a review and to make any necessary changes and then to schedule the proposal for a Public Hearing. The following motion then took place.

**MOTION:** by **Dennis Mason**, seconded by **Rob Robbins** to schedule the Proposed Amendments to the Zoning and Land Use Code Concerning Lot Layout and Configuration for a Public Hearing on Tuesday, December 14, 1999 Planning Board Meeting.

**VOTED:** 6-0.

B. *Proposed Amendments to the Zoning and Land Use Code Concerning Signage.*

This item was presented by both **David Hediger**, Land Use Inspector, and **Gil Arsenault**, Deputy Development Director. The changes made to this ordinance are pretty modest. Businesses that are out of business have 180 days to remove their signs. If an order is not issued, they can remain. Some people take only the panels down and leave the framing up. **Tom Peters** asked, "Why do they have 180 days to remove?" That is half a year. "Why that long?" The response was that a non-conforming sign can be changed. **Gil Arsenault** also responded by saying that it takes that long to remove.

The following changes were made to this ordinance.

On Page No. 3, Item (3), Paragraph a. Advertising and promotional signs. **Gil Arsenault** said that there are no size requirements on these signs and that it depends on the issue. **Tom Peters** suggested that a permit be obtained from day-to-day, but that such signs shall not be permitted more than four (4) times in any 12-month period.

On Page No. 6, Item (i), the new reading of the first sentence shall be: "*Each business entity is permitted sign area not to exceed ten (10) percent of the gross wall area of the principal facade of the building or structure or a minimum of 54 square feet, whichever is the greater, in the form of awning, project, wall, or window signs attached to the building or structure in which the business is located.*" The wall signage, therefore, has been changed from 54 SF or five percent (5%) of sign to 54 SF or 10 percent (10%) of sign. This should stay consistent with the City of Auburn.

Reference was made to Page No. 7, of the Ordinance Pertaining to Sign Regulations, Item No. 3 by **Dennis Mason**. This item references properties with frontage on the interstate system. **Gil Arsenault** said that this item is consistent with the state requirements. This is a situation where you do not have two (2) signs, i.e. Geiger Brothers. This has to be an on-premise sign. This item is *Properties with frontage on the interstate system* and has been added to this signage ordinance, which states

that, “One (1) additional ground sign visible from any portion of the interstate system including ramps and interchange areas, not to exceed 20 feet in length, width, or height or 150 sq. ft. in area, including borders and trim, but excluding supports, may be permitted no more than 50 feet from the principal building or structure where the business, facility, or point of interest is carried on.”

Also on Page No. 7, Item d. Public Canopies. This item is not an issue since there are no remaining canopies. Delete all references to this item.

On Page No. 11 of the Ordinance Pertaining to Sign Regulations, Item (e), Official Business Directional Signs - follow through with state requirements. With this item, you do have to sign off on the application with the state. No sign directions directing business out of the city are allowed (Auburn does allow this). We do not want to direct traffic out of our City. Signs are paid for each year to the state. If the flyover passes, there will be requests for signs. Billboards are outlawed. Religious signs are exempt from this with the exception of the religious sign on Interstate 95 (Lewiston Exit). This sign is grandfathered.

On Page No. 13, Item No. 5 remove all of this except for the first sentence. This sentence is to remain and is, as follows: “Uses as identified in Sub-section (2) a. shall be limited to a maximum of six (6) official business directional signs.” **Harry Milliken** felt that by taking this information out, this would cause a problem. He said that he does not want this to be allowed in his own personal opinion. He said that this would make it very difficult to exit and that it is a safety issue. **Gil Arsenault** does not see this as an issue.

There are directions on how to design a sign area. It was questioned whether there should be an historic signage reference added to the code. **Jim Lysen** responded with “Yes”.

There being no further discussion on this topic, it was brought back to the Planning Board for a motion to be scheduled for a Public Hearing.

**MOTION:** by Dennis Mason, seconded by Tom Peters that these Proposed Amendments to the Zoning and Land Use Code Concerning Signage be scheduled for a Public Hearing at the December 14, 1999 Planning Board Meeting.

**VOTED:** 6-0.



**V. OTHER BUSINESS:**

- B. Old Business: There were no Old Business items presented.

Before the motion was made on the minutes, **Jim Lysen** mentioned that the LCIP forms for Parks and Recreation were submitted in the old form format. These need to be transferred to the new form and resubmitted by **Maggie Chisholm** for inclusion in the LCIP process.

As an update to the last Planning Board Meeting, **Tom Peters** mentioned that in reference to the last meeting, the Planning Board Members began that meeting by going immediately into an Executive Session in regards to the Bates Mill (Mill No. 5) issue. In relation to that topic, **Tom Peters** said that all the matters are being resolved with Bates Mill, Mill No. 5.

**VI. READING OF THE MINUTES:**

- A. *Draft Minutes of Planning Board Meeting Held on November 9, 1999.*

**MOTION:** by **Dennis Mason** seconded by **Mark Paradis** to approve the Planning Board Minutes of November 9, 1999, as submitted, and place them on file.

**VOTED:** 4-0-2 (**Lewis Zidle** and **Rob Robbins** Abstained).

**VII. ADJOURNMENT** - The following motion was made to adjourn.

**MOTION:** by **Tom Peters**, seconded by **Dennis Mason** to adjourn this meeting at 9:15 p.m.

**VOTED:** 5-0.

Respectfully submitted,

Dennis Mason, Secretary

DMA:dma

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